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Israeli Aggression on Lebanon and Palestine

**The Need to Activate the General Assembly
And International Criminal System**

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First: The Crime of Aggression on Lebanon

Some human rights organizations, like Human Rights Watch, International Federation for Human Rights and Amnesty International, speak about the violation of humanitarian law by both Israel and Hezbollah alike, through the random targeting of civilians. Human Rights Watch went even further by speaking about war crimes committed by Hezbollah, just like Israel. Confronted with this, things must be put into perspective.

Before speaking about international humanitarian law, or the law that organizes the behavior of warring sides, we should first speak about international law itself. That is to say the aggression that led to the eruption of military confrontation due to resistance actions that are considered a legitimate right for any people confronting aggression or under occupation. In this regard, we should remind all parties that the biggest abuser of international law and the UN charter has been Israel ever since it came into existence. It is highly ironic that Israel was the only state brought into existence based on a UN General Assembly resolution, yet it is the first to abuse most articles of that organization's Charter in form and essence. Israel ignores resolutions of international legitimacy, whether issued by the Security Council or by the General Assembly.

The military attack on Lebanon perfectly fits into the definition of aggression determined by the United Nations General Assembly resolution of 1974. According to that definition “***Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.***”

According to *Article five of the same resolution*, 1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression. 2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility. 3. No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.

Article seven of the same resolution asserts: “Nothing in this definition... could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination: nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration”.

Hezbollah a Grassroots Resistance Movement

Hezbollah was established in the first place as a resistance to the Israeli occupation of Lebanon that resulted from repeated aggressions, especially the occupation of Southern Lebanon in 1978.

Israel only withdrew from South Lebanon after 22 years of occupation. It did so not in line with UN Security Council resolution 425 or other resolutions, but under the painful strikes of the resistance. Israel has always showed contempt for all UN resolutions, enjoying growing and continuing diplomatic protection from the United States of America.

Israel's insistence on occupying the Shebaa Farms and its refusal to withdraw from them, coupled with its continuous aggression against Lebanon, meant there was a state of war, justifying the existence of a national resistance personified by Hezbollah. Within that context, the resistance captured two Israeli soldiers. This is a legitimate act; especially since its goal is to end the status of detention and arbitrary imprisonment of detainees kidnapped by Israel.

Hezbollah is a popular, political and military power that grows because of growing Israeli aggression and because of the organizational and intellectual strength of its leadership. Speaking about the elimination of Hezbollah means only the elimination of a big portion of the Lebanese people, just like speaking about eliminating Hamas means only the elimination of the majority of the Palestinian people.

In light of all these considerations, is it acceptable from human rights organizations to keep turning a blind eye to the context, and to equate resistance with an aggressive State known for its addiction to violating international law?! Is it acceptable here to look into the conditions of launching the war without arguing about its illegality as a crime under the terms of international law?!

Aggression Requires the Immediate Activation

of the System of Collective Security

Aggression is considered the mother of all crimes under international law. It leads to, or facilitates, war crimes, crimes against humanity and genocide. Aggression alone demands an immediate activation of collective security measures, especially the intervention of the Security Council using powers given to it under the seventh chapter of the UN Charter; that is resorting, in need, to the use of force to deter aggression. That was the case when Iraq invaded Kuwait. Iraq then was given a deadline by the Security Council to withdraw. Once that deadline expired, the international community was authorized by the Security Council to go to war. That war was led by the United States, in ignorance of the arrangements mentioned in the Charter, and the intervention was carried out on January 17, 1991, to liberate Kuwait and stop the aggression.

But liberation has turned into aggression on the Iraqi people since then though. Iraqis were subjected to a fatal and unjust blockade for over a decade. The events of September 11th came to top the aggression. After the war on Afghanistan, an Anglo-American aggression was launched against Iraq in March 2003, this time without any authorization from the Security Council. France had then threatened to veto any UN Security Council resolution authorizing war on Iraq. Since that day, the system of collective security fell apart and the US-British bombs falling on Baghdad then tore this system of collective security apart at the same time.

The architects of the system of collective security worked to put into effect a means that allows the UN Security Council to protect weak states that may be subject to aggression by other countries with an aggressive and racist military tendency as was the case with Nazi Germany in the past and as is now the case with Israel. The whole idea is when this type of aggression takes place, an organized collective reaction is to be taken under the UN charter and through the Security Council, according to military arrangements allowing for the cessation of aggression and restoration of peace.

The United States of America

Destroys the Collective Security System

The use of the Security Council for selfish ends by the United States has destroyed the collective security system on three levels:

- 1- On the one hand, the United States used its veto power to stop the Security Council from intervening to prevent or to end aggression in situations where aggression was obvious, as the case is today;
- 2- On the other hand, the United States intervened militarily to commit aggression without authorization