

ISRAEL'S BOMBING OF LEBANON:
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**A CASE OF HUMANITARIAN CATASTROPHE AND AN
AFFRONT AGAINST THE GENEVA CONVENTIONS**

BY

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The situation in the Middle East could rightly be described as one of humanity's worst humanitarian catastrophe in the light of Israel's continued Air strikes of Gaza and Lebanon. The dimension of the crisis in the Middle East region is such that unless the International community assumes a critical and systematic approach toward resolving the well entrenched injustice perpetrated by Israel and its allies against the Palestinians and the people of Lebanon, the situation may degenerate and have spillover effects, which will be critical in relation to the fundamental issue of maintenance of International peace and security within the perspective of the United Nations (UN) system.¹

The Israeli aggression reached its climax on the 17th and 18th of July 2006 when more than 1,200 innocent Lebanese civilians mostly women and children were killed vide the process of the Israeli Air strikes. In Gaza city more than 97 innocent civilians were brutally killed by the Israeli military aggression. The unprecedented and systematic attack against the Palestinians and the people of Lebanon is against the principle of the rule of law and above all die metrically an affront against the Geneva conventions and its additional protocol.² Israel's action in this regard could best be termed as crime against humanity precisely because the level of impunity with which the destruction is taking place is highly beyond proportion and totally not in conformity with the permissible rules of war contained in the Geneva conventions and its additional protocol.

The claim by Israel that its action in Gaza and why all in capitals is justified, on the ground that three of its military soldiers were taken as prisoners can not in anyway justify the attack on protected persons and objects under International Humanitarian Law and other International documents regulating the conduct of hostilities. It is fundamental to state that even in war, there is humanity.³ To this extent belligerent parties must

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conduct their operations within the limits of the law and in accordance with the law and customs of warfare. Where these rules of International character are breached by either of the parties of the conflict, that violation should not only attract wide – spread condemnation but the perpetrators should be prosecuted for their individual and collective roles.

The irony of the conflict in the Middle-East is such that America and its allies are not seeing anything wrong in the Israeli attacks on Gaza and Lebanon inspite of the fact that human lives and properties are wantonly destroyed, yet president George Bush is speaking with such arrogance as if nothing has happened and he kept on blaming neutral states such as Syria and Iran as been responsible for the degenerating state of affairs in the zone. This is the height of hypocrisy and leaders of substance can take what America and its allies should know is that preserving human lives is more important than maintaining negative and false peace in a region that every right thinking person knows that America is responsible for the crisis precisely because of vested interests.

The extent of the destruction so far recorded through the Israeli Air strike of Beirut is so fundamental and could best be described as barbaric and a humanitarian catastrophe. The Israeli aggression has reached a dimension that calls for serious attention of the International Community as a whole and not just the faceless United Nation system, which unfortunately is an agent of the United States of America. The conflict in the Middle East was triggered by the Israeli military after firing missiles which claimed the lives of innocent and defenseless Palestinian civilians and the outright refusal on the part of Israel to be remorseful after the commission of the impunity. The fact that the Palestinians took one Israeli soldier as a captive and two soldiers taken by Hezbollah as captives is not at all a justification of the madness that is being perpetrated by the Israeli Air strikes and bombardment of protected persons and places.⁴

It is pertinent to note that indiscriminate attack on civilians and on civilian objects is unlawful and prohibited by the Geneva conventions and the additional protocol dealing with International armed conflict⁵ such as the situation between Israel and Lebanon. The critical question is why is the International Community silent on the outright violation of the Geneva conventions and its protocol by Israel? Assuming that the Israeli action is in retaliation of the three soldiers who are under the control of both Hezbollah and Hamas, can any sensible person argue that the reaction of Israel is

proportionate in accordance with the rules of law of war as contained in the applicable conventions and protocol.

What Israel ought to have done in the prevailing circumstance was to pursue the matter diplomatically and certainly not to breach the process of peace and peaceful settlement of disputes as in conformity with the intendment of the United Nations character.⁶ Political and diplomatic solution to the conflict would have been better, rather than resort to use of force. Even though Israel enjoys the tacit support of America and its allies in terms of military strategy, weapons of all kinds, financial and above all moral encouragement which is the most fundamental of all supports and this could be seen from the statement of President Bush on the current conflict. Instead of the American president to speak objectively, he was terribly sentimental to the degree that exposes his support to Israel. President Bush; because of self-centeredness could not see the impunity on the part of Israel but was apt in blaming Syria and Iran. President Bush went to the extent of saying that Syria and Iran should be held responsible to the escalation of the conflict forgetting the fact that America is more deeply involved in the conflict than both Iran and Syria. Objectivity in assessing International situations is a basic responsibility of peaceful leaders.

What is apparently lacking within the United Nations System in relation to the Middle – East crisis is essentially the obvious lack of sincerity of purpose and the commitment to objectively address both the remote and immediate causes of the conflict. The plight and predicament of the Palestinian people and that of innocent Lebanese should form a very serious course to the international community. Israel's action against the Palestinians and the people of Lebanon is not only dangerous but also inimical to International Peace and Security and an absolute challenge to the credibility of the United Nations. Therefore, the United Nations must take necessary steps that are expedient in addressing the crisis in the Middle East in order to support the surge for International Peace and Security.

In the light of the above analysis, Israel should respect the norms and customs of war, subject itself to diplomatic approach of resolving international disagreements and halt the irresponsible indiscriminate bombardment of civilians and civilian objects in line with the permissible rules of the Geneva conventions and other International documents dealing with belligerency.⁷ Just like the three Israeli soldiers are in captivity in the control of both Hamas and Hezbollah, by the same token there are many

Palestinian and Hezbollah militias in Israeli's captivity too. Justice demands that all parties to the conflict should seat on the conference table and discuss the issue of exchange of prisoners of war.⁸

The clarion call by the Lebanese prime minister for International intervention is a call in the right direction. This can be facilitated by the United Nations Security Council. It is very doubtful if the UN Security Council will view this important call as expedient in view of the fact that Western powers are strongly on the side of Israel and against the plight and predicament of the Palestinian and Lebanese people who are subjected to serious humanitarian trauma of the highest dimension. This of course poses a great challenge to the Arab League. The Arab league must take a very firm stand on the crisis and come out with a strong position on the matter. Israel is being heavily supported by America, Britain and their allies whereas Hamas and the Hezbollah enjoys no support from any quarters except from God. The joint statement by the British prime minister, Tony Blair and the UN Secretary General, Kofi Annan is nothing but a clear confirmatory statement of support to Israel. No one is against the deployment of International Peace – keeping force to any region where there is breach of the peace which is likely to disrupt the surge for International Peace and Security in the form and content of Article 1 of the United Nations charter, but where those that are supposed to be neutrals are deeply biased then the impartiality of the International Force becomes highly questionable. As the crisis in the Middle-East deepens and degenerates, the international community is challenged by the outright impunity with which the provisions of the fourth Geneva Convention and that of Additional protocol 1 are manifestly violated by the Israeli in discriminate bombardment of civilians and civilian objects. Civilians are protected by the Geneva conventions and its Additional protocols. Attack on civilians and civilian settlements and objects are clearly prohibited by the imperative provisions of the Geneva conventions.⁹ What Israel is doing in Lebanon is tantamount to grave breaches of the law of war.¹⁰ So far Israel has made nonsense of the applicable regulatory international instruments on the conduct of hostilities and belligerency.¹¹

The United Nations stood by watching innocent civilians being killed, maimed and displaced by the indiscriminate bombing of Lebanon by the Israeli forces of aggression. The dimension of the destruction is such that could be described as causing superfluous injury and unnecessary suffering

to civilians who are protected persons under the Geneva conventions and the Additional protocols.¹² The United Nations unwillingness to play a key role in addressing the level of impunity committed by Israel against the Palestinians and the people and Government of Lebanon is a clear testimony of the fact that the UN is a subservient of Western powers. The UN should know that the International community is watching its negative response to the conflict and the unpalatable statement of the UN Secretary General, which is bias against the Palestinians and the Hezbollah in Lebanon. The Secretary General kept on mentioning that the captive Israeli soldiers should be released as a basis for International intervention on the crisis. Ironically, the Secretary General has not condemned the indiscriminate bombardment of civilians and civilian objects.

It is imperative to note that from the attitude of the United Nations in dealing with the situation in the Middle – East, there is a consensus between, America, Britain and the UN to allow Israel to kill as many Palestinians and Lebanese to the satisfaction of western leaders such as president Bush of America and Tony Blair of Britain before any International approach toward resolving the conflict can be designed through the United Nations System. Recent trend is that western countries such as, Britain, Spain, France, America and Germany are evacuating their citizens from Beirut to Cyprus and back home. The implication here is that the conflict may last long and the indiscriminate destruction continues unabated. As the Israeli prime minister said; the conflict and the bombardment has no time limit.¹³

With the incursion of Israel's ground troops into southern Lebanon and central Gaza, the conflict has further been expanded. Israel has declared a full-blown war against Lebanon and the Palestinian people. It is essential to state that this conflict can only be resolved through diplomacy rather than use of force. Use of force should not be contemplated as viable solution to the crisis. Israel must appreciate the fact that International Peace and Security is being threatened by its indiscriminate bombardment of Lebanon. The International Community must declare the action of Israel as dangerous and inimical to the surge for International Peace and Security. Where is the Security Council? Has it gone to sleep after the unfortunate unanimous resolution against North Korea or what is happening that the Security Council is watching civilians being killed and displaced and yet no unanimous resolution to call Israel to order.

It is worthy to observe that from the intendment of the United Nations charter, states are obliged to settle their international disputes through peaceful means and in line with recognize processes which international law¹⁴ permits and not through use of force as is the case in the unfortunate situation between Israel and the Hezbollah in Lebanon. The absolute desire of maintaining international integration by means of peaceful resolution of conflicts should form a Fundamental Concern of all states and organs.¹⁵ The greatest challenge facing humanity today is the puzzling threat posed by the use of arms and weaponry of all kinds by states in resolving matters of serious international concern.¹⁶ This tendency is critical and poses a fundamental affront to the United Nations charter.

The situation in Lebanon with special reference to Israeli air strikes is both alarming and beyond human contemplation. The crisis must be critically tackled by the U.N. and other international agencies with a view to bringing to an end the inhuman killings and destruction of property. Peace is the only positive solution to crisis and the agitation for peaceful resolution of disputes must be intensified. While the campaign for peaceful settlement of dispute is accepted as the most efficacious way of attaining international peace and security and this fact is acclaimed world – wide, it is equally of great import that the institutions responsible for this onerous task must act and operate within the framework of the law and in the interest of justice and international law.

In this regard, under no circumstances should the agencies which spear – heard the clamour for world peace and security act subjectively in unilinear. They must be guided by objective considerations, which is not only obvious, but seen to be obvious by members of the international community. The law of armed conflicts sets limits as far as the conduct of war is concerned. It is essential that combatants must be educated on the laws regulating the conduct of hostilities both in time of peace and during armed conflicts, more especially as it relates to the protection of members of the civilian population and civilian objects which is lacking in the onslaught that Israel is carrying in Lebanon.

It is very apparent that America's role in the current middle East crisis is consistorial and this obvious fact cannot be denied. The indiscriminate bombardment of Lebanon by Israel has the tacit approval of the White House and that explains the unguided remarks coming from the American government as far as the crisis is concerned. America's firm believe is that

Israel is fighting to dislodge terrorists and terrorism in the middle – East region. From the perspective of what is going on now, one may ask the question, who is more of a terrorist between Israel and the Hezbollah? The answer is very clear from the nature of the attack on the people of Lebanon by the Israeli – forces which is out – rightly against the Fundamental principles of the law war.¹⁷ Israel is not fighting a war recognized under international law, precisely because wars fought under international law are regulated and are conducted on the basis of the applicable rules of international humanitarian law. The Israeli action in Lebanon is an affront against the rules of international law in general and specifically a total violation and offensive breach of the hard-core rules of the law of war. Of course, America has achieved its prime objective by the heinous killing of innocent Lebanese civilians who are subjects of protection under the Geneva convention and its additional protocol 1 through the faceless Israeli Air strikes and indiscriminate bombardment without distinction between military objective from civilian settlements and objects. The level of devastation is both shocking and outrageous. The bombardment has left More than 1.5 million people homeless and created high-level percentage of refugees which the United Nations High Commissioner for refugees may not be able to tackle effectively. The United Nations Emergency relief coordinating agency is equally saddled with very onerous task of providing food to the displaced and refugees across the border. The international community must mount pressure on Israel to stop its act of terror against the people of Lebanon and conduct its military operations in conformity with the provisions of the rules and customs of war recognized under the Geneva conventions and the additional protocol. Israel is using method and means of warfare which is prohibited by the Geneva conventions as contained under the St. Petersburg Declaration of 1868 which regulates and set limits to method and means of warfare.¹⁸ Israel is dropping bombs that when it strikes it burns the body of the victims which obviously means that the Israeli bombs are cloth with dangerous chemicals that sets it victims ablaze against the provisions of the Geneva conventions. Effective compliance with the basic rules of war is humanity while on the other hand non-compliance is barbaric. Therefore, Israel should be guided by the rules of the law of war.

As the Israeli –Hezbollah crisis entered its 13th day on the 24th of July 2006, the indiscriminate bombardment of Lebanon by Israel continues without any kind of restraint, the international community has a daunting

responsibility to see to it that the conflict is resolved through diplomatic processes and in conformity with the provisions of the UN Charter and other relevant International documents regulating the conduct of armed conflicts such as the conventions and its two additional protocols of 1977, and the collection of Hague conventions and some other international instruments.

As the plight and predicament of civilians aggravates, the United – Nations must as a matter of urgency take effective measures to protect civilians and civilian objects which at the moment are subjects of attack as a consequence of Israel's indiscriminate bombardment. In the light of the above, the provision of Article 1 of the United Nations charter provides:

To maintain international peace and security, and to This end to take effective collective measures for the Prevention and removal of threats to peace, and for The suppression of acts of aggression or other breaches Of the peace, and to bring about by peaceful means, And in conformity with the principles of justice And, international law adjustments or settlement of International disputes or situations which might lead to a breach of the peace.

The provision of Article I of U.N charter is very explicit as far as threat to use of force or actual use of force is concern with due regard to solving international conflicts. The U.N. charter favours diplomatic solution through bilateral consensus and instead of brute use of force. However, in the conflict in the Middle East between Israel and Hezbollah, America appears to be in the forefront and it supports and favours the continuation of the indiscriminate bombardment of southern Lebanon inspite of intense efforts by the international community to have a cease-fire and approach the situation from a diplomatic dimension in conformity with the U.N. charter.

It is imperative to state that the indiscriminate bombardment of Lebanon by the Israeli agents of aggression reached its climax when the United Nations, long standing out post was bombarded killing four of its peace observers. This manifestly exposes the strategy of indiscriminate bombing one word distinction, which Israeli forces are perpetrating against the people of Lebanon, which is fundamentally antithetical to all known rules regulating the conduct of hostilities. Therefore, the diplomatic efforts of the

international community to have a cease-fire should continue as a matter of humanitarian concern. The critical question is what does Israel intends to achieve by conducting this war?

The answer is very explicit, in the sense that the current crisis between Israel and Lebanon has America's blessing and direct involvement that explains why America speaks with more authority than even Israel with respect to the conflict.

America's design is virtually that of establishing firm and full political and economic control of the middle-East region, and to ensure that the Arabs are completely subjugated through its policy of flushing out terrorists. America will definitely fail in this project precisely because the Hezbollah is equal to the task and committed to defend their countries independence and sovereignty no matter what. America shall remain prostrated and disgraced with ignominy in this conflict. This is clearly an American aggression fought through Israel. The challenges which this war poses to the Arab League and the Muslim Ummah generally is indeed daunting. The people of Lebanon and the Hezbollah requires support in order to suppress American's aggression through Israel against the people of Lebanon.

The Rome diplomatic conference which was co – organized by Italy and America was a mere diplomatic deceit by America to divert the attention of the international community.¹⁹ This is basically because, America went to the conference with a predetermined devilish position which borders on the most fundamental issue of ceasefire, America's stand was negative and uncompromising. America out-rightly opposed the idea of cease-fire which the conference proffered. America's position remained that any diplomatic attempt to have a cease-fire must be lasting and sustainable to its satisfaction. America insists that the Hezbollah must be disarmed before the crucial issue of cease-fire can be discussed.

America's overt support for Zionism and Zionist aggression against the legitimate, democratic government of Lebanon is capable of degenerating the dimension of the on going conflict in the Middle East. America's complicity in the crisis is heavily overwhelming to the extent that unless the international community takes a progressive and fundamental position on the matter, the crisis may have spill over effects across the world, in which case, it would be extremely difficult for the U.N. to confront and surmount. In the light of the above, the international community should emulate the

positive intention of the Italian – prime Minister, Mr. Romano's Prodi in pressing for a diplomatic solution to the crisis. Even though the Rome diplomatic conference failed to reach agreement on cessation of hostilities, nonetheless it achieved some progress on humanitarian concern and the consequential issue of international assistance towards reconstruction of the Israeli battered Lebanon.

The Rome diplomatic conference of Wednesday the 26th day of July 2006, would remain a major diplomatic strategy evolved by leaders of substance who actually have and possess the feelings of humanity in their foreign – policy agenda will remain indelible in the surge for resolving conflicts through peaceful diplomatic approach which invariably will pave way for sustained international peace and security as envisaged in the relevant provisions of the U.N. charter. Therefore, as America stood firmly against this diplomatic initiative members of the international community, can clearly see where the problem lies.

America's hypocrisy is clearly exposed and to this extent, the whole world should hold America responsible for the escalation of the middle-East crisis and president Bush must be called to account for this impunity against the Palestinians and the people of Lebanon. The action of Israel in southern Lebanon is a clear derogation from the fundamental rules of international humanitarian law applicable in armed conflicts. It is imperative to note that there is humanism in war. War must be fought on the basis and in accordance with the rules dealing with the conduct of hostilities.

It is emphatic to state that Israel's action in Lebanon is clearly an affront, which is illegal within the contents of the provisions of Article 2 (3) and (4) of the U.N. charter. Article 2(3) is to this fundamental effect.

All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice are not endangered.

The pounding of Lebanon by Israel is an outright violation of international law, the United Nations charter and the applicable rules of international humanitarian law. The United Nations, with the positive support of the international community must intensify its efforts towards rendering effective humanitarian assistance to the people of Lebanon. Adequate protection must be given to members of the civilian population who are

presently made targets of attack by the Israeli forces of aggression. In this regard, there is the urgent need on the U.N. to call Israel and America to order. The international community must come to the rescue of the Lebanese who have been made refugees and internally displaced as a consequence of America's backed Israel's irrationality.

Use of force under international law is not within the purview of the U.N. charter except in conformity with collective security measures legally authorized by the UN. Security Council for purposes of maintenance of international peace and security in the light of the provision of Article 1 of the U.N charter. It is essential to note the provision of peaceful settlement of international disputes and the consequent necessity to refrain from threats to the use of force and actual use of force against independent sovereign states. Article 2(4) provide thus:

All members shall refrain in their international relations from the threat or use of force against the territorial Integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

It is expedient to note that the pounding of southern Lebanon through Israeli air strikes is fundamentally inconsistent with the provisions of the U.N. charter. The nature of the bombardment is indiscriminate and beyond the principles of proportionality. It is an elementary principle of the law of war that parties to an armed conflict must distinguish between civilian settlements from military objective.

This is essentially because civilians are protected by the provisions of the fourth Geneva conventions. Therefore any launching of attack against the civilian population is a violation of the law of war and a grave – breach which amounts to war crime. Consequently, in war situation such as the present aggression against the Government and people of Lebanon and the Palestinians could be properly described as Genocidal precisely because there is completely absence of the absolute requirement of proportionality and the cardinal principle of distinction between civilian population from military objective.

It is pertinent to state that the basic objective of war is basically to weaken as much as possible the military set-up of the enemy and certainly not to destroy settlements that are protected or kill innocent civilians who

substantially are protected by the law. What Israel is currently doing in Lebanon and Palestine, is Genocide and cannot be justified under the law of war. The international community must rise up to the challenges, which the barbaric pounding of Lebanon and Palestine by Israeli Air strikes poses a serious threat to maintenance of international peace and security. This unfortunate occurrence calls for serious condemnation by world leaders. In the light of this, the positive views expressed by the Iraqi, prime minister, Nuri Almaliki where he clearly condemned the Israeli action in Lebanon is a step in the right direction. By the same token, the statement of concern expressed by the Turkish prime minister on the situation in the Middle East and his apparent call for cease- fire is applauded.

The outright rejection of a U.N. proposal for a three days truce to enable the U.N humanitarian team to reach affected towns in southern Lebanon with medicine and food supplies was rejected by Israel. According to the U.N. humanitarian chief the situation is so serious that the three-days cease-fire becomes very expedient in the circumstance because civilians are really suffering more especially children, women and the aged. According to Jan Egeland, the U.N. humanitarian chief, thousands of people are strained. These people are in serious need for humanitarian assistance. The crucial question here is that why should a party to an armed conflict disallowed neutral humanitarian groups from reaching the victim's of war? The answer is explicit, Israel is not fighting on the basis of the applicable laws of war, to this extent Israel is not bound to observe the rules.

The renewed position of the B.B's the British, Prime Minister Mr. Tony Blair and President George W. Bush is hypocritical and without sincerity of purpose. The decision by these two friends to cause for a U.N. resolution to end the bombardment of Lebanon and Gaza could be said to be a diplomatic deceit and a situation which should be said to be the action speaks for itself, Now it is the right movement for the U.N. security council to pass a resolution precisely because the plan has been effectively executed to the satisfaction of the B.B's, the innocent blood of the Lebanese and Palestinians shall continue to be a source of nightmare to all those who perpetrated this heinous attack on innocent protected civilians. Whether the United Nations passes a resolution or not on the on going bombardment of Lebanon and Gaza, the international community is fully ware and injustice has been done against the people and Government of Lebanon.

The persistent call by the Lebanese primer minister for an unconditional cease-fire must be supported by world-leaders in the light of the humanitarian crisis which Lebanon is experiencing as a result of the Israeli indiscriminate bombardment of southern Lebanon. The Government and people of Lebanon needs the positive support of the international community to end this carnage and address the eminent breach and violation of the rules of law by America's backed Israel. There must be cease- fire before any substance can be achieved as far as the situation entails. No meaningful takes can be made so long as Israel remains recalcitrant and callous in its Air strike of southern Lebanon and Gaza. The U.N. must tackle this issue sincerely and objectively. Effective resolution of the middle- East crisis by the U.N. in conjunction with regional organs will determine the viability and strength of the world organ in settling international conflicts.

In the event the U.N. Security Council decides in its wisdom to send a peace-keeping multilateral force into southern Lebanon, the issue must be thoroughly and critically discussed in order not to allow America and its allies to exact an overriding and undue influence over the deliberation of the council. Stakeholders in the middle-East region must be part of any multilateral force to be sent to Lebanon. America has played a significant role in ensuring the indiscriminate bombardment of southern Lebanon by the Israeli Air strike. Shelling of civilians has been the main target in the current attack of Lebanon by Israel.

The deliberate attack on civilians by the Israeli forces reached its climax on Sunday the 30th of July 2006, when a four story building was bombarded in Qana killing more than sixty people out of which nineteen are children.²⁰ The Qana bombing confirms the indiscriminate manner in which Israel is operating. The Qana bombing is a major humanitarian tragedy and cannot be supported from the perspective of the law of war in all its ramifications. Even though Israel argues that it was a mistake but from the nature of their operation that statement can hardly be substantiated.

It is pertinent to state that in 1996 there was a similar attack in Qana killing thousands of civilians. Qana has always been a target of attack by the Israeli forces of aggression. What is disturbing about the unfortunate attack is the apparent violation of the laws and custom of war especially the affront against the Genva conventions and it's additional protocol on the consequential issue of protection of civilians and the conscious breach of

method and means of warfare. In the light of this overt attack on civilians by the Israeli Air strike in Qana and other parts of Lebanon, it is expedient of Article 51 of Additional protocol I to the Geneva conventions in relation to the emphatic issue of protection of the civilian population Article 51 provide this:

Article 51 – protection of the civilian population

1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law shall be observed in all circumstances.
2. The civilian population as such, as well as individual civilians, shall / not be the object of attack, Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.
3. Civilians shall enjoy the protection afforded by this section, unless and for such as they take a direct parting hesitates.
4. Indiscrimination attacks are prohibited. Indiscriminate attacks are:
 - a. Those which are not directed at a specific military objective
 - b. Those which employ a method or means of combat which cannot be directed at a specific military objective.
 - c. Those which employ a method or means of combat the effects of which cannot be limited as required by this protocol.
5. Among others, the following types of attacks are to be considered as Indiscriminate:
 - a. An attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objective located in a city, town or other area containing a similar concentration of civilians or civilians objects; and
 - b. An attack which may be expected to cause incidental loss of civilians life, injury to civilians, damage to civilian objects, or a combination there of which would be excessive in relation to the concrete and direct military advantage anticipated.

CONCLUSION

From the above analysis, it can be seen that Israeli has violated and breached all the fundamental rules of the law of war in terms of the emphatic provision and requirement of the Geneva – conventions and it's

Additional protocol and other international documents dealing with the conduct of hostilities in international armed conflict. In the light of this manifest impunity to the regulatory laws, the critical issue is what penalty or action does Israeli stand to suffer? Unless Israeli is made to pay for this impunity, there can be no resolution that can resolve this deep-seated conflict in terms of providing a lasting and sustainable solution to the basis of the conflict. More so, Israeli – forces are still occupying southern Lebanon, with occupation as a measure policy in Israeli's foreign policy, the issue of sustainable resolution to the conflict can hardly be contemplated or guaranteed. Israeli forces must move out Lebanon's land and observe and implement the contents of resolution 1559 in order to create and pave way for peaceful resolution of the basis of the conflict.

The recent security council resolution 1701 of 11/08/2006, it is hoped that Israeli will observe the contents in its entirety with a view to end their illegal incursion and occupation of southern Lebanon.. The only ground upon which resolution 1701 can be meaningful, is in consequence of the requirement of the resolution.

NOTES AND REFERENCES

- . See the general provisions of Article 1 of the United Nations charter on the issue of maintenance of international peace and security.
- . See the general provisions of Geneva conventions of 12th August 1949 and the Additional protocol of 7th June 1977 on the concept of hostilities.
3. For further analysis on the relationship between human rights law and the law of armed conflict, see generally meron (1989): T. Meron, Human Rights in internal strife; their international protection (Cambridge, 1987)
4. In relation to protection of the civilians population see the contents of Article 50 of the Additional protocol 1 to the Geneva conventions of 12th August 1949.
5. See the provisions of Article 51 of the Additional protocol 1 to the Geneva conventions of 12th August 1949.
6. See the General and effective provisions of the United Nations Charter on pacific settlement of international conflicts and the contents of the preamble to the charter and the provisions of Article of the charter.
7. See the provisions of Article 51 (4) a,b,c, & Article 51 (5) (a & b) of Additional protocol to the Geneva conventions of 1949 on the issue of indiscriminate attack.
8. On the issue of provisions of war, see the provisions of the 3rd Geneva Convention.
9. Op. cit, at p4
10. Ibid, at p.5
11. Ibid, at same page
12. Ibid, at same page
13. See CNN- News of 18th July 2006.
14. See the effective provisions of Article 1 of the U.N. Charter on the concept of peaceful settlement of international disputes.
15. Ibid, at same page
16. This attitude is obviously against the intendment and spirit of the U.N. Charter and particularly in conflict with the provisions of Article 2 (4) of the charter.
17. The nature of the operations carried out by the Israeli forces, clearly and apparently defies the contents of both the Geneva conventions and its Additional protocol. It has been reported that Israeli used cluster bombs in the conduct of its operation. This fact was

confirmed by the coordinator, Mr. Jan Egeland, See CNN-News report 1st September 2006.

18. See the entire provisions of Additional protocol 1 to the Geneva conventions of August 12th 1949.
19. The Rome dilemmatic conference was the first international conference organized to address the dimension of the Israeli, Hezbollah conflict with a view to finding diplomatic solution bordering on the important issue of ceasefire. Even though the conference ailed to achieved this desired objective, it served as a major international concern by members of the international community to resolve the conflict out side America's influence..
20. See the provisions of Article 13 of Additional protocol to the Geneva conventions of 12th August 1949s.