



## General Assembly    Security Council

Distr.  
GENERALA/40/253  
S/17110  
17 April 1985

ORIGINAL: ENGLISH

GENERAL ASSEMBLY  
Fortieth session  
Item 38 of the preliminary list\*  
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL  
Fortieth year

Letter dated 17 April 1985 from the Permanent Representative of  
Israel to the United Nations addressed to the Secretary-General

The letter of 4 April 1985 from the Permanent Representative of Lebanon to you (A/40/223-S/17080) totally misrepresents the truth concerning the temporary transfer of detainees from Ansar to a place of detention in Israel.

To characterize the release of 752 detainees by Israel on 2 April 1985 as "an attempt to palliate the reaction of international public opinion ..." is groundless. Those detainees were released for no other reason than the fact that they no longer constituted a danger to the security of the IDF units currently withdrawing from South Lebanon.

The temporary transfer to Israel of detainees who still constitute an immediate and real danger to the security of the IDF became imperative because of material reasons arising from the particular circumstances currently prevailing in South Lebanon. The assertion in the Lebanese letter that such a temporary transfer violates provisions of the fourth Geneva Convention of 1949 is equally groundless, since the Convention explicitly authorizes such measures "when for material reasons it is impossible to avoid such displacement" (article 49, second paragraph).

The "material reasons" for the temporary transfer of the Ansar detainees include the following:

1. Keeping the detainees at Ansar would have complicated and prolonged Israel's ongoing withdrawal from South Lebanon.
2. Releasing the detainees would have added to the instability and bloodshed in South Lebanon and the likelihood of attacks against the IDF troops.

---

\* A/40/50 and Corr.1.

3. Building an alternative detention centre capable of providing adequate facilities for those detainees in the area being evacuated was not possible in the time frame of the ongoing withdrawal.

Efforts are now being made to establish a smaller facility in Majidiyah in South Lebanon designed for holding some of the detainees by the IDF pending its withdrawal from the area. On this matter too, the assertions contained in the Lebanese letter are thus without foundation.

The detainees temporarily transferred to Israel are given suitable facilities and medical care, in accordance with the humanitarian standards laid down by the fourth Geneva Convention. They are given access to representatives of the International Committee of the Red Cross who have started visiting them. They are also entitled to petition an Appeals Board, in accordance with Israeli law. Several have already been released and sent to their homes under Red Cross supervision, and this process is continuing.

I have the honour to request that this letter be circulated as a document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Benjamin NETANYAHU  
Ambassador  
Permanent Representative

-----