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# PROSPECTS FOR LEBANON

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*The Questions of South Lebanon*

by

Fida Nasrallah



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Centre for Lebanese Studies

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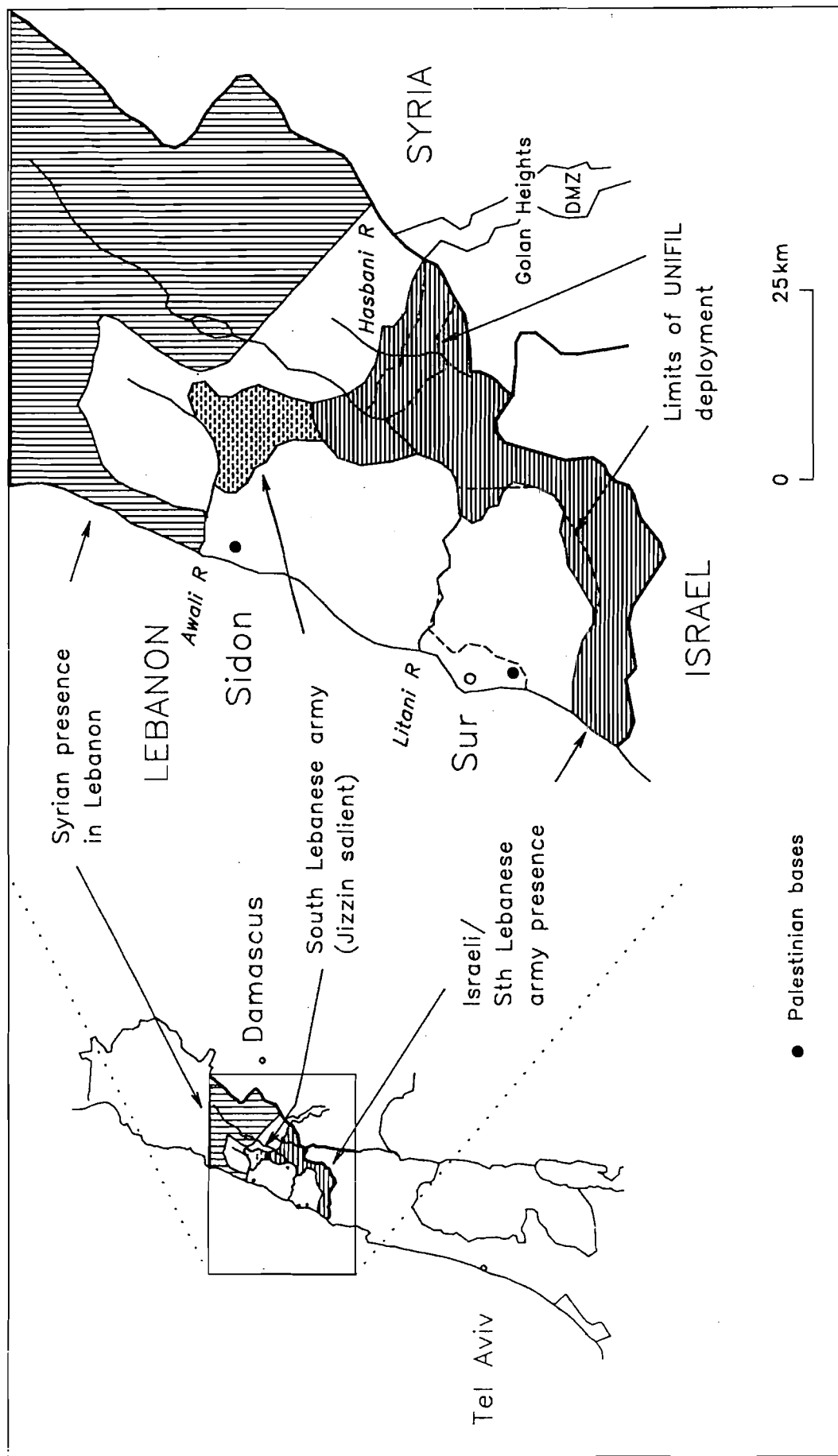
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Fida Nasrallah  
London, May 1992



## *Introduction*

THIS report synthesizes the ideas and thoughts of a group of scholars and specialists concerned with the future of Lebanon in general and the South in particular at this critical juncture in the history of the Middle East. It is the outcome of a public conference and two private meetings held in London and Oxford between 4th and 6th October, 1991. These gatherings were organised jointly by the Centre for Lebanese Studies (CLS) and the Norwegian Institute for International Affairs (NUPI). One of the private meetings was funded by the Ford Foundation and held under the auspices of NUPI.

The participants, who shared the view that Lebanon must recover control over all of its territory, agreed that the present circumstances will present both obstacles, which the government in Beirut must avoid, and opportunities which it must be prepared to exploit.

Whilst the discussants were aware of the outstanding and unresolved problems in the rest of the country, those problems were not the primary focus of attention. Rather, the emphasis was laid primarily on South Lebanon and the implementation of UN Security Council Resolution 425 at a moment when the fate of the region was being debated and the possibility of implementing outstanding UN Security Council resolutions was being considered. Indeed, the aim was to seize the opportunity of those timely meetings and share with others the results of the debates. It is important to note, however, that whilst this report draws freely from the materials and ideas presented at those meetings, it would be wrong to assume that each participant would necessarily endorse the precise formulations offered in this paper.

As the peace talks between Lebanon and Israel begin to unfold, the challenge is to pursue steps which help to solidify Lebanese independence and particularly Lebanese sovereignty in the South. The ideas contained in this report are offered in precisely that spirit.

# ***The Questions of South Lebanon***

***Fida Nasrallah\****

## ***Why is South Lebanon Important?***

Most analysts would agree that the Lebanese crisis began in the South and that the crisis cannot end so long as the outstanding questions, currently concentrated in southern Lebanon, remain unresolved. Indeed, the relationship between the South and Beirut, and the importance of the stability of southern Lebanon to the rest of the country cannot be denied. But despite the critical importance which this area holds internally, the South is not purely a domestic concern. In fact South Lebanon's regional importance far outweighs its internal implications.

On a domestic level, the South acquires its importance from the sheer fact that it encapsulates many of Lebanon's problems: the South continues to suffer from the lack of governmental control; it is the area in which most of the non-Lebanese armed forces are concentrated; it epitomises the problem of economic deprivation and the quest for social justice; it is in South Lebanon where Lebanon's problems with the Palestinians are most obvious; southern Lebanon is the region where external forces and their proxies are still allowed to operate; the continued Israeli occupation of South Lebanon and the constant Israeli bombardment of southern Lebanese villages are also the major bone of contention between Lebanon and Israel.

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On a more regional level, Lebanon in general and the South in particular is the only arena in the Arab world where the Arab-Israeli conflict is allowed to continue unabated. South Lebanon is the area where Lebanese interests conflict with competing Iranian, Israeli, Syrian, Palestinian, American and international agendas. This fact renders the South much more than a side-show to the main Arab-Israeli dispute. Indeed, these various competing interests make it imperative to view southern Lebanon in its proper context: as the crucible for peace in the area or, more dangerously, as the powder-keg that can override any effort to bring peace to the region.

Indeed, history has shown that some regional powers have been able to exploit the unstable situation in southern Lebanon, when particular circumstances prevailed, to undermine a number of scenarios for peace. In this context, whatever positive results the present peace talks might yield, it is not far-fetched to surmise that they could easily be undone should the situation in South Lebanon be left unresolved.

### *The Challenges of the New International Order*

In the power political game that characterises the game of nations, only the strong survive. Weak elements in terms of vulnerable states will inevitably lead to encroachments by larger, more powerful neighbours with grander ambitions. This type of conduct characterised much of international political relations under the former international order. Indeed, the Middle East in general and Lebanon in particular have suffered most as a result of this regional and international practice.

Lebanon has always been an example of a weak state. In fact, the basic tenet of Lebanese foreign policy was for the country to remain weak and to rely, for its protection, on the Western powers. The leaders of the Lebanese Republic felt that by maintaining a liberal political system, a *laissez-faire*

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economy, and weak government control the country would prosper. Moreover, by remaining weak, the country would not and could not threaten its neighbours. Threats to its own existence, posed by its more powerful neighbours, could be neutralised so long as the international powers continued to guarantee Lebanon's existence.

On a more regional level, however, this deliberate policy has meant that Lebanon was unable to exercise effective territorial sovereignty over its borders. Nor could it thwart, on its own, the expansionist tendencies of its immediate neighbours once they felt that the international guarantee for the country's independent existence had faltered. This subsequently opened the field for Israel and Syria to use Lebanon as an arena within which to project their competing visions of foreign policy. In the wider setting of Lebanon, the circumstances of South Lebanon are an extreme application of this more general analysis.

But the ending of the Cold War and the second Gulf War have created a new international and regional setting. It is, therefore, important to consider how this New World Order bears on the geo-political predicament within which Lebanon has found itself.

One encouraging element is the increasing trend of the great powers to seek a new stability, although this 'unipolar moment' (the period characterised by unchallenged US dominance) does not guarantee that the pressures on southern Lebanon will necessarily be relieved. The other promising feature is the rise in the clout of the United Nations and the growing desire of the international community to attempt to settle long-standing conflicts and implement outstanding UN Security Council resolutions.

In fact, one way in which to approach the issue of the South is to test the idealistic claims of the so-called New World Order by asking for the implementation of those UN Security Council Resolutions over which

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there is no contention, and that are not subject to interpretation, bargaining, negotiations or compromise as the beginning of the more complicated, more controversial and more contentious peace conference.

Lebanon should demand that the peace conference *begin* with the implementation of UN Security Council Resolution 425. Indeed, Resolution 425 is a clear mandate which, contrary to other resolutions, does not need an international conference to interpret it. Moreover, Israel has publicly stated on a number of occasions – even when it launched its massive invasion in June 1982 – that it has no territorial claims over Lebanon. In addition, the United States has committed itself to the policy of supporting Lebanon's territorial integrity and the withdrawal of all foreign forces from the country. All these considerations, therefore, render Lebanon's case for justice very strong.

In the context of the on-going peace conference, there is speculation that the Israeli-Syrian dialogue *might* begin with the situation in South Lebanon where the security interests of Damascus and Tel Aviv are symmetrical. The challenge is to pursue steps which help consolidate Lebanese sovereignty over the South with the aim of implementing UN Security Council Resolution 425 as a prelude to the comprehensive settlement of the Arab-Israeli question.

### ***Should Lebanon be a Participant in the Peace Conference?***

It is not self evident that Lebanon's interest lies in participating in the peace conference. Indeed, despite the fact that Lebanon is party to the on-going discussions and negotiations, some analysts believe that Lebanon should not have participated in the peace conference for a number of reasons, the most simple of which relates to the kind of peace conference that is on offer. As a matter of fact, in the present peace conference Lebanon is not on the agenda. It is sandwiched between a larger and

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potentially very dangerous agenda which strictly involves the interpretation of Resolutions 242 and 338 and their possible implementation in the light of this interpretation. Joining a conference which *a priori* involves *negotiations* implies a readiness for concessions and compromise. It is this looming danger of *negotiating* on the basis on Resolution 425 in a spirit of give-and-take which is dangerous and which involves *concessions* potentially resulting in some form of territorial compromise. If Lebanon and the implementation of Resolution 425 were indeed unambiguously on the conference agenda, then the case for non-participation would not exist. But that is not the case in the peace conference that is on offer.

In the context of the present peace conference, the inherent risk for Lebanon is that it will be the subject of a bargain, tacit or otherwise, between Israel and Syria. At the moment, Israel is quite satisfied with the *status quo*. But if the present division of geo-political spheres of influence were to falter - because of certain developments arising out of the peace conference - then Israel's calculations will have to change. And there is good reason to believe that the situation will be unstable. From this perspective, therefore, the whole of Lebanon will remain unsettled so long as the South remains in contention.

Negotiating bilaterally with Israel means compromising UN Security Council Resolution 425. The goal of the bilateral negotiations within the framework of the present peace conference is to settle border disputes. The border between Israel and Lebanon is well-known and well-defined in Clause 5 of the 1949 Armistice agreement with Israel. Boycotting the peace conference would have alerted world public opinion that Lebanon's only contention with Israel is the latter's refusal to comply with UN Security Council Resolution 425.

One of the reasons given for participating in the peace conference has been that Lebanon should be present primarily in order to assert its

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opposition to settling the Palestinians in Lebanon. But if this is the main function of Lebanese participation then that presence is inconsequential, for the country is unable to impose its will on the international and regional community. Unfortunately for Lebanon, this question is chiefly an international and Arab decision. Only lastly can it be a national Lebanese decision.

Despite the dangers inherent in participating, however, the issue is neither simple nor clear cut. Lebanon's dilemma is that it runs great risks by participating, yet it cannot afford to stay outside the talks, in spite of the unique status of Resolution 425 and the inapplicability of Resolution 242, because the on-going peace process is the only way to put Lebanon on the agenda. Indeed, without it being on the agenda, there is no plausible prospect for upholding the sovereignty of South Lebanon since no other available framework exists at present. Indeed, by not participating, Lebanon could ultimately find itself to be the only Arab country in a state of war with Israel. And under such circumstances, the country will once again be forced to sign a treaty similar to the May 17th Agreement it signed with Israel in 1983 with stringent conditions imposed on it.

### *Is There a Border Dispute between Lebanon and Israel?*

On March 23rd, 1949 an Armistice Agreement was signed between Israel and Lebanon at Ras en-Naqoura. This Agreement was reached at the end of the 1948 war for Palestine, the only war against Israel in which Lebanon has ever participated.

Article 5 of the Armistice Agreement states that "the Armistice Demarcation Lines shall follow the international boundaries between Lebanon and Palestine". It is therefore clear that Lebanon is the only Arab country bordering Israel and in conflict with Israel whose boundaries are clearly delimited and recognised both internationally and by Israel itself.

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Moreover, Article 8 of the Armistice Agreement clearly states that under no circumstances can the Agreement be unilaterally abrogated. It can only be modified by mutual agreement under the auspices of the UN Security Council. So far, that has not occurred. Furthermore, the clause pertaining to the internationally recognised boundary is again clearly re-iterated in the terms of Resolution 425 and has been repeatedly endorsed by various other UN Resolutions since. Therefore, there is no border dispute between Lebanon and Israel.

But many other agreements and resolutions have been adopted since the Armistice Agreement was signed: These include the Cairo Accords of 1969 signed between the Lebanese government and the PLO; the various UN Resolutions concerned with the South such as Resolutions 425, 426, 508 and 509; and the 17th May Agreement, signed between Lebanon and Israel in 1983. The fact that so many legal documents pertaining to the South now exist has led to fears that Israel might use the judicial framework of the conflict affecting South Lebanon and turn it into a potential obstacle.

Israel's position on the Armistice Agreement is that it technically stands; but that it is inadequate as a basis for a peace settlement. Although the Agreement is still valid, in practical terms it is not effective in the absence of full and credible Lebanese control over the various armed factions and over the border. Moreover, Israel fears that Lebanon's security agreements with Syria throw doubt on the future possibilities for Lebanon honouring its obligations.

As for Resolution 425, Israel believes it can be implemented when adequate arrangements for the security of its northern border are ensured. This implies that the Lebanese government will have to guarantee that no cross-border attacks against Israel will be allowed to occur.

With respect to the May 17th Agreement, the fact that it has been abrogated by Lebanon means that it ceases to bind Israel. But Israel would

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undoubtedly like to have some aspects of that agreement serve as a model for a security regime in the South. Thus Lebanon's relations with Israel and the terms of an end to the Israeli occupation will have to be the subject of bilateral negotiations.

Despite the clarity of Article 8 of the Armistice Agreement, debates in the Israeli Knesset have challenged its validity on the basis of two very recent acts. The first is the 'Treaty of Brotherhood, Co-operation and Co-ordination' ratified between Beirut and Damascus on 22nd May, 1991 and the second is the 'defence pact' signed between the two countries in September of the same year. These two legal documents have given the Israelis new ammunition with which to argue that the treaty and the defence pact contravene Lebanon's prior commitments and render the Armistice Agreement null and void.

Indeed, the Treaty of Brotherhood sanctions the presence of the Syrian forces in Lebanon - forces that are not subject to the orders of the Lebanese military leaders, and in which the deputies have no say in the limitations of their spread, their composition, or size. The Treaty of Brotherhood introduces a party to Lebanon's national forces which is not bound by the Armistice Agreement. It can therefore be argued that this contravenes the Armistice Agreement with Israel - an international agreement which guarantees the security of Lebanon's borders.

The Israelis used to argue that the Cairo Agreement of 1969 was also a violation of the Armistice Agreement. However, the Cairo Agreement was abrogated by the Lebanese Parliament on 21st May, 1987. In fact, since 27th April, 1978 (when the Lebanese Parliament unanimously adopted a resolution which legally ended the Cairo Agreement nine years before its formal cancellation by the same Parliament), Resolution 425 remains the only judicial reference and the only legal basis by which the Lebanese

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government can extend its sovereignty and liberate its territory within its internationally recognised borders.

### ***Does Israel Have Designs over the Waters of Lebanon?***

The importance of the waters of South Lebanon to Israel have been the subject of much speculation and heated debate. Indeed, many politicians and scholars believe that Israel will not relinquish its self-proclaimed 'security zone' in South Lebanon without assurances that it will receive its 'share' of the Litani River despite assurances given by the Israeli negotiators to their Lebanese counterparts in the current peace talks that Israel has no designs on Lebanese waters.

This suspicion regarding Israel's intentions is predicated on three assumptions: The historical record of Israeli and Zionist claims and actions – a record which shows that early ideas have had a consistent influence over subsequent policies; Israel's projected supply and demand picture; and the fact no other body of water so close, with so much flow and such purity, exists. There are, however, some countervailing arguments to this perception. Prominent among them is the fact that, after allowing for present use by Lebanon, the flow of the lower Litani is about 100 Mcm/year. This would hardly justify a diversion that would generate substantial domestic and international political repercussions. In addition, there is no convincing evidence that one of the main motives of the 1982 invasion was seizure of the country's southern waters.

The historical record shows that since 1901 a variety of schemes have been put forward, first by Zionists and later by the State of Israel, for the distribution and use of the waters of the Jordan system. Those plans advocating comprehensive system-wide arrangements included the Litani, the Awali and the Hasbani. The inclusion of the latter river was always

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adamantly asserted because of its relation to the Dan and Banias which feed the Upper Jordan Valley.

The traditional Zionist/Israeli position has been that the Litani River, which is an entirely sovereign Lebanese body of water whose watershed lies wholly within the borders of Lebanon, is integral to the Jordan river system. Such a claim would appear to be contrary to all international law and practice. This is the premise of all development plans for the river from that quarter. The three best known plans that consider the Litani to be a part of the Jordan system are the 1944 Lowdermilk Plan, the 1948 Hays-Savage Plan, and the Cotton Plan of 1954.

Throughout the decades of the 1950s and 1960s the Israelis continued to argue for a share of the Litani or the right to purchase its water. In 1954 the Israeli government commissioned a study which came to be known as the Cotton Plan. This plan advocated diverting the Litani water into the upper Jordan to supply irrigation and electrical power to northern Israel as well as for flushing salinity from Lake Tiberias (Lake Kinneret) making it available for further uses. Regional nationalist politics of the time, and the hostile state of Arab-Israeli relations precluded a formal bilateral Israeli-Lebanese arrangement over water or any other issue.

With the invasion of 1978, Israel used its consolidated control over the Wazzani-Hasbani springs to increase the flow of water into the Jordan and lay pipelines to capture the runoff. With the larger invasion of 1982 Israel managed to gain control over the lower Litani and Qir'awn reservoir. Reliable eye-witness reports indicate that the Israelis have taken seismic soundings, surveyed and even put in some equipment with a view to establishing the feasibility of diverting some of the waters of southern Lebanon. Moreover, the possibility of a diversion of the Awali, Hasbani, or Litani was discussed in the Israeli cabinet and in its principal water

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planning agency, Tahal. Thus Lebanon continues to view Israel's intentions towards the waters of southern Lebanon with deep suspicion.

The questions generated by those apparent hydro-political intentions loom large in the background of the current situation in southern Lebanon. Within this context, it is possible to consider the questions of a) whether Israel is taking water out of the Litani or other sources in southern Lebanon; and b) what Israel's future intentions are in this regard?

The answer to the first question is yes, Israel has taken some small amounts of water out of southern Lebanon, but not in any significant way. Until recently, the politically sensitive issue of water withdrawals from the Litani has been clouded by reports that have turned out to be dubious, inaccurate, unprovable or confused with withdrawals from proximate sources. In 1990 there were reliable eye-witness accounts of Israelis trucking water out of the Litani across the border into Israel. The witnesses (Lebanese and non-Lebanese) appear to have been accurate in their report of Israeli water trucks being filled with waters from the Litani, but were erroneous in stating that the water was delivered across the Green Line into Israel. Recent dependable Israeli sources have convincingly argued that the water was most probably delivered to the South Lebanon Army and to local villages in the 'Security Zone', but did not leave Lebanon. At all events, trucking is an inefficient and expensive means of moving large amounts of water. Evidence (including satellite photos) indicates that Israel has not yet laid pipelines or dug tunnels for the diversion of large amounts of water from the Litani.

Although the quantities taken by Israel may be relatively unimportant, the *act* of extraction by Israel cannot be dismissed as trivial. Whatever the actual amount, it is sovereign Lebanese water that is being taken in violation of Lebanon's rights under international law. Moreover, it is

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highly likely that, eventually, Lebanon's recovery will require the availability of all the water that the country's southern region has to offer.

Israel has three options for dealing with its water crisis, each of which would, if adopted, affect what happens in southern Lebanon: 1) Israel could restructure its economy away from heavily consumptive irrigated agriculture to light industrial and service activities that would produce surplus capital with which to import food; 2) Israel could enter into a negotiated agreement with Lebanon for shared use of the Litani; or 3) Israel could use its long-standing claim that the Litani is part of the Jordan River watershed to justify a forcible diversion.

Whereas each of these three options has its own drawbacks, the second is potentially a very dangerous alternative for Lebanon. Indeed, in the current on-going peace conference it is apt to consider a peace scenario between the Arab states and Israel. If relations between Israel and the Arab states are normalised, then there is a possibility that the Arab oil-producing countries may wish to sell their oil to Israel. Assuming that Lebanon does have a large amount of surplus water flowing into the Mediterranean, then it might wish to consider selling water to Israel. But if in the future the Arabs decide to stop selling their oil to Israel, there are alternative suppliers to which Israel can resort. If, however, Lebanon improves its water management system and decides to stop selling its surplus water to Israel, Israel may be hard pressed to find alternative sources. Such actions on the part of Lebanon would hit Israel's lifeline and might constitute a *casus belli* on the part of Israel. It is therefore advisable that Lebanon should probably avoid committing itself to a course of action which might endanger it in the future.

If Israel insists upon maintaining the integrity of its water supplies and perhaps extending its control over their sources, and if Lebanon is to accomplish its rebirth and reconstruction which includes ambitious use of

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the Litani River, and if Jordan is to survive its own growing water crisis, then comprehensive regional planning must take into account the relationship between the flow of the Litani and the sources of the Hasbani. Israel makes its claims on the Litani on the basis of supposed underground flows from the Litani to the Hasbani. The law of underground waters is insufficient and untried in cases such as this. If there is no data on the Hasbani, then any and all Lebanese development plans on the Litani are subject to Israeli claims that they are having an adverse effect on the flow of the Hasbani. Israel may therefore demand control over, or at least a veto of, projects in Lebanon that might affect the springs in question. If, however, it is established that there really is a certain amount of water flowing into Israel, then that can be the basis for future co-operation. This is an important consideration, especially since Israel could pump from south of the border without having to set a drill bit into Lebanese soil, thereby adversely affecting Lebanon's underground water table and causing coastal salinisation in Lebanon. In a very real sense, if one more subtle than previously imagined, the management and control of the southern Litani waters assumes new importance for any peace process.

### ***Should UNIFIL's Role be Re-defined?***

The United Nations Interim Force for Lebanon (UNIFIL) was created on 19th March, 1978 as a result of the massive Israeli invasion of southern Lebanon on 14th March of the same year. Israel had launched 'Operation Litani', itself an unfortunate and provocative name, officially in retaliation for guerilla attacks carried out near Tel Aviv three days before. The objectives of this invasion were twofold: to extend the territory under the control of Major Saad Haddad to a 10-kilometre wide security zone along Lebanon's southern border; and to eradicate the PLO in southern Lebanon as a threat to Israel.

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The timing of the Israeli invasion coincided with a particularly sensitive moment. Indeed, an Israeli occupation of Lebanon at that time would have brought the on-going American-sponsored negotiations for a peace agreement between Egypt and Israel to a halt. Thus on 19th March, 1978 President Jimmy Carter instructed the US Ambassador to the United Nations to propose the establishment of a UN peace-keeping force to replace the Israeli Defence Forces (IDF) in Lebanon. In little over 24 hours, this proposal resulted in the adoption of UN Security Council Resolutions 425 and 426 instructing the Secretary General of the United Nations to set up UNIFIL for an initial period of six months.

UNIFIL's mandate contained three objectives. Within the broader context of respect for Lebanon's integrity and sovereignty, UNIFIL was to: 1) confirm the withdrawal of the Israeli forces; 2) help restore international peace and security; and 3) assist the government of Lebanon in ensuring the return of its effective authority to the area.

The sense of urgency surrounding the establishment of UNIFIL inevitably precluded adequate advance planning and a careful examination of the factors necessary for the successful execution of the Force's mandate. Indeed, from the outset, UNIFIL was off to a shaky start. It did not have the full backing of the Security Council; it did not have the backing of the parties directly concerned in the conflict; and on the ground, it was not a fully integrated military unit. Moreover, many of UNIFIL's facilities and housing needs were actually located in northern Israel instead of being located in Lebanon as the mandate of Resolution 425 would seem to imply. This made the Force especially susceptible to Israeli pressures and vulnerable to penetration by Israeli security sources.

But for all its shortcomings, UNIFIL has nevertheless exercised an exceedingly valuable stabilising role in southern Lebanon. It has protected the local residents and has rendered this area of southern Lebanon one of

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the most stable in the country; UNIFIL has also helped rebuild a local political infrastructure in the South and has reinforced the legitimacy of moderate local political forces; the Force has focused the international spotlight on Lebanon thereby rendering the Israeli occupation arguably milder than it would otherwise have been; and it has provided a buffer between Israel and its Lebanese-based adversaries as well as a certain buffer between Israel and Syria. But can UNIFIL go on performing this role or has the time come for a radical rethink in the manner in which the Force should be structured? Can UNIFIL's role be assigned sufficiently high priority in global terms to justify the resources required to maintain it?

There is little prospect for a significant enhancement in the performance or role of UNIFIL as it stands today. So apart from the *status quo* which is imperfect, three scenarios present themselves.

The first would be a phased reduction. This option is possible, and with careful planning and gradual implementation the risks of withdrawal can be avoided. UNIFIL could be reduced from manpower levels of 6000 to 2000 with unarmed observers as its main operational element. The risks involved in such a reduction, however, are that it could signal both to Lebanon and to Israel that the international community tacitly accepts continued Israeli occupation.

The second option is to enhance UNIFIL's role in terms of military capability so as to offer Israel a credible alternative to the 'security zone'. This would require re-negotiating UN Security Council Resolution 425. Such re-negotiation would require an initiative by the United States coupled with a commitment from Russia to assist or participate militarily in a new United Nations force in South Lebanon. The trade-off would be a militarily strengthened and expanded force sufficient for Israel's security concerns, based primarily on Western and Eastern European units, actively

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backed by American involvement in return for a full Israeli withdrawal from the area.

There is a growing tendency in Lebanon at the moment to campaign for the latter scenario thereby seeking a greater role for the peace-keeping Force. But this tendency is in direct contradiction of the essence of what peace-keeping should be. In fact, one has to operate from the opposite premise, namely, how to strengthen the writ of the government and the rule of law with the aim of rendering the peace-keeping Force obsolete. This means working towards the reduction, rather than the expansion, of UNIFIL. Indeed, the very nature of peace-keeping is that it must be transient. From this perspective, the restoration of government authority in a planned and constructive way will allow the peace-keeping Force to address pure peace-keeping issues and develop newer initiatives in the peace-keeping area which would facilitate the return of the government's writ. Such new initiatives could be the training of government police and military into the 'constabulary ethic', the provision of mediation and reconciliation offices, and other confidence-building measures. In short, UNIFIL can help the Lebanese take control of their own affairs.

In this context, the chances are that the areas under the Force's control are likely to enjoy more civility and order than the areas that are not under the control of UNIFIL. This orderly and positive situation may, paradoxically, lead to demands for an increase in the UN's role in this area. Such demands must be resisted, for if they are heeded, order in this area will be at the expense of the domestic forces of civil authority. UNIFIL's role should be to encourage the return of civil authority, not to replace it.

A third possible option for UNIFIL is a new revitalised role for the peace-keeping Force. Indeed, a new mission that is both clearly defined and limited in time would certainly be viewed as opportune and welcome by a Force which has become far too involved in the vicissitudes of southern

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Lebanon. In this sense UNIFIL can be used as the logistical base for election monitoring, if and when the time for free elections in Lebanon arrives. Such a proposal will certainly revive focus on the Force itself and will present much needed opportunities for addressing some of UNIFIL's urgent internal and external needs. It will, furthermore, provide the context for a polite exit from Lebanon. This means that UNIFIL's swan song would be to help supervise the elections, then to begin phasing out its operations. Given the alternative of an interminable UNIFIL presence, this idea by itself may very well provide an acceptable solution to the Force's present predicament.

### *Is the 'Security Zone' Here to Stay?*

Israel's 10-kilometre wide 'security zone' in southern Lebanon, established in the aftermath of the 1978 invasion, has been managed since 1985 with uncharacteristic shrewdness. Indeed, since 1985 and for the first time in the history of Israel's involvement in Lebanon, policy regarding Lebanon is being co-ordinated from a single Defence Ministry Office under the Israeli Co-ordinator for Lebanese Affairs, Uri Lubrani.

Israel also managed to detach Lebanon's affairs from its domestic politics, thereby allowing itself to concentrate exclusively on strategic considerations. It reduced its costs by relying on the proxy militia of General Antoine Lahad, and concentrated its reprisals for Shi'i and Palestinian infiltration on artillery, limited raids and occasional air strikes.

Two factors helped Israel maintain its supremacy in the South: doubts about the Lebanese government's ability to impose its authority allowed Israel to support its policy by claiming the existence of a security vacuum; while autonomous factions in the Lebanese capital diverted Syria from pressing southward.

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But important changes in 1990-1991 heralded a less favourable regional context for the Israeli alignment. The Taif Agreement, the collapse of East Beirut, and the emergence of a new Lebanon under Syrian hegemony all raised questions about the appropriateness of Israeli policies: Taif gave the Syrian military deployment in Lebanon clear international and Lebanese legitimacy whereas the Israeli occupation clearly had neither; the southward move of the Lebanese army in early 1991, co-ordinated with Syria and the United States, contradicted arguments about a governmental vacuum and constituted a warning sign of a stronger diplomatic challenge to the Israelis.

Although in this new domestic *cum* regional context the swift implementation of full withdrawal would have undermined Syria's military posture in Lebanon, demolished the main prop of the Lebanon-Syria security agreements, and presented the Syrians and the Lebanese authorities with a decisive test regarding Hizballah and Palestinian radicals, this option was not followed for a number of reasons. Other than the fact that Israeli decision-makers and the Israeli public view the 'security zone' as a grand success, and in addition to the tendency of success to breed inertia, there is the Israeli fear of being seen as weakening. More importantly, however, is the fact that Israeli policy-makers appear to view the regional changes affecting Lebanon as requiring the retention of the existing Israeli posture rather than the reverse.

Indeed, the formal strategic integration of Lebanon and Syria as a result of the signing of the Treaty of Brotherhood and the subsequent defence pact, highlighted the function of the 'security zone' as a forward Israeli position facing the Syrians. The fundamental issue in the eyes of the Israelis is geo-political – Israel wishes to deny Syria that influence in Lebanon. Although Syria's firmer hand over Lebanon and the Palestinians might increase the prospects for stability in the South, the implication is

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that the 'security belt' becomes more viable, not that it should be abandoned. Indeed, Syrian control over PLO freedom of action makes the *status quo*, for Israel, quite acceptable. From this perspective, why tamper with the existing situation if it is working? This leads some analysts to conclude that outside some arrangements between Syria and Israel there will be no Israeli withdrawal from South Lebanon.

Even though the levels of attack against Israel and the Lahad forces have certainly declined, this is not seen as a reason for dismantling the 'security zone'. Indeed, herein lies the very core of the dilemma: if the level of violence against the Israeli occupation is low, then, for the Israelis, the 'security zone' must be a success. The political cost of maintaining the zone, therefore, is also low and Israel will see no need to face the risks of dismantling the zone. Why pull out of Lebanon and risk an uncertain future when the low-cost presence in Lebanon is doing the job? On the other hand, if the level of attacks against the Israeli occupation is high, then this increase in violence will be used to prove the need for the zone. Either way, the 'security zone' stays.

The question is how to change the Israeli calculus? For years the basic principle underlying the resistance was that without military pressure, the IDF would settle too comfortably in the South. Although the principle of such a policy is sound, the military pressure on the 'security zone' in practice is fading. The reduction in armed attacks are due to a variety of factors: war weariness by the population and an unwillingness to bear the heavy burden of resistance; fatigue on the part of the resistance forces; shrewd Israeli management; Israeli readiness to inflict disproportionate violence on Lebanon; and finally, the fact that the Lahad force is by militia standards, a competent organisation.

The 'security zone' certainly has its own problems but it is unrealistic to assume that Israel's rationale for staying will wither with the 'extension of

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Lebanese authority'. This is because Israel considers the Lebanese government as lacking in credibility and analogous to the Syrian one. Thus in Israel's eyes the extension of Lebanese government authority is a further extension of Syria southwards. This, from an Israeli perspective, does not justify doing away with the 'security zone'.

Moreover, the prospect for an enhanced role for UNIFIL at present is bleak. In any case, Israel's position in the South is not rooted solely on the issue of border security, but is linked to other regional concerns as well, so even if UNIFIL were to be invigorated and expanded, Israel's calculations might well be unaffected.

The gist of the problem, therefore, is that the South is ultimately a bargaining chip for Israel and Syria. Whether the chip is played to Lebanon's advantage or at its cost is the major question.

Hopes for isolating Lebanon from the problems of the region have been tested and have failed. But that is because no serious effort has ever been undertaken to change the facts on the ground. Nor has there been any firm regional and international backing for such a course of action. In the context of the on-going peace conference, Israel has laid down that it will only discuss South Lebanon with the Lebanese to avoid any acknowledgement of Syria, but at the same time plainly regards its 'assets' in Lebanon as a bargaining chip for advantages on other regional questions. Although the Lebanese continue to assert that they are unwilling to link South Lebanon to the wider Middle East issue, the Israeli view is that it is difficult to take such assertions seriously because the Lebanese themselves repeatedly emphasise the wider linkage by signing security agreements with Syria.

The Israelis see the purpose of the 'security zone' as providing security for northern Israel. But they do not see this as separate from the Golan. They view the whole area as one security belt in which the only real threat

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is Syria. No arrangement with Syria on the issue of the Golan can be arrived at while Syria is still on Israel's flanks in Lebanon. Indeed, for Israel, there is no chance of 425 being implemented so long as there is deep Syrian control over the Lebanese apparatus. Thus unless serious effort is exercised on the part of the Lebanese to work towards Syria's military and political disengagement from Lebanon, and unless Lebanon is given unflagging regional and international support for achieving this goal, then it may be easier to imagine an arrangement on the Golan at the expense of South Lebanon than the reverse. Lebanon may very well have to live with the reality of continued Israeli occupation.

### *What Future for Palestinian-Lebanese Relations?*

The Palestinian presence in Lebanon offers a special case of the intense interaction between the domestic and regional levels of politics and security in that country. The Palestinians, whether as a guest community or as a political institution (PLO), have always operated simultaneously at both levels.

The evolution of the Palestinian-Lebanese relationship since 1948 has taken place within a framework defined by the following sets of issues: the 'civil' or community dimension; the political dimension in which a crucial element is the role of external actors such as Israel, Syria and the United States; and the military dimension which brought the various dimensions and levels in interplay on Lebanese soil. It was in that context that South Lebanon acquired a special significance.

Palestinian-Lebanese relations have passed through three major phases. The first (1949-1969) ended when the inhabitants of the Palestinian refugee camps and their underground organisations managed to wrest control from the Lebanese Army and the Security Services. The second (1969-1982) ended with the Israeli invasion of Lebanon. This phase was characterised

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by the creation of the PLO state-within-the-state and it is during that phase that South Lebanon became important in the wider strategy of the Palestinian forces. Indeed, regional events after 1969 propelled South Lebanon into the forefront. The end of the war of attrition between Israel and Egypt, the PLO's expulsion from Jordan, and the improvement of security on the Golan after the advent of Syrian President Hafez al-Assad all meant that Lebanon had become the vital base for Palestinian action. The rapid escalation of PLO guerilla attacks and increasingly violent Israeli reprisals created a flood of refugees, polarised the Lebanese system, and turned South Lebanon into a central concern and an issue of contention in Lebanese-Palestinian relations.

The main significance of South Lebanon for the PLO in that period was not only that it gave it a staging area for its military forces, but it was also an instrument in its broader strategy of demonstrating its presence at the regional level.

But the PLO's strategy was incompatible with the needs and aims of the population of the South. The former pursued a strategy of regional diplomacy, backed by a military and institutional base in Lebanon, and benefiting from Lebanese fragmentation, in pursuit of a limited settlement in the Occupied Territories. The latter sought security locally and a greater stake in the central political system.

The third phase is the on-going post-1982 situation where, for the Palestinians, South Lebanon declined substantially in importance. The inevitable and final loss of the PLO's bases in the South came in July 1991 and marked the decisive end of an entire historical period of autonomous Palestinian armed presence in the country.

This question revives a core issue that was overshadowed by political and military events for two decades, namely the civil dimension of relations between the Palestinian community and the Lebanese system.

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The Lebanese-Palestinian relationship continues to be governed by a triangle: the Lebanese system and government policy, Syrian and Israeli roles, and factors intrinsic to the Palestinian community, its national movement and its leadership. So the state of regional security and the degree of progress towards a Palestinian-Israeli peace settlement form additional influences on Lebanese and Palestinian domestic relations.

If relations between the Palestinians and the Lebanese are to remain viable and stable, then there should be mutual accommodation. On the Lebanese side, this means moving on separate tracks when dealing with the civil and political dimensions of relations with the Palestinian community. It also means normalising relations with the PLO, and distinguishing between its foreign and domestic policies towards the Palestinians. In practical terms, Lebanese legislation can be modified where necessary, or implemented where it already exists, in order to accord the Palestinian community full civil rights short of citizenship and participation in the Lebanese political system (parliamentary vote). This will bring it in line with Arab League legislation since 1949 to which Lebanon is already party. The Palestinian community would be allowed to maintain social, cultural and political activity within the bounds of the law to ensure that the political and other excesses that occurred in the 1970s and 1980s will never be repeated. The PLO delegation would be free to operate within the community on the same basis, and would be the responsible party to which the government would turn to deal with problems or new developments.

On the Palestinian side too, it is critical to make a clear and decisive separation between military organisation and all other forms of activism. The Palestinian community should also disengage itself and its conditions of existence from the dictates of regional politics and PLO-Arab relations. It is in the primary interest of the local Palestinian community itself to

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enjoy stability in order to rebuild and consolidate its own autonomous societal organisations. This is both a material and a political need which will allow the Palestinians to deal with their social and economic demands as well as provide a basis for relating constructively with the Lebanese environment.

In conclusion, the Palestinian community in Lebanon will be present for a considerable time in the future, so it is in the interest of all concerned that its relationship with the Lebanese state should be a stable one. It is possible to assert that unless this problem is seriously addressed it will adversely affect the reconciliation process in Lebanon. In this respect, so long as the issue of the Palestinian presence in Lebanon remains unresolved, then South Lebanon will continue to be a destabilised area capable of thwarting any advances in the Arab-Israeli peace process.

The Lebanese, and the Palestinian community resident in Lebanon, have their own interests and objectives. Both common sense and common interest suggest that they must develop their own civil society, in parallel and in interaction, if they are to reorganise in a way that neither threatens nor supersedes the host society but which, on the contrary, contributes to it. Ultimately, positive resolution of state-community and civil relations will provide a proper basis for the maintenance and subsequent development of institutional links between the Palestinians of Lebanon and their compatriots and leaders elsewhere, which will remain a vital and inescapable dimension for their existence.

### *Implementing UN Security Council Resolution 425: How to Move Ahead?*

There are two opposing schools of thought on the course of action needed to implement Resolution 425. Both trends agree that only the international community can bring about implementation of this outstanding

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resolution. The point of disagreement, however, is this: with whom does the initiative lie?

One school believes that the onus is now on the international community. Indeed, if implementing Resolution 425 is taken in the framework of the Taif process, then Taif itself is unambiguous in this respect. The Taif document relies on the United Nations for securing an Israeli withdrawal and calls for the adoption of 'all measures' to liberate the Lebanese territory from the Israeli occupation. 'All measures' presumably includes supporting the armed resistance against Israel.

This school believes that the Lebanese government should be supported, that its efforts should be appreciated and encouraged and that the country should not be abandoned by its regional and international sponsors at a time when it needs them most. It argues that the Lebanese government is doing as much as it can and can do no more without external assistance. Assistance should come in the form of bolstering the Lebanese Army and exerting enough influence on Israel to force it to withdraw unconditionally. Supporters of this theory argue that the government cannot be expected to be able to achieve today what it was unable to achieve yesterday whilst the same circumstances continue to prevail. Such unrealistic expectations can only reflect bad faith on the part of the government's regional and international sponsors.

The other school of thought opposes this logic, primarily because of the apathy which it implies. Implementing UN Security Council Resolution 425 is doubtless in the hands of the international community. But serious action needs be taken by Lebanon to push the international community to work for the Resolution's implementation. Indeed, Lebanon's position of principle is very strong. However, it is not a reflection of the actual balance-of-power on the ground. In fact, a number of events have taken place over the past decade (the bombing of the US Marine headquarters in

Beirut, the bombing of the US embassy in Beirut, the attack on the French contingent of the Multinational Force, the hostage crisis, etc.) that have rendered the international community extremely disillusioned with Lebanon. The country must therefore appear to be helping itself if it expects to be helped by others.

In this context, there are a number of steps which the government can take to render the circumstances under which Resolution 425 is to be implemented more favourable. This will re-activate international attention and prove both to the world at large as well as to its own domestic constituency that the government is serious in putting its own house in order.

### ***1- The Dilemma of the Lebanese Resistance***

The extension of Lebanese military authority to the South is obviously a critical step in winning the implementation of UN Security Council Resolution 425 and the government has taken some significant steps in this direction. But more needs to be done to demonstrate good faith to the international community and to reassure the local population. In particular, the process of deploying Lebanese troops within the UNIFIL area of operations must be accelerated and the government must ensure that its plan to extend state authority is implemented with some measure of consistency.

The rationale is to undermine Israel's argument for remaining in occupation of Lebanese territory. The cross-border attacks by Palestinian guerillas, which so transfixed Israel's security establishment, are now, with minor exceptions, a thing of the past. In contrast to the earlier Palestinian attacks in which the victims were often civilians, the Lebanese resistance forces in the South have set their sight on Israeli soldiers and their proxies. Thus, the activities of the resistance cannot be condemned since they have

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not intentionally targeted protected persons (e.g. civilians). In fact, indiscriminate shelling and tank-fire has become a hallmark, not of the resistance, but of the IDF and the SLA. Thus, the resistance in the South is as readily justifiable as the violence of the French Resistance in World War II. However, it is by now amply clear that the resistance forces – primarily adherents of Hizballah – do not possess sufficient resources, skill and stamina to push Israel out of the South. On purely pragmatic grounds, if the objective of the Lebanese government is to recover its control over all Lebanese territory, it must conclude that the activities of Hizballah will not produce that outcome. If the Lebanese government were to encourage the resistance forces in the South to participate in the reconciliation process which began in Taif, and to help in the implementation of the terms of the Taif accords that are still outstanding, this may be construed as a very positive step. It is also worth noting that the continuing paramilitary activities of Hizballah serve the interests of powers outside Beirut, especially Iran and Syria, and undermine the authority of the Beirut government.

In fact Hizballah's presence in southern Lebanon is intricately linked to the degree to which Iran's goals are compatible with those of Syria. So the prospect that potential differences between Damascus and Tehran over southern Lebanon will break up their strategic relationship is slim. This, however, does not necessarily mean that the Iranian-backed Hizballah is doomed to extinction in the light of competing Iranian-Syrian interests. Such an assessment is backed by two theories.

The first is related to the Syrian desire to have the Iran portfolio at the Arab-Israeli peace conference. For Syria to be given the Iran portfolio, however, it will have to accommodate President Hashemi Rafsanjani as well as the fundamentalists in Qom who control Hizballah. For this reason, it is fair to assume that the Syrians will allow Hizballah some

freedom of action in southern Lebanon in order to garner support from Tehran and legitimacy from Qom. The second theory considers Hizballah as benefiting the Syrians. Indeed, Hizballah ensures that Israel will remain in the South thereby giving the Syrians enough reasons to continue their stranglehold over the central government in Beirut.

From such a perspective, therefore, although the Lebanese cannot be denied their right to resist the Israeli occupation, this resistance cannot be allowed to be manipulated by foreign powers, which may in the end result in prolonging the occupation. Indeed, by agreeing to join the Taif reconciliation process, Hizballah – far from rewarding Israel – will be seriously undermining Israel's argument for maintaining its presence in Lebanon. Moreover, this will also help Lebanon dilute Syria's argument that Syrian power in Lebanon is a necessary riposte to Israeli power. Most importantly, however, by helping the Lebanese authorities to move decisively to re-establish governmental authority in the South, the Lebanese resistance will bolster Lebanon's position *vis-à-vis* Israel in the on-going parallel negotiations, while serving to demonstrate that Lebanon insists on being counted as an independent government.

## ***2- Extending the Writ of the Government to the South***

Re-creating the legal apparatus in southern Lebanon is the next essential step which the government must take. Concrete measures will have to be adopted to demonstrate that the government's sovereign writ extends to the South.

The restoration of Lebanese authority to the South must also be integrated with sound economic development. Economic development will provide greater opportunities and incentives than the limited options available at present to the population of the South. Such policies will in time, win over an important segment of the population and help

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marginalise the SLA by the fact of depriving it of manpower. A prosperous and peaceful South Lebanon under stringent governmental control will eventually marginalise the 'security zone'. Indeed, it is not healthy for the vibrancy and survival of societies to be dependent solely on aid. If the government manages to create conditions of prosperity and stability in the South then the 'security zone' will eventually collapse.

This is not to suggest that the extension of Lebanese sovereignty over all of its territory should be a *condition* for Israeli implementation of Resolution 425. Rather, it is a demonstration of good faith by the Lebanese government towards the international community that it is doing its share of resolving the problem. These measures will demonstrate to the international community Lebanon's determination to put its house in order and will strengthen international resolve to come to Lebanon's aid and to pressure Israel to withdraw.

Recognising the situation as it actually is, suggesting constructive ways in which to render it less intractable, and attempting to break out of the circular nature of this reality is the very essence of compromise. If followed rigourously it might bring results.

### ***3- Holding Free Elections***

Plans are underway to conduct parliamentary elections in 1992. Fair and free elections would obviously serve to strengthen the government and would, by definition, elicit popular support. But many Lebanese fear that Syrian influence will preclude free elections and merely produce an opportunity to further increase Syria's influence over Lebanon.

International monitoring of the forthcoming elections is an idea worth exploring. International supervision might reduce both Syrian and Israeli influence in Lebanon and lend a significant aura of free choice and legitimacy to the elections. In any case, it is better than the available

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alternatives. UNIFIL, augmented by civilian monitors, might provide the mechanism for actually supervising the elections. South Lebanon would obviously be the place to begin, given the deployment there of the peace-keeping Force.

An interesting dividend of international monitoring would be an opportunity to assert an international role in the Israeli-occupied 'security zone'. Hence, the elections might 'jump start' the implementation of Resolution 425. If supervisory rigour applies not only to the South but to the rest of Lebanon, then opposition by one of the two regional powers in question would be difficult.

Moreover, free elections will strengthen the legitimacy of the new government. It will eradicate Israeli charges regarding the lack of any autonomous national Lebanese decision-making process, and will weaken Israeli claims that Lebanese authority in the South is concomitant with Syrian authority which Israel considers as legitimising its occupation. Indeed, rebutting the arguments one at a time would ultimately give a more accurate indication of Israel's aims and objectives.

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### *U.N. Security Council Resolution 425*

*(19 March 1978)*

The Security Council,

Taking note of the letter of the Permanent Representative of Lebanon (S/12600 and S/12606) and the permanent Representative of Israel;  
Having heard the statements of the permanent representatives of Lebanon and Israel;

Gravely concerned at the deterioration of the situation in the Middle East and its consequences on the maintenance of international peace;

Convinced that the present situation impedes the achievement of a just peace in the Middle East;

1. Calls for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;
2. Calls upon Israel immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory;
3. Decides, in the light of the request of the government of Lebanon, to establish immediately under its authority a United Nations interim force for southern Lebanon for the purpose of confirming the withdrawal of the Israeli forces, restoring international peace and security and assisting the government of Lebanon in ensuring the return of its effective authority in the area, the force to be composed of personnel drawn from member states of the United Nations;
4. Requests the Secretary-General to report to the Council within twenty-four hours of the implementation of this resolution.

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***U.N. Security Council Resolution 426***

***(19 March 1978)***

The Security Council,

1. Approves the report of the Secretary-General on the implementation of the Security Council Resolution 425 (1978) contained in document S/12611 dated 19 March 1978;
2. Decides that the force shall be established in accordance with the above-mentioned report for an initial period of six months and that it shall continue in operation thereafter, if required, provided the Security Council so decides.

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***U.N. Security Council Resolution 508***

*(5 June 1982)*

The Security Council,

Recalling Security Council Resolutions 425 (1978), 426 (1978) and the ensuing resolutions, and more particularly, Security Council Resolutions 501 (1981);

Taking note of the letters of the Permanent Representative of Lebanon dated 4 June 1982 (S/15161 and S/ 15162);

Deeply concerned at the deterioration of the present situation in Lebanon and the Lebanese-Israeli border area, and its consequences for peace and security in the region;

Gravely concerned at the violation of the territorial integrity, independence and sovereignty of Lebanon;

Reaffirming and supporting the statement made by the President and the Members of the Security Council on 4 June 1982 (S/15163), as well as the urgent appeal issued by the Secretary-General on 4 June 1982;

- I. Calls upon all parties to the conflict to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border and no later than 0600 hours local time on Sunday, 6 June 1982;
2. Requests all member states which are in a position to do so to bring their influence to bear upon those concerned so that the cessation of hostilities declared by Security Council Resolution 490 (1981) can be respected;
3. Requests the Secretary-General to undertake all possible efforts to ensure the implementation of and compliance with this Resolution and to report to the Security Council as early as

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**possible and not later than forty-eight hours after the adoption of this Resolution.**

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### ***U.N. Security Council Resolution 509***

***(6 June 1982)***

The Security Council,

Recalling its Resolutions 425 (1978), of 19 March 1978 and 508 (1982) of 5 June 1982;

Gravely concerned at the situation as described by the Secretary-General in his report to the Council;

Reaffirming the need for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

1. Demands that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon;
2. Demands that all parties observe strictly the terms of paragraph one of Resolution 508 which called upon them to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border;
3. Calls on all parties to communicate to the Secretary-General their acceptance of the present Resolution within twenty-four hours;
4. Decides to keep apprised of the question.

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### ***U.N. Security Council Resolution 520***

***(17 September 1982)***

The Security Council,

Having considered the report of the Secretary-General of 15 September, 1982 (S/15382/Add. 1);

Condemning the murder of Bashir Gemayel, Lebanon's constitutionally selected President-elect, and every effort to disrupt by violence the restoration of a strong, stable government in Lebanon;

Having listened to the statement by the Permanent Representative of Lebanon;

Taking note of Lebanon's determination to ensure the withdrawal of all non-Lebanese forces from Lebanon;

1. Reaffirms its Resolutions 508 (1982), 509 (1982) and 516 (1982) in all their components;
2. Condemns the recent Israeli incursions into Beirut in violation of the cease-fire agreements and of Security Council resolutions;
3. Demands an immediate return to the positions occupied by Israel before 15 September, 1982 as a first step towards the full implementation of Security Council resolutions;
4. Calls again for the strict respect for Lebanon's sovereignty, territorial integrity, unity and political independence under the sole and exclusive authority of the Lebanese Government, through the Lebanese Army throughout Lebanon;
5. Reaffirms its Resolutions 512 (1982) and 513 (1982) which call for respect for the rights of the civilian populations without any

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- discrimination and repudiates all acts of violence against those populations;
6. Supports the efforts of the Secretary-General to implement Security Council Resolution 516 (1982) concerning the deployment of United Nations observers to monitor the situation in and around Beirut and requests all parties concerned to cooperate fully in the application of that resolution;
  7. Decides to keep appraised of the question and asks the Secretary-General to keep the Council informed on developments as soon as possible and not later than twenty-four hours from the implementation of this Resolution.

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### ***The Official Position of the Lebanese Government on an International Peace Conference on the Middle East***

(Approved by the Council of Ministers in 1985 and endorsed in July 1991)

1. Lebanon accepts the principle of holding an international peace conference for a comprehensive and just solution to the Middle East crisis according to United Nations Resolutions. Lebanon is ready to participate in the above conference as officially communicated to the Secretary-General of the United Nations on 22 May 1984.
2. Lebanon's acceptance in principle for holding an international peace conference does not mean that it accepts any linkage between the resolution of its own problems with those of the Middle East. Lebanon considers that its problems require separate and urgent treatment given their destructive effects on the socio-economic and social structure of Lebanon. (Reference: speech by Prime Minister Karami at the UN General Assembly on 5 October 1984).
3. Lebanon's acceptance to participate in the international peace conference emanates from its concern with the Arab-Israeli conflict and the presence of over half a million Palestinian refugees on its territory, whose fate will be decided in the above conference; Lebanon's participation, therefore, is for the purpose of discussing issues of direct and indirect concern.
4. Lebanon takes this opportunity to assert its rejection of the idea of settling the Palestinians on its territory and, on the basis of the

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principle of supporting the right of self-determination, calls for the recognition of that right for the Palestinian people and their right to create their own state in their homeland as called upon by the UN Resolutions.

5. Lebanon does not consider that it has any territorial dispute with any other country that is subject to discussion or negotiation. The boundaries of Lebanon are fixed and recognised internationally and Lebanon retains its right to absolute sovereignty and independence. As for the question of Israeli occupation and actions in the south, these have to be dealt with according to the wishes of the international community as expressed in UNSCRs 425/508/509 that demand the complete and unconditional withdrawal of Israel from Lebanese territory, and that the UN Forces be allowed to execute the task given to them in its entirety. This involves deployment to the internationally recognised boundaries and the assistance of the Lebanese government to assert its sovereignty over its entire territory in order to restore peace and security in the south.
6. Lebanon affirms that it is bound by the Armistice Agreement of 1949 which is still in effect as confirmed by the many UN resolutions. (And will be so until it is replaced by another text and the formulation of a just and comprehensive and permanent solution to the Arab-Israeli conflict).

(Unofficial translation)

## THE QUESTIONS OF SOUTH LEBANON

### *Armistice Agreement of 1949 between Lebanon and Israel*

#### Preamble

The Parties to the present Agreement,

Responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace and security in Palestine, to negotiate an armistice;

Having decided to enter into negotiations under United Nations chairmanship concerning the implementation of the Security Council resolution of 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, having exchanged their full powers found to be in good and proper form, have agreed upon the following provisions:

#### Article One

With the view to promoting the return of the permanent peace and security in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both parties during the armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties.

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2. No aggressive action by the armed forces – land, sea or air – of either Parties shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term 'planned' in this context has no normal staff planning as generally practiced in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.
4. The establishment of an Armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

### Article Two

With specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized.
2. It is also recognized that no provision of the Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military considerations.

### Article Three

1. In pursuance of the foregoing principles and of the resolutions of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties – land, sea and air – is hereby established.

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2. No element of the land, sea or air military or para-military forces of either Parties, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party; or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever, the Armistice Demarcation Line set forth in Article Five of this Agreement; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.
3. No war-like act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party.

### **Article Four**

1. The line described in Article Five of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and the intent of the resolutions of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with the application of the Armistice Demarcation Line defined in Article Five.

### **Article Five**

1. The Armistice Demarcation Lines shall follow the international boundaries between the Lebanon and Palestine.

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2. In the region of the Armistice Demarcation Line the military forces of the Parties shall consist of the defensive forces only as is defined in the Annex to this Agreement.
3. Withdrawal of the forces to the Armistice Demarcation Line and their reduction to the defensive strength in accordance with the preceding paragraph shall be completed within ten days of the signing of this Agreement. In the same way of the removal of mines from mined roads and areas evacuated by either Party, and the transmission of the plans showing the location of such minefields to the other shall be completed within the same period.

### Article Six

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows;

1. The exchange of the prisoners of war shall be under United Nations supervision and control throughout. The exchange shall take place at Ras en-Naqoura within twenty-four hours of the signing of this Agreement.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crimes or other offences shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, or other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters that are not specifically regulated in this Agreement shall be decided in accordance with the principles laid down by the International Convention relating to the Treatment of the Prisoners of War, signed at Geneva on 27 July 1929.

## THE QUESTIONS OF SOUTH LEBANON

5. The Mixed Armistice Commission established in Article Seven of the Agreement shall assume responsibility for locating missing persons, whether military or civilians, within the area controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

### Article Seven

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of five members, of whom each Party to this Agreement shall designate two, and whose Chairman shall be the United Nations Chief of Staff of the truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at the frontier Post north of Metulla and at the Lebanese frontier Post at En Naqoura, and shall hold its meetings at such places as it may deem necessary for the effective conduct of its work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later one week following the signing of this Agreement.
4. The decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity, decisions shall be taken by majority vote of the members of the Commission present and voting.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ Observers, who may be from among the military organizations of the Parties or

## PROSPECTS FOR LEBANON

from the military personnel of the United Nations Truce Supervision Organization or from both, in such number as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to the United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.

7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and satisfactory settlement.
8. Where interpretation of the meaning of a particular provision of this Agreement, other than the Preamble and Article One and Two, is at issue, the Commission's interpretation shall prevail. The Commission, in its direction and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.
9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.
10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the area covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission

## THE QUESTIONS OF SOUTH LEBANON

are reached by a majority vote, United Nations Observers only shall be employed.

11. The expenses of the Commission, other than those relating to the United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

### Article Eight

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.
2. This Agreement, having been negotiated and concluded in the pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the threat to the peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article
3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles One and Three, at any time. In the absence of a mutual agreement and after this Agreement has been in effect for one year from the date of its signing either of the Parties can call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising, or suspending any of the provisions of this Agreement other than Articles One and Three. Participation in such conference shall be obligatory upon the Parties.
4. If the conference provided for in paragraph three of this Article does not result in an agreed solution of a point in dispute, either Parties may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that the Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.

## **PROSPECTS FOR LEBANON**

- 5. This Agreement is signed in quintuplicate, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council of the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator on Palestine.**

**Done at Ras En Naqoura on the twenty-third of March nineteen forty-nine, in the presence of the Personal Deputy of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.**

## THE QUESTIONS OF SOUTH LEBANON

### *The Cairo Agreement of 1969*

On Monday, 3rd November 1969, the Lebanese delegation, headed by Army Commander General Emile Bustani and the Palestine Liberation Organization delegation, headed by Mr. Yasir Arafat met in Cairo in the presence of the United Arab Republic Minister, General Muhammad Fawzi.

In consonance with the bounds of brotherhood and common destiny, relations between Lebanon and the Palestinian revolution must always be conducted on the bases of confidence, frankness and positive cooperation for the benefit of Lebanon and the Palestinian revolution and within the framework of Lebanese sovereignty and security. The two delegations agreed on the following principles and measures:

#### The Palestinian Presence

It was agreed to recognize the Palestinian presence in Lebanon on the basis of:

1. The right of work, residence, and movement for Palestinians currently residing in Lebanon.
2. The formation of local committees composed of the Palestinians in the camps to care for the interest of Palestinians residing in these camps in cooperation with the local Lebanese authorities within the framework of Lebanese sovereignty.
3. The establishment of the posts of the Palestinian Armed Struggle inside the camps for the purpose of cooperation with the local committees to ensure good relations with the Lebanese authorities. These posts shall undertake the task of regulating and

## PROSPECTS FOR LEBANON

determining the presence of arms in the camps within the framework of Lebanese security and the interests of the Palestinian revolution.

4. Palestinians resident in Lebanon are to be permitted to participate in the Palestinian revolution through the Palestinian Armed Struggle and in accordance with the principles of sovereignty and security of Lebanon.

### Commando Activity

It was agreed to facilitate commando activities by means of :

1. Facilitating the passage of commandos and specifying points of passage and reconnaissance in the border area.
2. Safeguarding the road to the Arkub region.
3. The Palestinian Armed Struggle command shall undertake to control the conduct of all the members of its organizations and [to insure] their non-interference in Lebanese affairs.
4. Establishing a joint command control of the Palestinian Armed Struggle and the Lebanese Army.
5. Ending the propaganda campaigns by both sides.
6. Conducting a census of Palestinian Armed Struggle personnel in Lebanon by their command.
7. Appointing Palestinian Armed Struggle representatives at Lebanese Army headquarters to participate in the resolution of all emergency matters.
8. Studying the distribution of suitable points of concentration in border area on which agreement is reached with the Lebanese Army command.
9. Regulating the entry, exit, and circulation of Palestinian Armed personnel.
10. Removal of the commando base at Jirun.
11. The Lebanese Army shall facilitate the operation of medical, evacuation, and supply centres for commando activity.

## **THE QUESTIONS OF SOUTH LEBANON**

- 12. Releasing detained personnel and confiscated arms.**
- 13. It is understood that the Lebanese authorities, both civil and military shall continue to exercise all their prerogatives and responsibilities in all areas of Lebanon in all circumstances.**
- 14. The two delegations affirm that the Palestinian Armed Struggle is an activity in the interest of Lebanon as well as in that of the Palestinian revolution and all Arabs.**
- 15. This Agreement shall remain TOP SECRET and for the eyes of the commands only.**

## THE QUESTIONS OF SOUTH LEBANON

### *The Melkart Agreement*

( 17 May 1973)

Both parties eagerly agree to serve the Palestinian cause and to continue its struggle, and to preserve the independence of Lebanon and its sovereignty and stability, and in the light of contracted agreements and Arab decisions, comprising: The Cairo Agreement and all its annexes; agreements concluded between Lebanon and the leadership of the resistance forces; and decisions taken at the Joint Arab Defence Council. It was agreed on all points as follows:

#### Presence in the Camps of Personnel

1. No commando presence.
2. Formation of permanent Palestine Armed Struggle Command units.
3. Confirmation of militia presence for the guarding and internal protection of the camps. By militia is understood Palestinians residing in the camps who are not members of the resistance force and who practise normal civilian duties.
4. Establishment of a guardspost for Lebanese internal security forces at a location to be agreed upon close to each camp.

#### Presence in the Camps of Arms

1. The militia will be permitted to carry light arms individually.
2. No medium or heavy weapons will be permitted within the camps (e.g. mortars, rocket-launchers, artillery, anti-tank weapons, etc).

Presence in Border Regions

1. Western sector: presence and concentration outside the camps is forbidden.
2. Central sector: According to agreements made at the meeting between the Lebanese High Command and the resistance forces leadership on 8 October 1972: Presence will be permitted outside Lebanese villages in certain areas by agreement with the local Lebanese sector commander. Resistance forces are not permitted east and south of the line running Al-Kusair/Al-Ghandouriya/Deir Kifa/ Al-Shihabia/Al-Salasel/ Al-Saltania/ Tabnin/Haris/Kafra/Sadikin/Qana. This prohibition applies to all these points inclusively. Concentration of resistance forces at a guardspost south of Hadatha is permitted. The number allowed is between five and ten men in civilian clothes, with all military appearance to be avoided. They will be supplied by animal transport. At all these places the total number permitted must not exceed 250.
3. Eastern sector: According to decisions taken by the Lebanese High Command and the Resistance forces leadership, three bases will be permitted in the southern Arqub at Abu-Kamha Al Kharbiya (Al-Shahid Salah base) and Rashaya al-Fakhar (Jabal al-Shahr). Each base will contain no more than 30 to 35 men each. Supply for these bases will be by motor-transport. Elements at these bases will be forbidden to proceed in the direction of Marjayoun unless they have a permit. The carrying of arms in Marjayoun is forbidden... In the northern Arqub and at Rashaya al-Wadi, presence is permitted at a distance from the villages, but not west of the Masnaa-Hasbaya road... At Baalbeck no commando presence is permitted except at the Nabi Sbat training base.

Note: Medium and light arms are permitted in these sectors; commando presence inside Lebanese villages is not allowed; all

## THE QUESTIONS OF SOUTH LEBANON

units which have been reinforced in Lebanon from a broad will be adjusted.

### Movement (in the camps)

Movement will be allowed without arms and in civilian dress.

### Movement in the (frontier) areas

Movement will be allowed by arrangement with local Lebanese commanders and according to agreement.

### Movement of Civilian and Military Leaders

Military leaders will be allowed to move freely provided they are above the rank of lieutenant, carrying no more than a personal weapon and are accompanied by a driver only. Civilian leaders will be supplied with numbered permits signed by the responsible joint liaison committee. The number of permits issued to area leaderships will be determined by the Lebanese liaison centre and supplied under the request of the Palestinian Political Committee in Lebanon.

### Military Training

(Military) training is forbidden in the camps, but allowed at the training base at Nabi Sbat. Technical military training is permitted at points to be agreed upon by arrangement with the Lebanese High Command liaison centre. Practising with arms is forbidden outside the training base.

### Operations

All (commando) operations from Lebanese territory are suspended

## PROSPECTS FOR LEBANON

of the Joint Arab Defence council. Departure  
use of commando operations is forbidden.

ns that the chief command base is Damascus,  
s representatives in other countries including  
ide pledged to reduce the number of offices (in

ed that the Resistance in Lebanon only

afa news agency, in addition to certain cultural  
is issued by Palestinian organisations publicly  
Palestinian side pledged that these publications  
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the abstention from broadcasting in Lebanon; e)  
; not to involve Lebanon in any of its  
ews items or announcements emanating from  
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### and Offences

emented on the basis of Lebanese sovereignty  
ed to the responsible courts.

military sectors will be submitted to local  
s. In cases where no result is achieved, they  
the Higher Coordination Committee which will  
decision.

## THE QUESTIONS OF SOUTH

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The Palestinian side condemn  
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repetition of such matters.

Regarding traffic offences, i  
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a legal license according to

### Foreigners

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## THE QUESTIONS OF SOUTH LEBANON

2. Contraventions inside the camps will be the charge of the internal security forces in cooperation with the Palestine Armed Struggle Command, regarding the pursuit of all crimes, civil or criminal, which occur within the camps whoever the offender. They will also be responsible for delivering all legal notices and orders pronounced against persons residing in the camps. Incidents occurring in the camps between the commandos which have a bearing on the security and safety of the Palestinian revolution will be excluded from this procedure and be the responsibility of the Palestine Armed Struggle Command.
3. Contraventions outside the camps shall be subject to Lebanese law. The Palestine Armed Struggle Command will be informed of detentions and the procedures taken against offenders. In the case of commandos being apprehended in an offence and where the Lebanese authorities deem necessary the cooperation of the Palestine Armed Struggle Command, contact will be made through the liaison committee and the decision on the offender will be left to the Lebanese authority.

The Palestinian side condemned detention of any Lebanese or foreigners and the conduct of any investigation by resistance forces and pledged no repetition of such matters.

Regarding traffic offences, it has been agreed previously that a census would be taken of cars with Lebanese number plates under the auspices of the Internal Security Forces, and cars entering Lebanese territory, under temporary licensing regulations of the customs authorities. Therefore any commando vehicle on Lebanese territory will be prohibited unless it carries a legal license according to Lebanese traffic regulations.

### Foreigners

By the term foreigners it means not Arab commandos.

## PROSPECTS FOR LEBANON

The Palestinian side pledges to deport all foreigners with the exception of those engaged in non-combatant work of a civilian or humane nature (including doctors, nurses, translators and interpreters).

### Coordination

Implementation will be supervised by the Liaison Committee and its branches in coordination with the Palestinian side.

### Highly Confidential

#### Aspirations of the Palestinian side after the joint meetings

- Re-establishment of the atmosphere to its state before the incidents of 9 May 1973;
- Gradual easing of armed tension;
- Reduction of barriers of suspicion;
- Aspirations towards the cancellation of the emergency situation;
- Dealing with the matter of fugitives from the law, particularly those persons pursued as a result of the incidents of 23 April 1969;
- Freeing of those persons detained as a result of the incidents of 2 April 1973;
- Return of arms confiscated since 1970;
- Facilitation of employment for Palestinians resident in Lebanon.

For the Palestinian Side:

Lt-Col. Abal Zaim  
Abu Adnan  
Al Sayyid Salah Salah

For the Lebanese Side:

Lt-Col. Ahmad al-Hajj  
Col. Nazih Rashid  
(Col. Salim Moghabghab)  
Col. Dib Kamal

## THE QUESTIONS OF SOUTH LEBANON

### ***Agreement Between the Government of the Republic of Lebanon and the Government of the State of Israel***

***(17 May 1983)***

The Government of the Republic of Lebanon and the Government of the State of Israel:

Bearing in mind the importance of maintaining and strengthening international peace based on freedom, equality, justice, and respect for fundamental human rights;

Reaffirming their faith in the aims and principles of the Charter of the United Nations and recognizing their right and obligation to live in peace with each other as well as with all states, within secure and recognized boundaries;

Having agreed to declare the termination of the state of war between them;

Desiring to ensure lasting security for both their States and to avoid threats and the use of force between them;

Desiring to establish their mutual relations in the manner provided for in this Agreement;

Having delegated their undersigned representative plenipotentiaries, provided with full powers, in order to sign, in the presence of the representative of the United States of America, this Agreement;

Have agreed to the following provisions:

#### **Article 1**

1. The Parties agree and undertake to respect the sovereignty, political independence, and territorial integrity of each other. They

## PROSPECTS FOR LEBANON

consider the existing international boundary between Lebanon and Israel inviolable.

2. The Parties confirm that the state of war between Lebanon and Israel has been terminated and no longer exists.
3. Taking into account the provisions of paragraphs 1 and 2, Israel undertakes to withdraw all its armed forces from Lebanon in accordance with the Annex of the present Agreement.

### Article 2

The Parties, being guided by the principles of the Charter of the United Nations and of international law, undertake to settle their disputes by peaceful means in such a manner as to promote international peace and security, and justice.

### Article 3

In order to provide maximum security for Lebanon and Israel, the Parties agree to establish and implement security arrangements, including the creation of a Security Region, as provided for in the Annex of the present Agreement.

### Article 4

1. The territory of each Party will not be used as a base for hostile or terrorist activity against the other Party, its territory, or its people.
2. Each Party will prevent the existence or organization of irregular forces, armed bands, organizations, bases, offices, or infrastructure, the aims and purposes of which include incursions or any act of terrorism into the territory of the other Party, or any other activity aimed at threatening or endangering the security of the other Party and safety of its people. To this end all agreements and arrangements enabling the presence and

## **THE QUESTIONS OF SOUTH LEBANON**

functioning of the territory of either party of elements hostile to the other party are null and void.

3. Without prejudice to the inherent right of self-defense in accordance with international law, each Party will refrain:
  - a. from organizing, instigating, assisting, or participating in threats or acts of belligerency, subversion, or incitement, or any aggression directed against the other Party, its population, or property, both within its territory and originating therefrom, or in the territory of the other Party.
  - b. from using the territory of the other Party for conducting a military attack against the territory of a third state.
  - c. from intervening in the internal or external affairs of the other Party.
4. Each Party undertakes to ensure that preventive action and due proceedings will be taken against persons or organizations perpetrating acts in violation of this Article.

### **Article 5**

Consistent with the termination of the state of war and within the framework of their constitutional provisions, the Parties will abstain from any form of hostile propaganda against each other.

### **Article 6**

Each Party will prevent entry into, deployment in, or passage through its territory, its airspace and, subject to the right of innocent passage in accordance with international law, its territorial sea, by military forces, armament, or military equipment of any state hostile to the other Party.

Article 7

Except as provided in the present Agreement, nothing will preclude the deployment on Lebanese territory of international forces requested and accepted by the Government of Lebanon to assist in the maintaining its authority. New contributors to such forces shall be selected from among states having diplomatic relations with both Parties to the present Agreement.

Article 8

1. a. Upon entry into force of the present Agreement, a Joint Liaison Committee will be established by the Parties, in which the United States of America will be a participant, and will commence its functions. This Committee will be entrusted with the supervision of the implementation of all areas covered by the present Agreement. In matters involving security arrangements, it will deal with unresolved problems referred to it by the Security Arrangements Committee established in sub-paragraph c. below. Decisions of this Committee will be taken unanimously.
- b. The Joint Liaison Committee will address itself on a continuing basis to the development of mutual relations between Lebanon and Israel, *inter alia* the regulation of the movement of goods, products and persons, communications, etc.
- c. Within the framework of the Joint Liaison Committee, there will be a Security Arrangements Committee whose composition and functions are defined in the Annex of the present Agreement.
- d. Subcommittees of the Joint Liaison Committee may be established as the need arises.

## THE QUESTIONS OF SOUTH LEBANON

- e. The Joint Liaison Committee will meet in Lebanon and Israel, alternately.
  - f. Each Party, if it so desires and unless there is an agreed change of status, may maintain a liaison office on the territory of the other Party in order to carry out the above-mentioned functions with the framework of the Joint Liaison Committee and to assist in the implementation of the present Agreement.
  - g. The members of the Joint Liaison Committee from each of the Parties will be headed by a senior government official.
  - h. All other matters relating to these liaison offices, their personnel, and the personnel of each Party present in the territory of the other Party in connection with the implementation of the present Agreement will be the subject of a protocol to be concluded between the Parties in the Joint Liaison Committee. Pending the conclusion of this protocol, the liaison offices and the above-mentioned personnel will be treated in accordance with the pertinent provisions of the Convention on Special Missions of December 8, 1969, including those provisions concerning privileges and immunities. The foregoing is without prejudice to the positions of the Parties concerning that Convention.
2. During the six-month period after the withdrawal of all Israeli armed forces from Lebanon in accordance with Article 1 of the present Agreement and the simultaneous restoration of Lebanese governmental authority along the international boundary between Lebanon and Israel, and in the light of the termination of the state of war, the Parties shall initiate, within the Joint Liaison Committee, bona fide negotiations in order to conclude agreements on the movements of goods, products and persons, and their implementation on a non-discriminatory basis.

Article 9

1. Each of the two Parties will take, within a time limit of one year as of entry into force of the present Agreement, all measures necessary for the abrogation of treaties, laws, and regulations deemed in conflict with the present Agreement, subject to and in conformity with its constitutional procedures.
2. The Parties undertake not to apply existing obligations, enter into any obligations, or adopt laws or regulations in conflict with the present Agreement.

Article 10

1. The present Agreement shall be ratified by both Parties in conformity with their respective constitutional procedures. It shall enter into force on the exchange of the instruments of ratification and shall supersede the previous agreements between Lebanon and Israel.
2. The annex, the Appendix, and the Map attached thereto, and the Agreed Minutes to the present Agreement shall be considered integral parts thereof.
3. The present Agreement may be modified, amended, or superseded by mutual agreement of the Parties.

Article 11

1. Disputes between the Parties arising out of the interpretation or application of the present Agreement will be settled by negotiation in the Joint Liaison Committee. Any dispute of this character not so resolved shall be submitted to conciliation and, if unresolved, thereafter to an agreed procedure for a definitive resolution.
2. Notwithstanding the provisions of paragraph 1, disputes arising out of the interpretation or application of the Annex shall be

## THE QUESTIONS OF SOUTH LEBANON

resolved in the framework of the Security Arrangements Committee and, if unresolved, shall thereafter, at the request of either Party, be referred to the Joint Liaison Committee for resolution through negotiation.

### Article 12

The present Agreement shall be communicated to the Secretariat of the United Nations for registration in conformity with the provisions of Article 102 of the Charter of the United Nations.

Done at Khaldeh and Kiryat Shmona this seventeenth day of May, 1983, in triplicate in four authentic texts in the Arabic, Hebrew, English, and French languages. In case of any divergence of interpretation, the English and French texts will be equally authoritative.

For the Government of the Republic of Lebanon  
Antoine Fattal

For the Government of the State of Israel  
David Kemhi

Witnessed by:  
For the Government of the United States of America  
Morris Draper

## THE QUESTIONS OF SOUTH LEBANON

### ***Taif Accord: Sections Relating to Lebanese Sovereignty, Liberation of the South and Lebanese-Syrian Relations***

***(October 1989)***

#### **Establishment of Lebanese state sovereignty on all Lebanese soil**

In view of the fact that agreement has been reached among the Lebanese parties on the establishment of a strong, capable state built on the foundations of national accord, the government of national accord shall lay down a detailed one-year security plan whose objective is gradually to establish the authority of the Lebanese state on all Lebanese soil by its own forces. Its (the plan's) broad lines will be:

1. Announcement of the disbanding of all Lebanese and non-Lebanese militias and the handing over of their weapons to the Lebanese state within six months starting after the endorsement of the national accord charter, the election of a President of the Republic, the formation of a national accord government and the constitutional ratification of the political reforms.
2. Strengthening the Internal Security Forces by:
  - a. Inviting all Lebanese without exception to apply for voluntary service (in the ISF), initiating central training for them, then distributing them among the units in the governorates and making them undergo regular and organized training.
  - b. Strengthening the security apparatus to control the entry and departure of individuals across the borders by land, sea and air.

3. Strengthening the armed forces:

- a. The primary duty of the armed forces is defense of the homeland and, if necessary, preserving public order, when the threat is greater than the Internal Security Forces can handle alone.
- b. The armed forces shall be used to support the Internal Security Forces in keeping the peace in such circumstances as are decided by the Council of Ministers.
- c. The armed forces shall be unified, prepared and trained to enable them to shoulder their national responsibilities in the confrontation of Israeli aggression.
- d. When the Internal Security Forces are ready to undertake their security duties, the armed forces shall return to their barracks.
- e. The intelligence service of the armed forces shall be reorganized to serve military purposes to the exclusion of all others.

4. Implementing a radical solution to the problem of displaced Lebanese, establishing the right of every Lebanese displaced since 1975 to return to the place from which he was displaced, enacting legislation to guarantee that right and securing the means of reconstruction.

The objective of the Lebanese state being to establish its authority on all Lebanese soil by the use of its own forces as represented primarily by the Internal Security Forces, and in view of the fraternal relations that bind Syria and Lebanon, the Syrian forces shall, with full appreciation, assist the legitimate Lebanese forces in the establishment of the Lebanese state's authority within a determined period not exceeding two years, starting after endorsement of the national accord charter, the election of a President of the Republic, the formation of a national accord

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## THE QUESTIONS OF SOUTH LEBANON

government and the constitutional ratification of the political reforms.

At the end of this period, the two governments – the Syrian government and the Lebanese government of national accord – shall decide on the redeployment of Syrian forces in the Bekaa region and the entrance to the western Bekaa at Dahr al-Baidar up to the Hammana-Mdairej-Ain Dara line, and, if necessary, in other positions to be determined by a joint Lebanese-Syrian military committee. An agreement shall also be reached between the two governments specifying the size and duration of the Syrian forces' presence in the above-mentioned areas and defining the relationship of these forces with Lebanese state authorities in the areas where they are present. The Tripartite Higher Arab Committee is ready to help the two states reach such an accord if they so desire.

Liberation of Lebanon from Israeli occupation

The restoration of state authority up to the internationally recognized Lebanese borders requires the following:

- a. Endeavouring to implement Resolution 425 and all UN Security Council resolutions stipulating the total elimination of Israeli occupation.
- b. Upholding the armistice agreement signed on 23 March 1949.
- c. Taking all necessary measures to liberate all Lebanese territory from Israeli occupation, establish state sovereignty on all its territory, deploy the Lebanese Army in the area of the internationally recognized Lebanese border, and endeavour to reinforce the presence of the UN forces in South Lebanon to ensure an Israeli withdrawal and allow the return of security and stability to the border area.

Lebanese-Syrian relations

Lebanon, which is Arab in affiliation and identity, is bound by fraternal, sincere relations to all Arab states and has with Syria special relations that draw their strength from the roots of kinship, history and common fraternal interests. Coordination and cooperation between the two countries are built on this concept, which shall be embodied in agreements between them in various fields to the mutual benefit of both fraternal countries and within the framework of the sovereignty and independence of each of them. In view of this, and because the establishment of security would create the climate required for the development of these special ties, it is imperative that Lebanon never in any circumstances be made the source of a threat to Syria's security or Syria to Lebanon's. Accordingly, Lebanon must not serve as a passage or base for any force or state or organization whose objective is to undermine the security of Lebanon or Syria. Syria, which desires the security, independence and unity of Lebanon and accord among its people, will not allow any action which threatens its security, independence and sovereignty.

*Mideast Mirror translation of the document agreed in Taif, October 1989.*

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THE QUESTIONS OF SOUTH LEBANON

*The Treaty of Brotherhood, Cooperation and  
Coordination Between Lebanon and Syria*

*(22 May 1991)*

The Lebanese Republic and the Syrian Arab Republic:

By virtue of the distinctive brotherly ties that bind them and that derive their strength from the roots of kinship, history, single affiliation, common destiny and common interests;

Convinced that achievement of the widest scope of cooperation and coordination would serve their interests, provide the means to guarantee their development, their progress and protection of their national security, provide prosperity and stability, enable them to confront all regional and international developments and meet the aspirations of the peoples of the two states in keeping with the Lebanese National Charter that was approved by the Council of Deputies [Lebanese Parliament] on 5/11/1989, Agree on the following:

Article One

The two states will strive to realize the highest degree of cooperation and coordination between them in all political, security, cultural, scientific and other concerns in pursuit of the interests of the two brotherly countries within the framework of the sovereignty and independence of each of them, so as to enable the two countries to utilize their political, economic and security resources to provide prosperity and stability, guarantee their national security and expand and strengthen their common interests in affirmation of [their] brotherly relations and for the preservation of their common destiny.

## PROSPECTS FOR LEBANON

### Article Two

The two states will strive to achieve cooperation and coordination between the two countries in the fields of economics, agriculture, industry, commerce, transportation, communications, customs, the initiation of joint projects and the coordination of development plans.

### Article Three

The inter-relationship of the two countries' security requires that Lebanon not be made the source of a threat to Syria's security or Syria to Lebanon's in any circumstance whatsoever. Lebanon shall therefore not allow itself to be a passageway or a base for any power or state or organization the purpose of which is the violation of its [Lebanon's] security or the security of Syria. And Syria, which desires the security, independence and unity of Lebanon and accord among its people, shall not allow any action that threatens its [Lebanon's] security, independence and sovereignty.

### Article Four

After the approval of the political reforms in a constitutional manner, as the Lebanese National Charter provides, and when the periods specified in the Charter expire, the Syrian and Lebanese governments shall decide to redeploy the Syrian forces in the Bekaa region and the Bekaa's western approach in Dahr el-Baidar and up to the Hammana-Mdairej-Ain Dara line and, if necessary, in other posts to be determined through a joint Lebanese-Syrian military committee. The two governments shall also arrive at an agreement that determines the size of the Syrian forces and the duration of their presence in the above-said areas, and also determines the relationship of those forces with the authorities of the Lebanese state in the areas where they [the forces] are present.

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### Article Five

The two countries' foreign policy, Arab and international, shall be based on the following principles:

1. Lebanon and Syria are two Arab countries committed to the Charter of the League of Arab States and the Arab joint Defence and economic cooperation treaty and all other agreements promulgated in the framework of the League. They are also members of the United Nations, committed to its Charter, and members of the Non-Aligned Movement.
2. The common destiny and common interests of the two countries.
3. Each will support the other in matters relating to its security and its national interests, in keeping with the provisions of this treaty.

The governments of the two countries shall therefore strive to coordinate their Arab and international policies, realize the greatest possible cooperation in Arab and international institutions and organizations and coordinate their positions on the various regional and international issues.

### Article Six

The following agencies shall be instituted to achieve the objectives of this treaty, and other agencies can be established by a decision by the Higher Council mentioned below:

1. The Higher Council:
  - a. The Higher Council shall be composed of the president of the republic of each of the two contracting states and:
    - The Speaker of the People's Council [parliament],the Prime Minister and the Deputy Prime Minister of

the Syrian Arab Republic;

– The Speaker of the Council of Deputies, the Prime Minister and the Deputy Prime Minister of the Lebanese Republic.

- b. The Higher Council shall meet once a year and when the need arises, the venue to be agreed upon.
- c. The Higher Council shall define the general policy for coordination and cooperation between the two states in the political, economic, security, military and other fields and shall oversee its implementation. It shall also approve the plans and decisions of the Follow-up and Coordination Commission, the Foreign Affairs Committee, the Economic and Social Affairs Committee, the Defence and Security Affairs Committee, and any other committee that may be created later.
- d. The decisions of the Higher Council are binding and applicable within the framework of each of the two countries' Constitutional rules.
- e. The Higher Council shall determine the topics on which the specialized committees are authorized to make decisions that are automatically implementable in accordance with the Constitutional rules and principles in each of the two countries or if they do not conflict with those rules and principles.

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2. The Follow-up and Coordination Commission:

The Follow-up and Coordination Commission shall be composed of the Prime Ministers of the two countries and a number of ministers concerned with relations between them, and it shall have the following tasks:

- a. Following up the implementation of the decisions of the

## **THE QUESTIONS OF SOUTH LEBANON**

- Higher Council and reporting to the Council on the stages of implementation.**
- b. Coordinating the recommendations and decisions of the specialized committees and referring the suggestions to the Higher Council.**
- c. Holding meetings with the specialized committees when necessary.**
- d. The Commission shall meet once every six months and whenever the need arises, the venue to be agreed upon.**

### **3. The Foreign Affairs Committee:**

- a. The Foreign Affairs Committee shall be composed of the Foreign Ministers of the two countries.**
- b. The Foreign Affairs Committee shall meet once every two months and whenever the need arises in one of the two countries in rotation.**
- c. The Foreign Affairs Committee shall strive to coordinate the foreign policies of the two states in their relations with all states, and shall also strive to coordinate their activities and positions in the Arab and international organizations and shall, for that purpose, prepare plans for approval by the Higher Council.**

### **4. The Economic and Social Affairs Committee:**

- a. The Economic and Social Affairs Committee shall be composed of the ministers concerned with the economic and social sectors in the two countries.**
- b. The Economic and Social Affairs Committee shall meet in one of the two countries in rotation once every two months and whenever the need arises.**
- c. The task of the Economic and Social Affairs Committee shall be to strive for economic and social coordination**

between the two states and to prepare recommendations to that end.

- d. The recommendations of the Economic and Social Affairs Committee shall go into effect, in keeping with the Constitutional principles of each of the two countries, when they are approved by the Higher Council.

5. The Defence and Security Affairs Committee:

- a. The Defence and Security Affairs Committee shall be composed of the Ministers of Defence and the Interior in each of the two countries.
- b. The task of the Defence and Security Committee shall be to study the means by which the two states' security can be preserved and to propose joint measures to confront any aggression or threat to their national security or any disturbances that jeopardize the internal security of either state.
- c. All plans and recommendations prepared by the Defence and Security Affairs Committee shall be referred to the Higher Council for approval, in keeping with the Constitutional principles of each of the two countries.

6. The Secretariat General:

- a. A Secretariat General shall be set up to follow up the implementation of the provisions of this treaty.
- b. The Secretariat General shall be headed by a Secretary General appointed by a Higher Council decision.
- c. The headquarters, jurisdiction, staff and budget of the Secretariat General shall be determined by a Higher Council decision.

**THE QUESTIONS OF SOUTH LEBANON****FINAL RULES:**

1. Special agreements shall be signed by the two countries in the fields covered by this treaty, like the economic, security, Defence and other fields, in accordance with the Constitutional principles of each of the two countries, and these shall be considered a complementary part of this treaty.
2. This treaty shall go into effect when it is promulgated by the authorities concerned in accordance with the Constitutional principles of the two contracting states.
3. Each of the two states shall take action to annul the laws and regulations that are not in conformity with this treaty, without violating the rules of each of the two countries' Constitution.

Damascus on 22 May 1991

For the Lebanese Republic  
Elias Hrawi  
President of the Lebanese Republic

For the Syrian Arab Republic  
Hafez al-Assad  
President of the Syrian Arab  
Republic

*(Mideast Mirror Translation)*

## THE QUESTIONS OF SOUTH LEBANON

### ***The Defence and Security Pact between the Lebanese Republic and the Syrian Arab Republic***

***(1 September 1991)***

In accordance with the Treaty of Brotherhood Cooperation and Coordination between the Lebanese Republic and the Syrian Arab Republic, signed in Damascus on 22 May 1991, and approved by the Lebanese Parliament on 27 May 1991, the Third, Fifth and Sixth Articles, especially Clause 5, the following has been decided and approved:

#### **Organisational Structure**

A Committee for Defence and Security Affairs would be set up, grouping the defence and interior ministers in both countries. The Committee will meet every three months in Beirut or Damascus or any other place, and whenever there is need for a meeting. The Committee can seek the assistance of the heads of security in each of the two states and the help of any department related to the concerned ministries (defense and interior). Army commands, security organs and other concerned departments should meet monthly to put into effect the recommendations and programmes approved by the Committee for Defence and Security and to supervise implementation.

#### **Missions**

The Committee for Defence and Security Affairs will be specialised in studying means for ensuring the security of the two countries, and putting forward proposals and joint plans to counter any aggression or threat against their national security and to curb troubles that would jeopardise their internal safety and security. Conforming to the content of Article

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Three of the Treaty of Brotherhood Cooperation and Coordination which provides that Lebanon should not be a source of threat to Syria's security and Syria should not be a source of nuisance and threat to Lebanon, the military and security organs and departments in each of the two countries should take the necessary measures to achieve the following:

- Banning any activity, organisation or exercise in all military, security, political and information fields that might endanger and cause threats to the other country.
- Each side should commit itself to avoid becoming a passage, base or stronghold for any force, state or organisation seeking to undermine the other side's security, and should extradite criminals sought by the other side if it is so requested.
- To enable military and security institutions in each of the two countries to carry out their tasks by implementing the above mentioned issues, officials from these institutions should meet periodically in order to exchange information and data related to all security and strategic matters, national and internal, including drug issues, financial crimes, terrorism and espionage.
- On the defence level, the defence ministers in the two countries and the concerned organs should meet periodically every three months and whenever there is need for a meeting in order to trade information regarding security concerns in each country, and aggressive activity with the aim of reaching a common perception of the dangers and discarding the threats through cooperation and coordination of plans to counter the dangers.
- The interior and defence ministers in the the two countries should work on boosting exchange of individuals and officers within the framework of training sessions in different fields, including exchange of military instructors in military academies, in order to

## THE QUESTIONS OF SOUTH LEBANON

achieve the highest level of coordination between military personnel to face common threats and dangers.

- The Committee for Defence and Security Affairs should put forward plans for boosting and developing exchange on the level of civil defence in both countries.

### Concluding Clauses

In addition to its mission, the Committee for Defence and Security Affairs should achieve the following:

- Watch closely the full and complete implementation of the Pact's terms and provide directives for its smoother application.
- Suggesting the bases, principles and norms for implementing the agreement in a complete and efficient manner to the Higher Council.

Source: *The Middle East Reporter*, 14 September 1991, pp. 17-18.

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