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Inside 1701:

What the UN Security Council's Ceasefire Resolution Actually Says

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What is really portended by UN Security Council Resolution 1701, which set the terms for the present ceasefire in Lebanon? The very fact that it was signed at all might be encouraging, but no one is sure what its actual impact will be and most are sceptical. For Israel, will it secure the outcome its leaders are (rather desperately) claiming they have gained by this dreadful war - i.e., ultimate disarmament of Hizbullah? For Lebanon and Hizbullah, will it secure Israel's withdrawal? Either way, will it last?

More important than its precise provisions are facts on the ground. On one side, Hizbullah is "victorious" in defeating Israel's military ambitions, but much of Lebanon itself is in ruins; peace for a traumatized population is a matter of urgency. On the other side, the Israeli military is chastened and Jewish Israel is shocked; more fruitless loss of soldiers' lives has become political anathema. These factors may cause the guns to stay silent where the resolution itself could not.

But a close look at Resolution 1701 is still important because it says a great deal about the politics of the moment. In practice, any Security Council (SC) resolution is only as effective in attaining its goals as the collective political will and capacity of its veto-wielding members allow it to be. Some resolutions reflect more consensus than others. Many confront limitations of the SC to enforce them. Brooding divisions and chicanery within the SC can instill loopholes or debilitating contradictions.

Even short-and-sweet SC resolutions (a fraction the length of 1701) can be manipulated to create a crucial loophole. One notorious example is SC Resolution 242, passed just after the 1967 war when Israel had occupied the Gaza Strip, the West Bank, the Golan Heights, and the entire Sinai Peninsula. Hard Israeli lobbying famously managed to extract the crucial "the" from the English translation of the otherwise blunt provision, "Withdrawal of Israeli armed forces from [the] territories occupied in the recent conflict." "Territories" in English is a general term, and could mean "some territories". "The territories" would mean "all territories". Israel's maneuver on the definite article was therefore not sophistic: it has allowed Israel to claim, to this day, that it satisfied its obligations to comply with 242 by withdrawing from the Sinai (in 1981), while retaining control of the West Bank, Gaza Strip, and Golan Heights. (In all the other official UN languages, Resolution 242 still says "the territories", but apparently Israel is accountable to international law only in English.)

Brought under the microscope, what exactly does Resolution 1701 say? A line-by-line analysis reveals that it is as full of pro-Israeli holes as a Swiss cheese. It also has two significant pro-Lebanese holes. But the over-all weight of the resolution indicates that Israel holds the crucial card: whether and when to withdraw its forces from Lebanese territory. Close study of the resolution also explains why Israel rushed troops across the border in the days immediately preceding its passage. Knowing the text, having consulted with the Americans about its details, the Israeli government needed its

troops in place to make it work. The loopholes also suggest that the present ceasefire, presently welcomed by two exhausted sides, may hold only a few weeks.

"The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 520 (1982), 1559 (2004), 1655 (2006), 1680 (2006) and 1697 (2006), as well as the statements of its president on the situation in Lebanon, in particular the statements of 18 June, 2000, of 19 October, 2004, of 4 May 2005, of 23 January 2006 and of 30 July 2006;"

Security Council resolutions always open with reference to relevant prior resolutions, to establish their juridical context. This one establishes Resolution 1701 within the legal history of prior resolutions on Lebanon. It does not place the conflict in larger regional context, however, which includes Israel's occupation of the Palestinian territories. Israeli violence in enforcing that occupation is certainly intertwined with Hizbullah's ideology, popular legitimacy, and its ongoing militancy, as well as Lebanese government weakness. In the penultimate paragraph, the Resolution does cite the need for a comprehensive Middle East peace process based on Security Council resolutions 242 and 338.

"Expressing its utmost concern at the continuing escalation of hostilities in Lebanon and in Israel since Hezbollah's attack on Israel on 12 July 2006, which has already caused hundreds of deaths and injuries on both sides, extensive damage to civilian infrastructure and hundreds of thousands of internally displaced persons;"

This paragraph offers the first of the Resolution's two empirical falsehoods. The conflict has not "caused hundreds of deaths and injuries on both sides." It caused hundreds of deaths and thousands of injuries on one side and dozens on the other. Inscribing this false equation into the text might seem a casual twist of language, but it is an ominous footprint indicating the resolution's direction: endorsing Israel's fictional narrative of symmetrical suffering bodes ill for the agenda of later clauses. (It also does no service to historians of UN interventions, who doubtless will unthinkingly reproduce this falsehood for decades to come).

In similar vein, the paragraph traces the "cause" of the conflict to a Hizbullah action, described as an "attack on Israel", instead of Israel's decision to respond to a minor border skirmish with a pre-planned and massive assault on Lebanon's entire population and infrastructure.[1] This interpretation openly reproduces the Israel-Washington-London axis of revisionist myths about how the conflict started. It also suggests that the Lebanese government and Hizbullah were willing to compromise on this language, probably on grounds that capitulating to Israel's version of events would be compensated by later substantive clauses that counterbalance it. But, again, allowing the Security Council to inscribe empirical falsehoods and Israel's version of events into international law is poor law and poor planning. (The second instance of error, in Paragraph 8, is even more worrisome.)

"Emphasizing the need for an end of violence, but at the same time emphasising the need to address urgently the causes that have given rise to the current crisis, including by the unconditional release of the abducted Israeli soldiers;

Mindful of the sensitivity of the issue of prisoners and encouraging the efforts aimed at urgently settling the issue of the Lebanese prisoners detained in Israel;"

A prisoner exchange was the reason for Hizbullah's capture of two Israeli soldiers, the event cited by Israel as the *casus belli*. The question of prisoners is therefore hardly peripheral to this conflict. Yet the Resolution here inscribes a starkly asymmetrical standing to Israeli and Lebanese prisoners. Hizbullah's capture of Israeli prisoners is inscribed as one of "the causes that have given rise to the current crisis". The Security Council itself will therefore "address urgently" the plight of the two "abducted" (captured) Israeli soldiers, by securing their "unconditional release". By contrast, Lebanese prisoners held in Israel, from previous incursions into Lebanon by Israel, are not admitted to be a causal factor. Their plight is only a matter of "sensitivity", whose urgent settlement by other actors (unnamed) will be "encouraged." This formula makes the Security Council itself responsible for the Israeli soldiers' release, while leaving the release of Lebanese prisoners to present players - i.e., Israel.

"Welcoming the efforts of the Lebanese prime minister and the commitment of the government of Lebanon, in its seven-point plan, to extend its authority over its territory, through its own legitimate armed forces, such that there will be no weapons without the consent of the government of Lebanon and no authority other than that of the government of Lebanon, welcoming also its commitment to a UN force that is supplemented and enhanced in numbers, equipment, mandate and scope of operation, and bearing in mind its request in this plan for an immediate withdrawal of the Israeli forces from southern Lebanon;"

As Israel has insisted that the Lebanese government assume sole authority over Lebanese territory, this passage may seem friendly to Israel, eliminating Hizbullah's military role and autonomy. Nevertheless, it provides the first loophole favoring Lebanon, as the Lebanese government now includes Hizbullah. "No authority other than that of the government of Lebanon" will not be a problem for Hizbullah if it is part of that government. (Indeed, the government could not have signed this resolution without consulting with Hizbullah and getting a general go-ahead.) The phrase, "no weapons without the consent of the government of Lebanon", will not be a problem for Hizbullah, either, because the government is likely to give that consent. Moreover, as Hizbullah members are already well diffused into the Lebanese army, friendly cooperation between Hizbullah and the army is already evident and can be coordinated under the authority of the central Lebanese government - which, again, includes Hizbullah.

Knowing all this, the central government itself does not face the unworkable challenge of confronting Hizbullah's greater military and political force. The logistics of integration, however, are clearly difficult. Fusing Hizbullah's military wing into the Lebanese army is especially delicate, as Hizbullah has jealously guarded its military secrets even from the communities adjacent to its installations. Fusion might therefore have to be managed by reconstituting Hizbullah's military wing as a branch or special force of the army, to preserve its intelligence firewalls.

Simply "disarming" Hizbullah, however, is out of the question: no Lebanese authority has the power to do that. Reflecting this reality, the government of Lebanon has already redefined Hizbullah as a "resistance" group, not a "militia", and therefore

exempt from the provisions of Security Council Resolution 1559 (which requires all "militias" to disarm). This maneuver allows Lebanon's unity government to comply with Resolution 1559 by "consenting" to Hizbullah's continuing to bear weapons - or at least, so the government argues.

But a twist, embedded in the last phrase, undercuts Lebanon's achievement in this paragraph. "Immediate withdrawal of the Israeli forces" is phrasing friendly to Lebanon's urgent desires. It is prefaced, however, with the debilitating word "request". Given Israel's violation of international law and the UN Charter in invading a neighboring state, the Security Council should "demand" or "instruct" Israel to withdraw immediately, not "request" it to do so. In this phrasing, Israel is not required to withdraw and the Security Council is not charged with enforcing its withdrawal. This formula therefore leaves Israel in charge of its own withdrawal. If Hizbullah retains its arms, Israel would not consider itself obligated to withdraw.

"Determined to act for this withdrawal to happen at the earliest;"

This short phrase is both vague and strange, not even grammatically complete in English. "Act for" is foggy in English, connoting a general effort. The French version also offers unspecified and passive constructions: "Determined to act in such a way that this withdrawal happen as soon as possible" ("Déterminé à agir de telle sorte que ce retrait intervienne le plus tôt possible"). Even for a preface, where general formulas are normal, this clause lacks both specificity and especially agency: the withdrawal will simply happen. The lack of agency regarding any monitoring or enforcement of Israel's withdrawal shapes the rest of the Resolution.

"Taking due note of the proposals made in the seven-point plan regarding the Shebaa farms area;"

"Taking due note" offers formal recognition that this plan exists. But it does not indicate that the Security Council endorses the seven-point plan, nor does it clarify that the plan will comprise the basis for any further discussions. (The Resolution's operative reference to the Shebaa farms, in Paragraph 10, makes no mention of this plan.)

"Welcoming the unanimous decision by the government of Lebanon on 7 August 2006 to deploy a Lebanese armed force of 15,000 troops in south Lebanon as the Israeli army withdraws behind the Blue Line and to request the assistance of additional forces from Unifil as needed, to facilitate the entry of the Lebanese armed forces into the region and to restate its intention to strengthen the Lebanese armed forces with material as needed to enable it to perform its duties;"

"As the Israeli army withdraws" implies a confused process whereby the Israeli army will withdraw while the Lebanese army arrives. But the sequencing is muddy. Is the Lebanese army to arrive while Israeli troops are still in place, so that no vacuum of power occurs? Is the Lebanese army to take over positions only as Israel withdraws from them? Is the Lebanese army's arrival a sufficient condition for Israel's withdrawal, or is Hizbullah's disappearance (impossible) also necessary? Again, it is left to Israel to judge when to withdraw. It is easy to imagine that any Hizbullah attack on Israeli troops, or even unspecified trouble for Israeli forces, would give Israel a pretext to delay withdrawal.

"Aware of its responsibilities to help secure a permanent ceasefire and a long-term solution to the conflict;

"Determining that the situation in Lebanon constitutes a threat to international peace and security;

1. Calls for a full cessation of hostilities based upon, in particular, the immediate cessation by Hezbollah of all attacks and the immediate cessation by Israel of all offensive military operations;"

In the key word "offensive," Paragraph 1 offers the lethal phrasing that explains Israel's rush to gain ground in the days immediately preceding passage of this resolution. Once holding substantial Lebanese territory, Israel can define its military actions not as "offensive" but as defensive, pending its withdrawal. But the conditions for its withdrawal must be satisfactory to Israel; the Resolution establishes no external authority to compel Israel's withdrawal or any sanctions if it does not.

Obviously, by international criteria regarding territorial aggression and belligerent occupation, it is nonsense for Israel to be occupying Lebanon while claiming not to be in an offensive military posture. But it has been equal nonsense for nuclear-power Israel to describe its attack on Lebanon, in the name of crushing a local guerrilla group, as a war for Israel's own survival. In most diplomacy, Israel has also consistently denied that it is in a condition of "belligerent occupation" of the West Bank and Gaza Strip. Israel's capacity to claim any action as "defense" is well-established in the diplomatic record.

"2. Upon full cessation of hostilities, calls upon the government of Lebanon and Unifil as authorised by paragraph 11 to deploy their forces together throughout the South and calls upon the government of Israel, as that deployment begins, to withdraw all of its forces from southern Lebanon in parallel;"

"[A]s that deployment begins" could suggest that Israel is supposed to withdraw its forces immediately upon the entry of Lebanese and Unifil forces into the region. But, again, "in parallel" is confusing: in parallel with what? The mere arrival of Lebanese army forces? Or the effective replacement (i.e., removal) Hizbullah forces from southern Lebanon? Since Hizbullah will not imaginably be removed from southern Lebanon, "in parallel" could leave Israel's forces in place, according to its own assessment of "parallel" conditions, for weeks or months. (As noted, overwhelming domestic Israeli pressure to withdraw from Lebanon may trump the plan suggested here.)

"3. Emphasises the importance of the extension of the control of the government of Lebanon over all Lebanese territory in accordance with the provisions of resolution 1559 (2004) and resolution 1680 (2006), and of the relevant provisions of the Taif Accords, for it to exercise its full sovereignty, so that there will be no weapons without the consent of the government of Lebanon and no authority other than that of the government of Lebanon;"

Israel clearly wants Hizbullah to lose all capacity to launch attacks against Israel. But since the Lebanese government can "consent" to Hizbullah's remaining armed, as part of a newly centralized military authority, this phrasing could serve both the

government and Hizbullah. The paragraph suggests that Hizbullah has agreed that any attack on Israel will be made only with agreement by the Lebanese government and not on its own sole authority as a party or resistance group. (However, Hizbullah has already declared an exception: it reserves the right to attack Israeli troops as long as they remain in Lebanon. Doubtless Hizbullah accurately perceives the risks of the Resolution and its faith is likely to be low.)

Unifying the Lebanese government authority over foreign policy is not only necessary to holding Lebanon together but is also an important evolution in the state's integration. Historically, the Lebanese government has lacked both the capacity and the interest necessary to disarm Hizbullah, a force much more powerful than the state's own armed forces and that enjoys significant legitimacy in Lebanon as the sole effective deterrent to Israeli aggression. (Flagging in the post-Hariri era, its legitimacy has now been enormously pumped up by Israel's ruinous invasion of the country.) Lebanon is hardly unique in this weakness. Many weak states lack the capacity to control armed groups operating from their territories (several African states come to mind). They may even tacitly support the presence of such groups, if those groups operate as extra-legal (and plausibly deniable) instruments of the government's foreign policy.

But centralizing authority over foreign policy, especially to wage war or launch attacks on other states, is a state-building project incumbent on all nation-states. Hizbullah was brought into the government in the last election; the next step would normally be fusion of its armed wing into the state's armed forces. (We might recall that the precursor to the United States federal system, the Confederation of the thirteen colonies, ran into similar problems regarding Indian wars in the eighteenth century. New York's wars with the Iroquois and Georgia's wars with the Cherokee, launched on their own authority, drained the treasuries of the other states. The problem contributed significantly to the thirteen states' willingness to adopt the Constitution of 1789, which authorized only the federal government to govern relations with the "Indian tribes".)

"4. Reiterates its strong support for full respect for the Blue Line;

"5. Also reiterates its strong support, as recalled in all its previous relevant resolutions, for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders, as contemplated by the Israeli-Lebanese General Armistice Agreement of 23 March 1949;"

These clauses are nice but worrisomely vague. The term "full respect for the Blue Line" suggests the mutual termination of incursions or cross-border actions. But it does not specify how "full respect" is to be expressed - for example, whether it would require Israel to terminate its low-altitude flights over Lebanon, which have regularly broken the sound barrier over southern Lebanese cities. Nor does it address the question of prisoners.

"6. Calls on the international community to take immediate steps to extend its financial and humanitarian assistance to the Lebanese people, including through facilitating the safe return of displaced persons and, under the authority of the government of Lebanon, reopening airports and harbours, consistent with paragraphs 14 and 15,

and calls on it also to consider further assistance in the future to contribute to the reconstruction and development of Lebanon;"

This paragraph might seem friendly to Lebanon, too, until we consider it in context. First, it makes the international community financially responsible for "reopening airports and harbours," rather than Israel, which wrecked them. Israel has no responsibility at all, in this resolution, for providing financial, logistical or any other help in reconstructing the rest of Lebanon.

Second and more subtly, the paragraph actually confirms Israel's authority to stall any such rebuilding, or selectively to impede it, since loopholes in the rest of the resolution leave it up to Israel to determine when "the authority of the government of Lebanon" has been truly imposed. By linking Lebanon's reconstruction to paragraphs 14 and 15 (below), Paragraph 6 confirms that rebuilding Lebanon must not translate into Hizbullah's resupplying and rebuilding its military capacity in the south. If Israel deems that rebuilding is serving Hizbullah's military capacity (which it doubtless will, as Hizbullah and the army will necessarily collaborate in reconstructing the demolished cities, villages, and infrastructure in the Shi'a south and Beirut suburbs), then the Israeli military can declare itself authorized to stop or even bomb those reconstruction efforts. Since Israel is occupying southern Lebanon precisely to monitor this process, it will be in position to halt the reconstruction at its discretion.

Aside from Hizbullah's arms, the phrase "under the authority of the government of Lebanon" gives Israel another point of leverage. Even if Hizbullah as a political party is involved in the rebuilding - which, again, being well-embedded among the southern Shi'a, it will inevitably be - then Israel can declare that the "authority of the government" has not been effectively imposed. The Lebanese government might protest that argument on grounds that Hamas is a legitimate Lebanese party. But Israel has similarly rejected the presence of Hamas in the Palestinian government, and, like Hamas, has declared Hizbullah a "terrorist organization". Israel would be consistent in rejecting the Lebanese government's insistence that Hizbullah must be considered a legitimate player and treating any involvement or presence by Hizbullah as a failure to impose full Lebanese state authority.

"7. Affirms that all parties are responsible for ensuring that no action is taken contrary to paragraph 1 that might adversely affect the search for a long-term solution, humanitarian access to civilian populations, including safe passage for humanitarian convoys, or the voluntary and safe return of displaced persons, and calls on all parties to comply with this responsibility and to cooperate with the Security Council;"

This paragraph focuses narrowly on urgent humanitarian concerns, which is welcome and essential. But it does not compel Israel or anyone else to pursue a "long-term solution". It only affirms that parties are responsible for not acting in any way that would "adversely affect" the "search" for one. (This phrasing is reminiscent of "peace process" language that calls on Israel not to act in any way that will "prejudice final status talks" regarding withdrawal from the Palestinian territories. Israel has roundly ignored those calls for decades.)

"8. Calls for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements:

- Full respect for the Blue Line by both parties;"

"Respect" is inoperably vague: see above.

· "security arrangements to prevent the resumption of hostilities, including the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons other than those of the government of Lebanon and of UNIFIL as authorised in paragraph 11, deployed in this area;"

This clause makes the Lebanese government and UNIFIL responsible for ensuring that Hizbullah is not re-armed.

"Full implementation of the relevant provisions of the Taif Accords, and of resolutions 1559 (2004) and 1680 (2006), that require the disarmament of all armed groups in Lebanon, so that, pursuant to the Lebanese cabinet decision of July 27, 2006, there will be no weapons or authority in Lebanon other than that of the Lebanese state;"

This clause provides the second serious distortion of history. The Taif Agreement (1989, clause 2.1 A) and Resolution 1559 (paragraph 3) did not call for disarming all "armed groups" but rather all "militias". It is startling that the international community allowed this alteration of facts (here, the diplomatic record). But its purpose is plain. Deliberate misquotation of both agreements undercuts the Lebanese government's maneuver cited earlier: to evade obligations to disarm Hizbullah by redefining Hizbullah as a "resistance" organization.

· "No foreign forces in Lebanon without the consent of its government;"

This subsection is friendly to the Lebanese government, implying that Israeli forces cannot legally invade again. But the clause does not actually go beyond the UN Charter and international law prohibiting exactly such behavior, which Israel has violated repeatedly in Lebanon on grounds of self-defense, so it does not really manifest as more robust here. Also, Israel has in the past implicitly defined Hizbullah as "foreign forces" in being an instrument of Iran, so it could conceivably declare the clause violated and violate it itself.

· "No sales or supply of arms and related materiel to Lebanon except as authorized by its government;"

This clause favors Israel, but it will also serve to strengthen the central Lebanese government in the positive sense observed earlier. The problem is the Lebanese government's capacity to enforce it, which is dubious. At what degree of failure would Israel declare this condition violated? Major rearmament of Hizbullah's southern positions? Or simply interception of a single truck carrying Katyushas?

· "Provision to the United Nations of all remaining maps of land mines in Lebanon in Israel's possession;"

The clause seems to favor the Lebanese, who urgently need these maps. However, it is formulated not as Israel's immediate obligation but as a "principle or element" associated with a "long-term solution". Since Israel understands a "long-term solution" only as the entire evaporation of Hizbullah, providing the maps of land mines is left conditional on an outcome not likely to emerge.

"9. Invites the secretary general to support efforts to secure as soon as possible agreements in principle from the government of Lebanon and the government of Israel to the principles and elements for a long-term solution as set forth in paragraph 8, and expresses its intention to be actively involved;"

Translation: The hapless Secretary General is charged with monitoring and facilitating this mess of an agreement.

"10. Requests the secretary general to develop, in liaison with relevant international actors and the concerned parties, proposals to implement the relevant provisions of the Taif Accords, and resolutions 1559 (2004) and 1680 (2006), including disarmament, and for delineation of the international borders of Lebanon, especially in those areas where the border is disputed or uncertain, including by dealing with the Shebaa farms area, and to present to the Security Council those proposals within 30 days;"

Translation: The Secretary General is also charged with developing further proposals. Disposition of the Shebaa farms area is left to later negotiations, with no mention of the seven-point plan.

"11. Decides, in order to supplement and enhance the force in numbers, equipment, mandate and scope of operations, to authorize an increase in the force strength of Unifil to a maximum of 15,000 troops, and that the force shall, in addition to carrying out its mandate under resolutions 425 and 426 (1978):

- a. Monitor the cessation of hostilities;
- b. Accompany and support the Lebanese armed forces as they deploy throughout the South, including along the Blue Line, as Israel withdraws its armed forces from Lebanon as provided in paragraph 2;
- c. Coordinate its activities related to paragraph 11 (b) with the government of Lebanon and the government of Israel;
- d. Extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons;
- e. Assist the Lebanese armed forces in taking steps towards the establishment of the area as referred to in paragraph 8;
- f. Assist the government of Lebanon, at its request, to implement paragraph 14;"

According to these provisions, UNIFIL will play an expanded role in monitoring Hizbullah's disarmament, the Lebanese army's takeover, and the country's reconstruction. The measure seems to provide Israel with a guarantor of Hizbullah's marginalization, and the Lebanese government with a friendly international force that can monitor and even oppose any Israeli intervention. But the confusions and contradictions cited in earlier passages indicate a crucial weakness for UNIFIL regarding these jobs. Consider the dilemma: UNIFIL is charged with supporting the

Lebanese army's deployment in the south, although deployment is not clearly contingent on Israel's withdrawal. UNIFIL must also prevent any rearmament by Hizbullah, southern Lebanon's primary military power, although it has no military or intelligence capacity to do. It will assist in securing "humanitarian access to civilian populations" and the return of refugees, but has no authority to engage Israeli forces if Israel impedes those efforts. A more unenviable position is difficult to imagine.

"12. Acting in support of a request from the government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, authorizes Unifil to take all necessary action in areas of deployment of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilised for hostile activities of any kind, to resist attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council, and to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers, and, without prejudice to the responsibility of the government of Lebanon, to protect civilians under imminent threat of physical violence;"

Recognizing UNIFIL's dilemma, the Resolution now seems to strengthen UNIFIL's role. But read closely, it only loads UNIFIL with more unmanageable duties. Since UNIFIL is based entirely in southern Lebanon, its primary responsibility-to "ensure that its area of operations is not utilized for hostile activities of any kind"-pertains solely to containing Hizbullah. Regarding Israel, its charge "to protect civilians under imminent threat of physical violence" seems to give it authority to repel Israeli attacks on Lebanese civilians, but this role is undercut by two factors: (a) Israel's standard claim that it hits civilians only by accident during necessary military engagement with Hizbullah, such that it would reject UNIFIL's role in repelling actions ostensibly aimed at military targets "using civilians as shelter"; and (b) UNIFIL's obvious logistical inability to do anything about Israeli aggression of any kind. Since the rest of the resolution provides multiple loopholes for Israeli aggression (e.g., redefining it as "defense"), this clause sets up UNIFIL for failure to protect civilians.

Most strikingly, the resolution makes no mention of Israel's relationship to UNIFIL or its responsibility to respect UNIFIL's authority in fulfilling its mission. In other words, UNIFIL is the same feeble instrument it has been for decades.

"13. Requests the secretary general urgently to put in place measures to ensure Unifil is able to carry out the functions envisaged in this resolution, urges member states to consider making appropriate contributions to Unifil and to respond positively to requests for assistance from the Force, and expresses its strong appreciation to those who have contributed to Unifil in the past;"

Translation: The international community will fund and assist UNIFIL.

14. Calls upon the government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel and requests Unifil as authorised in paragraph 11 to assist the government of Lebanon at its request;

"15. Decides further that all states shall take the necessary measures to prevent, by their nationals or from their territories or using their flag vessels or aircraft;

a. the sale or supply to any entity or individual in Lebanon of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories, and;

b. the provision to any entity or individual in Lebanon of any technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in subparagraph (a) above, except that these prohibitions shall not apply to arms, related material, training or assistance authorised by the government of Lebanon or by Unifil as authorised in paragraph 11;"

These paragraphs target Israel's core concerns. They require full disarmament of Hizbullah as well as termination of related support to Hizbullah by its allies. Being linked to Paragraph 6, however, these provisions also make "reopening [Lebanon's] airports and harbors" contingent both. Since covert external support to Hizbullah is virtually certain, and therefore easy for Israel to claim whether Israel has direct evidence or not, this construction gives Israel a standing legal mechanism through which to block the reconstruction of Lebanon for whatever reason it might have.

"16. Decides to extend the mandate of Unifil until 31 August 2007, and expresses its intention to consider in a later resolution further enhancements to the mandate and other steps to contribute to the implementation of a permanent ceasefire and a long-term solution;

17. Requests the secretary general to report to the Council within one week on the implementation of this resolution and subsequently on a regular basis;

18. Stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973;

19. Decides to remain actively seized of the matter.

Translation: the Security Council intends to keep this tattered process running.

To summarize, Resolution 1701 reflects a legal coup for Israel and the United States. On its face, it seems even-handed, providing for an Israeli withdrawal, pacification of Hizbullah, restoration of Lebanese sovereignty, and conditions that allow for Lebanon's reconstruction. It actually provides Israel with ultimate leverage over its own withdrawal, contingent on disarming Hizbullah.

Most seriously, regarding the UN itself, the Resolution fails to condemn Israel for violating international law in its onslaught on Lebanon. It also fails to establish any basis for a serious peace process. It represents a twisted, tricky document, representing machinations of the United States in service to the neocon alliance with Israel to "remake" the Middle East. Its provisions to disarm Hizbullah are politically

unworkable and beyond the SC's capacity. Its provisions for Israeli withdrawal are contingent on that disarmament.

Regarding its relevance to a real peace in Lebanon, within days or weeks of this writing Resolution 1701 may be a discredited artefact of history. But its design remains significant: inability of the SC to act in a principled fashion to impose international order. In that light, it tells us far more about the internal debility of the UN than it does about any future for the Israeli-Lebanese conflict.

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