

*Translated from Arabic*

## **Draft principles on protection of the environment in relation to armed conflicts**

The Ministry of National Defence states the following:

The issue of environmental protection during armed conflicts is of great importance at the level of both individuals and States. Conflicts and wars can cause long-term and irreparable harm to the environment, especially considering the tremendous developments in means and methods of warfare.

Lebanon has ratified a large number of relevant agreements, including Protocols Additional I and II to the Geneva Conventions of 1949.

The provisions of the draft, applied consistently, would ensure environmental justice in times of armed conflict. We offer the following observations:

Draft principle 8 on human displacement would help to prevent environmental degradation in areas where displaced persons have sought shelter. However, it would be preferable to include reference to the right of States to relocate such displaced persons from areas where they themselves might pose harm to the environment, with legal evacuation of populations contingent on police availability, military needs and the security of the civilian population.

Draft principle 9 on State responsibility provides for the responsibility of States and the obligation to make full reparation specifically for damage to the environment during armed conflict. It would be preferable to include in the draft principle a reference to damages that cannot be calculated financially.

Draft principle 12 on the Martens clause with respect to the protection of the environment in relation to armed conflict uses the term "principles of humanity" in the draft formulation, with the traditional understanding of that clause and its general objectives. It would be preferable to reformulate it in a manner appropriate to the context of environmental protection.

Draft principle 20 on the obligations of an occupying Power contains principles applicable in situations of occupation. This draft principle is of particular value because although the effects of the military presence and military activities of occupying forces on the environment are for the most part tangible and obvious, some of those effects can be long-term or become evident only after an

occupation is over. It would therefore be beneficial to include in that draft principle provisions relating to post-occupation responsibilities of occupying forces.

Draft principle 21 on sustainable use of natural resources should contain a reference to integrating the law of occupation with other branches of international law, and in particular with the right to self-determination, in relation to the exploitation and use of natural resources for the benefit of the population of the occupied area and in accordance with their wishes.

Draft principle 24 on sharing and granting access to information would be improved by specifying the types of information to which this principle is applicable.

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