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LETTER DATED 5 SEPTEMBER 1978 FROM THE PERMANENT REPRESENTATIVE
OF LEBANON TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

Upon instructions of the Government of Lebanon, we have the honour to bring the following to your attention and to that of the members of the Council, reserving our right to press for a meeting if conditions are deemed such that a debate by the Council becomes necessary or useful.

1. On 31 August, the Government of Lebanon was advised that UNIFIL could now establish two "Liaison Offices" in Marjeyoun and Bint Jbeil, as well as some new "UNIFIL Posts" in the border area of south Lebanon. A greater "freedom of movement" was also to be arranged for UNIFIL military personnel in that same area. These, and other arrangements, were and are still being negotiated with Israeli authorities, in conjunction with the so-called "de facto Lebanese forces" operating there. If UNIFIL considers its present move as a positive step towards the full implementation of its mandate, the Government of Lebanon would raise no objection, provided no recognition is thereby entailed of a special status for the "border area" nor of the "de facto forces" and their so-called "Commanders". In the light of the above-mentioned reservations, the dispositions now made by UNIFIL should be looked upon as merely a step forward towards the full deployment of both UNIFIL and the Lebanese Army.

2. As you are undoubtedly aware, the Israeli forces, who were supposed to withdraw totally from the "border area" (sometimes called "enclave") on 13 June, have systematically refused to turn over control of the said area to UNIFIL, in compliance with Security Council resolutions 425 (1978) and 426 (1978). This matter was taken up by the Secretary-General with the Government of Israel. It was brought to the attention of the Security Council, and has since been the object of extensive negotiations with all the parties concerned, but to no avail.

3. Pressed by the United Nations and by Governments of the various States concerned, particularly by some of those who had contributed to the formation and deployment of UNIFIL, the Government of Lebanon, notwithstanding the various obstacles and difficulties, started implementing resolutions 425 and 426 (1978). Anxious to regain full control of and sovereignty over its territory, assisted by UNIFIL - as stated by the above-mentioned resolutions - the Government of Lebanon started to move units of the Lebanese Army towards the south on Monday, 31 July, and Tuesday, 1 August. The United Nations, UNIFIL, as well as the permanent members of the Security Council, were all duly informed well in advance.

4. Furthermore, it is to be noted that the Government of Lebanon had consistently considered - as consigned in the report of the Secretary-General of 13 June (S/12620/Add.5) - "that all border problems shall henceforth be discussed with UNIFIL and in the framework of a reactivated Israel-Lebanon Mixed Armistice Commission". A meeting of this commission (ILMAC) had been held, as reported in S/12620/Add.5, on 12 June.

In the light of this attitude, and prior to the movement of fresh units of the Lebanese Army to the south, another meeting of ILMAC was requested and held at Naqura on 30 July 1978 at 10:20 hours, during which Israel was informed of what was happening in accordance with the Armistice Agreement of 1949 and within the framework of resolutions 425 (1978) and 426 (1978).

5. The difficulties that have been encountered by the Lebanese Army detachment in its movement to the south have since been brought to the attention of the United Nations through various channels, and particularly the UNIFIL command and the Chief Co-ordinator of the United Nations Peace-Keeping Missions in the Middle East, as well as United Nations representatives in Beirut. Due to the heavy shelling to which the Army was subjected in Kawkaba (a position controlled by UNIFIL) on 1 August, with the ensuing casualties and heavy risks encountered, it was decided to discontinue movement as previously planned towards Tibnine, pending further arrangement through UNIFIL. It appears to us, as it was clearly apparent to all concerned, that Israel was actively opposing the deployment of both the Lebanese Army and UNIFIL, by military, political, as well as diplomatic action. Various pretexts have been evoked by Israel, all legally and politically unacceptable to the international community as well as to the Lebanese Government.

6. Since then, and particularly since 18 August, extensive consultations and negotiations have taken place with a view to finding the appropriate means of ensuring not only the further deployment of the Lebanese Army but also, and more particularly, the unhindered deployment of UNIFIL in the "border area". The Assistant Secretary-General for Special Political Affairs, Mr. Brian Urquhart, as well as General Siilasvuo, Chief Co-ordinator of the United Nations Peace-Keeping Missions in the Middle East, have come to Beirut more than once within this framework. During these consultations, the Government of Lebanon has stated unequivocally the following positions:

A. That UNIFIL has not, as yet, been enabled to entirely fulfil its mandate by deploying fully into the border area, thereby guaranteeing the "strict respect" of Lebanese sovereignty.

B. That Lebanon has required and is again requiring that UNIFIL should find it possible to "assist the Government of Lebanon in ensuring the return of its effective authority in the area", according to paragraph 3 of resolution 425 (1978) and the dispositions of the report of the Secretary-General confirmed and approved by resolution 426 (1978).

C. That the Government of Lebanon considers that orders issued to Major Saad Haddad and Major Sami Chidiac having not been obeyed, the Commanders of the so-called "de facto Lebanese Forces" are now to be considered as having no

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further quality or authority whatsoever to act on behalf of the Lebanese Army, to negotiate with the United Nations, or to exercise any legal command in the area.

7. As the Mandate of UNIFIL nears expiration this month, the Government of Lebanon wishes to draw the attention of the Security Council to the fact that the initial six months have not been and may not be sufficient for the fulfilment of the objectives set in resolutions 425 and 426 (1978). Yet, it being in the interest of all parties concerned to seek the speediest and most effective modes of action, the Government of Lebanon considers it necessary that the Council should now assess the future possibilities of UNIFIL, its ability to achieve its objectives within the framework of its present terms of reference, and the possibility of seeking a redefinition of its mandate to ensure the full implementation of resolutions 425 and 426 (1978), and particularly the first paragraph of resolution 425 which clearly states that the Security Council "calls for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries".

8. The Government of Lebanon, while bringing this whole matter to your attention, leaves it, at present, entirely at your discretion to undertake whatever action you may judge befitting. It is, however, wished that this letter should be distributed as a document of the Security Council, and made available wherever necessary or useful.

9. In conclusion, the Government of Lebanon wishes to take this opportunity to express particular gratitude to all those who have brought assistance and support to us in the very difficult and tragic days in which we are living, more specifically to His Excellency Dr. Kurt Waldheim, Secretary-General of the United Nations, to his assistants, to the commanders, officers, and soldiers of the United Nations Forces, to the members of the Security Council, and to the Governments of States which have contributed troops and assistance to UNIFIL. Their various efforts and the efforts of their representatives in the field, at United Nations Headquarters, in their respective capitals, in Beirut and in other capitals concerned have all been a tremendous contribution to the cause of international peace and security.

Respectfully,

(Signed) Ghassan TUENI
Ambassador
Permanent Representative
