

Reinforcing Lebanon's Sovereignty

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Brief Analysis

The United States has been lobbying the UN Security Council to pass a new resolution about reinforcing Lebanon's sovereignty, building on the October 25, 2005, report by UN envoy Terje Roed-Larsen on the implementation of UN Security Council Resolution 1559. That resolution, adopted on September 2, 2004, called for the disbanding and disarmament of all militias in Lebanon, the extension of Lebanese government control over all Lebanese territory, and the strict respect of Lebanese sovereignty. Important as each might be in light of recent developments, the Resolution 1559 requirements are closely interconnected.

The Roed-Larsen Report

Roed-Larsen's report is a followup to two previous reports issued respectively in October 2004 and April 2005. Though Roed-Larsen attested to the fulfillment of some derivative requirements of Resolution 1559, among them the withdrawal of Syrian forces from Lebanon, he asserted that other requirements remain to be implemented. Among them are the aforementioned provisions. Significantly, Roed-Larsen added that Lebanon's sovereignty, territorial integrity, and political independence could be achieved "most notably through the establishment of normal diplomatic relations and the demarcation of borders between the Syrian Arab Republic and the Lebanese Republic."

Roed-Larsen's report was issued on the heels of the publication of the UN International Independent Investigation Commission's report into the assassination of former Lebanese prime minister Rafiq Hariri. According to the commission, "While the Syrian authorities have cooperated in form but not substance with the commission, several Syrian officials tried to mislead the commission by giving false or inaccurate information." In response to these findings, the Security Council adopted Resolution 1636, calling on all states to "prevent the entry or transit of suspects designated by the commission or the government of Lebanon and to freeze all assets of such person on their territory."

As Roed-Larsen reported, "A variety of recent reports has suggested that there has been an increasing influx of weaponry and personnel from Syria" to Palestinian militias in Lebanon, especially the Palestinian Front for the Liberation of Palestine-General Command (PFLP-GC). This reported interference is compounded and complicated by the inability of the UN to confirm unequivocally that all Syrian troops and military assets and its entire intelligence apparatus have been withdrawn from Lebanon. This condition arises from the fact that there is no clearly agreed upon international border between Syria and Lebanon. In fact, in his discussion of whether there has been a full and

complete withdrawal of all Syrian troops from Lebanon, Roed-Larsen noted that the UN itself was unable to determine whether a Syrian army battalion at Deir al-Ashyar was on Lebanese or Syrian territory.

Demarcating Lebanon's Borders

It is within this complex context that Roed-Larsen recommended the demarcation of the border between the two countries and the formalization of Lebanese-Syrian relations through the establishment of normal diplomatic relations. (Syria has heretofore maintained no embassy in Lebanon, presumably because Damascus has not fully reconciled itself to Lebanon's independent existence.) Otherwise, Lebanon's sovereignty, territorial unity and integrity, and political independence could be undermined or violated.

Addressing the border issue, which had been a core issue in Lebanese-Syrian relations from 1964 to 1975, would do more than respond to Roed-Larsen's concerns about Syrian arms smuggling to Palestinian groups and continued Syrian military presence in disputed areas. Marking the border between Syria and Lebanon would involve dealing with the border between Israel, Lebanon, and Syria, and by extension, with the explosive but critical issue of disbanding and disarming Lebanese and non-Lebanese militias. Central to this issue is Hizballah's claim, which was also espoused by Lebanon's former pro-Syrian government, that the disputed Shebaa Farms are Lebanese rather than Syrian territories and are occupied by Israel. Therefore, Hizballah maintains that it is a legitimate resistance movement fighting for the liberation of Lebanese territory. Under this pretext, Hizballah, supported by some Lebanese parties, could argue that it is not a militia and thus it is outside the jurisdiction of Resolution 1559. Most importantly, Hizballah has maintained its armed presence along the Israel-Lebanon border at the expense of the Lebanese government's authority. It would be difficult for the Lebanese government to justify how a nonstate entity could take on the responsibilities of the state at the same time the government is striving for political independence.

Hizballah's position about Shebaa Farms is contrary to that of the Security Council, which, as Roed-Larsen explained, "have repeatedly stated the position that the Shebaa Farms area is not part of Lebanon." Roed-Larsen went on to say that even were the Lebanese claims to Shebaa Farms legitimate, it would be the government's responsibility to address the claim, not an armed militia. Though the new Lebanese government of Fouad Siniora promised Roed-Larsen it would exert its authority over all of Lebanon, it would be optimistic to expect Hizballah to surrender its weapons readily. The Islamist group sees its arms as important to its ideological claims and to its ambitions to become the dominant player in Lebanese politics.

Not surprisingly, in a move to preempt possible Israeli withdrawal from Shebaa Farms, Hizballah's leader, Hasan Nasrallah, asserted that Lebanon's territorial integrity includes not only the disputed Shebaa Farms but also the disputed Seven Villages, which have been under Israeli control since the country's independence in 1948. (The Seven Villages became part of mandatory Palestine in 1923, when France and Britain drew the last borders between Syria, Lebanon, and Palestine). The underlying assumption is that Hizballah will continue its armed resistance even if Israel withdraws from Shebaa Farms on the pretext of continued Israeli occupation of Seven Villages. In so doing, Hizballah would either perpetuate an awkward condition under which the Lebanese government is not sovereign over its own territory or set the country on a sectarian collision course.

Next Steps

Comprehensively addressing all the issues of Resolution 1559 would offer the Lebanese government and the international community their best chance of guaranteeing Lebanon's absolute sovereignty and political independence. Not only are the issues involved inseparably interwoven, they are also connected to wider regional policies and issues. A concerted international effort must be made to deny Syria and Iran, and their proxies, the PFLP-GC and Hizballah, the opportunity to destabilize Lebanon or exploit or intensify the Arab-Israeli conflict.

During their meeting next week to discuss Roed-Larsen's report, the Security Council should seize the opportunity

and come up with some innovative measures to safeguard Lebanon's transition to a sovereign and democratic country. Ideally, Lebanon, Syria, and Israel should sign an agreement declaring that, in the absence of peace treaties, any dispute about existing de facto borders along the ceasefire lines should be settled by negotiations, not force of arms. Such an agreement could include some kind of demilitarized zone covering disputed areas, though that would raise difficult questions about who would enforce the demilitarization of the zone (similar zones on the Syrian-Israeli border from 1948 to 1967 were a constant source of tension). Such an agreement could go a long way to depriving Hizballah and Palestinian militias in Lebanon any pretext to carrying arms and waging their own political and ideological wars.

During a November 1 meeting with Kuwaiti foreign minister Sheikh Muhammad al-Sabah in Damascus, Syrian president Bashar al-Asad spoke about his readiness to respond positively to Resolution 1636. Helping Lebanon disarm the militias on its soil and demarcating the border between the two countries are concrete steps Asad could take toward the normalization of relations between Lebanon and Syria.

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