



August 2006

## **"UN Security Council Resolution 1701"** **Concepts and Terms**

### **Definition**

This term refers to UN Security Council Resolution 1701 (11/8/06) aimed at ending the hostilities in Lebanon and at preparing the ground for a long-lasting ceasefire between Israel and Lebanon.

### **Background**

Following the abduction of two Israeli soldiers (12/7/06) by Hizbullah, Israel responded by launching air and ground military operations in Lebanon. After four weeks of fighting the Security Council unanimously adopted Resolution 1701 that called for an immediate end of the hostilities and for the establishment of a permanent ceasefire based on a two-phased plan.<sup>1</sup>

The first phase of the ceasefire calls for Israel's withdrawal and for the concurrent deployment of Lebanese and international forces in Southern Lebanon. This phase is to be followed by a negotiated permanent ceasefire. Resolution 1701 does not set a clear framework of the permanent ceasefire, but mentions the basic principles and elements on which it is supposed to be based.

### **First Phase of the Ceasefire**

*End of Hostilities* (Articles 1, 7). The Preamble<sup>2</sup> of the Resolution calls for an immediate end of hostilities, qualified as *a threat to international peace and security*.<sup>3</sup> It calls for the unconditional release of the abducted Israeli soldiers, although it fails to provide concrete enforcement mechanisms.<sup>4</sup>

*Security Arrangements*. The Resolution aims at reestablishing the sovereignty of the Lebanese government over the whole Lebanese territory.<sup>5</sup> (Articles 2-5, 14). To achieve this objective, it urges to deploy the Lebanese Armed Forces (LAF) in the South of the country, concurrent with the arrival of UNIFIL and the withdrawal of the IDF. Moreover, the document demands to uphold existing agreements, such the Taif Accords,<sup>6</sup> and to respect the blue line.<sup>7</sup>

Furthermore, the Resolution defines the mandate and scope of UNFIL<sup>8</sup> (Articles 11, 12, 14, 16), whose mission is extended until August 31, 2007, and whose force strength is enhanced.<sup>9</sup> The mandate of UNIFIL, even if broader than its original one, does not include the disarmament of Hizbullah.

*International Community*. The International Community (Articles 6, 15, 19) commits to restrain from selling weapons or to provide military training to any Lebanese entity, except if such assistance is authorized by the Government of Lebanon or by UNIFIL.

## Second Phase of the Ceasefire

*Permanent Settlement.* (Article 8, 18) UN Resolution 1701 foresees the establishment of a permanent ceasefire, following Lebanese-Israeli negotiations addressing outstanding issues.

Such issues include the establishment of security arrangements to prevent further conflicts, the creation of a demilitarized zone between the blue line and the Litani River, the imposition an arms embargo on armed groups, the disarmament of armed militias, the insurance that no foreign forces will be present in Lebanon without the Government's consent, the release of the Lebanese prisoners held in Israel and the dispute over the Shebaa farms.

**The Effectiveness of the Resolution.** UN resolution 1701 provides a comprehensive framework to reach a lasting settlement, addressing all the major outstanding issues and calling for a robust force to be deployed in the South of Lebanon.

However, the Resolution lacks a precise schedule to regulate the Israeli withdrawal and the establishment of a permanent settlement, and it lacks enforcement mechanisms and punitive measures to sanction the parties when they act in breach of the agreement.

For the original document [click here](#).

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- <sup>1</sup> The ceasefire that followed entered into force at 5:00 AM GMT, on August 14, 2006.
  - <sup>2</sup> The Preamble is the declarative part of the Resolution, meaning that it contains non-binding provisions that are to be considered as desiderata rather than positive and enforceable measures.
  - <sup>3</sup> The term "threat to international peace and security" is part of Article 39 of Chapter VII (Action With Respect To Threats To The Peace, Breaches Of The Peace, And Acts Of Aggression) of the [UN Charter](#). Chapter VII gives the international community a strong mandate to deal with international crisis and it authorizes both the use of force and the implementation of sanctions to parties which act in breach of their obligations. The other section of the UN Charter which deals with international peacekeeping is Chapter VI (Pacific Settlement of Disputes), which is however more limited in its scope and it limits the power and the mandate of the international community. Although UN Resolution 1701 does not directly mention neither Chapter VII nor Chapter VI, and it maintains a more ambiguous posture, the reference to "threat to international peace and security" could be considered as an indirect reference to Chapter VII of the UN Charter.
  - <sup>4</sup> Other mentioned issues include the question of the release of the Lebanese prisoners held in Israel, and the dispute over the Shebaa farms
  - <sup>5</sup> Article 5 calls for "territorial integrity, sovereignty, and political independence," and Article 3 specifies that the outcome of the Resolution is that "that there will be no weapons but without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon." (See [UN Security Council Resolution 1701: The Situation in the Middle East](#))
  - <sup>6</sup> Specifically, the Resolution mentions [UN Resolutions 1559](#) (2004), [UN resolution 1680](#) (2006), and the [Israeli-Lebanese General Armistice Agreement](#) (1949)
  - <sup>7</sup> The Blue Line indicates the demarcation between Israel and Lebanon, as decided by the UN. It aimed at restoring the situation previous the Israeli intervention in Lebanon, in 1978. The blue line was established by the UN for the sole purpose of verifying Israel's withdrawal in compliance with UN resolutions 425 and 426 of 1978, and it is not the equivalent of an internationally recognized border ("[Report of the Secretary-General on the implementation of Security Council resolutions 425 \(1978\) and 426 \(1978\)](#)," *UN Security Council*, May 22, 2000. Accessed August 14, 2006).
  - <sup>8</sup> UNIFIL's mandate includes assisting the LAF in its deployment, monitoring the ceasefire, ensuring that no "hostile activities" are conducted in the South of Lebanon, coordinating activities between Israel and Lebanon, and facilitating humanitarian access to civilians and the return of the internally displaced population.



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- <sup>9</sup> UNIFIL's force will be enhanced in terms of equipment, mandate, scope of operations, and force strength, which is going to be increased to 15,000 troops.