



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



Human rights situation of the Lebanese detainees in Israel

Commission on Human Rights resolution 2003/8

The Commission on Human Rights,

Recalling the report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978 (S/2000/460), in particular paragraphs 7, 8, 12, 14, 16, 17, 21 and 48, endorsed by the Security Council (S/PRST/2000/18),

Noting Security Council resolution 1391 (2002) of 28 January 2002, in particular paragraph 11, and Security Council resolution 1461 (2003) of 30 January 2003, in particular paragraph 10, in which the Council stressed the necessity to provide the Government of Lebanon and the United Nations Interim Force in Lebanon with any additional maps and records on the location of mines,

Gravely concerned at the persistent violation by Israel of the principles of international law regarding the protection of human rights, in particular those contained in the Universal Declaration of Human Rights, as well as the grave violation of the relevant provisions of international humanitarian law contained in the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the Additional Protocols to the Geneva Conventions,

Censuring breaches by Israel of the sovereignty and territorial integrity of Lebanon,

Hoping that the efforts to implement the Security Council resolutions on the occupied Arab territories, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and to achieve peace in the Middle East will put an end to the violations of human rights being committed by Israel and that the peace negotiations will be resumed and conducted with a view to reaching a just and comprehensive peace in the region,

Gravely concerned about the hundreds of thousands of landmines left behind by Israel in southern Lebanon, which have so far caused hundreds of deaths and injuries to civilians, including women and children,

Deploring the failure of the Government of Israel to submit all the maps showing the deployment of those landmines,

Condemning the persistent detention, ill treatment and torture by Israel of many Lebanese civilians who were abducted and detained in Lebanon and subsequently transferred to prisons in Israel,

Expressing its indignation at the ruling handed down on 4 March 1998 by the Supreme Court of Israel permitting the Israeli authorities to retain Lebanese detainees in Israeli prisons without trial and to hold them as

hostages and for bargaining purposes and the recent renewal of their incommunicado detention, which constitutes a flagrant violation of the principles of human rights,

Reaffirming its resolutions 2001/10 of 18 April 2001 and 2002/10 of 19 April 2002, and expressing its deep regret at the failure of the Government of Israel to implement those resolutions fully,

1. *Calls upon* the Government of Israel to comply with the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto;

2. *Also calls upon* the Government of Israel to refrain from holding the detained Lebanese citizens incarcerated in its prisons as hostages for bargaining purposes and to release them immediately, in compliance with all the Geneva Conventions and other provisions of international law;

3. *Affirms* the obligation of Israel to commit itself to allowing the International Committee of the Red Cross to visit the detainees regularly, as well as to allowing other international humanitarian organizations to do so and to verify their sanitary and humanitarian conditions and, in particular, the circumstances of their detention;

4. *Calls upon* the Government of Israel to submit to the United Nations Interim Force in Lebanon all the maps of the landmine fields laid throughout the civilian villages, fields and farms, causing casualties among civilians, including children and women, and obstructing the resumption of normal life in the area;

5. *Requests* the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Israel and to call upon it to comply with its provisions;

(b) To report to the General Assembly at its fifty-eighth session and to the Commission at its sixtieth session on the results of his efforts in this regard;

6. *Decides* to continue its consideration of the situation of the Lebanese detainees at its sixtieth session.

50th meeting

16 April 2003

[Adopted by a recorded vote of 32 votes to 1, with 20 abstentions.]

See chap. IX.- E/CN.4/2003/L.11]