

Совет Безопасности

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Письмо Председателя Совета Безопасности от 28 августа 2020 года на имя Генерального секретаря и постоянных представителей государств, являющихся членами Совета Безопасности

Имею честь сообщить Вам, что Совет Безопасности завершил процедуру голосования по содержащемуся в документе \$\frac{S}{2020}/844\$ проекту резолюции, который был представлен Францией по пункту повестки дня «Положение на Ближнем Востоке». Голосование было проведено в соответствии с процедурой, изложенной в письме Председателя Совета Безопасности от 27 марта 2020 года на имя постоянных представителей членов Совета Безопасности (\$\frac{S}{2020}/253\$) и согласованной в свете чрезвычайных обстоятельств, вызванных пандемией коронавирусной инфекции (COVID-19).

Исполняющий обязанности директора Отдела по делам Совета Безопасности получил письма от всех 15 членов Совета Безопасности с указанием позиции их стран по проекту резолюции. Голоса распределились следующим образом:

Голосовали за:

Бельгия, Вьетнам, Германия, Доминиканская Республика, Индонезия, Китай, Нигер, Российская Федерация, Сент-Винсент и Гренадины, Соединенное Королевство Великобритании и Северной Ирландии, Соединенные Штаты Америки, Тунис, Франция, Эстония и Южная Африка.

Голосовали против:

Никто не голосовал против.

Воздержались:

Никто не воздержался.

Проект резолюции получил 15 голосов «за». Резолюция была принята в качестве резолюции 2539 (2020) от 28 августа 2020 года. Резолюция, которая содержится в приложении к настоящему письму, будет незамедлительно издана в качестве документа Совета Безопасности*.

(Подпись) Диан Трианшах Джани Председатель Совета Безопасности

^{*} Распространяется только на английском языке.





Приложение

United Nations S/RES/2539 (2020)



Security Council

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Resolution 2539 (2020)

Adopted by the Security Council on 28 August 2020

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 1559 (2004), 1680 (2006), 1701 (2006), 1773 (2007), 1832 (2008), 1884 (2009), 1937 (2010) and 2004 (2011), 2064 (2012), 2115 (2013), 2172 (2014) and 2236 (2015), 2305 (2016), 2373 (2017), 2433 (2018) and 2485 (2019) as well as the statements of its President on the situation in Lebanon and the Press statements dated 19 December 2016, 27 March 2018, 9 August 2018, 8 February 2019,

Expressing its solidarity with Lebanon and its people in the aftermath of the explosions which struck Beirut on 4 August 2020, causing a significant number of casualties and wounding thousands of people, including some UNIFIL personnel, and causing severe damages to commercial and residential infrastructures as well as to UNIFIL capacities, and welcoming the International Conference on Assistance and Support to Lebanon and Beirut, organized on the 9 August 2020 by France and the United Nations, further calling the international community to reinforce its support to Lebanon and its people in that context,

Calling for the swift formation of a new Government which can respond to the needs and aspirations of the Lebanese population and the current main challenges Lebanon is facing, in particular the reconstruction of Beirut and the reforms, absolutely necessary to overcome and recover from the current and unprecedented acute social and economic crisis,

Taking due note of the approval, by the Government of Lebanon, of an economic plan as well as of its decision to request an IMF program, stressing the urgent need for the Lebanese authorities to respond to the aspirations of the Lebanese people by implementing meaningful economic reforms, and notably the commitments made in the framework of the CEDRE conference as well as at the International Support Group for Lebanon meeting held in Paris on the 11 December 2019 and reiterating, on the basis of those necessary reforms, support to Lebanon to help it exit the current crisis and to address the economic, security, humanitarian challenges, as well as the impact of COVID-19 facing the country, and called upon the international community, including international organizations, to do so,

Commending UNIFIL for the preventive measures taken to fight the COVID-19 pandemic and recalling resolution 2532 and its request to the Secretary-General to instruct peace-keeping operations to provide support, within their mandates and

capacities, to host country authorities in their efforts to contain the pandemic, in particular to facilitate humanitarian access, including to internally displaced persons and refugee camps and allow for medical evacuations, as well as its request to the Secretary-General and Member States to take all appropriate steps to protect the safety, security and health of all UN personnel in UN peace operations, while maintaining the continuity of operations, and to take further steps towards the provision of training for peacekeeping personnel on issues related to preventing the spread of COVID-19,

Responding to the request of the Government of Lebanon to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a period of one year without amendment presented in a letter from the Lebanese Foreign Minister to the Secretary-General of 2 June 2020 and welcoming the letter from the Secretary-General to its President of 29 July 2020 (S/2020/760) recommending this extension,

Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon,

Reaffirming its commitment to the full implementation of all provisions of resolution 1701 (2006), and aware of its responsibilities to help secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Expressing deep concern at the continued lack of progress made towards the establishment of a permanent ceasefire and other key provisions of resolution 1701 (2006) fourteen years after its adoption,

Calling upon all concerned parties to strengthen their efforts, including by exploring concrete solutions with the Special Coordinator of the Secretary-General and the UNIFIL Force Commander, to fully implement all provisions of resolution 1701 (2006) without delay,

Expressing deep concern at all violations, both by air and ground, in connection with resolution 1701 (2006) as underlined by the Secretary-General in his reports, and recalling the importance of control of the Government of Lebanon over all Lebanese territory,

Underlining the risk that violations of the cessation of hostilities could lead to a new conflict that none of the parties or the region can afford,

Urging all parties to make every effort to ensure that the cessation of hostilities is sustained, exercise maximum calm and restraint and refrain from any action or rhetoric that could jeopardize the cessation of hostilities or destabilize the region,

Condemning the incidents of August-September 2019 and of the 14 April 2020 of 17 April 2020, and of 27 July 2020 which occurred across the Blue line, calling on the parties to resort to the Tripartite Mechanism when such incidents occur, and further commending the liaison and prevention role played by UNIFIL allowing for deescalation.

Emphasizing to all parties the importance of full compliance with the prohibition on sales and supply of arms and related material established by resolution 1701 (2006),

Recalling the utmost importance that all parties concerned respect the Blue Line in its entirety, noting with great and increasing concern that UNIFIL still has not been able to access 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 urging the Lebanese authorities to urgently conclude all necessary investigations on the matter, in line with resolution 1701 (2006),

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Welcoming the continued progress in the marking of the Blue Line, and encouraging the parties to accelerate their efforts in coordination with UNIFIL, including through the tripartite mechanism, to continue working in the ongoing process to delineate and visibly mark the Blue Line in its entirety, as well as to move forward on the marking of its points of contention, as recommended by the Strategic Review,

Condemning in the strongest terms all attempts to threaten the security and stability of Lebanon,

Reaffirming its determination to ensure that no such acts of intimidation prevent UNIFIL from implementing its mandate in accordance with Security Council resolution 1701 (2006), recalling the necessity for all parties to ensure that UNIFIL personnel are secure and their freedom of movement is fully respected and unimpeded and continues to respect the separate, supporting mandate under which Observer Group Lebanon operates, condemning in the strongest terms all attacks against peacekeepers, including the attacks against UNIFIL forces on 4 August 2018 near the town of Majdal Zun, on 25 May 2020 in the town of Belida Southern Lebanon, and on the 10 February 2020, in Brashit,

Urging the Lebanese authorities to swiftly provide UNIFIL with further updates and finalise investigations on this matter,

Reiterating 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,

Encouraging all Lebanese parties to resume discussions towards a consensus on a National Defence Strategy as set out by the President of Lebanon and the Lebanese Defense Minister on 29 April 2019, in accordance with relevant Security Council resolutions and the Taif Agreement,

Welcoming Lebanon's first National Action Plan on Women, Peace and Security, and encouraging the Government of Lebanon to fully implement it, with the support of UNIFIL and women's civil society groups, as soon as possible and to ensure the full, effective, and meaningful participation of women at all levels of decision-making in all efforts for the maintenance and promotion of peace and security,

Recalling the importance of ensuring the protection of children and taking appropriate measures in this regard, in line with relevant Security Council resolutions on Children and armed conflict,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,

Commending the active role and dedication of the personnel of UNIFIL and expressing its strong appreciation to Member States that contribute to UNIFIL and underlining the necessity that UNIFIL has at its disposal all necessary means and equipment to carry out its mandate,

Recalling the request from the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, and reaffirming UNIFIL's authority to take all necessary action in areas of operations of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Welcoming the crucial role played by the Lebanese Armed Forces and security forces, as the only legitimate armed forces in Lebanon, in extending and sustaining the authority of the Government of Lebanon, in particular in southern Lebanon, and responding to other security challenges, including the threat of terrorism, and the

strong international commitment to support the Lebanese Armed Forces, which has helped strengthen the capability of the Lebanese Armed Forces to provide security for Lebanon, urging further international support to the Lebanese Armed Forces in the context of the current economic crisis, and further noting the relevance of this increased capacity in relation to their efforts to coordinate with UNIFIL in the implementation of the UNIFIL mandate,

Recalling resolution 2378 (2017) and its request of the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and the evaluation of mission operations, based on clear and well identified benchmarks, further recalling resolution 2436 (2018) and its request of the Secretary-General to ensure that decisions to recognize and incentivize outstanding performance and decisions regarding deployment, remediation, training, withholding of financial reimbursement, and repatriation of uniformed or dismissal of civilian personnel, are predicated on objective performance data, and emphasizing the need to regularly evaluate UNIFIL's performance such that the mission retains the skills and flexibility needed to effectively carry out its mandate,

Also recalling resolution 2242 (2015) and its request of the Secretary-General to initiate, in collaboration with Member States, a revised strategy, within existing resources, to double the number of women in military and police contingents of UN peacekeeping operations,

Emphasizing the need to regularly review all peacekeeping operations to ensure efficiency and effectiveness, *including* reviews of UNIFIL when appropriate, taking into account developments on the ground,

Bearing in mind the strategic priorities and recommendations identified by the Secretary-General in his letter of 12 March 2012 (S/2012/151) as a result of the Strategic Review of UNIFIL, taking note of his letter of 8 March 2017 (S/2017/202) as a result of the most recent Strategic Review of UNIFIL, and expressing the need for a follow-up and update,

Welcoming the Secretary-General's 1 June 2020 Assessment of UNIFIL and noting with appreciation the recommendations to further increase the efficiency and effectiveness of UNIFIL,

Calling upon Member States to assist the Lebanese Armed Forces as needed to enable it to perform its duties in line with resolution 1701 (2006),

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

- 1. Decides to extend the present mandate of UNIFIL until 31 August 2021;
- 2. Commends the positive role of UNIFIL, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between UNIFIL and the Lebanese Armed Forces, and calls for further enhancement of this cooperation without prejudice to UNIFIL's mandate;
- 3. Affirms its strong continuing commitment to the existing UNIFIL mandate and calls for the full implementation of resolution 1701 (2006);
- 4. Reiterates its call for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the principles and elements set out in paragraph 8 of resolution 1701 (2006);

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- 5. Strongly reaffirms the necessity of an effective and durable deployment of the Lebanese Armed Forces in southern Lebanon and the territorial waters of Lebanon at an accelerated pace to fully implement the provisions of resolution 1701 (2006) and requests the Secretary-General to include in his future reports assessments of progress made in this regard and calls for renewed engagement of UNIFIL and the Lebanese Armed Forces in the Strategic Dialogue, which aims at carrying out analysis of ground forces and maritime assets and setting a series of benchmarks reflecting the correlation between the capacities and responsibilities of UNIFIL vis-à-vis those of the Lebanese Armed Forces;
- 6. Recalls its request for precise timelines to be jointly and promptly elaborated by the Lebanese Armed Forces and the Secretary-General, for the deployments in paragraph 5, with a view to identifying Lebanese Armed Forces progress in implementing tasks mandated in resolution 1701 (2006);
- 7. Reiterates its call for the Government of Lebanon 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 (LAF), in close conjunction with the effective build-up of the capabilities of the Lebanese Navy, takes note in that regard of the letter dated 12 March 2019 to the United Nations outlining the commitment of the Government of Lebanon and welcomes its ongoing efforts towards that goal; takes note of the impact of the Beirut explosions on 4 August 2020 on the operations of the LAF and the postponement of its advanced joint exercise with UNIFIL;
- 8. Welcomes the report of the Secretary-General on the assessment of the continued relevance of UNIFIL's resources and options for improving the efficiency and effectiveness between UNIFIL and UNSCOL, taking into consideration the troop ceiling and the civilian component of UNIFIL (S/2020/473) and requests the Secretary-General to elaborate a detailed plan, with timelines and specific modalities, in full and close consultation with the parties, including Lebanon, the troop-contributing countries and the Members of the Security Council, to implement recommendations, as appropriate, and further requests him to present the first elements of that plan to the Security Council within 60 days after the adoption of the present resolution;
- 9. Reiterates its encouragement of the intention of the Government of Lebanon to deploy a model regiment and an offshore patrol vessel in UNIFIL's area of operations to advance the implementation of resolution 1701 (2006) and the authority of the Lebanese State, recalls in this regard the joint statement issued at the end of the 15 March 2018 Rome Conference, in particular Lebanon's concept for a new Model Regiment proposed in the context of the ongoing Strategic Dialogue between the LAF and UNIFIL, notes Lebanon's proposed timeline for the deployment of the Model Regiment, and calls on the Lebanese Armed Forces and UNIFIL to strengthen their coordinated actions;
- 10. Urges further international support for the Lebanese Armed Forces and all state security institutions, which are the only legitimate armed forces of Lebanon, in response to the capabilities development plan of the Lebanese Armed Forces, as well as in the framework of the International Support Group for Lebanon, through additional and expedited assistance in areas where the Lebanese Armed Forces are most critically in need of support, including counter-terrorism, border protection and naval capacity;
- 11. Condemns all violations of the Blue Line, both by air and ground, and strongly calls upon all parties to respect the cessation of hostilities, to prevent any violation of the Blue Line and to respect it in its entirety, and to cooperate fully with the United Nations and UNIFIL;
- 12. Welcomes the constructive role played by the Tripartite Mechanism in facilitating coordination and in de-escalating tensions, and recognizes the mission

leadership's active efforts, which has helped to further stabilize the situation along the Blue Line and build trust between the parties, *expresses* in this regard strong support for the continued efforts of UNIFIL to engage with both parties to facilitate liaison, coordination, and practical arrangements on the ground and to continue to ensure that the Tripartite Mechanism enables the parties to discuss a wider range of issues, and encourages UNIFIL, in close coordination with the parties, to implement measures to further reinforce the capacities of the Tripartite mechanism, including the creation of additional ad hoc sub-committees, as recommended in the assessment report of the Secretary-General;

- 13. Stresses the need to foster enhanced cooperation between UNIFIL and the Office of the United Nations Special Coordinator for Lebanon (UNSCOL), with the goal of improving the effectiveness and efficiency of the missions, welcomes in this regard the improvements accomplished by the United Nations in terms of efficiencies and effectiveness between UNIFIL and UNSCOL and encourages the Secretary-General to further these efforts;
- 14. Urges all parties to abide scrupulously by their obligation to respect the safety of UNIFIL and other United Nations personnel and reiterates its call for closer cooperation between UNIFIL and the Lebanese Armed Forces in particular regarding coordinated and adjacent patrols, welcomes the commitment of the Lebanese authorities to protect UNIFIL movements and reiterates its call for the rapid finalization of the investigation launched by Lebanon regarding all attacks against UNIFIL and its personnel, in particular the incidents of 4 August 2018, and the 10th of February 2020, in order to bring to justice the perpetrators of these attacks; and requests the Secretary-General to report to the Council, within a reasonable timeframe, when such incidents occur as well as, when appropriate, on the follow-up of the related pending investigations;
- 15. Urges all parties to ensure that the freedom of movement of UNIFIL 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, condemns in the strongest terms all attempts to restrict the freedom of movement of UNIFIL's personnel and all attacks on UNIFIL personnel and equipment; 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 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), in line with resolution 1701, while respecting the Lebanese Sovereignty;
- 16. Requests the Secretary-General to continue to take all appropriate measures to review and enhance the safety and security of peacekeeping personnel of UNIFIL, in line with resolution 2518 (2020);
- 17. Urges all parties to cooperate fully with the Security Council and the Secretary-General to make tangible progress towards a permanent ceasefire and a long-term solution as envisioned in resolution 1701 (2006) and on all outstanding issues in the implementation of Security Council resolutions 1701 (2006), 1680 (2006) and 1559 (2004), and other relevant Security Council resolutions;
- 18. *Urges* the Government of Israel to expedite the withdrawal of its army from northern Ghajar without further delay in coordination with UNIFIL, which has actively engaged Israel and Lebanon to facilitate such a withdrawal;
- 19. *Reaffirms* its call on all States to fully support and respect 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 UNIFIL;

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- 20. Recalls paragraph 15 of resolution 1701 (2006) according to which all States shall take the necessary measures to prevent, by their nationals or from their territories or using flag vessels or aircraft, the sale or supply of arms and related materiel to any entity or individual in Lebanon other than those authorized by the Government of Lebanon or UNIFIL:
- 21. 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, recalls its authorization to 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 utilized 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;
- 22. Commends UNIFIL's operational changes in line with resolution 2373 (2017) and resolution 2433 (2018) and reiterates its request that the Secretary-General look at ways to enhance UNIFIL's efforts as regards paragraph 12 of resolution 1701 (2006) and paragraph 14 of this resolution, including ways to increase UNIFIL's visible presence, including through patrols and inspections, within its existing mandate and capabilities;
- 23. *Recalls* the decision that UNIFIL shall assist the government of Lebanon, at its request, as set out in paragraph 14 of resolution 1701 (2006) and within its capabilities, to implement resolution 1701 (2006);
- 24. Welcomes the efforts being undertaken by UNIFIL to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take necessary measures to ensure full compliance of all personnel, civilian and uniformed, in UNIFIL with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Security Council fully informed about the Mission's progress in this regard, stresses the need to prevent such exploitation and abuse and to improve how allegations are addressed in line with its resolution 2272 (2016), and urges troop-contributing countries to continue taking appropriate preventative action, including vetting of all personnel, predeployment and in-mission awareness training, and to take appropriate steps to ensure full accountability in cases of such conduct involving their personnel, including through timely investigations of allegations, as appropriate, and to hold perpetrators accountable and repatriate units when there is credible evidence of widespread or systemic sexual exploitation and abuse by those units;
- 25. Welcomes the initiatives undertaken by the Secretary-General to standardize a culture of performance in UN peacekeeping, recalls its requests in resolution 2378 (2017) and resolution 2436 (2018) that the Secretary-General ensure that performance data related to the effectiveness of peacekeeping operations is used to improve mission operations, including decisions such as those regarding deployment, remediation, repatriation and incentives, and reaffirms its support for the development of a comprehensive and integrated performance policy framework that identifies clear standards of performance for evaluating all United Nations civilian and uniformed personnel working in and supporting peacekeeping operations that facilitates effective and full implementation of mandates, and includes comprehensive and objective methodologies based on clear and well-defined benchmarks to ensure accountability for underperformance and incentives and recognition for outstanding performance, and calls on the United Nations to apply this framework to UNIFIL as

described in resolution 2436 (2018); notes the efforts of the Secretary-General to develop a comprehensive performance assessment system to help troop contributing countries meet United Nations performance standards and requests the Secretary-General and the troop-contributing countries to seek to increase the number of women in UNIFIL, as well as to ensure the full, effective and meaningful participation of women in all aspects of operations;

- 26. Requests UNIFIL to take fully into account gender considerations as a cross-cutting issue throughout its mandate and to assist the Lebanese authorities in ensuring the full, effective and meaningful participation, involvement and representation of women at all levels of decision-making in all efforts for the maintenance and promotion of peace and security, as well as to support the implementation of the action plan on Women and Peace and Security, including to prevent and respond to sexual and gender based violence, further requests enhanced reporting by UNIFIL to the Security Council on this issue;
- 27. Requests the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006), every four months, or at any time as he deems appropriate, and to include in his reporting a prompt and detailed breakdown of all resolution 1701 (2006) violations, clarifications by the parties and updates on all pending investigations into such violations of resolution 1701, prompt and detailed reports on violations of the sovereignty of Lebanon, prompt and detailed reports on the restrictions to UNIFIL's freedom of movement, an enhanced annex on the implementation on the arms embargo, reports on specific areas where UNIFIL does not access and on the reasons behind these restrictions, potential risks to the cessation of hostilities and UNIFIL's response as well as reports on the implementation of the recommendations of the 2016-2017 Strategic review and on progress made as regards the detailed plan on the implementation of the 1 June assessment report as set out in paragraph 8 of the present resolution and on additional identified efficiencies to most appropriately fulfil its mandated tasks; requests the Secretary-General to continue to provide concrete and detailed information on the aforementioned issues to the Council, in line with changes to enhance reporting since the adoption of resolution 2373 (2017), 2433 (2018) and 2485 (2019);
- 28. Authorizes UNIFIL, without prejudice to the implementation of its mandate and within existing resources, to take temporary and special measures to provide support to Lebanon and its people in the aftermath of the explosions that occurred in the port of Beirut on 4 August 2020; requests the Secretary-General to conduct an assessment of the impact of those explosions on UNIFIL personnel, capacities and operations, together with recommendations to address such impact, with a view to maintain continuity and effectiveness of UNIFIL's operations;
- 29. Recognizing that UNIFIL has successfully implemented its mandate since 2006 and has allowed for maintaining peace and security since then, decides to authorize the reduction of the troop-ceiling set out in OP11 of resolution 1701 from 15,000 authorized troops to 13, 000 troops, without prejudice to the possibility for the force strength to be increased in the future in case a degraded security situation requires such increase for the implementation of resolutions 425 (1978), 426 (1978) and 1701 (2006);
- 30. 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, 338 (1973) of 22 October 1973, 1515 (2003) of 19 November 2003 and 1850 (2008) of 16 December 2008;
 - 31. Decides to remain actively seized of the matter.

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