



# SECURITY COUNCIL REPORT

## UPDATE REPORT



12 May 2006 No. 2

## LEBANON

### Expected Council Action

In response to the third semi-annual report of the Secretary-General on the implementation of resolution 1559 (2004), submitted to the Security Council on 18 April 2006, France, the UK and the US circulated a draft resolution to all Council members on 10 May. The Council held consultations today and a formal draft is likely to be tabled for adoption early next week. Because of reservations by several members, further changes may be incorporated in the text. At this point, it seems likely that the resolution will not be adopted unanimously, as happened with resolution 1559 itself.

The draft:

- Endorses the Secretary-General's report;
- Calls on all parties and States concerned to cooperate for the full implementation of resolution 1559;
- Calls upon Syria to respond positively to the Lebanese request to delineate their border and establish diplomatic relations and representation;
- Calls on Syria to take measures to prevent the movement of arms into Lebanon.

### Options

The Council has the following options:

- Adopt the text as it is presented by the co-sponsors;
- Adopt the resolution with amendments;
- Adopt a Presidential Statement welcoming the report and reiterating the necessity to implement the outstanding issues under resolution 1559.

### Recent Developments

In his third report on the implementation of resolution 1559, the Secretary-General and his Special Envoy Terje Røed-Larsen pointed out that:

- The provisions of resolution 1559 calling for the disbanding and disarmament of all Lebanese and non-Lebanese militias, the extension of the control of the government of Lebanon over all Lebanese territory, and strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon have not yet been fully implemented.
- Presidential elections have not occurred yet.

- Syria should urgently cooperate with Lebanon in order to establish embassies and delineate their common border, by responding to Lebanon's invitation to do so under agreement reached in the Lebanese National Dialogue.
- The delineation of the border and the disarming and disbanding of Lebanese and non-Lebanese militias are necessary steps towards the extension of government control over all territory.
- Syria should take measures to prevent the illegal flow of arms across the border with Lebanon.
- All relevant parties, including Syria and Iran, should cooperate in order to implement resolution 1559. In a footnote, the Secretary-General notes that "Hizbollah maintains close ties, with frequent contacts and regular communication, with the Syrian Arab Republic and the Islamic Republic of Iran."

The Council held an open briefing on 21 April with the Lebanese Prime Minister Fouad Siniora (S/PV.5417). He reinforced the need to improve relations between his country and Syria, through establishing diplomatic relations and delineating the border including in the Sheb'a farms area. He noted that this was also agreed among Lebanese political factions during the National Dialogue. He also reaffirmed that the delineation of the border in the Sheb'a farms area was a necessary step toward the liberation of land from Israeli occupation. The Lebanese government is still waiting for Syria to respond to this request, and it appealed to the UN to confirm the specific steps required to recognise Lebanese sovereignty over the farms.

During the briefing, the Permanent Representative of Syria, Milad Atieh, reaffirmed Syria's agreement to demarcate the border. But he asserted that the process in the Sheb'a farms area should only take place once Israel has withdrawn. He also argued that the demarcation of the border and the establishment of diplomatic ties were not issues covered by resolution 1559 and, as "sovereign matters for Lebanon and Syria", the Security Council should not refer to them.

Syria's position vis-à-vis the report was also set out in a letter addressed to the Secretary-General on 24 April. It claimed that:

- The Røed-Larsen report had exceeded the mandate of resolution 1559;
- All Syrian military assets, including intelligence, had withdrawn from Lebanon;
- Relations between Syria and Lebanon were not tense;
- Syria had already taken measures to stop the illegal flow of arms and personnel;
- The report should have addressed more substantively the issue of Israeli violations of Lebanese territorial integrity and independence;
- The adoption of new resolutions or statements by the Council would only produce instability.

At the end of April, the Lebanese National Dialogue resumed to address the last two outstanding issues: (1) the status of the Lebanese President Emile Lahoud, and (2) the disarmament of Hizbollah. These discussions are still underway.

## Key Issues

The main issue is the implications of a border demarcation in the Sheb'a farms region. If the demarcation occurs before Israel's withdrawal, and the area becomes the Lebanese territory, it will be covered by previous Council decisions requiring the withdrawal of all foreign forces from Lebanon (resolutions 425 and 426 of 1978). As explained in our April 2006 Forecast report, this may have potentially very positive results for the stability of Lebanon, because the change in dynamics, if it leads to Israeli withdrawal, would remove the current rationale for Hizbollah to remain a separate

armed militia.

While for Lebanon and perhaps others in the region the prospect of seeing Israeli withdrawal from another albeit small piece of occupied territory is very attractive, for Syria, the issue has disadvantages in that it loses a small piece of leverage vis-à-vis the rest of the occupied Golan.

Another issue is the importance of the establishment of mutual diplomatic representations for the implementation of resolution 1559, and whether it is the Council's responsibility to call on Syria and Lebanon to undertake the necessary steps to that end. While it is agreed that this process is necessary for the restoration of, and respect for, the sovereignty, unity and political independence of Lebanon, some say that the Council should not interfere because diplomatic relations is an inherently bilateral process and that there is no precedent for that. On the other hand, it is also asserted that nothing prevents the Council from following an innovative approach to promote full implementation of resolution 1559.

## **Council Dynamics**

It seems that two separate approaches eventually came together in the drafting of this new resolution:

- The US wanted to emphasise the link between Iran, Syria and Hizbollah and broaden the scope of resolution 1559.
- France advocated a more cautious approach in order to maintain the momentum on resolution 1559, arguing that only the elements agreed upon in the Lebanese National Dialogue should appear in the resolution.

The current draft is a compromise between those two approaches.

It also seems that several Council members, including Russia, China and Argentina, believe that:

- A new resolution is not necessary and that the Council should pursue its practice of responding to the Secretary-General's reports on implementation of resolution 1559 through the adoption of presidential statements.
- The text should not endorse the report because there are elements in his report that go beyond 1559. More specifically, some prefer that the delineation of the border, the establishment of diplomatic ties and the flow of arms be dealt with between Lebanon and Syria and that the Council should not take a position. (Others point out, however, that there are relevant precedents, including the Council's repeated recent demands on Ethiopia regarding the demarcation of the border with Eritrea.)
- Any reference to Iran as a state sponsoring Hizbollah (even if indirect) could only add to regional tensions.

A veto seems unlikely. It remains to be seen whether those countries with concerns can be accommodated in some degree in the drafting of the final text. If not, a number of abstentions are expected.

## **UN Documents**

### **Security Council Resolutions**

- S/RES/1559 (2 September 2004) urged Syria's withdrawal from Lebanon and the disbanding of militias.

## **Presidential Statements**

- S/PRST/2006/3 (23 January 2006) welcomed the second report on implementation of resolution 1559.
- S/PRST/2005/26 (22 June 2005) welcomed the parliamentary elections.
- S/PRST/2005/17 (4 May 2005) welcomed the first report on implementation of resolution 1559.
- S/PRST/2004/36 (19 October 2004) requested the Secretary-General to report to the Council every six months.

## **Reports of the Secretary-General**

- S/2006/248 (19 April 2006) third semi-annual report on the implementation of resolution 1559
- S/2005/673 (26 October 2005) second semi-annual report on the implementation of resolution 1559
- S/2005/272 (29 April 2005) first semi-annual report on the implementation of resolution 1559
- S/2004/777 (1 October 2004) report pursuant to resolution 1559

## **Selected Letters**

- S/2006/259 (24 April 2006) letter from Syria
- S/2006/67 (31 January 2006) EU statement on Lebanon
- S/2004/706 (1 September 2004) letter from Syria
- S/2004/699 (31 August 2004) letter from Lebanon