UNITED NATIONS

SECURITY COUNCIL

Distr.
GENERAL

S/13301
7 May 1979

ORIGINAL: ENGLISH

LETTER DATED 7 MAY 1979 FROM THE PERMANENT REPRESENTATIVE OF LEBANON TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. Pursuant to my letters of 25 April 1979 (S/13270) and of 2 May 1979 (S/13292), I have the honour, once more, to express my Government's great concern over developments in southern Lebanon, and more particularly the increasing difficulties, obstacles, and harassments encountered by UNIFIL. We are aware of the persistent efforts deployed by the President of the Security Council, by various members of the Council, before and since the meeting of 26 April 1979. Yet we cannot fail to note, with grave regrets, that the situation has been deteriorating and that it has been impossible even to "ensure the safety of /UNIFIL/ and of the UNIFIL headquarters", as called for by the statement made by the President (S/13272) on behalf of the Council and its members.

2. My Government feels that it has now become imperative that the Council should consider taking further steps towards the full implementation of resolution 425 (1978), in accordance with operative paragraph 7 of resolution 444 (1979), which states that the Security Council

> "Reaffirms its determination, in the event of continuing obstruction of UNIFIL's mandate, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations, to secure the full implementation of resolution 425 (1978)".

We believe that this is warranted by the spirit and the letter of the President's statement. We also believe that it was clearly called for by the interim report of the Secretary-General of 19 April (S/13258) which had been under very serious consideration by the Council as well as by my Government and the various Governments concerned.

3. In this respect, I am under instructions to express to the Council my Government's highest appreciation for the earnestness shown in seeking solutions to the problems raised by the report and trying to obtain the adequate guarantees that were required. My Government feels particularly obligated to the Secretary-General for having been so explicit in diagnosing what is at stake in southern Lebanon and for addressing such a clear warning to the world community, that this is a situation which "would not only be a new disaster for the Government and people of Lebanon, but could also lead to a renewed and serious deterioration of the situation in the Middle East as a whole". In response to the Secretary-General's appeal, we feel

that we should all be equally compelled to act in a manner that will reduce "the active threat to international peace and security which the situation in southern Lebanon constitutes". (Para. 29.)

4. While expressing full confidence in the Security Council's approach to the question and regretting that certain parties have not responded to the Council's call - we wish to be allowed to draw particular attention to the following points:

First: The Government of Lebanon has considered the "phased programme of activities", (resolution 444 (1979)) as only a first step towards the full implementation of resolution 425 (1978). We also considered it as a balanced and indivisible whole.

Second: It is clear, from the Secretary-General's report, and from developments since the Council's meeting, that the Programme has not been fully carried through because of opposition "by forceful means". (Para. 23.) The responsibility of Israel, directly and indirectly, needs no further proof.

Third: The measures called for by the Security Council on 26 April concerning UNIFIL's safety are only an initial immediate step towards the completion of the Programme, which should give the Force full freedom of movement in the border areas as described by the Secretary-General's report of 12 January 1979 (S/13026, para. 22).

Fourth: Beyond the present "phased programme of activities", UNIFIL must acquire full control of the so-called "enclave", up to the internationally recognized boundaries. Be it only for its own safety, UNIFIL cannot be allowed to remain dangerously dependent on the whims of the "de facto forces", who should, on the contrary, be gradually brought to comply with UNIFIL's mandate.

The full implementation of resolution 425 (1978) will of course come with total deployment of UNIFIL and the full restoration, with UNIFIL's assistance, of the Lebanese Government's authority over all of its territory, within its internationally recognized boundaries.

5. Such objectives, the immediate and the ultimate, cannot be fully attained without the confirmed "total withdrawal of Israel", stipulated in resolution 425 (1978). Whereas this withdrawal has been proclaimed by Israel, on 13 June 1978, the successive reports of the Secretary-General have, on the contrary, proven that Israeli military personnel were still active inside Lebanon and that they exercised a determining, if not the determining, influence in the border area. The Security Council has, more than once, described this fact as a "defiance" to its resolutions and a violation of the Charter of the United Nations.

6. My Government strongly believes that once southern Lebanon is freed from Israeli vicarious occupation, UNIFIL will be able to function normally. It should be remembered here that UNIFIL, as an "interim peace-keeping force", has been established on the assumption that it "must have at all times the full confidence and backing of the Security Council", and that "it must operate with the full co-operation of all the parties concerned". (Secretary-General's report of 19 March, S/12611, para. 3.)

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In this connexion, we beg to draw the Council's attention, once more, to the following "terms of reference" and "general considerations" - from the original report of the Secretary-General on the implementation of resolution 425 which was circulated on 19 March 1978, and instantly approved by resolution 426 (1978):

a. "The Force must be able to function as an integrated and efficient military unit" (...)

b. "The Force must enjoy the freedom of movement and communication and other facilities that are necessary for the performance of its tasks" (...)

c. "The Force will be provided with weapons of a defensive character. It shall not use force except in self-defence. Self-defence would include resistance to attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council" (...) (Doc. S/12611, paras. 3 and 4 inter alia)

7. It is thus clear to us that a certain measure of "peace-enforcing" was not precluded at the very inception of UNIFIL. This very delicate aspect of the question had already been brought to the attention of the Security Council, though in an indirect manner. It has been commented on by many, with divergent views. In my remarks to the Council on 19 January, after resolution 444 (1979) was voted, I urged that UNIFIL "should be given the power to succeed in fulfilling its mandate". I also stressed the fact that the "military option" should not be foreclosed by the exclusive use of the (so far) limited "diplomatic option". In the light of the tragic experiences accumulated since, we think that UNIFIL should have a greater military credibility. A serious deterrent capability can alone enable the Force to discourage any challenge to its authority and prevent attacks on its men and installations, let alone preventing it from pursuing its mission.

8. It is not suggested that UNIFIL should or could enter into an armaments race with the forces of a non-abiding Member State, even if it should be obstructing peace-keeping. In this eventuality, other avenues are open under the Charter. If, however, obstruction should come from irresponsible elements, armed illegitimately, then it becomes vital that UNIFIL should not be allowed to find itself in a position of inferiority, or inadequacy, such as that described by the Secretary-General's report (S/13258, paras. 12, 18, 19, 25 et others).

We feel that it may be pertinent at this juncture to recall what the Secretary-General himself said in his report to the last General Assembly concerning peace-keeping and the resort to force:

> "To resort to force is the last and least desirable course for a peace-keeping force. Negotiation and persuasion must be the primary method for achieving its objectives. However, if such methods prove unavailing, the Security Council may well have to consider what other approaches are open to it under the Charter." (Doc. A/33/1)

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9. It is my Government's earnest wish that we should all be spared the use of force, for it may mean further bloodshed and tragedy in an already broken country that has been so far all too victimized. We therefore feel that such "practical ways and means" as the Council might devise - under paragraph 7 of resolution 444 (1979) - should all aim at the following:

First: "to prevent the recurrence of fighting and to ensure that /UNIFIL's/ area of operation is not utilized for hostile activities of any kind". (S/12611, para. 2 (d))

Second: "to assist the Government of Lebanon in ensuring the return of its effective authority in the area". (Ibid., para. 2 (b))

While stating these very objectives, in his report of 19 March 1978 (confirmed by resolution 426), the Secretary-General clearly stated also that "the termination of the mandate of UNIFIL by the Security Council will not affect the continued functioning of ILMAC as set out in the appropriate Security Council decision (S/10611)". (Ibid., para. 7)

10. Hence, what the Council seems to have set as an ultimate goal for UNIFIL and itself is the revival of the Armistice Agreement of 1949, as referred to above. If this is to be the case, certain new objective conditions must be created that will ensure viability and provide guarantees of implementation.

My Government wishes to reaffirm here, unequivocally, our constant and persistent support - year after year, and despite violent developments - of the Armistice Agreement. We have constantly called for meetings of ILMAC the mixed Armistice Commission at the appropriate level. We feel that as UNIFIL's interim mandate nears termination, new permanent arrangements must already be envisaged to prevent a return to the status quo ante, to war and bloodshed and constant violation of Lebanon's territorial integrity, sovereignty and national security.

11. Not content with constant and almost permanent incursions into Lebanon, Israel is now also aggressing the very fundamental principles of Lebanon's organic unity by pretending that it has the right to "protect" the population of the border area, particularly the Christian citizens of Lebanon. This violation of the most elementary principles of International Law is further accentuated by official Israeli declarations stating that the so-called "Christian enclave" is "essential for the security of Israel".

My Government has never ignored that there was indeed a vital "security question" in some parts of southern Lebanon, and that certain sentiments expressed, in this context, by Lebanese citizens were probably justified, if not legitimate. Yet this in no way warrants that Israel should want to establish itself as a self-styled protector of this or that Lebanese community, or that it should reduce this community's destiny to the role of an accessory of Israeli strategic considerations. Furthermore, and more flagrantly still, the present utilization by Israel of the so-called "de facto Christian forces", now equipped, financed, trained, and controlled by Israel, has been a major obstacle to the implementation

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of Security Council resolutions, a source of great perturbance, a threat to peace, a menace even to UNIFIL's security, and last but not least an instrument of destabilization which has prevented progress towards the restoration of Lebanese national unity, sovereignty, and political independence. This has also been a constant challenge to the role of a rebuilt Lebanese National Army in ensuring the return of the effective authority of the Government over southern Lebanon and the whole of our country. It has been a pretext for others to equally challenge Lebanon's authority and question its sovereignty.

12. The present Government of Lebanon does not ignore, nor wishes the Council to ignore, the very tragic conditions which resulted from the Palestinians' presence in southern Lebanon, after their forced exodus from Palestine. Pending a just and lasting settlement of the Palestinian question which will fulfil the legitimate rights of the Palestinian people, and particularly their right to return to their homeland, my Government has consistently appealed to the world not to let Lebanon become any longer the innocent victim of the world's inability to cope with a major historical tragedy the world has itself created.

The "cycle of violence", often decried by all, should be brought to a halt. Southern Lebanon may be the place where the cycle can at least be contained.

It is relevant at this point to emphasize that the Secretary-General's reports have repeatedly consigned the Palestinians' readiness to co-operate with the United Nations peace-keeping effort. In his interim report of 13 June 1978 (S/12620/Add.5, para. 14) the Secretary-General informs the Council of a "five-point agreement" between the Government of Lebanon and the Palestine Liberation Organization by virtue of which not only would the PLO refrain from infiltrating the area of operation, but also a broader policy of restraint was reached which, we know was to be supervised and confirmed by a Committee of the Government of Lebanon, the PLO, and the Arab Deterrent Forces. We have reasons to believe that this commitment to peace in southern Lebanon, by the PLO leadership, reiterated since, will be honoured if no further Israeli interventions provoke an escalation that will further jeopardize all chance of effective peace-keeping.

13. Now that the Government of Lebanon has demonstrated its preparedness and capability to fulfil, gradually, its military responsibilities, and to respond, though in a limited manner, to the challenge of the world community, it must be given a better chance and must be assisted with the greatest determination. This, to us, is the true meaning of the message contained in the Statement of the President of the Security Council of 26 April.

What will happen in the "area of operation" of UNIFIL has a direct bearing on what will happen in the whole of southern Lebanon. This in turn will complement and confirm efforts engaged in elsewhere, all over the country. It will give the Government added leverage, and added credibility, in implementing - by strictly Lebanese imperatives - such security schemes and agreements that have been blocked because of continued deterioration of the situation in the south. The restoration of Lebanese social and national unity will then have its best chances of integrating those that for too long now were lured into seeking security outside the fabric of Lebanon's historic body politic.

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My Government feels that, if left alone, the inhabitants of the border area when free to determine their own course of action, will find greater and more effective guarantees of peace and security with a UNIFIL deployed substantially - in their so-called "enclave" under the aegis of the Security Council - than in the present state of turmoil and strife.

14. Once a determined - and militarily more credible - UNIFIL is established in southern Lebanon, more articulate and constructive efforts can be undertaken by the Government, in conjunction with UNIFIL, to make the "area of operation" and thereby all of southern Lebanon a zone of peace, "restore international security" and establish a climate conducive to national reconstruction.

Lebanon will then be able to resume its role as a factor of stability and peace in the area, instead of being a source of anxiety to all, and a danger to itself and to international peace and security. This can only be made possible after an unconditional and unrestricted Israeli withdrawal not only from Lebanese territory, but also from its self-styled self-assured role in the organic relations between various Lebanese groups and communities, and interference in the relations between Lebanon and the Arab peoples and Governments.

15. In conclusion, my Government wishes to reiterate its belief that UNIFIL has not been enabled, so far, or did not find it necessary or possible to use all the means at its disposal to fulfil its mandate and exercise all its rights without necessarily exceeding its military prerogatives. It has not deemed it advisable, or possible, so far, to use even a show of force as a deterrent and an assertion of a peace-keeper's right to self-defence against those who hindered its freedom and imperiled its security. The time has now come for the Security Council to give UNIFIL the means of carrying out its mission to the end, forcefully, with confidence, and assured success.

My Government does not seek at this stage a fundamental change in the mandate of UNIFIL, and hopes that this shall not become necessary. Yet, we believe that the Security Council will, in the face of defiance and obstruction, find it possible, by a combination of diplomatic and military action, to redefine the mission of UNIFIL in a manner that guarantees the implementation of resolution 425 (1978) as amply explained in this memorandum.

16. At the appropriate stage in the debate, my delegation will be prepared to submit and discuss concrete proposals concerning the "practical ways and means" referred to in paragraph 7 of resolution 444 (1979), which should enable UNIFIL to enforce peace, if and when necessary, on all those - without exception - who would irresponsibly threaten its security and obstruct the fulfilment of its mission. In the meantime, I am instructed by my Government to ask you, Mr. President, to circulate this memorandum as a document of the Security Council and to submit it for consideration at the earliest possible time.

(Signed) Ghassan TUENI
Ambassador
Permanent Representative