### [1985] AUSTRALIAN INTERNATIONAL LAW NEWS 314

### ISRAEL AND THE LEBANON

The Policy of the present Israeli Government was indicated by Foreign Minister, Yitzhak Shamir, in his address to the United Nations General Assembly on 3 October 1984 where he said:

Such negotiations produced the agreement with Lebanon which was signed on 17 May 1983. But Syria and those who cannot tolerate the idea of peace with Israel destroyed it by the application of sheer, brutal force. The agreement was designed to lead to the withdrawal of all foreign forces from Lebanon, the restoration of Lebanese independence and the establishment of security measures along the Lebanese-Israel border.

Today, some 40,000 Syrian troops occupy 65 percent of Lebanon and show no sign of any intention to leave. The Lebanese government is dominated by Syria and is not capable of conducting free negotiations that would resolve its problems with Israel. Obviously, Israel will ensure its legitimate security needs and make the necessary arrangements in southern Lebanon to protect the people of northern Israel against any repetition of the terrorist attacks of recent years. I reiterate our readiness to withdraw all our forces from Lebanon, subject to the above-mentioned arrangements.

It should be clear that Israel has no interest in maintaining any military presence in Lebanon. But we have to make certain that after the last Israeli soldier leaves Lebanon, the terrorists will not return to attack us.

Let me repeat: anyone, any people or state that is interested in the evacuation of the Israel army from Lebanon must see to it that the terrorist organizations expelled from Lebanon by Israel do not return to our borders to renew their attacks. This is an essential condition for peace. Israel is ready to cooperate in any serious effort toward a fair solution to this problem.

Subsequent negotiations between the Israeli and Lebanense representatives did not lead to an agreement.

#### ISRAEL'S DECISION TO WITHDRAW FROM LEBANON.

This communiqué and the following documents were provided by Mr Yigal Tavie, Minister-Counsellor Embassy of Israel, Canberra.

### CABINET COMMUNIQUE ON WITHDRAWAL

At the special cabinet meeting yesterday the cabinet resolved that:

- A) The Israel Defence Forces will redeploy along Israel's northern border. The government will do everything required to guarantee the security of the Galillee.
- B) The redeployment will be implemented in three major phases:
  - Phase 1 in the western sector of Lebanon, the IDF will withdraw from the Sidon area and deploy in the Litani-Nabatiya region.
  - Phase 2 in the eastern sector of Lebanon, the IDF will deploy in the Hasbaya region.
  - Phase 3 the IDF will deploy along the Israeli-Lebanese international border while maintaining a zone in southern Lebanon where local forces (SLA) will operate with IDF backing.
- C) Phase 1 will be carried out within five weeks of this decision. An announcement on the timetable will be submitted in advance to the Lebanese government and the UN Secretariat in order to permit them to organise and deploy forces in the area the IDF will vacate.

Timetable's for each additional phase will be decided by the cabinet. Throughout all the phases, efforts to reach diplomatic agreements will continue.

# LD.F. Spokesman



16 January 19.

## [B] PITHERAWAL FROM LEBAHON: PHASE ONE (Background Information)

#### General

The IDE wishes to coordinate its withdrawal with the Lebanese authorities and has indicated to the Lebanese Army and to UNIFIL that it wishes to transfer control of the territory (which will be evacuated during the first phase) in an orderly fashion.

The IDE wishes to alleviate hardships for the civilian population of Lebanon and is striving to leave the area in an organized manner which will enable Lebanese authorities to control the situation following the withdrawal of IDE forces.

### Time Schedulc for Withdrawal

The first phase of the IDF withdrawal from Lebanon is planned for completion within five weeks. Ine Greater Sidon region will be evacuated within three weeks. The redeployment line will be of a temporary nature and the IDF does not plan to invest in new installations or facilities along the new line. Every possible effort is being made to save funds and alleviate waste during the redeployment.

## FIRST PHASE OF THE MITHORAWAL: VITAL STATISTICS

- 1. Area within the present IOF Deployment (Awali Line) 2,800 sq.km.
- Territory evacuated by IDF in first stage of withdrawal about 500 sq.km.
- After completition of the first stage, the IDF will remain in control
  of about 2,300 sq.km. (approximately 22% of total Lebenese territory).
- 4. An approximate population of 250 400,000 inhabitants are included in the territory to be evacuated in the first stage of the IDF withdrawal.
- 5. The total Lebanese population under IDF control after completion of the first stage: 350-500,000

Approximate population makeup (in areas which will remain within IDF deployment lines):

Shiites --ahout 230,000 Cruze --about 20 -- 30,000 Christians --about 70,000 Others (including --about 40,000 Palestinians)

# POLICY BACKGROUND

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#### ISRAEL'S DECISION TO WITHURAW FROM LEBANON

The decision of the Government of Israel to carry out a phased withdrawal of its armed forces to the Israeli-Lebanese border came in the wake of the following developments:

- 1. On 17 May 1983 an agreement was signed between Israel and Lebanon which, had it been implemented, would have enabled the Israel Defence Forces (IDF) to withdraw from Lebanon under conditions a) satisfying Israel's minimal security requirements for the safety of its citizens in northern Israel (Galilee); b) protecting the local Lebanese civilian population, with the Lebanese government exercising its authority throughout its territory; and c) developing goodneighbourly relations between the civilian populations of the two countries.
- 2. However, that agreement, though ratified by an overwhelming majority in the Lebanese Parliament, was abrogated less than a year later by Lebanen, yielding to Syrian pressure.
- 3. Nevertheless, Israel agreed to re-open talks with Lebanon at Nakoura, between military delegations from the two countries, in an effort to reach an alternative agreement. At these talks, which began on 8 November 1984, Israel put forward proposals designed to meet its minimal security needs, while also protecting the local Lebanese population. These proposals called for the deployment of UNIFIL forces throughout the area to be evacuated by the IDF, with its main force being stationed north of the Litani River, and the deployment in a zone near the Lebanese-Israeli border of locally-recruited Lebanese units, whose task it would be to prevent the infiltration of terrorist elements into southern Lebanon. The eventual incorporation of these units into the Lebanese Army was not excluded.
- 4. It was Israel's hope and expectation that Lebanon would address these minimal proposals positively, thus clearing the way for an IDF withdrawal. Instead, the Lebanese delegation at a dozen negotiating sessions persistently evaded the issues and objected to the changed deployment of UNIFIL. Behind this Lebanese

intransigence stood Syria's demand that Beirut must insist on an unconditional Israeli withdrawal, thus assuming neither minimal security nor even the hope of a reduction of tension.

- 5. Faced with the choice of either keeping its troops in Lebanon indefinitely or unilaterally establishing security arrangements to prevent the re-transformation of southern Lebanon into a base for international terrorism, Israel chose the latter course.
- 6. Israel's proposals at Nakoura like earlier ones (rejected by Lebanon) were designed, among other things, to forestall the possibility of inter-communal fighting among the civilian population of southern Lebanon. In its latest decision, the Government of Israel again calls upon the Government of Lebanon and the United Nations to utilize the five-week period pending implementation of the first phase of the withdrawal to arrange for an orderly takeover of the areas to be evacuated. In the event of the Lebanese government's failure to respond positively to this call, the responsibility for any disorders that may result will be that of the Lebanese government itself.
- 7. In the absence of a bilateral (Israeli-Lebanese) agreement on adequate security arrangements in southern Lebanon, Israel naturally retains the option of acting to prevent any hostile action across its northern border be it a military or a terrorist nature. Israel will continue to strike at the terrorist organizations with all the means at its disposal.
- 8. The Government of Israel wishes to make it crystal-clear that it has no claims of any kind on Lebanese territory. Its central interest and purpose in this as in past decisions concerning its involvement in southern Lebanon is to ensure the peace and security of its towns and villages in Galilee, by doing its utmost to prevent the re-deployment of PLO and other terrorist elements in southern Lebanon. Hopefully, this can still be achieved through some form of cooperation and coordination between Israel and Lebanon; surely, a peaceful and orderly transition is in the interest of both.