



Statement

by

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Permanent Representative of **Lebanon**

to the United Nations

at the

Sixth Committee

Item 82: Report of the International Law Commission
on the work of its seventieth session

“Protection of the environment in relation to armed conflicts”

New York, October 31, 2018

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Mr. Chair,

As this is my first time addressing the sixth committee, I wish to start by congratulating you Mr. Chair on the able way in which you have conducted the work of this Committee so far and acknowledge the important role of the other members of the Bureau.

Allow me also to thank the Chair of the International Law Commission, Mr. Eduardo Valencia-Ospina, for introducing the report on the Commission's work at its 70th session.

My country cannot overstate enough the importance of the ILC, whose role in the progressive development and codification of International Law has significantly contributed for seven decades to the strengthening of International Law and the rule of law. Lebanon welcomes the commemorative events for the 70th anniversary of the Commission held both in New York and Geneva. The successful holding this year of the first part of the ILC session here in New York further facilitated and enhanced the interaction between the ILC members and the sixth committee, which is instrumental in order for the ILC work to continue to be more meaningful.

Mr. Chair,

Turning to Chapter IX "*Protection of the environment in relation to armed conflicts*" and its draft principles contained in this year's report, we reiterate, once again, the importance to bring more legal clarity and fill the legal gaps regarding this critical issue.

Lebanon notes the adoption on this topic of the draft principles by the Commission at the 70th session.

Lebanon welcomes the new Special Rapporteur for this topic, Ms. Marja Lehto. We highly value the focus of her first report on the protection of the environment in situations of occupation and the elaboration of related draft principles.

In this regard, we have one comment that pertains to draft principles 19.2 and 20, which both use the terminology "population of the occupied territory". Instead, we suggest using "protected population of the occupied territory" or "protected persons of the occupied territory". Here it is important to ensure that is in line with article 4 of the fourth Geneva Convention defining protected persons as (quote) "*those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals*" (end of quote).

Mr. Chair,

As mentioned in the ILC's comments on draft principle 4, we concur with the importance of disseminating the law of armed conflict to armed forces, and to the civilian population, when possible, as it contributes to States' respect for those international law provisions pertaining to the protection of the environment.

My delegation stresses on the obligation of states to conduct "a weapons review", in line with article 36 of Additional Protocol 1 of the Geneva Convention.

Mr. Chair,

My delegation views positively the intention of the Special Rapporteur to address questions of responsibility and liability for environmental harm in relation to armed conflicts, in its future and final work. Lebanon already provided information to the ILC on this matter in January 2016, and stands ready to share these comments again. We believe the question of responsibility and liability for environmental harm could consider the importance of reparation and especially restitution, when possible, in cases of internationally wrongful acts committed against the environment in conformity with Article 31 of the ILC's draft Articles of State responsibility.

Furthermore, my delegation is of the view that draft principles pertaining to this question could be covered in a separate Part V, but it would also be relevant to have them under both Part One on the General Principles, and Part III dealing with the post-conflict phase.

Lebanon will continue to keep following closely the work of the International Law Commission.

Thank you.