



SECURITY COUNCIL REPORT UPDATE REPORT



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LEBANON: IMPLEMENTATION OF RESOLUTION 1559

Expected Council Action

On 27 October the Council is expected to hold consultations on the Secretary-General's report on the implementation of resolution 1559 and receive a briefing from the Special Envoy for this issue, Terje Rød-Larsen. This resolution, adopted in 2004, urged the disarmament of all Lebanese and non-Lebanese militias and the extension of government control over all Lebanese territory.

At press time it seemed unlikely that the Council would take any formal action.

Key Recent Developments

The tenth semi-annual 1559 report was released on 21 October. It focuses on the need for progress on disarmament and border issues. In addition it draws attention to:

- the 7 June legislative elections and the ongoing negotiations to form a government;
- positive developments in Syrian-Lebanese diplomatic relations; and
- the challenge of Hezbollah and Palestinian militias to Lebanon's sovereignty.

Elections

On 7 June legislative elections in Lebanon were held and the March 14 Alliance, led by Saad Hariri, the son of assassinated Prime Minister Rafik Hariri, won a majority of seats (71) against the Hezbollah-led March 8 Alliance (57). Hariri was appointed prime minister on 27 June.

On 4 September the UN Special Coordinator for Lebanon, Michael Williams, met with Hariri expressing hope that a cabinet would be formed soon, in particular before Lebanon begins its term as a non-permanent member of the Security Council in January 2010. (Lebanon was endorsed in early 2008 for the Asian seat on the Council by the Asian Group and it ran unopposed—as did all candidates in the 2009 election.)

On 10 September Hariri resigned as prime minister after his proposal for a national unity government was rejected by the opposition. He was reappointed prime minister a week later but no government has been formed to date despite intense negotiations.

Syrian-Lebanese Relations

This past spring Lebanon and Syria established full diplomatic relations for the first time. In April the Lebanese ambassador to Syria arrived in Damascus with his Syrian counterpart taking up his post in Beirut in May.

The 7 October meeting in Damascus of Saudi King Abdullah bin Abdul Aziz al-Saud and Syrian President Bashar Assad is seen as a positive development and communiqués were issued

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supporting the formation of a Lebanese government. This was the King's first visit to Damascus since relations between the two countries became strained after the 2005 assassination of Rafik Hariri.

Recent Explosions in Lebanon

On 14 July a weapons cache, which apparently belonged to Hezbollah, exploded in Khirbat Silim. The UN Interim Force in Lebanon (UNIFIL) conducted an investigation into the incident but found no evidence that the weapons and ammunition had been smuggled into its area of operations since 2006 (when resolution 1701 was adopted to end the conflict between Israel and Hezbollah). UNIFIL shared the report on its investigation with the parties on 11 September.

In August the trial of alleged Hezbollah operatives by an Egyptian security court began. Hezbollah had made statements that it was providing support to militants in Gaza from Egyptian territory.

On 11 September two rockets were fired into Israel from Lebanese territory, reportedly by Palestinian militias. Israel retaliated by firing 12 artillery shells.

On 12 October there was an explosion in a residential building in Tayr Filsi in southern Lebanon. Media reports indicate that the building belonged to a Hezbollah member and two possible explanations are being suggested: the explosion was caused by dismantling an Israeli shell left over from 2006 or a Hezbollah rocket exploded by accident. UNIFIL, in cooperation with the Lebanese Armed Forces, is conducting investigations though it is too early to ascertain the circumstances of the explosion.

There were also further explosions on 17 and 18 October. UNIFIL has said that preliminary indications are that the explosions were caused by the detonation of underground sensors, apparently placed in Lebanese territory by the Israeli Defense Forces during the 2006 war. UNIFIL is investigating what triggered the explosion. Media reports have characterised these sensors as "listening devices" and have quoted a Lebanese security official who alleged that two sensors were blown up by Israel via remote control after their discovery and one sensor was destroyed by the Lebanese army.

Special Tribunal for Lebanon

On 14 September the president of the Special Tribunal for Lebanon issued his first semi-annual report (the annual report is due to the Secretary-General and the Government of Lebanon in March 2010). The Tribunal is independent, established by resolution 1757 and located in the Netherlands, and has been operational since March 2009. No indictments have been issued.

In April 2009 the Tribunal ordered the release of four Lebanese officers due to "lack of sufficient evidence to justify their continued detention." The officers had been detained without charge since 2005 following recommendations of the former chief investigator of the UN International Independent Investigation Commission, Detlev Mehlis, who concluded that there was evidence implicating Syrian and Lebanese intelligence services in the assassination of Lebanese Prime Minister Rafik Hariri.

Syria, in a 15 September letter, noted the release of these four officers, alleging they were held on perjured evidence, and requested the Secretary-General to investigate the matter.

Key Issues

A key issue for Council consideration will be Lebanon's progress toward forming a government which has a direct bearing on achieving the outstanding goals of resolution 1559: addressing border issues and disarmament.

The numerous reports of the presence of weapons outside governmental control will be on Council members' minds. These incidents highlight a lack of progress on disarmament and raise questions regarding possible arms smuggling.

Another issue is when it might be useful for the Council to consider revisiting resolution 1559 as some of its outstanding elements are covered in resolution 1701. This issue may be ripe for discussion at the point when Council members feel confident that there is real progress being made at the working level of the joint Lebanese-Syrian border committee.

Options

One option is to do nothing as has been the practice since June 2007, the last time the Council issued a presidential statement on the 1559 report.

Other options include:

- welcoming the Secretary-General's report and reemphasising the necessity of fully implementing resolution 1559;
- encouraging Lebanon to form a government (especially in light of Lebanon's upcoming membership on the Security Council);
- welcoming Lebanon's intent to relaunch the national dialogue (which has not met since 1 June, prior to the elections) once a new government is sworn-in; and
- encouraging further cooperation between Lebanon and Syria, in particular regarding border control and delineation.

Council Dynamics

Most Council members are satisfied at this juncture with watching developments in Lebanon closely and prefer to allow Lebanon to address issues the Council is seized of via domestic processes.

There is a hope among Council members that the Lebanese government be formed sooner rather than later to allow for further stabilisation of the country. Council members also seem keen for progress on the formation of a government before Lebanon joins the Council in January.

Regarding Lebanon's upcoming Council membership, most Council members don't anticipate problems but potential concerns may need to be considered on a case by case basis since Lebanon is an issue on the Council's agenda.

France is the lead country on Lebanon in the Council.

UN Documents

Selected Council Resolutions

- S/RES/1884 (27 August 2009) renewed the UNIFIL mandate until 31 August 2010.
- S/RES/1757 (30 May 2007) established the Special Tribunal for Lebanon under Chapter VII.
- S/RES/1701 (11 August 2006) called for a cessation of hostilities between Hezbollah and Israel and called for full implementation of resolutions 1680 and 1559.
- S/RES/1680 (17 May 2006) strongly encouraged Syria to delineate its common border with Lebanon.
- S/RES/1559 (2 September 2004) urged withdrawal of all foreign forces from Lebanon, disarmament of all militias, and extension of the Lebanese

government's control over all Lebanese territory.
Selected Secretary-General's Report
<ul style="list-style-type: none"> • S/2009/542 (21 October 2009) was the latest report on resolution 1559.
Selected Letters
<ul style="list-style-type: none"> • S/2009/532 (13 October 2009) was a letter from Israel regarding the 12 October Tayr Filsa explosions. • S/2009/469 (15 September 2009) was a letter from Syria regarding the Tribunal's orders to release four Lebanese officers. • S/2009/458 (14 September 2009) was a letter from Lebanon regarding Israeli shelling in southern Lebanon. • S/2009/454 (11 September 2009) was a letter from Israel regarding the 11 September launch of three rockets from Lebanese territory toward Israel. • S/2009/407 (6 August 2009) was a letter from the Secretary-General to the Security Council on the UNIFIL mandate renewal including developments with the UNIFIL investigation of the 14 July Khirbat Silim explosions. • S/2009/379 (23 July 2009) was a letter from Lebanon on the 14 July Khirbat Silim explosions.
Selected Meeting Records
<ul style="list-style-type: none"> • S/PV.6201 (14 October 2009) and S/PV.6190 (17 September 2009) were the regular monthly Middle East briefings including developments in Lebanon. • S/PV.6120 (7 May 2009) was the most recent briefing by the Secretary-General's Special Envoy Terje Rød-Larsen on the implementation of resolution 1559.

Useful Additional Resource

Special Tribunal for Lebanon www.stl-tsl.org

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