

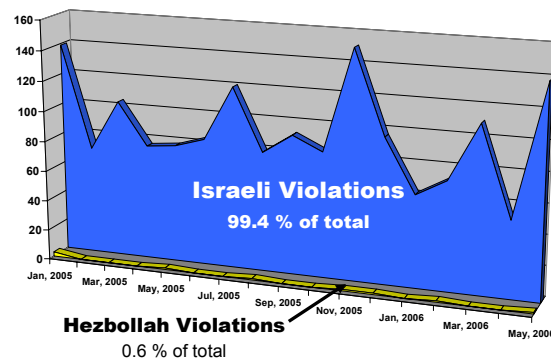
FACTSHEET: LACK OF ADHERENCE TO RESOLUTION 1701



The end of the Destruction of Lebanon – the 34-day assault by Israel in July and August of 2006 – was marked by the passage of UN Security Council Resolution 1701. Later in 2006, the Security Council requested quarterly reports from the UN Secretary-General on the implementation of the resolution.¹ Following the Secretary-General's third such report on March 14th, 2007, it is apparent that neither Israel nor Hezbollah are fully respecting the post-cease-fire requirements of 1701.

Are Israel and Hezbollah and Lebanon respecting the Blue Line?

Israel is not. Hezbollah and Lebanon are. In his March report, the Secretary-General noted that UNIFIL (the UN's military presence in south Lebanon) reported air violations by Israeli jets and drones throughout the reporting period. "The incursions into Lebanese airspace continue on an almost daily basis. UNIFIL reported a significant increase in Israeli air violations during the month of February and the beginning of March, which on some days exceeded ten Israeli over-flights in its area of operations."² This disrespect for the Blue Line by Israel is in strict violation of 1701, and perfectly mirrors its behaviour prior to the Destruction of Lebanon in 2006 (shown at right.)



Source: Reports submitted by both Lebanon and Israel to the UN Security Council.
 Note: Following the Destruction of Lebanon, Lebanese reporting of violations has been much less regular, although UN reports suggest a very similar level of violations. There are no reports of Lebanese or Hezbollah violations of the Blue Line since 2006.

In early February, the Israeli Army conducted a few de-mining operations in the immediate vicinity of the Blue Line, in opposition to UNIFIL's wishes. The second of these, on February 7th, resulted in a highly tense standoff, with both Israeli and Lebanese forces firing warning shots in contravention to 1701.³

Israel also continues to violate the Blue Line in the village of Ghajar, from which it did not entirely withdraw in 2006. Ghajar is a village which straddles the Blue Line – half in Lebanon and half in the Israeli-occupied Syrian Golan. Israel occupied this territory militarily in June, 1967 and has never withdrawn. The inhabitants of the village desire Syrian nationality.

Is Hezbollah rearming in South Lebanon?

Probably. To enable the Government of Lebanon to reassert its full authority in south Lebanon, Resolution 1701 demanded that the region between the Blue Line and the Litani River be free of any armed presence other than the Lebanese Army and UNIFIL forces. It also called for the prevention of all illicit arms trade in Lebanon.⁴

During the reporting period prior to his March 14th report, the Secretary-General stated that there had been no reports of unauthorized armed personnel in UNIFIL's area of operation.⁵ Nevertheless, the March report noted that there had been several accounts of unauthorized armed elements north of the Litani River (i.e. outside UNIFIL's area of operations.) As an example, the report mentioned that "Armed elements, suspected of being members of Hezbollah, have been observed constructing new facilities in the Bourrhaz region, just north of the Litani River."⁶ The report also noted that Hezbollah's Secretary General, Hassan Nasrallah, had verbally indicated that Hezbollah fighters were in south Lebanon. UN reports also indicate that a truck carrying mortars, mortar shells, rockets and flares was seized by the Lebanese Government on February 8th on the Beirut-Damascus highway. In a subsequent media statement, Hezbollah acknowledged the seizure of one of its trucks, and demanded that the truck and its arms be returned "to the resistance" against Israel.⁷

Has Israel cooperated with land mine and cluster bomb clearance?

Not in spirit. The approval of Resolution 1701 occurred on August 11, 2007, prior to an understanding of the gravity of the humanitarian problem posed by Israel's use of cluster bombs in Lebanon. In fact, reports in August and September, 2006 indicate that 90 percent of the cluster bombs used by Israel were fired in the final 72 hours of the conflict (i.e. leading up to the implementation of the ceasefire on August 14th.)⁸ Nevertheless, 1701 did insist that Israel provide maps of minefields left during its previous 22-year occupation, stipulations on Israel that had also been made in resolutions 1391 and 1496 years before.

While the Secretary General acknowledged receipt of Israeli maps of mines laid during its previous occupation, he was frustrated at Israel's unwillingness to cooperate on the issue of cluster bomb strikes: "Despite repeated United Nations efforts to receive detailed information from the [Israeli military] regarding the exact location, quantity and type of cluster munitions utilized during the conflict, I regret that Israel has not yet provided UNIFIL with this data... I reiterate my request, as contained in my previous reports, for Israel to provide detailed data on its use of cluster munitions to the United Nations as soon as possible."⁹

The extent of the cluster bomb problem in south Lebanon is mind-boggling. As of end-February, 854 cluster bomb strike locations had been identified, covering in total an area of 34 square kilometres. Belgian experts estimated that at the end of April, about 135,000 cluster bomblets had been cleared, and that another 800,000 remained. They estimated that another 3-5 years of clearance work would be required, and that just for the flat areas affected by the cluster bomb strikes.¹⁰

Has Lebanon secured its borders against illicit activities?

Not entirely. According to 1701, Lebanon was to have secured its borders against illegal arms shipments, or foreign militant personnel.¹¹ Israel accuses Lebanon of not having done an adequate job of implementing these provisions, suggesting that there have been hundreds of arms shipments since August, 2006. Lebanon has asked for more details on the alleged violations in order to verify them. Lebanon has deployed 8,000 of its 55,000 member force along its lengthy and mountainous border with Syria. Nevertheless, it admits that it has a capacity problem with respect to its border monitoring role. To this end, Lebanon solicited bi-lateral help from the UNIFIL forces to strengthen its border protection role.¹²

Have Israel and Hezbollah returned their prisoners of war?

No. Both Israel and Hezbollah are currently committing war crimes by not returning the prisoners of war held by each following the Destruction of Lebanon. 1701 does not specifically stipulate the return of prisoners – though it is "mindful of the sensitivity of the issue of prisoners" – because exchange of prisoners of war is the standard procedure following cessation of hostilities. Use of prisoners of war as hostages is considered a "grave breach" of the Fourth Geneva Convention, and is thus a war crime.

¹ This factsheet will also make frequent references to the Secretary-General's semi-annual reports on adherence to Security Council Resolution 1559 (2004), which called for the withdraw of "all remaining foreign [i.e. Syrian] forces" and the "disbanding and disarmament of all Lebanese... militias [i.e. Hezbollah]..." 1559 apes 1391 (2002) and 1496 (2003) which make the same demands, plus demands for respect for the Blue Line – which Israel was violating literally hundreds of times per month – and demands that Israel turn over minefield maps from its previous 22-year occupation.

² *UN secretary general's 3rd report on the implementation of Security Council Resolution 1701*, UN Security Council, March 14, 2007, para. 9

³ *Ibid.*, paras. 3-7

⁴ *UN Security Council Resolution 1701 (S/2006/270)*, UN Security Council, August 11, 2006, Operative Paragraph 8

⁵ *UN secretary general's 3rd report on the implementation of Security Council Resolution 1701*, para. 14

⁶ *Ibid.*, para. 24

⁷ See *Fifth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004)*, UN Security Council, May 7, 2007, para. 44

⁸ "Israel cluster bomb use in Lebanon 'outrageous': UN", September 19, 2006, Reuters

⁹ *UN secretary general's 3rd report on the implementation of Security Council Resolution 1701*, para. 39

¹⁰ Jamaal, Dahr, "In Southern Lebanon, One Unexploded Bomb Per Person", April 28, 2007, Interpress Service

¹¹ *UN Security Council Resolution 1701 (S/2006/270)*, paragraphs 14-15

¹² *UN secretary general's 3rd report on the implementation of Security Council Resolution 1701*, paras. 27-30