



UNIFIL's Mandate Renewed The Resolution – Its Implications and Consequences

September 19, 2023

Overview

- ▶ On August 31, 2023, the UN Security Council passed Resolution 2695 renewing UNIFIL's mandate in south Lebanon for another year. Thirteen countries voted in favor; Russia and China abstained.
- ▶ Since the establishment of UNIFIL, the renewal of the mandate had been a routine procedure taking place every year at the end of August. This year, however, under the pretext of maintaining Lebanon's sovereignty, the Lebanese government and Hezbollah exerted strong pressure to undermine UNIFIL's power and limit its activities to those approved by the Lebanese army. Before the vote was taken, a draft of the resolution was leaked to the media, which differed from the final, approved version. Due to the pressure from Lebanon and Hezbollah, a reservation was added to Article 15 which deals with UNIFIL's freedom of action, stating that UNIFIL would work in coordination with the Lebanese government.
- ▶ During deliberations, the Security Council condemned the violations of both sides along the border and called on the parties to honor their commitments and help promote a permanent ceasefire. The Security Council also charged the Lebanese government with the responsibility of keeping south Lebanon demilitarized, except for the arms in the hands of the government, and asked UNIFIL to be deployed in south Lebanon in accordance with Security Council Resolution 1701.
- ▶ The resolution called on Israel to hasten its withdrawal from the northern part of the Lebanese village of Ghajar and related to the two tents erected by Hezbollah in the Mount Dov area as a violation of Resolution 1701, but without mentioning the organization by name. The agreement on the naval border between Israel and Lebanon was welcomed and emphasized as heralding stability and prosperity for the region.

- ▶ The UNIFIL force was established in 1978 after Operation Litani and in accordance with Security Council Resolution 425 as a peacekeeping force in south Lebanon.¹ Over the years, the renewal of the mandate was a routine administrative procedure passed without significant disputes and approved unanimously by all Security Council members. This year, however, the resolution was not extended by a unanimous vote as it had been before and several changes and additions were introduced into the text.
- ▶ The Lebanese government, with the encouragement and support of Hezbollah, forced changes in the wording of the resolution to limit UNIFIL's freedom of action in south Lebanon and allow Hezbollah to operate unhindered in the region.
- ▶ In ITIC assessment, mentioning Ghajar and Hezbollah's tents were intended to balance Israel's and Lebanon's demands.
- ▶ Also in ITIC assessment, the resolution as passed will not change the nature of UNIFIL's activities in south Lebanon. Lebanese army cooperation with UNIFIL will be limited as before and Hezbollah will do everything in its power to preserve and expand its freedom of action in south Lebanon, even at the cost of confrontations with UNIFIL.

The Resolution's Main Issues

- ▶ After several delays and intensive diplomatic efforts, on August 31, 2023 the UN Security Council voted to renew UNIFIL's mandate in south Lebanon for another year (Resolution 2695). Thirteen countries voted in favor of the decision; Russia and China abstained. It was the first time that the mandate had not been extended by a unanimous vote of the Security Council's 15 member states.

¹ **Operation Litani:** On March 14, 1978, three days after the Coastal Road Massacre, in which 35 Israelis were killed, the IDF took control of the southern part of Lebanon up to the Litani River to weaken the Palestinian terrorist infrastructure in south Lebanon and distance terrorist operatives from the Israeli border; the IDF held the territory for three months. Following UN Security Council Resolution 425, a UNIFIL force was established and stationed along the border. In 2006, after the Second Lebanon War, UNIFIL's mandate was changed as part of Resolution 1701, which called for a cease-fire between Israel and Hezbollah, and the decision was made to deploy an armed UN force to work together with the Lebanese army in south Lebanon to prevent Hezbollah from continuing to operate in the area.

31 Aug
2023 **UNIFIL'S MANDATE RENEWED**

The United Nations Security Council adopted **resolution 2695 (2023)** today, extending UNIFIL's peacekeeping mandate for another year. The new resolution reaffirms UNIFIL's mandate under **resolution 1701 (2006)** and subsequent resolutions.

The resolution reaffirms UNIFIL's authorization to conduct its operations independently while continuing to coordinate with the Government of Lebanon, in respect for Lebanese sovereignty.

The ultimate goal under resolution 2695, as under resolution 1701, remains a permanent ceasefire and long-term solution to the conflict.

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Announcement of the renewal of UNIFIL's mandate (UN website, August 31, 2023)²

► The text of the resolution rejected Lebanon's demands to impose restrictions on the UNIFIL force's freedom of movement, as the force would have to continue coordinating with the Lebanese government. However, it was also clearly stated that it could patrol independently.

Comparison of key clauses in the various versions

► **The ITIC compared three versions: the final version of the resolution approved on August 31, 2023, the draft resolution leaked to the media two days earlier³ and the version of the mandate renewal approved in 2022.⁴**

► **UNIFIL's freedom of action:**

- ◆ Section 15 of the draft urged both parties to cooperate with UNIFIL and allow it freedom of movement, while giving UNIFIL full independence to operate without coordinating with the Lebanese army. Section 15 of the final draft states UNIFIL will operate independently "while continuing to coordinate with the government of Lebanon," a change demanded by Lebanon. The 2022 version made no reference to UNIFIL's coordination with the Lebanese army; compared with 2022, in 2023 UNIFIL's independence is restricted. Appreciation for the cooperation of the Lebanese army appeared in the draft but not in the final version.

² For the full text of the UN resolution, see <http://unscr.com/en/resolutions/2695> with a link to the .pdf file.

³ The draft text of the resolution was leaked by *al-Nashra*'s website on August 29, 2023: <https://www.elnashra.com>

⁴ For the full text of Resolution 2650 from 2022, see <https://unifil.unmissions.org/security-council-resolution-2650-2022>.

15. *Urges* all parties to cooperate fully with the Head of Mission and UNIFIL in the implementation of resolution 1701, as well as to ensure that the freedom of movement of UNIFIL in all its operations and UNIFIL's access to the Blue Line in all its parts is fully respected and unimpeded, in conformity with its mandate and its rules of engagement, including by avoiding any course of action which endangers United Nations personnel, *reaffirms* that, pursuant to the Agreement on the Status of the United Nations Interim Forces in Lebanon (SOFA) between the Government of Lebanon and the United Nations, UNIFIL does not require prior authorization or permission to undertake its mandated tasks and that UNIFIL is authorized to conduct its operation independently, **notes its appreciation for continuing coordination with the Government of Lebanon, while continuing to coordinate with the Government of Lebanon, as per the SOFA,** condemns *in the strongest terms* all attempts to deny access or restrict the freedom of movement of UNIFIL's personnel and all attacks on UNIFIL personnel and equipment as well as acts of harassment and intimidation of UNIFIL personnel and disinformation campaigns against UNIFIL; *calls on* the Government of Lebanon to facilitate UNIFIL's prompt and full access to sites requested by UNIFIL for the purpose of swift investigation, including all **locations of interest, all** relevant locations north of the Blue Line related to the discovery of tunnels crossing the Blue Line which UNIFIL reported as a violation of resolution 1701 (2006), and unauthorized firing ranges in line with resolution 1701, while respecting the Lebanese Sovereignty;

The changes made in the draft of Article 15 (al-Nashra, August 29, 2023)

◆ Article 16 of the 2023 resolution added a Security Council demand that "the parties remove any restrictions and hindrances to the movement of UNIFIL personnel and guarantee their freedom of movement of UNIFIL, including allowing announced and unannounced patrols." In the 2022 version, there was only a Security Council requirement for a guarantee of freedom of movement for UNIFIL and the removal of anything that posed a limitation or obstacle to its movement. The 2023 version is stricter regarding UNIFIL's freedom of movement.

16. *Demands* the parties cease any restrictions and hindrances to the movement of UNIFIL personnel and guarantee the freedom of movement of UNIFIL, including by allowing announced and unannounced patrols;

Article 16 of the 2023 version (UN website, August 31, 2023)

◆ The 2023 version condemns any harm to UNIFIL personnel, noting an incident on December 14, 2022 in which a UNIFIL soldier was killed in a clash with Hezbollah operatives (not mentioned in the resolution), and the Lebanese government is called on to complete its investigation of the incident and provide its results to the UN. In addition, concern is expressed regarding the jamming of a UNIFIL ship's radar on April 26, 2023 by an F-16 aircraft (by implication, an Israeli aircraft).

► **Disputes along the border between Israel and Lebanon**

- ◆ The 2023 resolution emphasizes the Security Council's commitment to Lebanon's territorial integrity and sovereignty; the commitment did not appear in the 2022 resolution.
- ◆ Regarding Israel's presence in the northern part of Ghajar, the term "occupation" was mentioned in the draft resolution (as demanded by Lebanon), while in the 2023 version the term Israel's "presence" was used (apparently demanded by Israel). Article 19 of the 2023 version demands Israel "accelerate the withdrawal" from the northern region of Ghajar; in 2022 there was no mention of Ghajar.
- ◆ The 2023 version relates to the two tents erected by Hezbollah (one of which is in territory controlled by Israel) but Hezbollah is not mentioned by name. The resolution expresses concern and notes the tents violate Security Council Resolution 1701. Addressing the issue and presenting the tents as a violation is an achievement for Israel, but the absence of a recommendation for concrete action to remove them is an achievement for Lebanon and Hezbollah.

Expressing concern at the continued Israeli presence in northern Ghajar and an adjacent area north of the Blue Line, and underlining that the continuation of construction works in the area run contrary to the necessary withdrawal of the Israel Defense Forces,

Expressing concern regarding the installation of tents south of the Blue Line in the occupied Shab'a Farms, near Bastrah, with individuals crossing from north of the Blue Line to access the structure which the Secretary-General assesses constitutes a violation of resolution 1701,

19. *Strongly urges* the Government of Israel to expedite the withdrawal of its army from northern Ghajar and the adjacent area north of the Blue Line without further delay in coordination with UNIFIL, which has actively engaged Israel and Lebanon to facilitate such a withdrawal;

References to Ghajar and Hezbollah's tents in the text of the 2023 resolution (UN website, August 31, 2023)

► **The Lebanese government and internal affairs in Lebanon**

- ◆ Regarding Lebanon, the 2023 resolution begins differently from both the draft and the 2022 resolution. The draft and resolution from 2022 began with the Security Council's solidarity with the Lebanese people in the wake of the explosion in the port of Beirut on

August 4, 2020,⁵ and welcomed support for Lebanon following the disaster. The 2023 resolution begins with a call for politicians to appoint a president and carry out reforms to deal with the country's economic crisis. Only later does solidarity with Lebanon appear relating to the disaster in the port. The 2022 resolution called on the country's leaders to form a government which would meet its needs.

◆ Both the 2022 and 2023 resolutions noted that the Security Council "welcomed" the "necessary role" of the deployment of the Lebanese army and security forces, especially in south Lebanon. In ITIC assessment, although the Security Council is aware that the Lebanese government cannot take such action because of the country's security-economic situation, including the increase of Hezbollah's activities in the area, the statement is intended to encourage the Lebanese security forces to act.

◆ Section 30 of the 2023 resolution approved the draft proposal that an appendix monitoring international aid to the Lebanese Army be included in the periodic reports of the UN Secretary General regarding the implementation of Resolution 1701. In ITIC assessment, the proposal was based on the UN's perception that strengthening the Lebanese army would lead to expelling Hezbollah from south Lebanon, but in practice the chances of that happening are very small.

◆ Article 25 was added to the 2023 resolution; it deals with promoting the quality of the environment in south Lebanon on behalf of the United Nations. In ITIC assessment, it is highly probable that the clause was added to distance Hezbollah from the field of "environmental activity:" Hezbollah's Green Without Borders association operates in the border area under the guise of environmentalism, while in practice it belongs to the organization's military-terrorist infrastructure. On page 3 of the 2023 resolution that the Security Council expresses concern about the erection of facilities in the Blue Line region, without specifying details. The facilities were erected by Green Without Borders and are used by Hezbollah as forward positions.⁶ The United States put Green Without

⁵ On August 4, 2020, an explosion occurred in warehouses in the port of Beirut. About 220 people were killed and more than 7,000 were injured. The warehouses apparently belonged to Hezbollah, which has evaded responsibility and not allowed the incident to be thoroughly investigated. For more information, see August 12, 2020 ITIC report, "Hezbollah's response to the Beirut disaster (updated to August 9, 2020)."

⁶ For further information see the February 24, 2020 ITIC report, "Green Without Borders: a Lebanese environmental organization that collaborates with Hezbollah and supports its activity near the Israeli border."

Borders on its sanctions list on August 16, 2023, about two weeks before the resolution was passed the United Nations.

The Final Version of the Resolution – Emphases and Significance

- ▶ The final version of the resolution apparently left UNIFIL with the authority to act independently, but a reservation was added negating its independence and stipulating it had to coordinate with the Lebanese government. That could make it difficult or even impossible for UNIFIL to carry out surprise inspections and continue to operate as before (evidently, since the resolution was passed), and Hezbollah's activities will not be restricted. That was intended to satisfy Lebanon after the Security Council refused to revoke UNIFIL's independence last year.
- ▶ The Security Council expressed "deep concern at all violations, both by air and ground...and [recalled] the importance of control of the Government of Lebanon over all Lebanese territory, and called on the parties to respect their international obligations and help promote a permanent ceasefire." The resolution included a reaffirmation of 2006's Resolution 1701 and a call to Israel and Lebanon to increase cooperation with UNIFIL while expressing concern over the lack of progress in stabilizing the ceasefire.
- ▶ The resolution called on all states to fully support and respect the establishment of an area between the Blue Line and the Litani River free of any armed personnel, assets and weapons other than those of the Lebanese government and UNIFIL [creating a demilitarized zone]. The Lebanese army was called on to deploy in the sea and in south Lebanon to implement Resolution 1701. The Security Council also condemned the continued maintenance of weapons by armed groups in violation of resolution 1701, mainly referring to Hezbollah.
- ▶ The resolution called on Israel to withdraw from northern Ghajar and the area adjacent to it north of the border line, "without further delay" and in coordination with UNIFIL. It also referred to the two tents Hezbollah erected in the Mount Dov area, stating their erection violated Resolution 1701 without specifically stating by whom.
- ▶ The resolution welcomed the maritime border agreement between Israel and Lebanon, noting it would bring stability and prosperity to the region. The Security Council called on the Lebanese government "to present a plan to increase its naval capabilities as soon as possible, including with appropriate support from the international community with the goal of ultimately decreasing UNIFIL's Maritime Taskforce and transitioning its responsibilities to the Lebanese Armed Forces."

- ▶ The resolution urged "the parties to make a systematic, constructive and expanded use of the Tripartite mechanism...[for] marking of the Blue Line and...to accelerate efforts to delineate and visibly mark the Blue Line...to move forward on resolving points of contention."
- ▶ The Security Council expressed deep concern about the political, economic and social situation in Lebanon and called for the appointment of a president as soon as possible to bring stability to the country.
- ▶ The resolution called for "further and increased international support for the Lebanese Armed Forces and all state security institutions, which are the only legitimate armed forces of Lebanon...where the Lebanese Armed Forces were most critically in need of support, including daily logistical needs and maintenance, counter-terrorism, border protection and naval capacity."
- ▶ Despite the pressure exerted by Lebanon and Hezbollah, UNIFIL's freedom of action was not revoked. The added reservation, which called on UNIFIL to coordinate its activities with the Lebanese army, contradicts the article regarding its freedom of action. The Lebanese government and Hezbollah will continue to make it difficult for UNIFIL to operate, and Hezbollah will continue to violate Resolution 1701, expand and become stronger in south Lebanon, even at the cost of confrontations with UNIFIL.
- ▶ The Lebanese government was required to exercise its sovereignty in south Lebanon and ensure there were no illegal weapons. The resolution called for the Lebanese army to be strengthened so it could carry out the mission, and Israel was required to withdraw from the northern part of the village of Ghajar. In ITIC assessment, the Lebanese government is both unwilling and unable to comply with the demands, and the Israeli government will not be able to comply with demands without practical consideration from the Lebanese side. Therefore, apparently no substantial change can be expected in the situation on the Lebanon-Israel border and the potential for escalation will continue.

Reactions

▶ Lebanon

- ◆ Reactions in Lebanon were mixed. **Najib Mikati, Prime Minister of the Interim Government**, welcomed the renewal of UNIFIL's mandate and noted that "Lebanon reiterates its demand that Israel withdraw from all disputed points and stop the violations of Lebanese sovereignty on land, in the air and at sea" (Lebanese government

Twitter account, August 31 2023). He later added that the UN resolution took into account Lebanon's demand for a provision stating UNIFIL would carry out its activities in coordination with the Lebanese government (al-Ghad, September 1, 2023). On September 6, 2023, Mikati held a meeting with **General Aroldo Lazaro, commander of UNIFIL forces in Lebanon**, to discuss cooperation. Mikati emphasized the Lebanese government's commitment to the Security Council resolution and its willingness to cooperate with UNIFIL through the Lebanese army (Lebanese prime minister's office Twitter account, September 6, 2023).

◆ **Lebanese Foreign Minister Abdullah Bou Habib** stated that even though Lebanon had not gotten everything it wanted, it was still committed to international resolutions, including the present one. He added that UNIFIL had not changed anything during the last year, which was "to its credit" (al-Liwaa, September 1, 2023).

◆ The Lebanese daily al-Joumhouria analyzed the events leading up to the resolution and its results. According to the newspaper, senior officials in Lebanon regarded the reservation added to the article dealing with UNIFIL's activities as Lebanon's main achievement in the negotiations. The newspaper stated that in light of the pressures exerted on Lebanon and of the United States's important position in the Security Council, there was no doubt it was an achievement. It added that Lebanon's foreign minister had received a suggestion to contact Russia for its veto but was reluctant to do so, and during the negotiations threatened to withdraw the request to renew the UNIFIL mandate. France suggested compromises to please all parties, since it has soldiers who serve in UNIFIL and economic interests motivating it to have an interest in stability in Lebanon. For that reason, the obvious contradictions of the resolution's final version allow each side to interpret it freely (the contradictions were not specified, with the exception of an article concerning UNIFIL's independence). In the newspaper's opinion, the principle of coordinating UNIFIL activities with the Lebanese army constituted international confirmation of Lebanon's authority "both on paper and in practice." The newspaper predicted the current round was a first move towards the next diplomatic duel, which would be held in 2024 (al-Joumhouria, September 5, 2023).

◆ senior **Hezbollah figure Nabil Qaouk** claimed the Security Council had "embarrassed itself" when it sided with Israel and did not consider the presence of IDF forces in Ghajar as an "occupation." He claimed that like all the resolutions passed by the Security

Council which benefitted Israel, it would not help Israel achieve anything in south Lebanon (al-Manar, September 3, 2023). Regarding the issue of Ghajar, Lebanon demanded the use of the term "occupation," while the resolution reads "Israeli presence."

◆ According to political commentary on the Arab News website, Hezbollah has been trapped by the resolution because it cannot allow itself to be exposed by UNIFIL, but it also cannot allow itself the type of confrontation with UNIFIL which led to the killing of the Irish soldier. In the newspaper's opinion, that will make Hezbollah test how far it can push its boundaries with Israel (Arab News, September 5, 2023).

► UNIFIL

◆ **UNIFIL spokesman Andrea Tanti** said that with the renewal of the mandate, UNIFIL's activities in south Lebanon would not change and coordination with the Lebanese army and government would continue the same as it had been since 2006. Tanti mentioned the Hezbollah tent, and noted that the issue was of great concern to UNIFIL since its placement constituted a violation of resolution 1701 (al-Hurra; al-Nashra, September 4, 2023).

◆ A report in the Hezbollah-affiliated Lebanese daily al-Akhbar claimed that in early September 2023, the UNIFIL commander and senior officers met with mayors of cities and towns and dignitaries in the villages of south Lebanon, and informed them that UNIFIL had received instructions from its headquarters in New York to continue its activities without change, in full coordination with the Lebanese army. According to the newspaper, UNIFIL headquarters asked its forces to reduce the number of patrols to a minimum while preparing for meetings with Lebanese army commanders to coordinate activities (al-Akhbar, September 4, 2023).

► Internationally

◆ China's representative (who abstained from voting) expressed regret that Lebanon's reservations had not been considered and stated that China, which participated in the UNIFIL force, felt coordination with the Lebanese army was necessary (LBCI, August 31, 2023).

◆ Russia's representative (who abstained from voting) expressed regret that the final text had not considered the reconciliation achieved with Lebanon, without specifying

which reconciliation. Russia also emphasized the importance of coordination between UNIFIL and the Lebanese army (LBCI, August 31, 2023).

◆ **Sébastien Lecornu, the French defense minister**, welcomed the renewal of the mandate and the 700 French soldiers serving in UNIFIL (French defense minister's Twitter account, September 3, 2023).

► **Israel**

◆ **Gilad Erdan, Israel's ambassador to the UN**, welcomed the resolution, emphasizing the importance of the insistence of the UN on UNIFIL's independence to conduct patrols without having to coordinate with any party. He said Israel would continue to demand that the Security Council condemn Hezbollah and demand the Lebanese government to take action against the organization's military buildup, which could lead to a serious escalation in the region (Ynet, August 31, 2023).

◆ The Israeli foreign ministry welcomed the mandate's renewal, noting that UNIFIL helps to create stability in south Lebanon. It also called on the international community to take a firm stand against Hezbollah's provocations and attempts to cause an escalation (Ynet, August 31, 2023).