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The situation in the Middle East**Security Council
Fifty-fifth year****Letter dated 15 May 2000 from the Permanent Representative of
Lebanon to the United Nations addressed to the Secretary-General**

Pursuant to my letters dated 12 May 2000 (annex I) and 15 May 2000 (annex II), I have the honour to enclose herewith the documents referred to in the letter addressed to you by Salim El-Hoss, President of the Council of Ministers of the Republic of Lebanon, regarding the position of Lebanon on the issue of the Shebaa farms.

I have the honour to kindly request that the letters referred to above, together with the enclosed documents, be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

For ready reference copies of the previous correspondence are enclosed herewith.

(Signed) Selim **Tadmoury**
Ambassador
Permanent Representative

Annex I to the letter dated 15 May 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

12 May 2000

I have the honour to attach herewith a letter which I have been requested by Salim El-Hoss, President of the Council of Ministers of the Republic of Lebanon, to relay to you.

The enclosed letter defines Lebanon's position on the issue of the Shebaa farms. I will therefore be grateful if this letter would receive urgent consideration.

(Signed) **Selim Tadmoury**
Ambassador
Permanent Representative

Enclosure

[Original: Arabic]
Beirut, 11 May 2000

Memorandum to the Secretary-General of the United Nations concerning Lebanon's position with respect to the Shab`a farmlands

On 4 and 5 May 2000, Mr. Terje Roed-Larsen, the envoy of the Secretary-General of the United Nations, was in Lebanon with an accompanying delegation to discuss with the Lebanese Government the question of the implementation by Israel of Security Council resolution 425 (1978) in accordance with the terms of the letter received by the Secretary-General concerning Israel's withdrawal from Lebanon.

Because of the delicacy and importance of the subject, Lebanon wishes to bring to your attention the substance of these discussions as they relate to the question of the Shab`a farmlands, especially since the Secretary-General will reflect these discussions in his report to the Security Council at a later stage and they will thus be one of the elements on which the Council will base its subsequent resolutions. This requires a clear presentation and one free of speculative explanations or interpretations of the official Lebanese position on this issue, which is that summarized hereunder as it emerged from the discussions with Mr. Roed-Larsen.

I. Lebanon welcomes the efforts of the Secretary-General of the United Nations for the full and unconditional implementation of resolution 425 (1978). It considers that such implementation, if it takes place in accordance with the spirit and letter of the resolution, will have been brought about by the great sacrifices made by the Lebanese people during the 22-year period in which Israel has refused to implement it.

II. Delimitation of the international boundaries

During the discussions with the Secretary-General's envoy and the team of experts accompanying him, Lebanon made it clear that its understanding of the international boundaries was that of the boundary line delimited in 1923. The views of the Lebanese side and of the United Nations delegation on this point were congruent, but differences of the utmost importance for Lebanon emerged during the discussions concerning that part of the international boundary that relates to the so-called "Shab`a farmlands". Briefly, these farmlands are located between Lebanon and Syria in Lebanon's eastern border region and they belong historically to Lebanon and are an integral part of the country. They comprise some 15,000 inhabitants and approximately 1,200 dwellings, according to the documents that are enumerated hereunder and were produced for the Secretary-General's envoy and his team.

(1) The inhabitants of the farmsteads are all Lebanese and they vote in Lebanon (document 1).

(2) All of the land on these farmsteads belongs to the inhabitants by virtue of property deeds issued by the Sidon Department of Landed Property of the Lebanese Republic's Governorate of the South (Al-Janub). It is well known in international practice that no State in the world is entitled to issue property deeds for land outside

the purview of its own sovereignty. The Secretary-General's envoy was shown a whole set of documents to this effect, and some of them were handed over to Mr. Pinther, the United Nations cartographic expert (document 2).

(3) To cite also cases from past history, the Secretary-General's envoy and his team were also given a copy of a judgement handed down by the Sunni Shariah Court in Beirut on 31 March 1945 taking possession of land and of the shrine of Nabi Ibrahim (the prophet Abraham) in one of these farming communities called Mazra`at Mashhad al-Tayr (document 3).

(4) The United Nations delegation was also given a copy of a decision of the Lebanese Council of Ministers, meeting on 16 January 1948, notifying the aforesaid court that it had no authority to seize the land in question on the grounds that it was public (*amiri*) land belonging to the Lebanese State and that a religious court could not take possession of it without permission from the State. This confirms that the sovereignty of the Lebanese State over the area dates to before 1945 (document 4).

(5) Since the territory in question is located exclusively between Lebanon and Syria and is in the eastern part of the Lebanese border region, and given that the boundary line recognized during the period of the French Mandate failed at that time to take account of the side to which the farmsteads belonged, inasmuch as the delimitation shown on some maps placed them inside Syrian territory, the Lebanese Government was obliged in 1946 to address a note on the question to Syrian Government. The reply of the Syrian Government at the time, given in its note No. Q 574 (53/124) of 29 September 1946, was that what had occurred had merely been a technical error and that there had been no intention of modifying the boundaries or incorporating the farmlands in question into the Syrian sphere. This was followed by the formation of a Lebanese-Syrian commission in 1949 chaired by the late Amir Majid Arslan, the then Lebanese Minister of Defence. The commission agreed that the Shab`a farmlands should be regarded as a part of Lebanon bordered on the east by a wadi known as Wadi al-Asal. Accordingly, the Lebanese Government also possesses maps going back to 1966 and before indicating that Wadi al-Asal is the eastern boundary (document 5), and they were produced for the technical team accompanying Mr. Roed-Larsen.

It should be stated that Israel has no involvement with these farmlands or with any dispute concerning them or any claim of ownership, particularly since it occupied most of them during the 1967 war and the remainder at a subsequent stage, as will be shown hereunder.

It can be inferred from the foregoing that the Shab`a farmlands belong to Lebanon and are located between Lebanon and Syria. They have never been in dispute between the two countries, and no other party or authority is therefore entitled to consider them.

(6) In addition to the foregoing, it should be said that Israel began its occupation of the farmlands in the war of June 1967. It occupied six farmsteads on 15 June, three on 20 June and five on 25 June. It drove the inhabitants further into Lebanon after destroying their fields and their homes. Again, in April 1989, Israel occupied the last community in the area, Mazra`at Bastarah, and evicted the 30 families there before annexing it to the others. It is thus clear that Israel gradually eroded this Lebanese territory and occupied it in successive stages between 1967 and 1989.

III. On the basis of the foregoing, it is clear in a manner that is certain and is not open to interpretation that the Shab`a farmlands are Lebanese and that Israel's withdrawal from them will constitute an integral part of its implementation of resolution 425 (1978). Otherwise, this withdrawal will be incomplete and will have the character of a redeployment of the Israeli occupation forces, with all the consequences that that entails, rather than a full withdrawal from all Lebanese territory as required by the letter of the resolution.

IV. Lebanon is committed to a just and comprehensive peace in the region based on the implementation of the relevant Security Council resolutions. It calls upon the international community to induce Israel to implement these resolutions fully and as a matter of urgency, since otherwise international peace and security in the region as a whole will always be in jeopardy and subject to disruption.

(Signed) **Sélim El-Hoss**
Prime Minister
Minister for Foreign Affairs

Document No. 1

Document No. 2

Document No. 3

Document No. 4

Document No. 5

[attached at the end of the present document]

Document No. 6

Document No. 7

Annex II to the letter dated 15 May 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

15 May 2000

Further to my letter dated 12 May 2000, I have the honour to enclose herewith an addendum, pertaining to the letter addressed to you by Salim El-Hoss, President of the Council of Ministers of the Republic of Lebanon, on the subject of the Shebaa farms.

I kindly ask that this enclosure be considered an integral part of the first document.

(Signed) Selim **Tadmoury**
Ambassador
Permanent Representative

Enclosure

[Original: Arabic]
Beirut, 15 May 2000

Further to our memorandum of 12 May 2000 concerning Lebanon's position with respect to the Shab'a farmlands, we should like to inform you that the Lebanese and Syrian Governments have in their possession two documents, dated 27 February 1964 and 21 February 1967 respectively, copies of which are attached. They contain the minutes of the Lebanese-Syrian Boundary Commission's meeting No. 3, held on 27 February 1964, and of the joint technical committee's meeting No. 3, held on 20 and 21 February 1967, both concerning the Shab'a farmlands. The two documents confirm the agreement of the Lebanese and Syrian sides that the international boundaries between the two countries are the cadastral survey boundaries between them. This confirms that the boundaries of the landed properties belonging to the villages as surveyed by the Lebanese Republic are the international boundaries between Syria and Lebanon.

(Signed) **Sélim El-Hoss**
Prime Minister

Minutes of meeting No. 3 of the General Syrian-Lebanese Boundary Commission, held in Beirut on 27 February 1964

The two sides met in Beirut on 27 February 1964 and, the minutes (No.2) of the two meetings of the technical committee on boundaries held in Damascus on 24 and 25 February 1964 having been read out, the two parties agreed as follows:

1. Texts and treaties should be relied on primarily, including decree No. 153 of 12 November 1937 and decree No.27 L.R. of 4 February 1935.

2. In the absence of texts and where there is no agreement, and in clarification of the third paragraph of the second article of decree No. 318 of 31 August 1920, which relates to the border area and which states,

“ ... to the east, the summit line that separates Wadi Khalid from the valley of the Asi River (Nahr al-Asi) and passes by the villages of Mazra`at Harnana, Hayt, Abah and Faysan and over the heights of the villages of Brita and Matariyah. This line follows the northern boundaries of the district of Ba`labakk (Baalbek) towards the north-west and the south-east and then the eastern boundaries of the districts of Ba`labakk (Baalbek), the Biq`a (Bekaa), Rashayya and Hasbayya”,

the two sides agreed to regard the cadastral survey boundaries of the aforesaid villages as the international boundary for this region.

3. The two parties agreed that the technical committee would resume its meetings on 28 February 1964.

4. The two parties agreed that the next meeting of the General Commission would convene in Damascus at 10 a.m. on 16 March 1964.

Beirut, 27 February 1964

For the Syrian side
(Signed) [Illegible]

For the Lebanese side
(Signed) [Illegible]

The cadastral survey boundaries are the international boundaries, and this means the properties surveyed by the Lebanese Republic. The same applies to the Shab`a farmlands in the above-mentioned Hasbayya district, in accordance with the sample property deeds annexed to the memorandum.

Minutes of joint technical committee meeting No. 3, held in Beirut on 20 and 21 February 1967

The two sides, Lebanon and Syria, met at the office of the Governor of the Bekaa in Zahlah on 20 February 1967 and at the office of the director for geographical questions on 21 February 1967. It did so on the basis of the minutes of the previous meeting of the joint technical committee, that held in Damascus on 13 and 14 February 1967, and of past records, particularly the minutes (No.6) dated 15 May 1964.

Following a discussion, agreement was reached as follows:

1. In areas that have not been delimited, or where delimitation and recording have not been completed, the international boundaries shall be the administrative boundaries of the villages in question. Should any dispute arise, the matter shall be referred to the General Commission through the joint executive committee on the basis of the provisions set forth under item III in the minutes dated 14 February 1967.

2. The Syrian side requested copies of the dossier on the work of the joint mixed commission under the terms of the High Commissioner's letter dated 9 November 1937, and the Lebanese side undertook to respond to the request at the meeting of the General Commission to be held in Beirut on 1 March 1967.

3. The attached report was drawn up, conveying the substance of the technical committee's meetings and its proposals from 25 January 1967 to date, for submission to the General Commission before it meets in Beirut on 1 March 1967.

Zahlah, 21 February 1967

For the Syrian side
(Signed) Ahmad **Abbarah**
Engineer

For the Lebanese side
(Signed) Georges **Sarufim**
Governor

The international boundaries are the administrative boundaries of the villages, that is to say the boundaries of the landed properties belonging to the villages as surveyed by the Lebanese Republic.

Insert Map here
