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UNITED NATIONS PEACE-KEEPING IN THE MIDDLE EAST: UNIFIL AS A CASE STUDY

by

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Peace-keeping operations are the response of the United Nations to disputes, threats to peace, breaches of the peace and acts of aggression. They constitute a compromise between "pacific settlement" (Chapter Six of the Charter) and "collective security" (Chapter Seven of the Charter). Controversial operations have enhanced the discussion of their effectiveness.

In the Middle East, peace-keeping operations were in general either observer missions or involved the deployment of armed forces. The United Nations Interim Force for Southern Lebanon (UNIFIL) resembled the latter. Its functional pragmatic concept was based on negotiation and persuasion and rejected force.

This thesis examines the role and assesses the effectiveness of UNIFIL between March 1978 and May 2000. A mandate of the Security Council, Resolution 425, started the peace-
Since then, it fought itself caught in the exchange of fire of the Israeli forces and their Lebanese auxiliaries on one side, and the Lebanese resistance on the other. It experienced several setbacks in the performance of its duties, because Israeli occupation restricted its scope of activities and chances to deploy beyond its area of activities. It is not before May 2000 that UNIFIL would be allowed to fulfill its initial duties and original tasks! This thesis will also prove that the concept of peace-keeping requires a reformulation of its basic tenets, of utmost urgency!
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To the memory of my late father Fuad Arslane, to my beloved mother Samia and Aunt Radah and Uncle Dr. Raif Shehab, and Ambassador Leila Shehab, who inspired me the theme of this thesis
CHAPTER I

INTRODUCTION

This thesis investigates UNIFIL’s role between March 1978 and May 2000, and subjects the military, political, humanitarian, and logistical aspects of its mandate to a detailed study. The force was established for the purpose of confirming the withdrawal of Israeli Army and restoring peace and security across the international border. It was also requested to support efforts by the Lebanese Government to spread its authority into the Southern area. Accordingly, this thesis will closely study each aspect of the force’s mandate with the aim of answering the several questions that constitute the hypothetical background and the point of reference for the comparison to be made between the United Nations Interim Force in Lebanon and other Middle Eastern instances of peace-keeping. These questions are: to what extent peace-keepers should be deployed in the service of the international community? Is the organization adequately equipped for the tasks assigned to it? are governments willing to maintain the support for the UN in the face of difficulties that must arise?

To understand better the dynamics of peace-keeping one should place these efforts in the theoretical context and framework of chapters six and seven of the UN Charter.\(^{1}\)

The concept of peace-keeping evolved soon after the United Nations was founded. It was born of necessity as an improvised response to times of crisis. Those operations were soon to become the adequate response- on the behalf of the United

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Nations Organization- to international disputes, threats to peace, breaches of the peace, and acts of aggression. Such operations are nowhere defined in the Charter, but constitute a compromise between “pacific settlement” (chapter six of the Charter) and “collective security” (chapter seven of the Charter).

Serving under the United Nations flag, military personnel from many countries have carried out tasks which range from monitoring cease-fire arrangements while peace agreements were concluded, to assisting troop withdrawals, providing buffer zones between opposing forces, and helping implement final settlements to conflicts.2

With the end of the cold war, peace-keeping operations have grown in number and complexity. The United Nations has mounted fifteen peace-keeping operations between 1948 and 1988, and 26 other operations have all been set up since 1989. Such operations are nowhere explicitly defined in the Charter, though the authority of the United Nations to create armed forces is found in some of the UN Charter’s articles mainly (1), (39), (41), and (42). The last of these is the most important one: “Should the Security Council consider that measures provided for in article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, or other operations by air, sea, or land forces of members of the United Nations.”3 It should be noted that the Security Council is the agency mentioned in article 42, not the General Assembly. And the first peace-keeping experience of the United Nations was indeed launched by the Security Council.

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Peacekeepers have been deployed in both favorable and unfavorable conditions in circumstances where political good will exists and relative stability has been achieved after the parties have entered into negotiated settlements, and in situations where the climate is one of hostility, obstruction, and danger. Most early peace-keeping operations responded to inter-state conflict. In recent years, however, peace-keeping has more often addressed conflicts within states (Bosnia for example), sometimes where governments no longer function, soldiers serving under United Nations command as peace-keeping observers or troops, wearing their familiar "blue berets" or "blue helmets", have been joined by increasing numbers of civilians. They have been given even more challenging mandates since they helped promote national reconciliation and respect for human rights, and organized and monitored elections. Peacekeepers have even participated in the reconstruction of state institutions (the Haitian case). Peace-keeping has done enormous good, but such missions (like UNIFIL) have not achieved all their goals because they have been assigned peace-keeping and peace enforcement roles without receiving needed military resources, equipment and logistic support commensurate to their tasks.

Lately, many international bodies have intensified their efforts to define more clearly the principles of peace-keeping, including guidelines on how and when to act. Peace-keeping is a relatively new concept for conflict resolution. Views differ about its effectiveness, because some scholars cannot conceive how peace is to be kept by a relatively small and lightly armed force. The first purpose of the United Nations enunciated in the Charter is to maintain international peace and security. The term "peace-keeping", however, does not appear in that document, and the very concept "non-violent use of military force" to preserve peace differs from the type of enforcement action referred to in the Charter. Outside certain particular occasions, the
organization of peace-keeping activities has remained in the hands of the Security Council. The First Observer Operation, the United Nations Truce Supervision Organization (UNTSO) was set up by the Security Council in the Middle East in 1948. The unarmed observers of UNTSO continue to this day to help stabilize the region.

Many UN missions provided the model for classical peace-keeping, which requires the consent of the protagonists, neutrality on the part of United Nations forces, and resort to arms only in self-defense. The objective of this classical form of peace-keeping is to facilitate conditions for a more comprehensive peace agreement. It offers combatants an opportunity to stop fighting and to explore new avenues towards peace and the Secretary-General or other mediators time to do their work. Peace-keeping may not be a perfect instrument, but it has repeatedly proved its utility as a mean for securing peace and securing a society's capacity to govern itself (police training, reinstatement of judicial systems, designing and supervision of constitutional reforms, and observation of elections). Several times, the Security Council asked General-Secretaries to put down "analysis and recommend actions on ways of strengthening and making more efficient, within the framework and provisions of the Charter, the capacity of the United Nations for preventive diplomacy, for peace-making and for peace-keeping."

The United Nations capability to enforce peace remains largely underdeveloped, despite charter provisions to that effect. The United Nations has no standing army or forces of its own. Enforcement action duly authorized by the Security Council, is preferable to the unilateral use of force. Once the Security Council authorizes such intervention, states may claim international legitimacy and approval.

Peace-keeping and peace enforcement are different undertakings. Each can be

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effective in the appropriate circumstances\textsuperscript{5}. However, neither peace enforcement nor peace-keeping can eliminate the sources of conflict. Nations and communities bear the responsibility for learning the virtue of co-existence and the richness of diversity. They must devote continued efforts to promoting respect for fundamental principles of human rights and to developing national institutions capable of ensuring the economic and social welfare of all citizens to build peace. United Nations peacekeepers have undertaken activities that address the needs of entire societies in crisis. Such operations have aided transitions to peace in places like Cambodia, el-Salvador, and Haiti, offering people the possibility of development and stability. International assistance, supported by United Nations, defeated famine in Somalia. In the former Yugoslavia, the Blue Helmets helped save countless lives and eased the suffering of millions. There have also been setbacks. In Somalia, national reconciliation was not achieved. Peace-keeping operations are exposed to all types of dangers, even when a cease-fire is in place. Many times, combatants have failed to respect the international status of United Nations military and civilian personnel. The United Nations can not keep peace, when there is no peace to keep, it can only serve as a framework and support mechanism for parties to seek peace and can help when hostile factions are prepared to work towards this common goal. Effective United Nations peace-keeping requires the full consent and cooperation of the parties.

Important questions must be addressed if peacekeepers are to be deployed in the service of the international community; what is the proper role of the United Nations in conflict situations? Is the organization adequately equipped for the tasks assigned to it? are governments willing to maintain their support in the face of difficulties? The

point of departure in the search for answers must be the recognition that the United Nations is only as effective as member states allow it to be: remains to say, that the organization has frequently been called upon to mount operations rapidly—despite inadequate resources, too few available specialized units, critical equipment shortages, lack of logistical support, civilian police, and the other civilian experts and trainees.

The United Nations Charter encourages the settlement of local disputes through regional arrangements and provides in chapter seven for United Nations cooperation with regional organizations in the maintenance of international peace and security. Such cooperation includes consultation, diplomatic and operational support, co-deployment of personnel and joint operations. There are three distinct levels of authority over United Nations peace-keeping. The Security Council must have overall political direction, the Secretary-General has the responsibly for executive direction and command, and the chief of mission commands on the ground. Peace-keeping, as a historic development, was made possible in 1956 mainly through the vision, resourcefulness and determination of Secretary-General Dag Hammarsgold and Mr. Lester Pearson (who was at the time secretary for external Affairs of Canada) in coming to terms with the unfolding implications of the Tripartite Aggression on Egypt.

It is important to remember that ‘traditional’ peace-keeping has given way to complex integrated operations which require a combination of political, military, and humanitarian action. Police officers, electoral observers, human rights monitors and other civilians have joined personnel under the United Nations flag to help implement negotiated settlements between previously hostile parties.

Controversial operations have enhanced the discussion of their effectiveness. In the Middle East, peace-keeping operations were, in general, either observer missions or involved the deployment of armed forces. The United Nations Interim Force for
Southern Lebanon (UNIFIL), as a case of UN peace-keeping resembled the latter. It suffered heavy strains and pressures and came under the attack of various military factions active in the Southern part of Lebanon. This thesis examines the role and assesses the effectiveness of UNIFIL between March 1978 till nowadays while comparing it to several other peace-keeping forces deployed in different “hotbeds” of the world (like Egypt, Cyprus, Syria and other peace-keeping missions which were deployed before in the region). A mandate of the Security Council Resolution 425, started the peace-keeping mission during the Israeli invasion “Operation Litani”, and demanded confirmation of the withdrawal of Israeli forces, restoration of international peace and security, and assistance to the government of Lebanon in ensuring the return of its authority in the area. The mandate required both a military and a political role of UNIFIL, and this thesis will attempt to separate those tasks and assess the functions of the force in fulfilling its multiple roles. However, UNIFIL, which was at one moment-considered as the strongest peace-keeping force in the Middle East in terms of size, displayed serious weaknesses (for example, it could never control the area up to the international border). Meanwhile, several conflicts between inter-Lebanese warring factions were still unfolding on the Lebanese soil. In addition to that, UNIFIL was overrun in June 1982 by the Israeli army during the invasion called “Peace for Galilee” within its operational zone, and to a certain extent, the interim force succeeded in establishing an effective network of checkpoints and prevented many infiltration attempts. Until June 1982, the “Blue Berets” carefully recorded Israeli invasions of the Lebanese territory. They supported the deployment of Lebanese National Army units in Southern Lebanon in an unprecedented way of cooperation between a UN peace-keeping operation and a host country in the Middle East, at a time when the Lebanese situation characterized by the internal conflict of the ongoing Lebanese civil war,
external intervention by other States and other military actions resulted in a crisis of wider dimensions.

However, one should not omit the several consequences of UNIFIL's continued presence in Southern Lebanon on the political level. The peace force strengthened the role of the civilian village heads and acted as a restraining factor for local militias and Israeli military encroachments, especially after the second invasion in 1982. UNIFIL also was an important factor in the return of the inhabitants of the region to their homes and lands.

Another aspect of UNIFIL's presence is related to the improvement of the socio-economic conditions of the local population by way of health services rendered, water, and electricity lines restored, and land cleared of mines and bombs.

Also UNIFIL personnel took care that teachers were recruited and schools reopened. The spending power of the force pushed the locally under-developed economy towards a seeming aspect of prosperity (contracts, employment offered to local civilians). It can be concluded that UNIFIL's political and humanitarian role in Southern Lebanon may have "internationalized" the dilemma in the short run. In the long run, UN troops upheld Lebanon's sovereignty over the territory under occupation. Finally, despite the failures of the military dimension of its mandate, it may well be that the functional role of UNIFIL served the cause of peace by advocating conflict resolution by peaceful means.

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CHAPTER II

HISTORICAL BACKGROUND: UN EFFORTS TO PACIFY THE MIDDLE EAST: THE SEVERAL OBSERVER MISSIONS SENT TO THE AREA BEFORE IT EXPERIMENTED PEACE-KEEPING

There is much to be said for including observer missions in the definition of peace-keeping operations, since they came to form- in certain instances- the nucleus that led to the composition of main peace-keeping missions in the Middle Eastern area. Most of the peace-keeping forces (subject to our study in this thesis) were accompanied by a military observer group.\(^7\)

The United Nations has been concerned with the situation in the Middle East from its earliest days. The core of the situation which engulfed the whole Arab Middle Eastern world is the Arab-Israeli conflict which has its origin in the problem of Palestine and what came to be considered as “conflicting claims of the Arab and Jewish communities over the future status of that territory”. In 1947, Palestine was a territory administered by the United Kingdom under a mandate from the League of Nations. Its population was about 2 million, two thirds of whom were Arabs and one third Jews.\(^8\) Both communities laid claim to the control of the territory after the United Kingdom’s mandate ended. Unable to find a solution acceptable to both communities, the British Government brought the matter before the General Assembly in 1947. A Special Committee was appointed by the Assembly to make recommendations for the future

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status of Palestine, and proposed in a majority plan the partition of the territory into an Arab State and a Jewish State, with an international regime for Jerusalem. The partition plan was adopted by the Assembly. A United Nations Palestine Commission was to carry out its recommendations with the assistance of the Security Council. The plan was not acceptable by the Palestinian Arab State and Arab States, and the commission's efforts were inconclusive. As the impasse continued, violent fighting broke out in Palestine and the Security Council on 23 April 1948 established a Truce Commission for Palestine, to supervise the cease-fire the Council had called for.

On the same day, the United Kingdom relinquished its mandate over Palestine and the Jewish Agency proclaimed the "State of Israel" (which became a United Nations member a year later, on 11 May 1949) on the territory allotted under the partition plan. The next day, the Palestinian Arabs, assisted by Arab States, opened hostilities against Israel. The war ended with a truce, called for by the Security Council, which was to be supervised by the United Nations Mediator with the assistance of military observers. The first United Nations peace-keeping operations (in the form of an observer group operation to the Middle East), was the United Nations Truce Supervisions Organization (UNTSO), that came into being as a consequence of the United Nations peace-keeping operations established in the region, of which two are still active: the observer force on the Golan Heights (which would be given due emphasis in its quality of observer force and, later on, peace-keeping force in this thesis) and a peace-keeping force in Southern Lebanon (which would constitute the central theme around which this thesis is supposed to revolve).

UNTSO initially came into being during the Arab-Israeli war of 1948 to

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9 United Nations, Department of Public Information. The Blue Helmets, 1996, 13.
supervise the truce called for in Palestine by the Security Council. In 1949, its military observers (UNMO's) remained to supervise the Armistice Agreements between Israel and neighboring Arab countries. UNTSO's activities had been spread over territory within five states and therefore it had relations with five host countries (Egypt, Occupied Palestine, Jordan, Lebanon, and the Syrian Arab Republic). Following the wars of 1956, 1967, and 1973, the functions of the observers changed in the light of changing circumstances. But they remained in the area, acting as go-between for the hostile parties and as the mean by which incidents could be contained and prevented from escalating into major conflicts\textsuperscript{10}.

UNTSO personnel have also been available at short notice to form the nucleus of other peace-keeping operations and have remained to assist those operations. The availability of the UNMOs for almost immediate deployment, after the Security Council had acted to create a new operation, has been an enormous contributory factor to the success of those operations. The rapid deployment of UN peace-keepers which has been essential to the success of many peaceful initiatives, was rendered beneficial due to the presence of the observers which acted as an initial deterrent to renewed fighting\textsuperscript{11}.

In the Middle East, groups of UNTSO military observers are today attached to the peace-keeping forces in the area, like for instance: the United Nations Disengagement Force (UNDOF) on the Golan Heights (dealt with in the third chapter of this thesis) and the United Nations Interim Force in Lebanon (UNIFIL) (of which the fourth chapter of this thesis consists of).

\textsuperscript{10} Leila Shehab, "The Role of the United Nations during the Lebanese Crisis of 1958" (M.A. Thesis, American University of Beirut, 1963), 9.

UNTSO’s authorized strength in early 1996 was 178 to 200 observers. In early May 1948, the Truce Commission established by the Security Council the previous month, brought to the Council’s attention the need for control personnel for effective supervision of the cease-fire which the Council had called for when it created the Commission.

As the situation worsened, the Commission, on 21 May, formally asked the Council to send military observers to assist it. On 29 May, the Security Council called for a four-week cessation of all acts of armed force and non-introduction of fighting personnel or war material into Palestine and Arab countries involved in the fighting. The Council decided that the Mediator (Count Folke Bernadotte, of Sweden), in concert with the Truce Commission, should supervise the Truce and be provided with a sufficient number of military observers for that purpose. Resolution 50 (1948) formed the basis of what became UNTSO. Administratively, the observers remained under their respective army establishments, receiving their normal remunerations from their governments but getting a daily subsistence allowance from the United Nations.

National uniforms were worn with a United Nations arm-band (the distinctive blue beret with UN badges was not used until November 1956). During their assignments with the organization, the observers were to take orders only from the United Nations authorities. The parties to the conflict were required to cooperate with the observers, to whom the convention on the privileges and immunities of the United Nations applied, and ensured their safety and freedom of movement.

The first group of 36 observers arrived in Cairo in early June 1948 and were immediately deployed in Palestine and some of the Arab countries. The number of

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12 United Nations, Department of Public Information. The Blue Helmets, 1996, 19.
observers was subsequently increased to 93, 31 from each of the State Members of the Truce Commission. Their activities, under the general control of the Secretary-General, were directed in the field by the chief of staff on behalf of the Mediator. The functions of the observers and the operating procedures were laid down by the Mediator in consultation with the Secretary-General.

Those observers were, and remain today, unarmed\textsuperscript{13}. Thus, they had no power to prevent violation of the Truce or to enforce any decision. There was no element of enforcement in their functioning, although their very presence was something of a deterrent to violations of the Truce. By returning to the four-week truce, we mention that it expired on 9 July 1948. The provisional government of Israel accepted the Mediator's proposal for an extension, the Arab governments did not. As soon as the Truce expired, large-scale fighting erupted again between Arab and Israeli forces on July 15. In response to an appeal by the Mediator, the Security Council ordered a cease-fire, with a clear threat of applying enforcement procedures of chapter seven of the UN Charter, if necessary (UN resolution 54, 1948). Both parties complied with the Council's cease-fire order and all fighting activities stopped\textsuperscript{14}. Since the new truce was of unlimited duration and was to remain in force until a peaceful adjustment of the situation in Palestine was reached, a more elaborate system of truce supervision was required. A new operation had to be created and equipped from scratch. The Mediator intended to set up a large and more effective observer operation in a relatively short time. He requested the governments of Belgium, France, and the United States each to place at his disposal more than 100 observers for the supervision of the truce.

\textsuperscript{13} United Nations Secretaria, Department of Public Information. Image and Reality: Questions and Answers about the United Nations, 1996, 34.

\textsuperscript{14} United Nations, Department of Public Information. The Blue Helmets, 1996, 20.
A. Birth of the Observers’ Mission

Subsequently, a total of 682 observers and auxiliary to technical personnel was requested by the Mediator, of which 572 were provided\textsuperscript{15}. The headquarters of the operation remained in Haifa and general principles and rules devised for the first truce continued to apply.

Observers were now divided into a number of groups assigned to each Arab army and each Israeli army group. Increased tension led to renewed fighting in Jerusalem, the Negev, and to lesser extent, the Lebanese Sector. The Security Council adopted a series of decisions and resolutions to restore the cease-fire and strengthen the observation operation. The decisions and resolutions of the Security Council between October and December 1948 were the following:

- On 19 October, call for immediate and effective cease-fire in the Negev, to be followed by negotiations through United Nations intermediaries to settle outstanding problems in the area.

- Also, on 19 October was addressed a call to the governments and authorities concerned to grant United Nations’ observers freedom of movement and access to their areas of operation.

- On November 4, was addressed another call to the governments and concerned authorities to grant United Nations’ observers freedom of movement and access in their areas of operation, on the same date a call was addressed to governments to withdraw their troops to the positions they had on 14 October and to establish truce lines and such neutral or demilitarized zones as desirable.

- On 16 November was addressed a request to the parties to seek agreement

\textsuperscript{15} Ibid; p.p 20-21.
directly or through the acting Mediator "...with a view to the immediate establishment of an armistice..."\textsuperscript{16}

With the full support of the Security Council and the General Assembly, the Acting Mediator resumed his mediating efforts, concentrating first on arranging indirect negotiations between Egypt and Israel. But his efforts were momentarily interrupted in late December, when hostilities erupted again between Egyptian and Israeli forces in Southern Palestine. The Acting Mediator received – on 29 December – directions from the Security Council guiding him to call upon the governments concerned to order an immediate cease-fire and to facilitate the complete supervision of the truce by United Nations Observers. An effective cease-fire was established by the Acting Mediator soon afterwards. The Acting Mediator’s (Mr. Ralph Bunches) efforts led to the conclusion of four General Armistice Agreements between Israel and the four following Arab States: Egypt, Jordan, Lebanon, and Syria, in early 1949\textsuperscript{17}.

On 11 August 1949, the Security Council assigned new functions to UNTSO in line with those Agreements. The role of the Mediator was ended, while the Truce Commission – in the light of those new developments- had become an inactive body. With the termination of the role of the Mediator, UNTSO became an autonomous operation, officially an organ of the Council with the chief of staff assuming command. Its method of operation was altered, since its main responsibility now was to assist the parties in supervising the application and observance of the General Armistice Agreements. UNTSO’s main responsibilities related to the work of the mixed armistice commissions - (MAC) which were set up by the armistice agreements.

\textsuperscript{16} Ibid; p. 22.

\textsuperscript{17} Robert C.R. Siekmann, Legal Documents and Studies on Peace-keeping (Boston, Nijhoff Publishers, 1985), 10-11.
1. The Observers’ Work in the Egyptian - Israeli Sector in Pre-1956 Period

The Egypt-Israel General Armistice Agreement provided for an “MAC” of seven members, three from each side and the chief of staff as chairman the observers would remain under UNTSO command. The other general Armistice Agreements were similar, with the exception of certain MAC which were composed of five members, two from each party and the Chairman. The Chairman or Chief of Staff reported to the Secretary-General and was responsible to him. In two cases, the armistice arrangements included the establishment of demilitarized zones. One of these zones was established in El-Auja area on the Israeli side of the Armistice Demarcation line between Egypt and Israel. The Egypt-Israel General Armistice Agreement provided that both Egyptian and Israeli armed forces should be totally excluded from the demilitarized zones, and the Chairman of the Egypt-Israel Armistice Commission and the observers attached to the Commission should be responsible for ensuring the full implementation of this provision.

The Egyptian-Israeli Mixed Armistice Commission (EIMAC) was established in the demilitarized zone of El-Auja and was later transferred to Gaza.

The difficulties encountered in the implementation of the General Armistice Agreements and the relationships between the involved parties varied from one Mixed Armistice Commission to another. When Israel refused to take part in EIMAC, the Secretary-General did not consider that the commission lost its ‘raison d’être’, and refused to accept the unilateral denunciation of EIMAC as valid. Consequently, UNTSO continued to maintain the machinery of the Mixed Armistice which headquarters were now transferred from El-Auja to the town of Gaza in the Egyptian
side of the Armistice Demarcation Line\textsuperscript{18}.

But these activities remained largely symbolic until the real peace-keeping functions were carried out by the United Nations Emergency Force One (known as UNEFI) which was established in 1956 with which UNTSO cooperated closely. When UNEFI was withdrawn at the request of the Egyptian Government, the Secretary-General pointed out in his report of 19 May 1967 to the Security Council that EIMAC remained in existence and could as it had done prior to the establishment of UNEF, provide a limited form of United Nations presence in the area. Subsequently, the number of observers was increased from 6 to 20 by May 1967, and the scope of their activities was markedly enlarged. The government of Israel raised up objection to this action. But this emergency measure was not enough because soon after the withdrawal of UNEFI, war was to erupt again between Israel and Arab States\textsuperscript{19}.

The involved parties varied from one Mixed Armistice Commission to another. The most difficult- as it was reported- was the Egypt-Israel Mixed Armistice Commission. Egypt protested against Israel's expulsion of thousands of Palestinians to the Gaza Strip. The matter was brought before the Security Council, which in its resolutions 89 (of 17 November 1950) requested EIMAC to give urgent attention to the Egyptian complaint and reminded both concerned parties of their obligations regarding settlement of their mutual disputes- as underlined in the UN Charter\textsuperscript{20}.

In 1951, Egypt decided to impose restrictions on the passage of international

\textsuperscript{18} United Nations, Department of Public Information. The Blue Helmets, 1996, 25.

\textsuperscript{19} United Nations, Department of Public Information. United Nations Peace-keeping, 1996, 8.

\textsuperscript{20} United Nations Secretariat, Department of Public Information. Information Notes (Periodic Updates on Specific Peace-keeping Missions), 1995, 3-4.
commercial shipping and goods destined for Israel through the Suez Canal. Despite the call of the Security Council asking Egypt to adhere to the terms of the UN Resolution 95 (1951), Egypt maintained these restrictions, and indeed extended them to the Strait of Tiran in 1953. By early 1955, Palestinian Fedayeeens undertook with increasing frequency commando raids into Israeli-occupied territory, which were followed by harsh retaliation from Israel. In reaction to the establishment of Egyptian military position near the border area, the Israeli forces occupied the demilitarized zone of Al-Auja on 21 September 1956, and thereafter the Commission became paralyzed as Israel prevented the Egyptian delegates of the Commission from entering the area.

2. In the Syrian-Israeli Sector

The Syrian-Israeli Armistice Agreement contained similar provisions concerning the demilitarized zone established near Lake Tiberias. In this case, the chairman of the Syrian-Israeli Mixed Armistice Commission was also empowered to authorize the return of civilians to villages, and to recruit civilian police in the zone for internal security purposes. The main task of the commissions was the investigation and examination of the claims or complaints presented by the parties relating to the firing across the Armistice Demarcation Line, crossing the line by persons, overflights on the wrong side of the Line, the presence of troops or equipment in demilitarized zones. The observers assigned to each commission carried out investigations of complaints submitted to the commission. They assisted in handing over the people who had crossed the Armistice Demarcation Line. They also participated in rescue and search missions when such missions were undertaken by UNTSO at the request of one of the
In addition to its functions relating to the General Armistice Agreements, UNTSO had the responsibility of observing and maintaining the cease-fire, ordered by the Security Council in its resolution 54 (1948), which continued to be in force. When an outbreak of violence threatened, the Chief of Staff of UNTSO would, on his own, seek to prevent it by appealing to the opponents for restraint or by arranging for an immediate cease-fire through the Secretary-General. The reorganization of UNTSO after August 1949- was geared to the activities of the four mixed Armistice Commissions. Each commission had a headquarters and such installations as it decided to establish.

Great difficulties were also experienced by the Syrian-Israeli Mixed Armistice Commission. Two of the most frequent disputes concerned the cultivation by Israeli farmers of disputed lands in the demilitarized zone and the activities of Israeli patrols and fishermen on the eastern side of Lake Tiberias next to the Armistice Demarcation Line. The Israeli activities were considered to be illegal by the Syrians and often led to intense exchanges of fire between Israeli and Syrian forces. In addition, there was a non-ending cycle of violence marked by Palestinians commando raids and Israeli reprisals. In order to ease the situation, the Chief of Staff of UNTSO decided, with the agreement of the parties, to establish in the 1950s a number of observation posts along the Armistice Demarcation Line. These served to reduce tension to some extension in the sensitive areas. Nevertheless, incidents continued.

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21 United Nations, Department of Public Information. The Blue Helmets, 1996, 24-25.


On the Syrian-Israeli front, incidents continued to occur frequently. In mid-January 1950, after a particularly violent attack against Syrian forces, the Security Council adopted resolution 111 (1956) by which it condemned the attack and called once again on the parties to implement the General Armistice Agreement and to respect the Armistice Demarcation Line and the demilitarized zone. Despite the call of the Security Council, the situation didn’t improve. By 1966, thousands of Syrian and Israeli complaints were pending before the Commission which held its last regular meeting in 1951 and its last emergency meeting in February 1960. From 1966 onwards, relations between Israel and Syria deteriorated sharply. At the beginning of 1967, the Secretary-General succeeded in arranging a series of “extraordinary emergency meetings” of the Commission in order to discuss the cultivation problem in the demilitarized zones—which at the time had led to many incidents. These meetings ended in failure and on 7 April 1966, when a serious incident occurred during which Israeli aircraft attacked Damascus itself and shot down six Syrian aircrafts. This incident marked the beginning of a new escalation which eventually led to the June 1967 war.

3. In The Jordanian-Israeli Sector

The headquarters of the Jordanian-Israeli Mixed Armistice Commission was set up in the neutral zone in Jerusalem. The Jordanian-Israeli Armistice Agreement was subject to different pressures. The West Bank and the old city of Jerusalem were of special importance. They contained large numbers of Palestinian Arabs, many of them were uprooted and displaced from the area held by Israel. A narrow strip of neutral zone supervised by the United Nations separated the Israeli and Jordanian sectors of the

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24 United Nations, Department of Public Information. United Nations Peace-Keeping, 8.
Holy City.

The Armistice Agreement created two enclaves: an Israeli enclave on Mount Scopus in Jerusalem and a Jordanian enclave in Latrun on the road from Jerusalem to Tel-Aviv. The West Bank was a staging area for the activities of Palestinian Fedayeen. These factors led to many disputes and problems which often resulted in exchanges of fire across the line between the two opposing armies.

Despite these difficulties, the Commission continued to meet in emergency sessions until June 1967. Sub-committee meetings were held regularly on a weekly basis, in an effort to resolve the outstanding problems.

4. In The Lebanese-Israeli Mixed Armistice Commission (ILMAC)

It was headquartered in Beirut with a substation located at Naqoura near the Armistice Demarcation Line.

Strangely enough, and unlike other Commissions, that for Lebanon and Israel functioned smoothly and often effectively from 1949 until 1967. Its main difficulties arose in connection with the activities of the Palestinian Commandos.

The 1949 General Armistice Agreements were meant to be temporary arrangements to be followed by the conclusion of peace treaties. But that was not to be. Two major obstacles appeared soon after the signing of the Armistice Agreements. Israel for, “so-called” security reasons, refused to let the many Palestinians Arab refugees who had fled their homes- during hostilities- return to the areas it controlled, and the Arabs were not disposed to recognize the existence of Israel and to enter into

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26 United Nations Secretariat, Department of Public Information. Information Notes (Periodic Updates on Specific Peace-keeping Missions), 1995, 8-9.
peace negotiations with it. Thus the basic issues remained unresolved, because of
constant disagreement between the parties, the chiefs of staff and the UNTSO observers
assigned to the commissions came to play an increasingly important role. In each
commission, sensitive issues were often deadlocked and resolutions had to be decided
by the vote of the chairman.

Most investigations into incidents and violations of the Armistice Agreements
were carried out by UNTSO observers alone, since the military representatives of the
parties could not work with each other. UNTSO personnel often had to act as mediators.
However, the responsibility for the observance and application of the provisions of the
Armistice Agreements rested with the parties themselves, and without their cooperation
and good will the agreements risked erosion.\(^{27}\)

**B. During and Post-1956 War**

*1. In Egypt*

UNTSO continued to maintain the machinery of the Mixed Armistice
Commission which continued to examine complaints submitted by Egypt, and UNTSO
observers continued to patrol on the Egyptian side of the Armistice Demarcation line.
These activities remained largely symbolic until the real peace-keeping functions were
carried out by the United Nations Emergency Force One (later known as UNFEI) which
was established in the wake of the 1956 war and with which UNTSO cooperated closely
(as will be seen in chapter three of the thesis containing a detailed discussion of the
creation and development of both UNEF I and UNEF II forces). By May 1967, Israel
raised no objection to the presence of UNEF I. But this emergency measure was not
enough, because soon after the withdrawal of UNEFI, war was to erupt again between

\(^{27}\) Ibid, 8-9.
Israel and Arab states.

2. On the Lebanese Front...

The Lebanese authorities firmly tried to stop or contain military activities in the common border's area, and there were few incidents along the Armistice Demarcation Line. Problems of common concern were discussed and resolved in regular meetings of the commission, which functioned until June 1967 war, when Israel denounced the Armistice Agreement with Lebanon as it did with the others, although no hostilities took place along the Israel-Lebanon Armistice Demarcation Line.

As for the personnel involved in UNTSO, it amounted in 1948- to 572 observers and were reduced to 128 at the outbreak of the June 1967 war.

Historical sources recognized the crucial role played by UNTSO in helping to bring the June 1967 war to an end.

C. The 1967 War

The war started in the early morning of 5 June between Israeli and Egyptian forces and quickly spread to the Jordanian and Syrian fronts. On 6 June, the Security Council adopted resolution 233 (1967) demanding the governments concerned to take forthwith, as a first step, all measures for an immediate cease-fire. As hostilities continued, the Council met again on 7 June, and by resolution 234(1967), demanded that the governments concerned should discontinue all the military activities on the same day. Fighting stopped on the Egyptian and Jordanian fronts on 8 June, but went on unabated between the Israeli and Syrian forces on the Golan Heights.
1. On the Syrian Front...

On 9 June, the Security Council adopted resolution 235 (1967) by which it confirmed its previous resolutions for an immediate cease-fire and requested the Secretary-General to arrange for immediate contacts with the Governments of Israel and Syria to ensure compliance with the above-mentioned resolutions\(^{28}\). On instructions from the Secretary-General, the chief of staff of UNTSO contacted the Syrian and Israeli authorities on 10 June and proposed to them, as a practical measure for implementing the cease-fire demanded by the Security Council that both sides cease all firing and movement on the same day. He also proposed that the observers, accompanied by liaison officers of each side, be deployed along the front lines as soon as possible in order to observe the implementation of the cease-fire. Those proposals were accepted by both sides and the UNMO's (United Nations Military Observers) were deployed accordingly in the combat area in the early morning of 11 June. In the following days, UNTSO observers demarcated the cease-fire lines on each side. The buffer zone included between the two cease-fire lines, fell into the hands of the observers\(^{29}\).

By the end of 1967, there were seven observation posts- set up by UNTSO- on the Israeli side, and nine on the Syrian side. The general direction of these posts was assumed by the chief of staff on each side.

After the adoption of resolution 236 (1967) affirming the Security Council's demand for a cease-fire, the observers started to submit regularly to the Security


\(^{29}\) United Nations, Department of Public Information. The Blue Helmets, 1996, 28-29.
Council, through the Secretary-General, reports on the cease-fire situation in the Syrian Israeli Sector. These arrangements lasted until the October 1973 period.

2. The Egyptian-Israeli Sector in Post-1967 Phase

When the cease-fire went into effect in the Egypt-Israel sector on 8 June 1967, no observation machinery was placed in that area. At that time, the Israeli forces had reached the eastern bank of the Suez Canal, except for a small area around Port Fuad (northern tip of the Canal)\(^{30}\). The situation in the Suez Canal Sector was generally quiet during the last part of June, but from early July on, tension began to rise and heavy fighting broke out between Egyptian and Israeli forces at various locations along the Canal. With the absence of its observers in the area, the United Nations was not provided with adequate information about the latest events. To compensate, the Secretary-General decided to take an initiative towards a possible alleviation of the situation and had undertaken exploratory talks with the representatives of Egypt and Israel about the stationing of United Nations military observers in the Canal sector. On 9 July, the Security Council approved a consensus statement in accordance with which the Secretary-General requested the Chief of Staff of UNTSO to work out with the governments of Egypt and Israel, as speedily as possible the necessary arrangements to station observers in the Suez Canal\(^{31}\). The Chief of Staff proceeded in much the same way as for the observation operation on the Golan Heights. Seven observation posts were established along the Canal. This number was – later on – increased to fifteen


\(^{31}\) United Nations, Department of Public Information. The Blue Helmets, 1996, 29.
(eight on the eastern side of the Canal and seven on the western side at Ismailia)\textsuperscript{32}.

The main task of the observers was to observe and report on breaches of the cease-fire, including firings, overflights, and movements forward (which meant movement of boats and craft in the Canal). Later on, the situation in the Suez Canal Sector became stabilized, and although there were occasional exchanges of fire, the cease-fire generally held. This status quo lasted until early 1969, when fighting suddenly broke out again. From that time until August 1970, there were intense exchanges of artillery fire across the Canal between the Egyptian and Israeli positions everyday, with occasional airstrikes by one side or the other. This period of fighting, which lasted nearly for 20 months, was known as the "war of attrition" (it was full-fledged warfare except that the positions of both opposing armies did not move forward). During this period of hostilities, the Secretary-General kept on reporting to the Security Council on the latest military developments on ground. He appealed for an end to hostilities but his efforts proved to be inconclusive.

Meanwhile, Egypt stated that it refused to continue to observe the cease-fire, while Israel asserted that it would observe the cease-fire only if the other side did so. The fighting came to an end on 7 August 1970, under a proposal initiated by the United States Government. Under the proposal, Egypt, Israel, and Jordan agreed to designate representatives to discussions to be held under the auspices of the special representative of the Secretary-General for the Middle East, Ambassador Gumar J. Jarring of Sweden. These three countries tried seriously to observe the cease-fire resolutions of the Suez Canal Sector and the situation there remained quiet until 6 October 1973, when hostilities once again broke out between Egyptian and Israeli forces.

\textsuperscript{32} Ibid, p.p. 29-30.
3. The Jordan-Israel Sector in Post-1967 War Period

No cease-fire observation was established in the Jordan-Israel Sector. At the end of the 1967 war, Israeli forces had occupied the entire West Bank up to the Jordan River. The situation, in that sector, was generally quiet until the end of 1967. In 1968 and 1969, there was increasing tension because of the activities of Palestinian Commandos operating from the east side of the Jordan Valley and retaliatory action by the Israeli forces. On several occasions, the Security Council met to consider serious incidents in the Jordan-Israel sector. However, the situation in that sector became much quieter after September 1970 (known as "Black September") when the bulk of the Palestinian armed elements moved to Lebanon.33

4. The Lebanese-Israeli Sector in Post-1967 War Period

During the June 1967 war, no fighting took place between Israel and Lebanon and the Armistice Demarcation Line between the two countries remained intact. Nevertheless, the Israelis denounced the Armistice Agreement with Lebanon after the war, as it did with other Armistice Agreements, on the basis that during the hostilities, Lebanese authorities had claimed that they were at war with Israel. On its part, the Lebanese Government considered the agreement as still valid, since the Secretary-General held the view that the Armistice Agreement could not be denounced unilaterally, UNTSO continued to maintain the headquarters of ILMAC at Beirut, as well as the substation at Naqoura in Southern Lebanon. The Commission had few activities and consequently the number of observers assigned to it was considerably reduced. Following the 1967 war, the Palestinian population in Lebanon increased with

33 United Nations Secretariat, Department of Public Information. An Agenda for Peace and its Supplement, 95-96, 22.
the influx of a sizable number of displaced persons from the occupied West Bank and Gaza. The Palestine Liberation Organization stepped up its training activities in the country, especially in the South. As a result, anti-Israeli raids by Palestinian Commandos from Lebanon and reprisals by Israeli forces became more frequent. The situation deteriorated further with the arrival of Palestinian armed elements in 1970 from Jordan to Lebanon\(^{34}\). In the coming years, tensions will heighten in Southern Lebanon. This tragic turn of events was expressed by a request addressed to the Security Council by the permanent representative of Lebanon and in which he asked the following: “...The Lebanese Government, because of repeated Israeli aggression against Lebanon and because the work of the Lebanese-Israeli Mixed Armistice Commission has been paralyzed since 1967, wishes the Security Council to take necessary action to strengthen the United Nations machinery in the Lebanese-Israeli sector, by increasing the number of observers, on the basis of the Armistice Agreement of 1949...”\(^{35}\). The members of the Security Council decided that the request of the Lebanese Government should be met, and asked the Secretary-General to make the necessary arrangements to this effect. At a later phase, the Secretary-General would inform the Council that, following the consultations with the Lebanese authorities, the Chief of Staff of UNTSO had recommended the establishment of three observation posts on the Lebanese side of the Demarcation Line, together with an increase in the number of observers from the existing seven to 21\(^{36}\). The cease-fire observation operation in the Lebanese-Israeli sector commenced on 24 April 1972, with the establishment of the three proposed


\(^{35}\) United Nations, Department of Public Information. The Blue Helmets, 1996, 9.

\(^{36}\) Ibid; p. 32
observation posts, all on Lebanese territory. The total observation strength was later on increased to 34. Those observers, who were all drawn from the existing establishment of UNTSO, manned the five observation posts and conducted patrols along the Armistice Demarcation Line as necessary. From April 1972 until the Israeli invasion of Lebanon in March 1978, the observers assigned to the Lebanese-Israeli sector reported regularly to the Security Council, through the Secretary-General, on the situation along the Armistice Demarcation Line. These reports- as was later known- dealt mainly with violations of the line by the Israeli forces, since no such violations were committed by the Lebanese side.\(^{37}\)

Having already denounced the Armistice Agreement with Egypt in 1956, Israel denounced the other three agreements after the war of 1967. The Secretary-General- as stated before- did not accept those acts as valid because there has been no indication either in the General Assembly or in the Security Council that the applicability of the Armistice Agreement has been changed as a result of the 1956 hostilities. In other terms, any arrangement of that nature can not be abolished until both parties to it reached a peaceful settlement, plus the fact that both the Assembly and the Council had not taken steps to change pertinent resolutions of organs relating to the Armistice Agreements or to the earlier cease-fire demands (the Agreements provided that by mutual consent, the signatories can revise or suspend them). In any of those agreements, the possibility of a unilateral suspension was never mentioned. Thus, the machinery for the supervision of the Armistice Agreements has been maintained in those sectors where no peaceful settlement has been achieved. The chiefs of UNTSO observers in Beirut and Damascus remained the respective chairmen of Lebanese-Israeli

and Syrian-Israeli Mixed Armistice Commissions.

D. The Observers' Activities Since 1973

1. The Egyptian-Israeli Sector

Cease-fire observation in the Suez Canal Sector finished shortly after the 1973 October war, at the request of the Egyptian Government was violated. On 6 October, in a surprise attack, Egyptian forces crossed the Canal and soon advanced beyond the UNTSO observation posts on the Western bank of the Canal, while in a coordinated move, Syrian troops simultaneously attacked the Israeli positions on the Golan Heights. The first days of the war were marked by heavy air and ground activity, which was fully reported to the Secretary-General on the basis of information received from the observers. On 8 October, the Egyptian Permanent Representative informed the Secretary-General that, since the United Nations observers were now behind the Egyptian lines, which put them in physical danger and made their presence unnecessary, the Government of Egypt requested the Secretary-General to take measures for their transfer to Cairo for their security\(^38\). By 9 October, all the United Nations observation posts- on both sides of the Canal- were closed and the observers were withdrawn to the Cairo area. Following the closure of the observation posts on the Egyptian side of the Canal, the United Nations no longer had direct information on the hostilities between Egypt and Israel which were raging in the western part of the Sinai.

As far as UNTSO is concerned, Security Council resolutions 340 (1973) provided for an increase in the number of UNTSO observers in the Egyptian-Israeli sector and gave them the task of assisting and cooperating with UNEF II (United

\(^{38}\) United Nations, Department of Public Information. The Blue Helmets, 1996, 33-34.
Nations Emergency Force Two). They assisted in exchanges of prisoners of war and undertook searches for bodies of soldiers killed during the hostilities. After the conclusions of the disengagement agreement of January 1974, they conducted patrols in the buffer zone while the observers remained administratively attached to UNTSO. They were placed under the operational control of the commandos of UNEF II.  

At the end of the October 1973 war, additional observers were provided at the request of the Secretary-General to strengthen observer group in the Egyptian-Israeli sector. The total strength of the UNTSO was increased to 225 observers from 16 countries. In November 1973, due to American and Soviet offers to provide observers, their number was increased by 36 observers.

In 1979, the mandate of UNEF II lapsed. The Secretary-General, after consultations, held by the Security Council, issued a statement in which he indicated that, in view of the fact that the withdrawal of UNEFI was not dependent on the continued presence of the UNTSO observers in the area, he intended to make, in accordance with existing decisions of the Security Council, the necessary arrangements to ensure further functioning of UNTSO. The first United Nations peace-keeping force, UNEF, was characterized by the then Secretary-General, Dag Hammarskjold, as "a new and in many ways unique experiment by the United Nations in a type of operations which previously it has not been called upon to conduct". UNEF I and UNEF II as peace-keeping experiments had succeeded in securing for themselves a permanent place in United Nations practice.

The peace treaty concluded in 1979 between Egypt and Israel superseded the

39 Ibid; p. 35.

40 Ibid; p.p. 35-36.
1949 Armistice Agreement in that sector and thus terminated the Egypt-Israel Mixed Armistice Commission. At the request of the Egyptian government, UNTSO has continued to maintain a presence in the area. Its observers in the Egypt-Israel sector were organized as Observer Group Egypt (OGE) with a strength in early 1996 of some 14 military observers. OGE operated six outposts in the Sinai and an outpost on Ismailia\(^41\). It conducted patrols in most parts of the Sinai, except for an area under the “Multinational Force and Observers” (MFO) which was set up to supervise in 1982-outside the scope of the UN’s activities- the implementation of the peace treaty concluded between Egypt and Israel in 1979 (we refer to the Camp David Accord)\(^42\). In subsequent years, the number of UNTSO’s outposts was reduced. Its headquarters had been moved to Ismailia. In 1995, OGE operated one outpost in El-Arish and the frequency of patrols has been reduced accordingly.

2. The Syrian-Israeli Sector Since 1973

During the October 1973 war, the central part of the buffer zone established by UNTSO on the Golan Heights was the scene of fierce fighting. In the first days of the war, Syrian forces attacked and overran several Israeli positions along the cease-fire lines. However, by 11 October, the Israeli troops had counter-attacked and in turn crossed over to the Syrian side of the buffer zone on either side of the Quneitra-Damascus road. As the battle developed, some of the United Nations observation posts ceased, but others continued to operate\(^43\). When the cease-fire called for by the Security

\(^{41}\) Ibid; p. 34


\(^{43}\) Ibid; p. 10
Council took effect on 25 October, the United Nations observers had already set up observation posts around the village of Sassa and the cease-fire observation operation was thus resumed.

However, UNTSO's cease-fire observation mission in the Syrian-Israeli sector was discontinued on 31 May 1974, when the United Nations Disengagement Observer Force was established and the 90 United Nations observers assigned to the sector were ordered to join UNDOF as an integral part of it. UNDOF manned observation posts near the separating lines between both belligerent parties, and conducted forthrightly inspections of the areas of limitations of armaments and forces provided for under the disengagement agreement of 1974.

In 1979, the observers detailed to assist UNDOF were formed into Observer Group Golan (OGG), which continued to carry out the tasks described above, under the supervision and control of the UNDOF command. Under the terms of the protocol of Disengagement Agreement, the personnel of UNDOF must come from members of the United Nations that are not permanent members of the Security Council. UN sources confirm that UNTSO establishment in the Syrian-Israeli sector was, in early 1996, the largest in the area since it comprises altogether some 85 observers.

3. The Jordanian-Israeli Sector Since 1973

During the war of 1973, the Jordanian-Israeli sector remained quiet. UNTSO continued to maintain a small liaison office in Amman. In 1994, Israel and Jordan concluded a peace treaty and the UNTSO office mentioned above was closed the following year.44

44 Ibid; p. 10
4. The Lebanese-Israeli Sector Since 1973

The UNTSO operation in the Lebanese-Israeli sector experienced severe difficulties following the outbreak of the civil war in Lebanon in 1975. Since the UNTSO observers were not armed, their security had to be ensured by the host government. When the five observation posts were set up along the Armistice Demarcation Line in 1972, the Lebanese army established a checkpoint next to each of them. But, at the beginning of the civil war, the Lebanese army disintegrated and United Nations observers manning the posts were left on their own in an increasingly dangerous and unstable situation.

The Secretary-General had three choices at the time\textsuperscript{45}: suspend the operation, arm the observers for their protection, or ask them to continue to operate as before in spite of the changing conditions. After careful consideration and consultation with the contributing countries, the last-mentioned option was adopted. From time to time, observers’ vehicles were hijacked; their posts broken into by one military faction or another. But despite these few serious incidents, the fighting factions respected in general the status of the United Nations observers.

When the Security Council established the United Nations Interim Force in Lebanon in March 1978, UNTSO’s cease-fire observation mission in the Lebanon-Israel sector was supposedly discontinued and the observers- at the deployment phase of UNIFIL- were required to assist UNIFIL in the fulfillment of its tasks\textsuperscript{46}.

Later, it was stipulated that the military observers of UNTSO would continue


\textsuperscript{46} United Nations, Department of Public Information. The Blue Helmets, 1996, 35-36.
to function on the Armistice Demarcation Line after the termination of the mandate of UNIFIL. The observers assigned to assist UNIFIL were formed into Observer Group Lebanon (OGL) and were placed under the operational control of the commander of UNIFIL. They manned observation posts, conducted patrols and carried out liaison duties with parties active in and around the UNIFIL area of operation.

In early 1996, OGL comprised some 54 military observers. They continue to man the five observation posts along the Lebanese side of the Armistice Demarcation Line and operate four mobile teams in parts of the UNIFIL areas of operation including those that are under Israeli control and where UNIFIL units are not deployed\(^47\).

Despite UNIFIL's presence, Southern Lebanon has remained the most hazardous assignment for the UNTSO observers. They have often been caught in cross-fire (from Israelis and their allied militias and the anti-Israeli militants in the area), while the various factions and parties respected the international status of the unarmed observers, one of them has been kidnapped on account of his nationality\(^48\). In June 1982, Israeli forces invaded Lebanon again and soon reached Beirut, where the Palestine Liberation Organization (PLO) had its headquarters and where many of its fighters had concentrated. The PLO called for the deployment of UNIFIL in the Beirut area, but this solution was strongly opposed by Israel. Various proposals for the establishment of a United Nations Military Observer Group in and around Beirut were examined by the Security Council in June and July, but no agreement could be reached. On 1 August, after Israel's forces had entered West Beirut, the Security Council authorized the Secretary-General to deploy immediately, on the request of the

\(^{47}\) Ibid; p. 36

\(^{48}\) Ibid; p. 36
Government of Lebanon, United Nations observers to monitor the situation in and around Beirut. The Secretary-General instructed UNTSO to make the necessary arrangements in consultation with the parties concerned.\(^49\)

When the Israeli reply was delayed, the Secretary-General immediately set up observation machinery in the Beirut area in territory controlled by the Lebanese Government. The ten observers entrusted with the responsibility of carrying observation tasks, were to constitute what came to be known - at the time - under the name of Observer Group Beirut (OGB). They took up their duties on 3 August, on the same day when the Israeli forces resumed their advance on West Beirut.\(^50\) Their unwillingness to cooperate with UNTSO prevented the reinforcement of OGB, as the observers could not reach Beirut without passing through Israeli checkpoints.\(^51\) In the meantime, the United States worked out arrangements for the evacuation of the PLO fighters under the supervision of the Multinational Force (MNF), not connected with the United Nations. This operation was completed on September first and MNF was withdrawn. On 14 September, Bashir Gemayel, the president-elect of Lebanon, was assassinated. The next morning, the Israeli forces returned in strength to West Beirut.

On the afternoon of 17 September, units of the Christian militia - of which Gemayel had been the leader - entered the Sabra and Shatila refugee camps in Beirut and killed a large number of Palestinian refugees. In the early hours of 19 September, the Security Council decided to increase the number of observers from 10 to 50 observers and


\(^50\) United Nations, Department of Public Information. The Blue Helmets, 1996, 37.

\(^51\) Ibid; p. 37
requested the Secretary-General to initiate urgent consultations on additional steps which the Council might adopt, including the possible deployment of United Nations forces in the capital if necessary. Around September 20, additional observers were on their way to Beirut and the Secretary-General informed the Council of his readiness to send some of the UNIFIL contingents to Beirut. However, on 24 September, the MNF returned to Beirut to remain there until 1984. Meanwhile, UNTSO observers in Beirut performed their duties by means of observation posts and mobile patrols. Their task was to monitor the situation in and around Beirut.

In mid-1992, OGB was converted to the United Nations Liaison Office in Beirut (UNLOB). This office performs liaison functions for the UNTSO. The chief of UNLOB is also the designated chairman of ILMAC. Since 1984, UNTSO has been financed from the regular budget of the United Nations. But the actual financial situation of the Organization provided impetus for a number of streamlining measures which brought down the number of military observers in 1996, from 298 to 178.52

Throughout UNTSO's history, the military officers assigned as United Nations observers to UNTSO have frequently been drawn on a reserve of experienced personnel, especially in setting up new peace-keeping operations. Usually, since they are able to move at short notice, they are entitled to optimally serve in the initial phases of all the peace-keeping operations in the Middle East (UNEF I, UNEF II, and UNIFIL). Political analysts concede that the communications' system of those observers was invaluable in setting up peace-keeping forces at times of military crisis with the aim of preventing it from escalating into major conflicts between potentially aggressive warring parties. Sometimes, the observers contributed in the generation of

52 Ibid, p.p 37-38
peace in military unstable regions of the world. Other times, they perpetuated an already existing military status quo.
CHAPTER III

COMPARATIVE CASE STUDIES: AN OUTLOOK ON PREVIOUS PEACE-KEEPING EXPERIENCES IN THE WORLD

This chapter is devoted for the comparison of different case studies of peace-keeping from several areas of the world, on the basis of adherence to chapter six requirements, or in accordance with resolutions imposed by the Security Council for restoring peace and tranquility to troubled spots on the globe.

A. The Egyptian Case: (UNEFI’s and UNEFII’s Formation)

1. UNEFI’s Formation

In October 1956, the United Nations faced a major crisis. The 1949 General Armistice Agreement between Egypt and Israel concluded under the auspices of and supervised by the United Nations collapsed when Israel and two major powers occupied large portions of Egyptian territory. The Organization- as we have stated earlier-reacted to the crisis with speed and firmness, and to overcome it, conceived a new form of peace-keeping by setting up its first peace-keeping force which owes its formation to the resourceful thinking of the person of the Secretary General- at the time- Mr. Dag Hammarskjold53. Since the summer of 1955, relations between Israel and Egypt had been deteriorating, despite the efforts of the chief of UNTSO and the Secretary-General to redress this state of affairs between the two countries. During this period, the Palestinian Fedayeen had been launching frequent raids against Israel from their bases

in Gaza, and these Palestinian attacks were usually followed by strong acts of Israeli reprisal\textsuperscript{54}. The decision taken by Egypt in the early 1950s to restrict Israeli shipping through the Suez Canal and the Strait of Tiran at the entrance of the Gulf of Aqaba, in contravention of a decision of the Security Council, remained a controversial issue and a destabilizing issue- leading to tension heightening. The control of armaments which was sought to be achieved in the 1950s by the USA, United Kingdom and France broke down. Consequently, Egypt and Israel were engaging in an intense arms race with the East and West supplying sophisticated weapons and equipment to the opposing sides.

On July 1956, the United States government decided to withdraw its financial aid for the Aswan Dam Project on the Nile River. In response, President Jamal Abdel Nasser announced the nationalization of the Suez Canal Company and declared that the Canal dues would be used to finance the Aswan project. On 23 September 1956, the Governments of France and the United Kingdom requested the Security Council to convene to consider "...the situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal as was confirmed and completed by the Suez Canal convention of 1888"\textsuperscript{55}. On the following day, Egypt countered with a request that the Security Council consider actions against Egypt by some Powers, particularly France and the United Kingdom, as constituting a danger to international peace and security, since they are considered as serious violations of the Charter of the United Nations\textsuperscript{56}. The Security Council first met

\textsuperscript{54} United Nations, Department of Public Information. The Blue Helmets, 1996, 35

\textsuperscript{55} Ibid; p. 35.

\textsuperscript{56} United Nations Secretariat, Department of Public Information. An Agenda for Peace and Its Supplement, 1995-1996, 55.
on 26 September 1956 to consider both items. Meanwhile, private negotiations were being carried out between the Foreign Ministers of the three countries with the good offices of the Secretary-General. By 12 October, the Secretary-General was able to work out six principles on which there seemed to be general agreement. These principles were incorporated in a draft resolution which the Security Council unanimously adopted on the next day. This became resolution 118 (1956)\(^{57}\), by which the Security Council "...agrees that any settlement of the Suez question should meet the following requirements:

- There should be free and open transit through the Canal without discrimination, this covers both political and technical aspects.

- The sovereignty of Egypt should be respected.

- The operation of the Canal should be insulated from the politics of any country.

- The manner of fixing tolls and charges should be decided by agreement between Egypt and the users of the Canal.

- A fair proportion of the dues should be allotted to development issues.

- In case of disputes, unresolved affairs between the Suez Canal company and the Egyptian Government should be settled by arbitration with suitable terms of references and suitable provisions for the payment of sums found to be due..."\(^{58}\).

However, a new situation developed in late October 1956, when the Israelis in cooperation with the British and French Governments, launched an all attack on Egypt. The Israeli forces crossed the border on the morning of 29 October, advancing in three

\(^{57}\) Ibid; p. 36

\(^{58}\) Ibid; pp. 36-37.
columns toward El-Arish, Ismailia, and Mutfa. In the early hours of 30 October, the Chief of Staff of UNTSO, Major General E.L.M Burns (from Canada) called for a cease-fire and requested Israel to pull its forces back to its side of the border. In the afternoon of the same day, the British and French governments addressed a joint ultimatum to Egypt and Israel seemingly calling on both sides to cease hostilities within 12 hours and to withdraw their forces to a distance of 10 miles on each side of the Suez Canal. They also requested Egypt to allow Anglo-French forces to be stationed temporarily on the Canal at Port Said, for the purpose of separating the belligerents and ensuring the safety of shipping. The ultimatum was accepted by Israel whose troops were still far from the Suez Canal but it was rejected by Egypt. On 31 October, France and the United Kingdom launched an air attack against targets in Egypt, which was followed by a landing of their troops near Port Said at the northern end of the Canal. The Security Council held a meeting on 30 October at the request of the United States, which submitted a draft resolution calling upon Israelis immediately to withdraw their armed forces behind the established armistice lines. It was not adopted because of British and French vetoes. A similar draft resolution sponsored by the ex-Soviet Union was similarly rejected. The matter was then transferred to the General Assembly, on a proposal by Yugoslavia, in accordance with the procedure provided by Assembly resolution 377 (V) of 3 November 1950 entitled “Uniting for Peace”. The first Emergency Special Session of the General Assembly called under that resolution was convened on 1 November 1956. In the early hours of the next day, the General Assembly convened on the proposal of the United States. The result was the adoption of a resolution 997 calling for an immediate cease-fire, the withdrawal of all forces

behind the armistice lines and the reopening of the Canal. The Secretary-General was requested to observe and report promptly on the parties' compliance with Security Council's and General Assembly's resolutions. Mr. Lester Pearson (Canada's representative in the Assembly) who rejected resolution 997, explained his rejection with his conviction that the adopted resolution did not provide for, along with the cease-fire and the withdrawal of troops, any steps to be taken by the United Nations for a durable peace settlement, without which a cease fire would be only of a temporary nature.

Mr. Pearson had had extensive discussions with the Secretary-General and he felt that it might be necessary to establish some sort of United Nations police force to help resolve the crisis. Consequently, Pearson submitted to the General Assembly, when it reconvened the next morning, a draft resolution on the establishment of an emergency international United Nations force. The Canadian Proposal was adopted by the General Assembly on the morning of 4 November 1956 and became resolution 998, by which the Assembly: "...requests, as a matter of priority, the Secretary-General to submit to it within forty-eight hours a plan for the setting up, with the consent of the nations concerned, of an emergency international United Nations force to secure and supervise the cessation of hostilities in accordance with all the terms of the mentioned resolution 997..." In the same period, the General Assembly adopted resolution 999 (at Emergency Session 1) by which it reaffirmed resolution 997. The Secretary-General submitted his first report on the plan for deploying an Emergency International United Nations force. All his recommendations were endorsed by the General Assembly and

60 Ibid; p. 76-77.

61 United Nations, Department of Public Information. The Blue Helmets, 1996, 37-38.
included in Resolution 1000, by which the Assembly:

- Established a United Nations command for an emergency international force to secure and supervise the cessation of hostilities in accordance with all the terms of the General Assembly’s resolution 999.

- Appointed on an emergency basis, the Chief of Staff of UNTSO, Major-General E.L.M. Burns, as a chief of command.

- Authorized the chief of the command immediately to recruit from the observer corps of UNTSO, a limited number of officers who were nationals of countries other than those having permanent membership in the Security Council.

- Invited the Secretary-General to take such administrative measures as might be necessary for prompt execution of the actions envisaged.

On November 6, the Secretary-General submitted to the General Assembly his second and final report in which he defined certain guiding principles for the new force’s organization and functioning. He thus recommended three basic guidelines that ought to be adopted for the establishment of the force. In the first place, its chief responsible officer should be appointed by the United Nations itself and in his functions should be responsible ultimately to the General Assembly and/or to the Security Council\(^{62}\). His authority should be so defined as to make him fully independent of the policies of anyone nation. A second possibility would be for the United Nations to charge a country or a group of countries, with the responsibility to provide independently for an international force serving for the purposes determined by the United Nations. In this approach, it would obviously be impossible to achieve the same independence in relation to national policies as would be established through the first

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concept. A third possibility would be the establishment of an international force set up in agreement among a group of nations, later to be brought into an appropriate relationship to the United Nations. This approach was open to the same reservation as the second concept. The Secretary-General noted that in deciding on 5 November 1956 to establish a United Nations command, on an emergency basis, the General Assembly had chosen the first type of International Force. Still the Secretary-General set out certain guiding principles for the organization and functioning of the Force. First, the question of the composition of the staff and contingents should not be subject to agreement by the parties involved, since such recruitment would be difficult to reconcile with the development of the international force along the course already being followed by the General Assembly. Second, the terms of reference of the force were to secure and supervise the cessation of hostilities in accordance with all terms of the General Assembly’s resolution 997 (Emergency Session I) of 2 November 1956. It followed from its terms of reference that there was no intent in the establishment of the force to influence the military balance in the current conflict. The force should be of a temporary nature, the length of its assignment being determined by the needs arising out of the current conflict. Guidelines for the functioning of the force, were outlined as follows: adoption of the General Assembly’s resolution of November 2 1956 urging: “...all parties involved in hostilities in the area to agree on an immediate cease-fire and, as part there of, halt the movement of military forces and arms into the area...” The General Assembly further urged the parties to the Armistice Agreement to withdraw all forces behind the Armistice Lines, to stop raids against those lines into neighboring

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63 Ibid; p. 10

64 United Nations, Department of Public Information. The Blue Helmets, 1996, 38.
territories, and to observe scrupulously the provisions of the agreements. In general, the force was not to have rights other than those necessary for the execution of its functions, in cooperation with local authorities. It would be more than an observer corps, and should have no function exceeding those necessary to secure peaceful conditions, on the assumption that the parties to the conflict would take all necessary steps for compliance with the recommendations of the General Assembly. Its functions could be assumed to cover an area extending roughly from the Suez Canal to the Armistice Demarcation Lines established in the Armistice Agreement between Egypt and Israel. The Secretary-General indicated that the question as to how the force should be financed required further study. A measure which could be applied provisionally would be that a state providing a unit would be responsible for all costs of equipment and salaries, while all other costs should be financed by the United Nations. After considering the report of the Secretary General, the General Assembly adopted, on 7 November, Resolution 1000 (Emergency Session-one) approving the guiding principles for the Organization and functioning of the emergency international United Nations force as exposed in the Secretary General’s report, while approving provisionally the basic rule concerning the financing of the force laid down in the same report. Then the General Assembly authorized the Secretary-General to issue all regulations and instructions essential to the effective functioning of the force, it also requested all Member States to afford assistance as necessary to the United Nations command in the performance of its functions, including arrangements for the passage to and from the area involved. This resolution, which, with resolution 998 (Emergency Session-one) of 4 November, formed the basis for the establishment of the United Nations Emergency Force was adopted by 64 votes to none, with 12 abstentions. France and the United Kingdom

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65 Ibid; p. 38.
voted this time with the majority. Egypt and Israel remained with the abstainers. Some of the abstainers explained their abstention by considering resolutions 1000 and 1001 (Emergency Session-one) as contrary to the Charter. On the same day, 7 November, the General Assembly also adopted resolution 1002 (Emergency Session-one) by which it called once again upon Israelis immediately to withdraw their forces from Egyptian territory. The voting was 65 to one. Israel cast the lone negative vote. France and the United Kingdom abstained. At the time, the representatives of France and the U.K. indicated that an immediate withdrawal of their forces could lead to a "power vacuum" between Egyptian and Israeli forces, and that withdrawal could only be affected subsequent to proof of the effective operation of UNEFI. During the first emergency special session, the General Assembly gave the Secretary-General the authority and support he required to bring about the cessation of hostilities in Egypt and the withdrawal of foreign troops from Egyptian territory with the assistance of a new type of peace-keeping machinery, the United Nations peace-keeping force. The idea of such a force, which was to have such an impact on the work of the United Nations came initially from Mr. Lester Pearson. Secretary-General Dag Hammarskjold made it a practical reality. The United Nations Emergency Force was a pre-condition for securing the cease-fire, and a pre-condition for bringing about the withdrawal of the invading British, French, and Israeli forces from Egyptian lands. The establishment of UNEF I had no real precedent. The nearest parallel was UNTSO, which also had peace-keeping functions but was a much simpler operation and did not provide much help with regard to the many organizational and operational problems involved. Immediately, after the

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66 Ibid; p. 39.

Assembly authorized the force, the chief of command General Burns selected a group of UNTSO observers who began planning the organization of the new force. The Secretary-General approached the Governments of the potential participating countries to obtain the required military personnel. He also initiated negotiations with the Egyptian Government to secure its agreement as a host country for the entry and stationing of the force in Egypt. A key principle governing the stationing and functioning of UNEF I, and later on all of the other peace-keeping forces, was the consent of the host government. Since it was not an enforcement action under chapter seven of the charter, UNEF could enter and operate in Egypt only with the consent of the Egyptian government. This principle was clearly stated by the General Assembly in adopting resolution 1001 (Emergency Session-one) of 7 November 1956 concerning the establishment of UNEF I\textsuperscript{68}. After the adoption of that resolution, General Burns was instructed to approach the Egyptian authorities in Cairo in order to prepare the ground for the prompt implementation of the resolution. The Government of Egypt had already accepted the terms of the resolution 1000 (Emergency Session-one) on the establishment of a United Nations command, and this was considered by the Secretary-General as an acceptance in principle of the force itself. However, as it came to be known later on, and before consenting to the arrival of the mentioned force on its territory, Egypt wished to have certain points in the Assembly Resolution clarified. In particular, it wanted to know the functions of the force, the areas to be occupied by it, how long it would stay and whether it was supposed to have function in the Suez Canal area apart from observing the withdrawal of the Anglo-French forces and whether it would stay in the Canal area after the Anglo-French withdrawal\textsuperscript{69}. Firm assurance was

\textsuperscript{68} Ibid; p. 40

\textsuperscript{69} Ibid; pp. 41-42.
given to the Egyptian authorities that cooperation with the United Nations would not infringe the Egyptian sovereignty or detract from Egypt's power to freely negotiate a settlement on the Suez Canal. The Secretary-General assured Egyptian leaders that the force provided a guarantee for the withdrawal of foreign forces from Egypt and that, since it would come only with Egypt's consent, it would not stay or operate in Egypt if that consent was withdrawn. On 14 November 1956, the government of Egypt gave its consent to the arrival of UNEFI in Egypt, and the first transport of UNEF troops took place on the next day. During this period, the Secretary-General felt the need to discuss personally with the Egyptian authorities, at the highest level, various questions which followed from the decision to send the force to Egypt, including the selection of national contingents. Therefore, he decided to visit Cairo where he reached agreement with the Egyptian government on the composition of the force. President Nasser had first opposed the inclusion of the Canadian, Danish, and Norwegian units because they belonged to the North Atlantic Treaty Organization (NATO)\(^70\). On the insistence of the Secretary-General, this opposition was withdrawn and the basic discussions centered on the functioning and stationing of the force. On this matter, a so-called "good faith agreement" was worked out to serve as the basis for the stationing of the UNEF I in Egypt. It noted that the Assembly, by resolution 1001, had approved the principle that the force could not be requested "to be stationed or operate on the territory of a given country without the consent of the government of that country". In the "good faith agreement", the Government of Egypt and the Secretary-General of the United Nations have stated their understanding on the basic points for the presence and functioning rights on any matter as follows:

- "...The Government of Egypt declares that, when exercising sovereign rights

\(^70\) Ibid; p. 41.
on any matter concerning the presence and functioning of UNEF, it will be guided, in
good faith, by its acceptance of the General Assembly resolution 1000 (Emergency
Session-one) of 5 November 1956.

- The United Nations takes note of this declaration of the Government of
Egypt and declares that the activities of UNEF will be guided, in good faith, by the task
established for the force in the previously mentioned resolutions; in particular the
United Nations understanding this to correspond to the wishes of the government of
Egypt, reaffirms its willingness to maintain UNEF until its task is completed.

- The Government of Egypt and the Secretary-General declare that it is their
intention to proceed forthwith, in the joint exploration of the concrete aspects of the
functioning of UNEF, including its stationing and the question of its lines of
communication and supply. The Government of Egypt confirming its intention to
facilitate the functioning of UNEF...

The Secretary-General brought the good faith agreement to the attention of the
General Assembly in a report on 20 November 1956. In this report, he clearly stated
that with the approval of the General Assembly, and with the concurrence of Egypt,
cooperation between the two sides could be developed and necessary agreements on
various details be elaborated. No objection was raised by the Assembly in this
connection. In addition to the "good faith agreement", two other memoranda were
agreed upon between the Secretary-General and President Nasser. One of them set out
the understanding that the area to be occupied by UNEF after the Israeli withdrawal
could be subject to agreement and that the force would have no function in Port Said
area and the Suez Canal areas after the withdrawal of the Anglo-French troops. It was

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71 Robert C. R. Siekmann, Legal Documents and Studies on Peace-Keeping
obvious that UNEF could not stay or operate in Egypt unless Egypt continued to consent. The other memorandum specifically separated the question of the reopening of the Suez Canal from the functions of the UNEF. With these agreements, UNEFI was set up. An exchange of letters between the UN and Egypt constituted the agreement on the status of the United Nations Emergency Force One in Egypt which the General Assembly voted with approval in its resolution 1126 (XI) of 22 February 1957. The status of the force agreement covered a wide range of problems, including the premises of the force and the use of the United Nations flag, privileges and immunities of the force, civil and criminal jurisdiction, and settlement of disputes or claims. Members of the force were to enjoy full freedom in the performance of their duties, but they were to be subject to the exclusive jurisdiction of their respective national Governments in respect of any criminal offense which they might commit in Egypt. The agreement on the status of UNEF was the first document of this kind. It provided a pattern which was followed for the subsequent peace-keeping forces in the Congo and Cyprus and was used as a precedent to deal with various problems arising from the operations of UNEFII, UNDOF, and UNIFIL.\(^2\) The principles of consent applied not only to the host Government but also to the participating countries. In accordance with the principles approved by the General Assembly, the force was to be composed of national contingents accepted for service by the Secretary-General from among those voluntarily offered by Member States. Troops from the Permanent Members of the Security Council or from any country, which, for geographical and other reasons, might have a special interest in the conflict would be excluded. In selecting the contingents, the Secretary-General had to take account of the views of the host Government. The size of the force was to be determined by the Commander in consultation with the Secretary-

\(^2\) ibid; p. 77.
General and in the light of the functions to be performed. The original estimate by the Force Commander of the manpower needed to perform those tasks was the equivalent of two combat brigades or about 6,000 men\textsuperscript{73}. It was decided that the national contingents should be sufficiently large to be self-contained and that the force should have adequate support units (including a light-air unit). The Secretary-General sought certain assurances from the participating countries. He pointed out that the effective functioning of UNEF One required that some continuity of service of the participating units should be assured in order to enable the force Commander to plan his operations. He also insisted that the Commander of each national contingent should take orders exclusively from the force Commander and should be in a position to exercise the necessary disciplinary authority with the members of his contingent\textsuperscript{74}. The arrangements between the United Nations and the contributing countries were expanded and set out in formal agreements in the form of an exchange of letters between the Secretary-General and the respective participating Governments. By 5 November 1956, Canada, Columbia, Denmark, Finland, Norway, Pakistan, and Sweden had replied affirmatively. In the following days, several countries also offered to provide contingents (mainly India, New Zealand, Peru, the Philippines, Brazil, and Burma). In addition, the United States Government informed the Secretary-General that it was prepared to help as regards airlifts, shipping, transport and supplies. In consultation with the Force Commander and after discussion with the Government in Egypt, the Secretary-General accepted contingents from ten countries: Brazil, Canada,

\textsuperscript{73} United Nations, Department of Public Information. United Nations Peace-Keeper, 1996, 9.

\textsuperscript{74} United Nations, Department of Public Information. The Blue Helmets, 1996, 42-43.
Colombia, Denmark, Finland, India, Indonesia, Norway, Sweden, and Yugoslavia.\textsuperscript{75} The extent of the area to be covered by UNEF called for highly mobile reconnaissance. General Burns and his group of UNTSO military observers arrived in Cairo on 12 November 1956 and set up a temporary headquarters there. The first UNEF units flew to Egypt on 15 and 16 November. They were followed by other contingents. The target strength of 6,073 men was reached in February 1957. The deployment and assignment of the contingents were changed— from time to time— according to the requirements of the operation. The strength of the force remained at the authorized level of about 6,000 until the end of 1957. In the following years, it was gradually reduced because the situation in the area of the operation remained quiet and also because of financial difficulties. In November 1965, a survey team was sent to the area to examine the possibility of reductions. In accordance with its recommendations, its strength was brought down to 3,378 men by the time the force began its withdrawal in May 1967.

The United Nations Emergency Force One, established by the General Assembly, was a subsidiary organ of the Assembly under Article 22 of the Charter.\textsuperscript{76} It was directed by the Secretary-General under the general authority of the General Assembly. The Secretary-General was authorized to issue all regulations and instructions which might be essential to the effective and executive functioning of the force. To assist him in his mission, the Secretary-General set up an informal military group at headquarters composed of military representatives of the participating countries. The Secretary-General was also assisted by the Advisory Committee established under Assembly resolution 1001 (Emergency Session-one). The Command of the Force was assumed in

\textsuperscript{75} Ibid, p. 43.

\textsuperscript{76} United Nations Secretariat, Department of Public Information. An Agenda for Peace and Its Supplement, 1995-1996, 57.
the field by the Force Commander (originally designated as the Chief Commander); who was appointed by the General Assembly on the recommendation of the Secretary-General. The Commander was operationally responsible for the performance of all functions assigned to the force by the United Nations. The Commander had direct authority for the operation of the force and also was responsible for the provision of facilities, supplies, and related services. He reported to the Secretary-General and was responsible to him. He was normally a General Officer seconded by an officer who would be a officer member of a state’s contingent at the request of the Secretary-General. During his assignment with the United Nations, he received an appointment as a senior Official of the United Nations Secretariat with the rank of assistant Secretary-General. The Force Commander was authorized to appoint the officers of his command in consultation with the Secretary-General. In selecting the officers, the Commander was required to give due consideration to the goal of balanced composition and to the importance of contribution made by the participating countries\(^\text{77}\). The national contingents were under the command of the contingent Commanders, who were appointed by their respective Governments. These contingents remained part of their respective national armed forces but, during their assignment to UNEFI, they owed international allegiance and were placed under the operational control of the United Nations. This control was exercised through the contingent Commanders, who received their instructions from the Force Commander. Changes in contingent Commanders were made by the respective Governments of participating Countries in consultation with the Force Commander. The officers and soldiers of each contingent continued to

wear their national uniforms but with United Nations insignia\textsuperscript{78}. The blue berets and helmets were created by Secretary-General Hammarskjold, later on, during the formative days of UNEFI. Responsibility for disciplinary action in National Contingents rested with the contingent Commanders. Reports concerning disciplinary action were communicated to the force Commander, who might consult with contingent Commanders and, if necessary, with the authorities of the Participating Countries. UNEF military police might be employed in so far as such employment was necessary to maintain discipline and order among members of the force.

The first objective of Secretary-General Hammarskjold was to secure a cease-fire in accordance with the call of the General Assembly as contained in resolution 997 (Emergency Session-One) of 2\textsuperscript{nd} November 1956\textsuperscript{79}. Concerning this issue, and during the meeting at which this resolution was adopted, the representative of Israel stated that his government agreed to an immediate cease-fire, provided that a similar answer was forthcoming from Egypt. On the same day, the Egyptian Government informed the Secretary-General that it would accept the call for a cease-fire on the condition that military actions against Egypt were stopped. The Secretary-General notified Israel, France, and the United Kingdom of Egypt's position and called upon all four parties to bring hostilities to an end. He urged France and Britain to give him a definitive acceptance on his cease-fire call at the earliest possible moment. On 5 November, France and the United Kingdom informed the Secretary-General that as soon as the Governments of Egypt and Israel expressed their approval of the cease-fire, and the

\textsuperscript{78} United Nations, Department of Public Information. The Blue Helmets, 1996, 45.

United Nations endorsed a plan for an international force with the prescribed functions, they would cease all military action. Later in the day, orders were given to cease bombing throughout Egypt which accepted the Secretary-General’s request for a cease-fire without any attached conditions, and Israel informed the Secretary-General that in the light of Egypt’s declaration, it confirmed its readiness to agree to a cease-fire. In a memo dated 5 November, the Secretary-General informed France and the United Kingdom that, since on that date the General Assembly had taken a decisive step towards setting up the international force by establishing a United Nations Command, and since Egypt and Israel had agreed, without conditions, to a cease-fire, the conditions for a general cease-fire seem to be established. In their replies on November 6, the two Governments announced that their forces were being ordered to cease-fire on the same day. The cease-fire was established at midnight on 7/8 November and, except for isolated incidents, generally held. At the same time as the Secretary-General was taking urgent steps to set up the new force, he was pressing France and the United Kingdom for an early withdrawal of their forces from the Port Said area. The two governments told him that their troops would be withdrawn as soon as the proposed United Nations force was in a position to assume effectively the tasks assigned to it and, in particular, to ensure that hostilities would not be resumed in the area. The Secretary-General, therefore, endeavored to move the first units of UNEF to Egypt. But the establishment of the first United Nations peace-keeping force was not an easy job. The first units from the Colombian, Danish, and Norwegian contingents arrived in the area on 15 and 16 November and were immediately deployed in the Suez Canal area. On 24 November, the General Assembly adopted resolution 1120, by which it noted— with

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80 United Nations, Department of Public Information. The Blue Helmets, 1996, 45-46.
regret that two thirds of the French forces and all of the British forces remained in Egypt and it repeated its call to the British and French Governments for the immediate withdrawal of their forces. In the messages they issued on 3 December, the British and French Governments noted that an effective United Nations force was currently arriving in Egypt, that the Secretary-General had accepted the responsibility for organizing the task of clearing the Suez Canal and ensuring that free and secure transit would be re-established through the Canal when it was cleared and that the Secretary-General would promote as quickly as possible negotiations with regard to the future regime of the Canal on the basis of the six requirements set out in the Security Council’s resolution 118 (1956). Consequently, the two Governments confirmed their decision to continue the withdrawal of their forces from the Port Said area without delay. The Secretary-General immediately instructed General Burns to get in touch with the Anglo-French Commander and worked out with him the arrangements for the complete withdrawal of the Anglo-French forces without delay ensuring that UNEF would be in a position to assume its responsibilities in the Port Said area. On 22 December, the withdrawal of the Anglo-French forces was completed and UNEF I took over the Port Said area. The negotiations undertaken by the Secretary-General to achieve the withdrawal of the Anglo-French forces required nearly two months, those regarding the withdrawal of the Israeli forces took much longer. By resolution 997 (Emergency Session-One) of 2 November 1956, the General Assembly had urged the parties to the Armistice Agreements promptly to withdraw all forces behind the Armistice lines, to desist from raids across those lines into neighboring territory and to observe scrupulously the Armistice Agreements. In resolution 1002 (Emergency Session-One) of 7 November,

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81 Ibid; p. 45-46.
82 Ibid; pp. 45-46.
the Assembly, after noting its decision to establish a United Nations command for
International Forces, called once again upon Israel immediately to withdraw its forces
behind the Armistice lines. On the same day, the Israeli Prime Minister David Ben
Gurion, in a statement to the Israeli Knesset, was stressing on the fact that the Armistice
lines between Egypt and Israel had no validity, and that "on no account will Israel agree
to the stationing of a foreign force, no matter how called, in her territory, or in any of
the areas occupied by her...". On hearing this statement, the Secretary-General wrote to
the Minister for Foreign Affairs of Israel Golda Meir, to inform her that this position
was in violation of the resolution of the General Assembly and, if maintained, would
seriously complicate the task of giving effect to those resolutions\(^3\). It was obvious that
Israel was trying to gain time by refusing to carry on a withdrawal of its forces for
varying distances along the entire Egyptian frontier. To cause further delay in the
application of UN resolutions' terms, Israel portrayed itself as unconvincing with the
question of arrangements to be made with the United Nations in connection with the
UNEF. It kept on stating that it was awaiting information on the proposed size,
location, and stationing plans of the force and on the methods proposed for the
discharge of its functions as laid down in the General Assembly's resolution of 2, 5, and
7 November. It was also awaiting a clarification by Egypt on its policy and intention
with respect to the matters affecting Israel's security. At a meeting held on 24
November, the General Assembly adopted resolution 1120\(^4\) by which, after noting that
the Israeli forces had not yet been withdrawn behind the Armistice lines, reiterated its
call to Israel to comply with its resolution.

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\(^3\) Ibid; pp. 45-46.

\(^4\) United Nations, Department of Public Information. United Nations Peace-
In a letter dated 1 December, the representative of Israel informed the Secretary-General that on the morning of 3 December, Israeli forces would be removed from a wide belt of territory in the proximity of the Suez Canal along its entire length. Elements of UNEF immediately replaced Israeli forces in the evacuated area. On 11 December, unexpectedly, Israel announced that it was ready to effect further withdrawal of troops in the Sinai Peninsula. Consequently, General Burns met with Moshe Dayan (the Israeli Commander). The two men agreed on specific arrangements for a first phase of withdrawal, and UNEF troops moved forward to within five kilometers of the new Israeli positions. At the request of General Burns, the Israeli Government envisaged the possibility of the remaining Israeli withdrawal in two phases. In accordance with Burns’ request, a further withdrawal of Israeli forces took place on 7 and 8 January 1957, leaving no Israeli forces west of El-Arish. On 15 January, the Israeli forces withdrew eastward another 25 to 30 kilometers, except in the Sharm-el-Sheikh area. This phase involved the entry into el-Arish and St. Catherine’s Monastery of the United Nations Emergency Force, which closely followed the withdrawing Israeli troops. On 14 January, Israel informed the Secretary-General that by 22 January the Sinai Desert would be entirely evacuated by Israeli forces with the exception of the Sharm-el-Sheikh area, that is, “the strip on the western coast of the Gulf of Aqaba which ensures freedom of navigation in the Strait of Tiran and in the Gulf”. Throughout this period, the basic function of UNEF, was to: help maintain quiet, gave the force great value as a background for efforts towards resolving some pending problems.

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85 United Nations, Department of Public Information. The Blue Helmets 1996, 46-47.

86 Ibid, pp. 46-47.

19 January 1957, the General Assembly adopted Resolution 1123, by which after recalling its resolution of 2, 4, 7, and 24 November 1956, requested the Secretary-General to continue his efforts for securing the complete withdrawal of Israel in pursuance of the above mentioned resolutions. In pursuance of those efforts, the Secretary-General held further discussions with Israeli representatives related to Sharm-el-Sheikh area and the Gaza Strip. For the Gaza Strip, Israel proposed a plan for the evacuation of its military forces from that area while leaving behind it an Israeli civilian administration to deal with security and administration matters. The United Nations Emergency Force One would not enter and be deployed in the Gaza area, but Israel proposed to cooperate with the United Nations Relief and Works Agency For Palestine Refugees in The Near East (UNRWA). Israel stressed that it is only in this respect, that it was ready to work out with the United Nations a suitable relationship concerning the Gaza Strip. The Secretary-General concluded that upon the withdrawal of Israeli forces, UNEF would have to follow them in the same way as it had in other parts of the Sinai, its movements being determined by its duties in respect to the cease-fire and the withdrawal. In accordance with the general legal principles recognized as decisive for the deployment of the force, UNEF should not be used in such a way as to prejudice the solution of the controversial questions involved. Any broader function for UNEFI in that area, in view of the Armistice Agreement and the recognized principles of international law would require the consent of Egypt. On 2 February 1957, the General Assembly after receiving the Secretary-General’s report, adopted two resolutions. By resolution 1124, it deplored the failure of Israel to complete its

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withdrawal behind the Armistice Demarcation Line and called upon it to do so without delay. By resolution 1125 the Assembly, recognizing that withdrawal by Israel must be followed by action which would assure progress towards the creation of peaceful conditions, called upon Egypt and Israel to assure progress towards the creation of peaceful conditions, by calling upon both countries to observe the provisions of the 1949 General Armistice Agreements and considered that "...after full withdrawal of Israel from the Sharm-el-Sheikh and the Gaza areas, the maintenance of the Armistice Agreement requires the placing of the United Nations Emergency Force on the Egyptian-Israeli Armistice Demarcation Line and implementation of other measures as proposed in the Secretary-General's report with regard to achieving situations conducive to the maintenance of peaceful conditions in the area...". 90 On 4 February, the Secretary-General met with the representative of Israel to discuss implementation of the Assembly's resolutions. Israel raised two points: First, it requested the Secretary-General to ask the Government of Egypt whether Egypt consented on "the mutual and full abstention from belligerent acts, by land, air, and sea, as a condition for withdrawal of Israeli troops". Secondly, Israel sought clarification as to whether "immediately on the withdrawal of Israeli forces from the Sharm-el-Sheikh area, units of the United Nations Emergency Force will be stationed along the Western shore of the Gulf of Aqaba in order to act as a restraint against hostile acts, and will remain so deployed until other effective means are agreed upon between the parties concerned for ensuring permanent freedom of navigation and the absence of belligerent acts in the Strait of Tiran and the Gulf of Aqaba". During the same meeting, the Secretary-General asked

90 United Nations, Department of Public Information. The Blue Helmets, 1996, 48.

91 Ibid, p. 48
whether, with regard to Gaza, it was understood by Israel that the withdrawal had to cover elements of civilian administration as well as military troops. He considered a clarification on this point as a prerequisite to further consideration of Israeli positions. There was, in his view, an unavoidable connection between Israel’s willingness to comply with General Assembly resolution 1124 and maintaining quiet in the Sharm-el-Sheikh area. The debate in the General Assembly concerning the second point raised by Israel made it clear that the stationing of the United Nations Emergency Force at Sharm-el-Sheikh would require Egyptian consent. Also, the Secretary-General considered it important, to learn whether Israel consented in principle to the stationing of UNEF units in implementation of the functions established for the force by the Assembly’s resolutions (in particular resolution 1125) where it was indicated that the force should be placed on the Egyptian-Israeli Armistice Demarcation Line.\textsuperscript{92} This meeting was followed by an exchange of communications between the Secretary-General and the representative of Israel. These exchanges were all inconclusive as each side wanted to receive the clarifications it had sought before applying to the questions addressed to it. In this connection, the Secretary-General stated that the fact that Israel had not found it possible to clarify elements decisive for the consideration of its requests had complicated the efforts to achieve implementation of the Assembly’s resolutions gradually. The Assembly did not adopt any further resolution on this matter after the Secretary-General’s report, but the Israeli Government eventually softened its position on the withdrawal from the Gaza Strip, although it maintained its denunciation of the 1949 General Armistice Agreement with Egypt and continued to oppose the stationing of the United Nations Emergency Force One on its side of the Armistice Demarcation Line. On 1 March 1957, the Foreign Minister of Israel announced in the General

\textsuperscript{92} Ibid; p.p. 49-50.
Assembly the decision of her Government, to act in compliance with the terms of the resolution 1124 as issued by the General Assembly, and to retreat behind the Armistice Demarcation Line\(^{93}\). The same day, the Secretary-General instructed the Commander-in-Chief of the Israeli Army to cooperate with the Commander of the force in order to agree with him on arrangements for the complete and unconditional withdrawal of Israel in accordance with the Assembly’s decision. On 4 March, the declaration of 1 March was confirmed by the Israeli Government. The same day, General Burns met General Deyan. As a result, technical arrangements were agreed upon for the withdrawal of the Israeli forces and the entry of UNEF I troops into the Gaza Strip during the night of 6/7 March. Agreement was also reached for a similar takeover of the Sharm-el-Sheikh area on 8 March. On 6 March, General Burns reported that UNEF I troops were in position in all camps and centers of population in the Gaza Strip. The operation was carried according to plan and without incident. Though all Israelis had withdrawn from the Strip, a troop unit was left at Rafah camp. Both withdrawals (from Gaza Strip and Sharm-el-Sheikh) took place as agreed and thus the Secretary-General was able to report to the General Assembly on 8 March 1957 full compliance with Resolution 1124 of 2 February 1957\(^{94}\). In its Resolution 1125, on measures to be taken after the withdrawal of the Israeli forces from Egyptian territory, the General Assembly called upon the Governments of Egypt and Israel to observe the provisions of the 1949 General Armistice Agreement and considered that, after full withdrawal of Israel from the Sharm-el-Sheikh and Gaza areas “...the maintenance of the Armistice Agreement

\(^{93}\) United Nations, Department of Public Information. The Blue Helmets 1996, 49-50.

requires the placing of the United Nations Emergency Force on the Egyptian-Israel Armistice Demarcation Line..."\(^{95}\). Afterwards, the Secretary-General reported to the Assembly that Egypt had reaffirmed its intent to observe fully the provisions of the 1949 General Armistice Agreement to which it was a party, on the assumption that observance would be reciprocal.

The Secretary-General - in this period - drew attention to the desire expressed by Egypt to see an end to all raids and incursions across the Armistice Line in both directions, with effective assistance from United Nations auxiliary organs. However, Israel maintained its denunciation of the Armistice Agreement. The Secretary-General did not accept Israel’s denunciation as valid, as there was no provision in the 1949 Agreement for unilateral termination of its application. Consequently, the machinery for the supervision of the Armistice Agreement was maintained by UNTSO. Close cooperation between the two United Nations peace-keeping operations (UNEF and UNTSO) was maintained. Regarding the placing of UNEF I along the Armistice Demarcation Line, the Secretary-General interpreted this as requiring the deployment of UNEF on both sides of the line. The Egyptian Government has consented to the deployment of UNEF on its territory along the line as well as in the Sharm-el-Sheikh area on the basis of the “good faith agreement” set out in November 1956. At the beginning of February 1957, the Secretary-General had sought clarifications from Israel as to whether it agreed to the stationing of UNEF I units on its side of the Demarcation Line. No clarification was obtained and the Secretary-General assumed that, at least for the present, Israel’s reply to this question was essentially negative. In view of the Israeli position, UNEF I was deployed only on the Egyptian side\(^{96}\). As of 8 March,

\(^{95}\) Ibid; p. 61.

\(^{96}\) Ibid; pp. 50-51.
UNEF could be deployed only on the Egyptian Armistice Demarcation Line along the Gaza Strip, and the international frontier between the Sinai and Israel, as well as in the Sharm-el-Sheikh area. UNEF began operating in Egypt on 12 November 1956, when the Force Commander and a group of military observers detached from UNTSO set up a temporary headquarters in Cairo. It was withdrawn ten and a half years later, on 18 May 1967, at the request of the Egyptian Government.\footnote{Ibid; p. 51.}

The operation of the force during this period may be divided into four phases: the first phase, which extended from mid-November to late December 1956, centered on the withdrawal of the Anglo-French forces from the Port Said area. The second, from that time to early March 1957, concerned the withdrawal of the Israeli forces from the Sinai Peninsula, except the Gaza strip and the Sharm-el-Sheikh areas. The third, in March, related to those areas. The fourth and last phase, which began with the deployment of UNEF along the borders between Egypt and Israel, covered a period of more than 10 years from March 1957 until May 1967, during which time the force effectively maintained peace in those sensitive areas.

\textbf{a. First Phase: Suez Canal Area (November-December 1956)}

When UNEF became operational in mid-November 1956, the cease-fire had been achieved and was generally holding. The Anglo-French forces were occupying the Port Said area including Port Fouad. The Israeli forces were deployed east of the canal. The Secretary-General was actively negotiating with the three Governments concerned and pressing for the early withdrawal of their forces from Egyptian soil.\footnote{United Nations Secretariat, Department of Public Information. An Agenda for Peace and Its Supplement, 1995-1996, 58-59.}
The objectives of UNEF were to supervise the cessation of hostilities and to assist in the withdrawal process once agreement was reached on this matter. Shortly after its arrival in Egypt, UNEF was interposed between the Anglo-French forces and the Egyptian forces, occupying a buffer zone. UNEF's role was limited to investigating, reporting, and if warranted, protesting to the concerned authorities. UNEF also undertook certain essential administrative functions such as security and the protection of public and private property with the cooperation of the governor and police inspector in Port Said area. Its personnel also performed administrative functions with respect to public services, utilities, and provisioning of the local population with foodstuffs for example. All administrative and policing responsibilities were turned over to the Egyptian authorities the day following the Anglo-French evacuation. Other tasks included clearing mine fields in the Suez Canal area and arranging for exchanges of prisoners and detainees between the Egyptian Government and the Anglo-French command. In the last phase of the Anglo-French withdrawal, UNEF units greatly helped in preventing clashes between the foreign forces and Egyptian troops.  

b. Second Phase: Sinai Peninsula (December 1956-March 1957)

After the withdrawal of the Anglo-French forces, UNEF I concentrated its efforts on maintaining the cease-fire between Egyptian and Israeli forces and on arranging for Israeli withdrawal from Egyptian territory. The functions performed by UNEF in the Sinai were similar to those undertaken in the Canal area. The force was interposed between the Egyptian and Israeli forces in a temporary buffer zone from 3 December onwards. During the successive stages of the Israeli withdrawal, UNEF

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temporarily undertook some local civic responsibilities, including security functions in a few inhabited areas. The force also arranged and carried out exchanges of prisoners of war between Egypt and Israel and discharged certain investigatory functions. It cleared minefields in the Sinai and repaired portions of damaged roads and tracks crossing the peninsula.

c. Third Phase: Gaza Strip and Sharm-el-Sheikh (March 1957)

After 22 January 1957, Israel held on to the last two areas it still occupied. The withdrawal from the Gaza Strip took place on 6 and 7 March 1957 and that from Sharm-el-Sheikh area from 8 to 12 March. In accordance with the arrangements agreed to by the Egyptian Government, a UNEF detachment was stationed in Sharm-el-Sheikh following the withdrawal of the Israeli forces. This detachment maintained an observation post and kept the Strait of Tiran under constant watch. In the Gaza Strip, two local conditions were of special concern to UNEF as it moved into the area. It was across the Demarcation Line along the Strip that the greatest of infiltrations and raids had occurred during the past years, and there were in the area a large number of Palestinian Arab Refugees, who were being assisted by UNRWA. UNEF units entered the Gaza Strip on 6 March, as the withdrawal of Israeli forces began. On 7 March, General Burns notified the population of Gaza that UNEF, acting in fulfillment of its functions as determined by the General Assembly and with the consent of the Government of Egypt, was being deployed in the area for the purpose of maintaining quiet during and after the withdrawal of the Israeli forces. He also announced that, until further arrangements were concluded, UNEF would assume responsibility for civil affairs in the area. The involvement of UNEF in civil administration was of a purely temporary nature, depending on the re-establishment of local civilian authority.
d. Final Phase: Deployment Along the Borders (March 1957-May 1967)

After the completion of the withdrawal of all foreign forces from Egyptian territory, the main objective was, still, to supervise the cessation of hostilities between Egypt and Israel. Its basic functions were to act as an informal buffer between the Egyptian and Israeli forces along the Armistice Demarcation Line (ADL) and the international frontier in order to avoid incidents, prevent illegal crossings of the line by civilians of either side for whatever purposes, and to observe and report on all violations of the Line whether on land, sea, or in the air. By day, the entire length of the ADL was kept under observation by some 72 intervisible observation posts. In addition to ground observers, the entire length of the international frontier was also controlled by air reconnaissance planes on a daily basis. To prevent infiltration and incidents, UNEF I secured the cooperation of the Egyptian authorities. Local authorities cooperated closely with UNEF, which was- even- authorized to apprehend infiltrations and persons approaching the ADL in suspicious circumstances. In the performance of their duties, UNEF soldiers were not authorized to use force except in self-defense. They were never to take the initiative to use force, but could respond only with fire to an armed attack upon them. It enjoyed full freedom of movement in the Gaza Strip and between the Sinai posts. Though Israel denounced the General Armistice Agreement with Egypt in early November 1956, the chairman of the Egypt-Israel Mixed Armistice Commission and the UNTSO military observers had remained at their posts throughout the Israeli occupation of the Gaza Strip and afterwards. The activities carried out by UNEF following its deployment along the Armistice Demarcation Line and the international frontier remained virtually unchanged until the withdrawal of the force in May 1967. Its area of operations, which had been one of the most disturbed areas in the Middle East, became remarkably quiet. Incidents became relatively infrequent and
generally of a minor nature. Virtually, it could be said that uninterrupted peace prevailed in the area, thanks to the presence and activities of UNEF 100.

2. **UNEF Withdrawal, 1967**

After the creation in 1964 of the Palestine Liberation Organization and its main group, Fateh, there appeared to be a new level of organization and training of Palestinian Commandos. Palestinian raids against Israel, conducted mainly from Jordanian and Syrian territory, became a regular occurrence, and the Israeli forces reacted with increasingly violent retaliation. There was a marked contrast between the quiet along the Egyptian border, and the confrontation situation in other sectors. In early 1967, tensions between Syria and Israel again reached a critical level, mainly because of disputes over cultivation rights in the demilitarized zone near Lake Tiberias. For years, disputes over cultivation rights led to firing and incidents between Israeli and Syrian forces. On 7 April 1967, an exchange of fire across disputed farmland led to heavy shelling of Israeli villages by Syrian artillery and intensive air attacks by Israel against Syrian targets. This was the most serious clash since 1956 101. The incidents of 7 April were followed by a heightening of tension in the entire region, despite appeals by Secretary-General to work for restraint and the moderating efforts of UNTSO. In the evening of May 16, the UNEF Commander received a request from the Egyptian Commander in-chief of the armed forces for withdrawal of “...all UN troops which installed observation posts along our borders...” 102. The Force Commander understood

100 Ibid; pp. 81-82.

101 United Nations, Department of Public Information. The Blue Helmets, 1996, 54.

102 Ibid, p. 54.
the request as an immediate order of evacuation from Sharm-el-Sheikh (especially the Strait of Tiran area with an access to the Red Sea and Southern Occupied Palestine). The Secretary-General, on being informed, gave instructions to the commander to be "...firm in maintaining UNEF positions while being as understanding and as diplomatic as possible with local officials...". While the Secretary-General sought clarifications from Cairo, Egyptian troops moved onto UNEF's line, occupying some United Nations posts. The Secretary-General met with members of the UNEF Advisory Committee and told them of the events in the field, making it known that if a formal request for UNEF's withdrawal came from the Egyptian Government, he would have to comply. He pointed out that the force was on Egyptian territory with the consent of its Government and could not remain there without it. He also consulted members of the Security Council. The various meetings held by the Secretary-General showed that within the United Nations, there was a deep division among the membership of the Advisory Committee and the Security Council on the course of action to be followed. The Secretary-General informed the representative of Egypt that while he did not question in any sense Egypt's authority to deploy its troops as it saw fit on its own territory, the deployment of Egyptian troops in areas where UNEF troops were stationed might have serious implications for UNEF. In the meantime, the Egyptian Foreign Minister in Cairo summoned representatives of nations with troops in UNEF to inform them that UNEF had terminated its tasks in Egypt and must depart. While these activities were taking place, the Secretary-General raised with the Israeli side the question of stationing UNEF on the Israeli side of the line, thus maintaining the buffer zone, but this was

\[103\] Ibid, p. 55.

\[104\] Ibid, p. 55.
declared entirely unacceptable to Israel. Shortly thereafter, the Permanent Representative of Egypt delivered a message to the Secretary-General stating his government’s decision to terminate UNEF’s presence in the territory of Egypt and the Gaza Strip and requesting steps for withdrawal as soon as possible. Later on, the Secretary-General would inform Egypt that the request would be complied with, while indicating its serious misgivings. UNEF’s Commander was instructed to take the necessary action for withdrawal to begin on 19 May and end in the last days of June. From 16 to 18 May, the Secretary-General did all he could to persuade Egypt not to request the withdrawal of UNEF and to persuade Israel to accept the force’s presence on its side of the border. But neither Government agreed to cooperate. In such circumstances, the Secretary-General would have brought the matter before the Security Council by invoking Article 99 of the Charter, but he chose not to do so because he knew that with the United States and the Soviet Union firmly on opposing sides of the question, no action could be taken by the Council. To maintain UNEF in Egypt against the will of the Egyptian Government even if it had been possible to do so, which was not the case, would have created a dangerous precedent which would have deterred potential host Government from accepting future United Nations peace-keeping operations on their soil. In the case of UNEF, its withdrawal would not have, in itself, necessarily led to war in the area. Following an appeal made by the Secretary-General, Israel made it known to the UN that it would exercise restraint but would consider a resumption of hostilities along the borders on the closure of the Strait of Tiran to Israeli shipping, as casus belli. Immediately, after the withdrawal of UNEF, the Secretary-General increased the number of UNTSO observers of the Egypt-Israel Mixed Armistice Commission to provide a United Nations presence along the Armistice Demarcation Line, and he arranged to visit Cairo to discuss with the Egyptian
Government possible security arrangements along the Israeli-Egyptian border.

However, just before he arrived in Cairo, President Nasser announced the closure of the Strait of Tiran. With this decision, a full-fledged war erupted on 5 June. Some UNEF units were caught up in the fighting in Gaza, and 15 United Nations elements were killed\(^{105}\). All military personnel had gone by 13 June, except for the force Commander and a small group of staff officers who left on 17 June.

UNEF is a telling example of the importance of United Nations peace-keeping forces and their limitations. Its establishment in October 1956 put an end to a destructive war and, for more than 10 years, it effectively maintained peace in one the most sensitive areas of the Middle East. However, the root cause of the conflict between the Arabs and the Zionists remained unsolved.

3. **UNEF II (United Nations Emergency Force Two)**

On 6 October 1973, in a surprise move, Egyptian forces crossed the Canal and soon advanced beyond UNTSO observation posts on its eastern bank, while in a coordinated move, Syrian troops simultaneously attacked the Israeli positions on the Golan Heights. By 9 October, following a request by Egypt acceded to by the Security Council, United Nations observation posts on both sides of the Canal were closed and the observers withdrawn. The Security Council met from 8 to 12 October to consider the conflict and overall situation, but, because of the opposing positions of the major powers, could not reach a decision. Meanwhile, war raged on. By 21 October, the situation had become critical since the Egyptian third army on the eastern bank was

\(^{105}\) Ibid, pp. 55-56.
about to be cut off. The Soviet Union and the United States jointly requested an urgent meeting of the Security Council on 22 October, the Council, on a proposal submitted jointly by the two major powers, adopted resolution 338 (1973) which called for a cease-fire and a start to implementing resolution 242 (1967). The Secretary-General was requested to dispatch United Nations observers immediately. Fighting continued, however, and President Anwar Sadat of Egypt issued direct appeals to the Soviet Union and the United States requesting them to send American and Soviet troops to the area to enforce the cease-fire. The United States government was opposed to the request, but the Soviet Union agreed. The two major powers, in disagreement after a joint cease-fire initiative, were suddenly on a collision course, each threatening military action. At the request of Egypt, the Security Council was convened again on 24 October. The non-aligned members of the Council, in close cooperation with the Secretary-General, worked out a resolution calling for an increase in UNTSO observers in the area and the establishment of a new United Nations peace-keeping force, which became the second United Nations Emergency Force (UNEFII). The establishment and dispatch of the new peace-keeping operation effectively brought the crisis to an end.

On 25 October 1973, on a proposal by several countries, the Security Council adopted resolution 340 (1973), by which it demanded that an immediate and complete cease-fire be observed and that the parties return to the position occupied by them on 22 October 1973. The Council also requested the Secretary-General, as an immediate step, to

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107 Ibid. p. 1.

increase the number of United Nations observers on both sides, and decided to set up immediately under its authority a United Nations Emergency Force to be composed of personnel drawn from United Nations member states except the permanent members of the Security Council. In a letter addressed to the President of the Security Council, the Secretary-General proposed as an urgent measure and in order that the Emergency Force might reach the area of conflict as soon as possible, to arrange for units of the Austrian, Finnish, and Swedish contingents serving with the United Nations peace-keeping force in Cyprus (UNFICYP) to proceed immediately to Egypt. He also proposed to appoint Major-General (later Lieutenant-General) Ensio P.H. Suilasvuo (Finland), the Chief of Staff of UNTSO, as Interim Commander of the new force and to ask him to set up a provisional headquarters in Cairo with personnel from UNTSO. The President of the Council, after consulting the members of the Council, conveyed to the Council’s agreement to the Secretary-General’s proposals. The Secretary-General’s report, concerning the establishment of UNEF two, requested by the Council set forth proposals regarding the guidelines for the functioning of the force as well as a plan of action for the initial stages of the operation. The proposed principles and guidelines for the Emergency Force were as follows:

- Three essential conditions must be met for the force to be effective. First, it must have, at all times, the full confidence and backing of the Security Council. Secondly, it must operate with the full cooperation of the parties concerned. Thirdly, it must be able to function as an integrated and efficient military unit.

- The Force would be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. The Command in the

field would be exercised by a Force Commander appointed by the Secretary-General with the Council’s consent. The Commander would be responsible to the Secretary-General. The Secretary-General, as in the case of UNEFI, would keep the Security Council fully informed of developments relating to the functioning of the force. All matters which could affect the nature or continued effective functioning of the force would be referred to the Council for its decision.

- The Force must enjoy the freedom of movement and communication and other facilities necessary for the performance of its tasks. The Force and its personnel should be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. The Force should operate at all times separately from the armed forces of the parties concerned. Consequently, separate quarters and, wherever desirable and feasible, buffer zones would have to be arranged with the cooperation of the parties. Appropriate agreements on the status of the force would also have to be concluded with the parties.

- The Force would be composed of a number of contingents to be provided by selected countries, upon the request of the Secretary-General. The contingents would be selected in consultation with the Security Council and with the parties concerned, bearing in mind the accepted principle of equitable geographical representation.

- The Force—like all forces sent to accomplish such missions—would be provided with weapons of a defensive character only. It would not use force except in self-defense. Self-defense would include resistance to attempts by forceful means to prevent it from discharging its duties under the Security Council’s mandate. The Force would proceed on the assumption that the parties to the conflict would take all necessary steps for compliance with the Council’s decisions.

- In performing its functions, the Force would act with complete impartiality
and would avoid actions, which could prejudice the rights, claims, or positions of the parties concerned\textsuperscript{110}.

The Secretary-General sought it necessary, in order that UNEFII, might fulfill the responsibilities entrusted to it, that it should have a total strength in the order of 7,000. The Force would initially be stationed in the area for a period of six months, subject to extension. In accordance with the Secretary-General’s recommendations, the Council set up the new force- for an initial period of six months, subject to extension. UNEFII had already begun its operations on the basis of interim arrangements approved by the Security Council. On the morning of 26 October, General Suilasvuo and his group of UNTSO military observers set up temporary headquarters in Cairo using UNTSO’s liaison office. During the same day, advance elements of Austrian, Finnish, and Swedish troops arrived from Cyprus and were immediately deployed along the front line. They were joined- a few days later- by an Irish company. The four contingents were quickly reinforced and their presence and activities effectively diffused a highly explosive situation\textsuperscript{111}. The Secretary-General held urgent consultations with the various governments concerned with a view to obtaining required personnel and equipment, and working out acceptable administrative and financial arrangements. He generally observed that there were only a few incidents, which were resolved with the assistance of UNEFII. A meeting between high-level military representatives of Egypt and Israel took place- in the presence of UNEF representatives on 27 October 1973\textsuperscript{112}

\textsuperscript{110} United Nations, Department of Public Information. The Blue Helmets, 1996, 53.

\textsuperscript{111} Henry Kissinger, “War in the Middle East in Years of Upheaval”, Time Magazine 1 March 1982, 33.

\textsuperscript{112} Ibid; p. 36.
to discuss the observance of the cease-fire demanded by the Security Council, as well as various humanitarian questions. Priority tasks having been met, UNEFII turned to the Security Council's demand for the return of the forces of both parties to the positions they had occupied on 22 October 1973. More meetings were held to discuss this matter, together with possible mutual disengagement and the establishment of buffer zones to be manned by UNEFII. In the meantime, the United States Secretary of State Mr. Henry Kissinger, during visits to Egypt and Israel, succeeded in working out a preliminary agreement between the two countries for the implementation of the Council resolutions 938 (1973) and 330 (1973)\textsuperscript{113}. He transmitted it on 9 November to Secretary-General Kurt Waldheim, who immediately instructed General Suilasvuo to take the necessary measures to make available his good offices, as appropriate, for carrying out the terms of that agreement. On 11 November on the Cairo-Suez road, the agreement was signed by Major-General Mohamed el-Gamasy for Egypt, and by Major-General Aharon Yaro for Israel\textsuperscript{114}. It was also signed by General Suilasvuo on behalf of the United Nations. The agreement, which was to enter into force immediately, contained the following six points:

- Egypt and Israel agreed to observe scrupulously the cease-fire called for by the Security Council.

- Both sides agreed that discussions between them would begin immediately to settle the question of the return to the 22\textsuperscript{nd} October positions.

- The town of Suez would receive daily supplies of food, water, and medicine, and all wounded civilians in the town would be evacuated.

\textsuperscript{113} Ibid, p. 36.

\textsuperscript{114} Ibid; pp. 37.
• There would be no impediment to the movement of non-military supplies to the east bank.

• The Israeli checkpoints on the Cairo-Suez road would be replaced by United Nations checkpoints.

• As soon as the United Nations checkpoints were established on that road, there would be an exchange of all prisoners of war, including wounded.

Except for the provision on the return to the 22 October positions, the agreement was implemented without much difficulty. On 15 November, the Israeli personnel at the checkpoints on the Cairo-Suez road were replaced by UNEFII personnel\textsuperscript{115}. Convoys of non-military supplies were smoothly transferred to and from Suez. The exchange of prisoners of war took place in mid-November. But the most important clause, which concerned the return to the 22 October positions and the separation of the opposing forces under United Nations auspices remained unresolved despite General Suilasvuuo's efforts. On 29 November, Egypt broke off the negotiations, on a decision which inevitably created a heightening of tension in the area. However, thanks to the presence of UNEFII, the cease-fire continued to hold\textsuperscript{116}.

While the negotiations for the return to the 22 October positions were dragging on, the United States and the Soviet Union initiated a joint effort to promote the implementation of Security Council Resolution 338 (1973), which called for negotiations to start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East. This effort resulted in the convening for the Peace Conference on the Middle East at Geneva on 21 December


\textsuperscript{116} Ibid; p. 5.
1973 under the auspices of the United Nations and the co-chairmanship of the two powers\textsuperscript{117}. The Secretary-General was asked to serve as the convenor of the conference and to preside at the opening phase which would be held at the Foreign Minister level. The Governments of Egypt, Israel, and Jordan accepted to attend, but Syria refused and the Palestine Liberation Organization (PLO) was not invited. The Conference, which discussed the disengagement of forces in the Egypt-Israel sector, as well as a comprehensive settlement of the Middle East problem, was inconclusive and adjourned on 22 December 1973 after three meetings. Before adjourning, it decided to continue work through the setting up of a military working group, which would start discussing forthwith the question of disengagement of forces. The Working Group was composed of the military representatives of Egypt and Israel and the commander of UNEFII as chairman. During the first half of January 1974, the United States Secretary of State undertook a new mediation effort. In negotiating separately with the Governments of Egypt and Israel, in what was known as his 'shuttle diplomacy'\textsuperscript{118}, he worked out an agreement on the disengagement and separation of their military forces. This agreement was signed on 18 January 1974 by the military representatives of Egypt and Israel and by General Suilasvuvo as witness, within the framework of the Military Working Group of the Geneva Peace Conference at a meeting held on the Cairo-Suez road. The agreement provided for the establishment of a zone of disengagement manned by UNEFII, and areas of limited forces and armament on both sides of that zone. In accordance with this procedure, the disengagement operation began on 25 January. The operation proceeded by phases. At each phase, Israeli force withdrew from a designated

\textsuperscript{117} Ibid, p. 5.

\textsuperscript{118} United Nations, Department of Public Information. The Blue Helmets, 1996, 66-67.
area after handing it over to UNEFII, and UNEFII held that area. During the entire disengagement process, UNEFII interposed between the forces of the two sides by establishing temporary buffer zones. UNEFII was also responsible for the survey and marking of the lines of disengagement, which was carried out by UNTSO military observers under UNEFII supervision, with the assistance of Egyptian and Israeli army surveyors for their respective sides. The whole operation was carried out smoothly according to plan and was completed by 4 March 1974. By mid-March, UNEFII had a total strength of 6,814 all ranks. As a result of this disengagement, the situation in the Egypt-Israel sector became much more stable. The main task of UNEFII was the manning and control of the zone of disengagement and, to do this, it established static checkpoints and observation posts and conducted mobile patrols. It also carried out, with the assistance of UNTSO observers, weekly and later bi-weekly inspections of the areas of limited forces and armament, as well as inspections of other areas as agreed by the parties. In addition, UNEFII played a major role in assisting in exchanges of prisoners of war and the transfer of civilians from one side to the other. It also undertook an operation which was completed in July 1974, for the search for the remains of soldiers killed during the October 1973 war. In view of the quiet that prevailed in the area, it was possible to reduce gradually the strength of UNEFII. In June, following the establishment of the United Nations Disengagement Observer Force on the Golan Heights, the Security Council decided, upon the recommendation of the Secretary-General, to transfer the Austrian and Peruvian contingents and elements of the Canadian and Polish logistic components to the new force: UNDOF. As a result of these withdrawals and later developments, the total strength of UNEFII decreased to

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5,079 in June 1974, 4,029 in April 1975 and 3,987 in October 1975\textsuperscript{120}.

In September 1975, the United States Secretary of State, through further indirect negotiations, succeeded in obtaining the agreement of Egypt and Israel for a second disengagement of their forces in the Sinai. The new agreement provided for the redeployment of Israeli forces east of lines in a map annexed to the agreement, the redeployment of the Egyptian forces westwards and the establishment of buffer zones controlled by UNEFII. On both sides of the buffer zones, two areas of limited forces and armament were to be set up where the number of military personnel should be limited to 8,000. Finally, the agreement set up a joint Commission, under the aegis of the United Nations Chief Coordinator of the United Nations Peace-keeping Missions in the Middle East, to consider any problems arising from the agreement and to assist UNEFII in the execution of its mandate. The Secretary-General informed the Council that the new agreement between Egypt and Israel had been initiated by the parties on 1 September and would be signed by them at Geneva on 4 September\textsuperscript{121}. Following the signing, the representatives of Egypt and Israel were, within five days, to begin preparation of a detailed protocol for the implementation of the basic agreement in the Military Working Group of the Geneva Peace Conference on the Middle East. The Working Group, meeting under the chairmanship of General Suilasvuo, reached agreement on the protocol of the agreement, which was signed on 22 September by the representatives of the two parties and by General Suilasvuo as witness. The responsibilities entrusted to UNEFII under the agreement of 4 September and

\textsuperscript{120} United Nations, Department of Public Information. United Nations Peace-Keeping, 1996, 10.

\textsuperscript{121} United Nations, Department of Public Information. The Blue Helmets, 1996, 68.
its protocol were much more extensive than those it had had previously, and its area of operations was much larger. The Force’s first task was to mark on the ground the new lines of disengagement. Work began in October 1975 and was completed in January 1976, in accordance with the timetable set out in the protocol. In November 1975, UNEF II began its assistance to the parties for the redeployment of their forces. The Force monitored the redeployment of the forces of the two parties by providing buffer zones for the transfer of evacuated areas to Egyptian control. The Force acted as a secure channel of communication and contact between the parties throughout the redeployment process. After the completion of the redeployment process, UNEF II carried out long-term functions specified in the protocol. Its task was to assure that no military or paramilitary forces of any kind, military fortifications or military installations were in the area. To perform that task, it established checkpoints and observation posts in accordance with the protocol and conducted patrols throughout the areas, including air patrols. The Force was also entrusted with the task of ensuring the maintenance of the agreed limitations and armament within the areas specified in the agreement and, to this effect, it conducted bi-weekly inspections. The joint commission established by the disengagement agreement met in the buffer zone under the chairmanship of the United Nations chief coordinator as occasion required. The Force received a number of complaints from both parties, alleging violations by the other side. The Force extended its assistance in providing facilities for family reunions and prisoners’ exchanges, which took place at an agreed site in the buffer zone. All these tasks were carried out efficiently.

Till the time of its withdrawal in July 1979, UNEF II had 4,031 personnel.

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Throughout its presence in the area, UNEFII was assisted by 120 military observers from UNTSO.

The mandate of UNEFII which was originally approved for six months, was subsequently renewed eight times. In October 1978, the mandate of UNEFII was extended a last time for nine months, until 24 July 1979 by the resolution 438 (1978)\textsuperscript{123}. The discussions and decisions of the Security Council on the extension of the mandate naturally reflected the situation on the ground and the status of the negotiations undertaken for the disengagement of the forces in the area. Following the conclusions of the first disengagement agreement in January 1974, both sides readily agreed to have the mandate extended for a further period of six months beyond 24 April 1974. But in April and July 1975, when negotiations aimed at the second disengagement of the forces were deadlocked, Egypt declined to extend the mandate of the force for more than three months and, in fact, consented to the extension in July 1975 only after a special appeal by the Security Council. In contrast, when the September 1975 disengagement agreement was finally concluded, both parties wanted the period of extension for one year, and the Security Council finally settled for an extension period of nine months. In July 1979, after the signing of the peace treaty (Camp David Accord), between Egypt and Israel had entered into force on 25 April 1979, the Council was unable to extend the mandate of UNEFII and decided to let it lapse. In this connection, the Secretary-General noted that the original context in which UNEFII had been created and in which it had previously functioned, had basically changed. Consequently, the Security Council decided to allow the mandate of the force to lapse on 24 July 1979. On 25 May 1979, the Israeli forces withdrew from the northern Sinai to the east of El-Arish and the

\textsuperscript{123} Ibid, p. 11.
Egyptians took over control of that area. UNEFII was not involved in this move except by permitting access of Egyptian personnel to the buffer zone and the areas of limited forces and armament and by providing escorts to the parties within these areas as the Israeli withdrawal was being carried out. During this process, UNEFII withdrew from the northern parts of the buffer zone, which was handed over to the Egyptian authorities. In particular, the force continued to provide escorts to authorized non-United Nations visitors and to personnel of the parties traveling to and from the early warning system stations\textsuperscript{124}. After the mandate of UNEFII lapsed in July 1979, the various contingents were rapidly repatriated.


At the end of the October War, while tranquility was restored on the Egyptian front with the deployment of the second United Nations Emergency Force (UNEFII), no new peace-keeping force was established on the Syrian front the Golan Heights. There, fighting subsided following the cease-fire call contained in Security Council resolution 338 (1973) of 22 October 1973\textsuperscript{125}. By that time, the Israeli forces had crossed the 1967 cease-fire lines and occupied the village of Seassa on the Qunietra-Damascus road. Tension remained high in the area. There was a continuous pattern of incidents in and around the buffer zone supervised by the United Nations military observers. Frequent complaints of cease-fire violations were submitted by the two parties, although cease-fires proposed from time to time by the United Nations observers resulted in temporary


cessation of firing. From early March 1974 until the end of May, the situation in the sector became increasingly unstable, and firing- involving the use of artillery, tanks, and rockets- intensified. Against this background, the United States Secretary of State undertook a diplomatic mission which resulted in the conclusion of an Agreement on Disengagement between Syrian and Israeli forces in May 1974\(^{126}\). The Secretary-General, who was kept informed of these developments, instructed Lieutenant-General Ensio P.H. Suilasvuuo, the commander of UNEF, to be available for the signing of the disengagement agreement, under the aegis of the United Nations. On 30 May, the Secretary-General transmitted to the Security Council the text of the Agreement as well as the Protocol to that Agreement which dealt with the establishment of the United Nations Disengagement Observer Force (UNDOF). Under the terms of the Agreement, Israel and Syria were scrupulously to observe the cease-fire on land, sea and in the air, and refrain from all military actions against each other from the time of the signing of the document, in implementation of Security Council resolution 338\(^{127}\). It further provided that the two military forces would be separated in accordance with agreed principles and of two equal areas of limitation of armament and forces on both sides of the area. The detailed plan for the disengagement of forces would be worked out by the military representatives of Syria and Israel in the military Working Group. They were to begin their work 24 hours after the signing of the Agreement and complete it within five days. Disengagement was to begin within 24 hours thereafter and be completed not later than 20 days after it had begun.


The provisions of the Agreement concerning the cease-fire and the separation of forces were to be inspected by UNDOF personnel. All wounded prisoners of war were to be repatriated within 24 hours after signature of the Agreement, and all other prisoners upon completion of the work of the Military Group. According to the Protocol to the Agreement, Israel and Syria agreed that the functions of UNDOF would be to maintain the cease-fire, and to supervise the Agreement and the Protocol with regard to the areas of separation and limitation. In carrying out its mission, the force was to comply with generally applicable Syrian laws and regulations and not hamper with the functioning of local civil administration. It was to enjoy the freedom of movement and communication necessary for its mission and be provided with personal weapons of a defensive character. The strength for UNDOF was set at 1,250, to be selected by the Secretary-General, in consultation with the parties, from member states of the United Nations which were not permanent members of the Security Council. On 30 May 1974, the Representative of the United States requested an urgent meeting of the Security Council to consider the situation in the Middle East, in particular the disengagement of Syrian and Israeli forces. At the meeting, the Secretary-General said that, were the Council so to decide, he would set up UNDOF on the basis of the same general principles which had governed the establishment of UNEFIII. On 31 May, the Agreement on Disengagement and the Protocol were signed at Geneva by the military representatives of Syria and Israel. Later on the same day, the Security Council adopted resolution 350 (1974) by which it decided to set up UNDOF immediately, under its authority, and requested the Secretary-General to take the necessary steps. The Force was established for an initial period of six months subject to renewal by the Security

Council. After the adoption of the resolution, the Secretary-General presented his proposals for interim arrangements. He suggested that UNDOF should comprise the Austrian and Peruvian contingents from UNEFII supported by logistical elements from Canada and Poland, also to be drawn from UNEFII, and by UNTSO military observers who were already deployed in the area (except those from permanent member countries of the Security Council)\textsuperscript{129}. The interim commander was to be assisted by staff officers drawn from UNEF and UNTSO. The military Working Group met in Geneva from 31 May until 5 June 1974 under the chairmanship of General Suilasvuo to work out practical arrangements for the disengagement of forces. Full agreement was reached on a disengagement plan, with a timetable for the withdrawal of Israeli forces from the areas east of the 1967 cease-fire line, as well as from Quneitra and Rafid, and the demilitarization of an area west of Quneitra. In the negotiations in the Military Working Group, the two parties also agreed that both sides would repatriate all prisoners of war by 6 June. At his arrival to Damascus, the interim Commander General Briceno established a provisional headquarters in the premises of the Syria-Israel Mixed Armistice Commission, assuming command over the 90 UNTSO observers detailed to UNDOF in that sector. Later the same day, advance parties of the Austrian and Peruvian contingents arrived.

Following the signing of the Agreement on Disengagement, all firings ceased in the Israel-Syria sector as of 31 May 1974. This was confirmed by the United Nations observers stationed in the sector. These observers, who were later incorporated into UNDOF, continued to man selected observation posts and patrol bases along the cease-fire line while newly arrived contingents of UNDOF began deployment in the area. The disengagement operation began on 14 June and proceeded until 27 June. In accordance

\textsuperscript{129} Ibid; p. 95.
with the agreed plan, the operation was carried out in four phases\textsuperscript{130}. During the first phase, the Israeli forces handed over to UNDOF an area of some 270 square kilometers. The next morning, the Syrian forces commenced deploying in that area while UNDOF established a new buffer zone west of the evacuated area. The same procedure was followed for the second phase, which took place on 18 and 19 June and covered an area of some 374 square kilometers, and for the third phase, which took place on 23 June and involved an area of about 132 square kilometers east and north of Quneitra. The fourth phase took place on 24 and 25 June. During that phase, the Israeli forces evacuated the area of separation, which was taken over by UNDOF. On 25 June, after UNDOF completed its deployment, Syrian civilian administration was established in the area of separation. On 26 June, UNDOF observers inspected the areas of limited forces and armament (in the 10-kilometer zone) on each side of the area of separation. The next day, they proceeded with the inspection of the 20 and 25-kilometer zones, thus completing the implementation of the disengagement operation\textsuperscript{131}. Following the completion of the disengagement operation, UNDOF undertook the delineation and marking of the lines bounding the area of separation. This task proceeded smoothly and was completed in early July 1974. After the delineation of the area of separation, UNDOF set up a series of checkpoints and observation posts within that area.

Throughout its stay in the area, UNDOF maintained and still maintains close liaison with both sides through its senior military representatives. The main function of UNDOF is to supervise the area of separation to make sure that there are no military forces within it. This is carried out by means of static positions and observation posts

\textsuperscript{130} Ibid, pp. 95-96.

which are manned 24 hours a day and by foot and mobile patrols operating along predetermined routes by day and night. Under a program undertaken by the Syrian authorities, civilians have continued to return to the area of separation, the population of which has doubled since the establishment of UNDOF. The Syrian Arab Republic has stationed police in the area of separation in exercise of its administrative responsibility. UNDOF has adjusted its operations accordingly to take account of these developments and to continue to carry out effectively its supervisory tasks under the Agreement on Disengagement. In accordance with the terms of the Agreement on Disengagement, UNDOF conducts inspections of the area of limitation of armament and forces which cover 10-, 20-, and 25- kilometer zones on each side. Liaison officers from the parties accompany the inspection teams on their respective sides. These inspections generally proceed smoothly with the cooperation of the parties concerned, although on both sides restrictions are regularly placed on the movement of the inspection teams in some localities. In addition to its normal peace-keeping functions, UNDOF has carried out activities of a humanitarian nature, as occasion required. At the request of the parties, UNDOF has from time to time exercised its good offices in arranging for the transfer of released prisoners and the bodies of war dead between Israel and Syria. Within the means available, UNDOF has also provided medical treatment to the local population. Despite the mine-clearing operations undertaken by the Syrian forces in 1974, there were still many unexploded mines in and near the area of separation. By 16 June 1974, the strength of UNDOF was brought to 1,218 all ranks. The initial six-month mandate of UNDOF expired on 30 November 1974. Since then, the mandate has been repeatedly extended by the Security Council upon the recommendation of the Secretary-General and with the agreement of the two concerned parties. In November

\[132\] Ibid, pp. 38-41.
1975, Syria was reluctant to agree to a further extension because no progress has been made in the settlement of the wider Middle Eastern problem. The Secretary-General met with President Hafez Al-Assad in Damascus that month and, after extensive discussions, the President gave his agreement for the renewal of UNDOF mandate for another period of six months to be combined with a specific provision that the Security Council would converse, in January 1976, to hold a substantive debate on the Middle Eastern problem including the Palestinian question. By extending the UNDOF mandate for a further six months, the Security Council, in resolution 331 (1975) of 30 November 1975, decided to reconvene on 12 January 1976 to continue the debate on the Middle Eastern problem, taking into account all relevant United Nations resolutions. In May 1976, the Secretary-General again had to travel to Damascus to secure the agreement of the Syrian Government for a further extension. However, from November 1976 onwards, the two parties readily gave their agreement for further extensions. On each occasion since that date, the Security Council, in renewing UNDOF’s mandate for further six-month periods, called on the parties concerned to implement resolution 338 (1973) because despite the prevailing quiet in the Syria-Israel sector, the situation in the Middle East as a whole would remain unstable and potentially dangerous unless real progress could be made towards a just and lasting settlement of the Middle East problem in all its aspects. On 14 December 1981, Israel decided to apply Israeli law in the occupied Golan Heights. Syria strongly protested against this decision, and both the Security Council and the General Assembly declared it as null and void. The Israeli

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decision, however, has not affected the operation of UNDOF in any significant way. The organization of UNDOF is similar to that of the United Nations at all times. The Force Commander is appointed by the Secretary-General with the consent of the Security Council and is responsible to him. UNDOF was originally composed of the Austrian and Peruvian contingents and the Canadian and Polish logistic elements transferred from UNEFII. The Peruvian contingent was withdrawn in July 1975 and replaced by an Iranian contingent in August of that year. In 1993, the Polish logistic unit was withdrawn and logistic support was consolidated in the hands of the Canadian logistic unit, which was slightly strengthened. UNDOF- in early 1996- was composed of infantry battalions from Austria and Poland and a logistic unit from Canada; a transport platoon from Japan joined the logistic unit in February 1996. Four observers, detailed from UNTSO, are included in UNDOF as an integral part. In addition, to UNTSO observers assigned to the Syria-Israel Mixed Armistice Commission and organized in observer group Golan, which assist UNDOF under the operational control of the Force Commander of UNDOF. Since its establishment, the total strength of UNDOF was about 1,250. Except for a brief period when the strength of the force was temporarily below the authorized level, the strength of UNDOF remained around that figure. In August 1979, the Secretary-General informed the Security Council that, as a result of the withdrawal of UNEF, it had become necessary to strengthen the existing Canadian and Polish logistic units. Following consultations with the parties, the strength of UNDOF was gradually brought up to 1,331 in May 1985\textsuperscript{135}. In 1992, with a view to reducing expenditures, UNDOF underwent streamlining, which involved a 15 percent reduction of each military contingent and of the internationally recruited civilian staff. Since September 1991, there have been no major incidents. The main problems

\textsuperscript{135} Ibid; pp. 32-34.
in the area arise from the presence of Syrian shepherds grazing their flocks near the western edge of the area of separation. They sometimes cross the line, either in ignorance or because there are good grazing lands on the other side. A number of shepherds have been killed as a result of detonating mines in the area of separation.

Problems arise for UNDOF as a result of restrictions placed upon its troops by one party or the other. UNDOF inspection teams were not- sometimes- allowed to visit certain localities when inspecting the area of limitation of armament and forces. These restrictions were invariably protested by the Force Commander. On the whole, however, UNDOF encounters no serious difficulties that would affect its smooth functioning. In his periodic reports on the activities of the Force, the Secretary-General has been able to report that the situation in the Israel-Syrian sector has remained quiet. In his report submitted to the Security Council in November 1995, the Secretary-General stated that UNDOF had continued to perform its tasks effectively, with the cooperation of the parties. The situation in the Middle East, however, continued to be potentially dangerous and was likely to remain so, until and unless a comprehensive and just settlement covering all aspects of the Middle Eastern problem could be reached. The Secretary-General believed that, in the prevailing circumstances, the continued presence of the force in the area was essential, and recommended that the Security Council extend the mandate of UNDOF for further periods of "six months". 136

Accordingly the Security Council continued renewing the mandate of UNDOF and called upon the parties concerned to implement its toothless resolution 338 (1973), which called for a just and durable settlement to the Middle East conflict.

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C. The Cypriot Case: United Nations Peace-keeping Force in Cyprus (UNFICYP)

The Republic of Cyprus became an independent state on 16 August 1960, and a member of the United Nations one month later. The constitution of the Republic, which came into effect on the day of independence had its roots in agreements reached between the head of Governments of Greece, Turkey, and the United Kingdom and incorporated in London on 19 February 1959. On the same day, the representatives of the Greek Cypriot and Turkish Cypriot communities accepted the documents concerned and the accompanying declarations by the three Governments, as “the agreed foundation for the final settlement of the problem of Cyprus”\(^{137}\). The settlement of 1959 envisaged Cyprus becoming a republic with a regime especially adapted to the ethnic composition of its population (approximately eighty percent Greek Cypriot and eighteen percent Turkish Cypriot) and to what were recognized as special relationships between the Republic and the three other states concerned in the agreements. Thus, the agreements recognized a distinction between the two communities and sought to maintain a certain balance between their respective rights and interests. In the event of a breach of one of the treaties, the three powers undertook to consult on concerted action, and if this proved impossible, each of them reserved the right to take action “with the sole aim of re-establishing the state of affairs set out in the Treaty”. Both the union of Cyprus with any other state and the partitioning of the island were expressly forbidden. The constitution assured the participation of each in a number of matters to avoid supremacy on the part of the larger community and assuring also partial administrative autonomy to each community. Under the constitution, the President, a Greek Cypriot, and the vice-president, a Turkish Cypriot, were elected by their respective Communities. They

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designated separately the members of the Council of ministers. The agreement of the President and the Vice-President was required for certain decisions and appointments, and they had veto rights\textsuperscript{138}, separately or jointly in respect of certain types of legislation, including foreign affairs, human rights and fundamental freedoms, as well as the supremacy of the constitution were guaranteed. The application of the provisions of the constitution encountered difficulties almost from the birth of the Republic and led to a succession of constitutional crises and to accumulating tensions between the leaders of the two communities. On 30 November 1963, the President of the Republic Archbishop Makarios publicly set forth three points on which he considered that the constitution should be amended. He did so on the grounds that the existing constitution created many difficulties in the smooth functioning of the state and the development and progress of the country, that its many provisions conflicted with internationally accepted democratic principles and created sources of friction between Greek and Turkish Cypriots. No immediate response was forthcoming from the Vice-President to these presidential proposals. But the Turkish community, to which the President’s proposals had been communicated “for information purposes”, rejected them promptly and categorically. Subsequently, the Turkish Cypriot Communal Chamber described the President’s claim that the constitution had proved an obstacle to the smooth functioning of the Republic as “false propaganda” and contended that the Greek Cypriots had never attempted to implement the constitution in good faith\textsuperscript{139}. The Turkish Cypriots maintained that the structure of the Republic rested on the existence of two


communities, and not of a majority and a minority. They refused to consider the amendments proposed by the other side, which were in their opinion designed to weaken the application of constitutional laws recognizing the existence and rights of the Turkish Cypriot community. As such, whatever possibility might have existed at the time for calm and rational discussion of the President’s proposals between the two communities disappeared indefinitely with the outbreak of violent disturbances between them a few days later, on 21 December 1963. In the afternoon of 24 December 1963, the Turkish national contingent, stationed in Cyprus (under the Treaty of Alliance), left its camp and took up positions at the Northern outskirts of Nicosia in the area where disturbances were taking place. In the face of the outbreak of intercommunal strife, the Governments of the United Kingdom, Greece, and Turkey, on 24 December 1963, offered their joint good offices to the Government of Cyprus, and on 25 December they informed the government, “including both the Greek and Turkish elements”, of their readiness to assist, if invited to do so, in restoring peace and order by means of a joint peacemaking force under British Command, composed of forces of the three Governments already stationed in Cyprus under the Treaties of Alliance and Establishment. This offer having been accepted by the Cyprus Government, the joint force was established on 26 December, a cease-fire was arranged on 29 December, and on 30 December it was agreed to create a neutral zone along the cease-fire line supervised exclusively by the British Contingent. It was further agreed that a conference of representatives of the Governments of the United Kingdom, Greece, and Turkey and of the two communities of Cyprus would be convened in London in January 1964. These arrangements were reported to the Security Council in a letter dated 8 January from the Permanent Representative of the United Kingdom to the United

\[140\text{ Ibid; p. 20.}\]
Nations. Meanwhile, on 26 December 1963, the Permanent Representative of Cyprus requested an urgent meeting of the Security Council to consider his Government’s complaint against Turkey. The meeting was held on 27 December. The Secretary-General met with the Permanent Representative of Cyprus to explore the best way in which the United Nations could assist in restoring quiet in the country. The representative of Cyprus, as well as the representatives of Greece, Turkey, and the United Kingdom, requested the Secretary-General to appoint a personal representative to observe the peacemaking operation in Cyprus. After consultations, during which agreement was reached with all concerned regarding the functions of the Representative, the Secretary-General appointed Lieutenant-General P.S. Gyani (India) as his personal Representative and Observer, to go to Cyprus initially until the end of February. The Secretary-General stated that his function would be to observe the progress of the peacemaking operation. General Gyani, as Representative and Observer, was supposed to arrive to Cyprus initially by the end of February. The Secretary-General stated that his functions would be to observe the progress of the peacemaking operation. General Gyani was to report to the Secretary-General on how the United Nations observers could function and be most effective in fulfilling the task as outlined in the request made by the Government of Cyprus and agreed to by the Governments of Greece, Turkey, and the United Kingdom. General Gyani’s mandate was later extended until the end of March. The London Conference, which met on 15 January 1964, failed to reach agreement, and proposals to strengthen the international peacemaking force were rejected by the Government of Cyprus, which insisted that any

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141 United Nations, Department of Public Information. The Blue Helmets. 1996, 151.
such force be placed under the control of the United Nations. From Nicosia, General Gyani reported a rapid and grave deterioration of the situation involving inter-communal fighting with heavy casualties, kidnappings, and the taking of hostages (many of whom were killed), unbridled activities by irregular forces, separation of the members of the two communities, and disintegration of the machinery of government, as well as fears of military intervention by Turkey and Greece. The British peacemaking force was encountering increasing difficulties. While Gyani’s presence had been helpful in a number of instances, attention was turning increasingly to the possibility of establishing a United Nations peace-keeping operation. On 15 February 1964, the Representatives of the United Kingdom and of Cyprus requested urgent action by the Security Council. On the same day, the Secretary-General appealed to all concerned for restraint. He was already engaged in intensive consultations with all the parties about the functioning and organization of a United Nations force, and on 4 March, the Security Council unanimously adopted resolution 186 (1964), by which it noted that the situation in Cyprus was likely to threaten international peace and security, and recommended the creation of a United Nations Peace-keeping Force in Cyprus (UNFICYP), with the consent of the Government of Cyprus. The Council also called on all member states to refrain from any action or threat of action likely to worsen the situation in the sovereign Republic of Cyprus or to endanger international peace, asked the Government of Cyprus, which had the responsibility for the maintenance and restoration of law and order, to take all additional measures necessary to stop violence and bloodshed in Cyprus, and called upon the Communities and their leaders to act with

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142 Ibid., p. 151

143 Ibid.; 151.
the utmost restraint. As for the force, the Council said its composition and size were to be established by the Secretary-General, in consultation with the Governments of Cyprus, Greece, Turkey, and the United Kingdom. The Commander of the Force was to be appointed by the Secretary-General and report to him. The Secretary-General, who was to keep the governments providing the Force fully informed, was to report periodically to the Security Council on its Operation. The Force’s function should, in the interest of preserving international peace and security, use its best efforts to prevent a recurrence of fighting, and, as necessary, to contribute to the maintenance and restoration of law and order, and a return to normal conditions. By the resolution, the Council also recommended the designation of a Mediator to promote a peaceful solution and an agreed settlement of the Cyprus problem. The Minister for Foreign Affairs of Cyprus promptly informed the Secretary-General that his government consented to the establishment of the Force. On 6 March, the Secretary-General reported the appointment of General Gyani as Commander of UNFICYP and started negotiations with prospective troop-contributing Governments. As the situation in Cyprus deteriorated further, the Secretary-General on 9 March addressed messages to the President of Cyprus and to the Foreign Ministers of Greece and Turkey, appealing for restraint and cessation of violence. The Secretary-General informed all parties that measures to establish the United Nations force were under way and making progress, and he appealed to Turkey to refrain from action that would worsen the situation. At the request of the Representative of Cyprus, the Security Council held an emergency meeting on 13 March and adopted resolution 187 (1964)\(^\text{144}\). The resolution requested the Secretary-General to press on with his efforts to implement resolution 186 (1964). Upon the arrival of troops of the Canadian Contingent on 13 March, the Secretary-

\(^{144}\) Ibid, p. 151.
General reported that the Force was in being. However, it did not become established operationally until 27 March, when sufficient troops were available to it in Cyprus to enable it to discharge its functions. The three-month duration of the mandate, as defined in resolution 187 (1964), began as of that date. This development marked a new phase in the Cyprus situation. The Secretary-General noted that the Force was an impartial, objective body which had no responsibility for political solutions and would not try to influence them one way or another. The Force consisted of the Canadian and British Contingents, and advance parties of Swedish, Irish, and Finnish contingents. By 8 June 1964, the Force had reached a strength of 6,411. As noted before, the Turkish contingent left its camp when the inter-communal strife broke out and was deployed in tactical positions along the Kyrenia Road (North of Nicosia), where it remained until 1974. During the early stages of the functioning of UNFICYP, the Secretary-General proposed that the Turkish Government should order its contingent to retire to its barracks or accept his offer to put both the Greek and Turkish national contingents under United Nations Command, though not as contingents of UNFICYP. In 1964, the Secretary-General referred to the necessity of appointing a high-level political officer, as his Special Representative in Cyprus\textsuperscript{145}. In the absence of the Special Representative, the Deputy Special Representative assumed his functions. The first special representative or Mediator, who was appointed, in accordance with the Security Council's recommendations in resolution 186 (1964), submitted his first report in March 1965. In this report, he analyzed the situation on the island, the positions of the parties, and the considerations that would have to be taken into account in devising a settlement.

On that basis, the Mediator offered observations under three Headings: independence,
self determination, and international peace, the structure of the state, and the protection of individual and minority rights. He recommended that the parties concerned, and in the first instance the Representatives of the two Communities should meet together for discussions on the basis of his observations. The report was commented upon favorably by the Governments of Cyprus and Greece. Turkey, however, rejected the report in its entirety and considered that the functions of the Mediator had come to an end upon the publication of his recommendations. The Mediator Mr. Plaza resigned, and the Secretary-General's efforts to bring about a resumption of the mediation function did not meet with success\textsuperscript{146}. In these circumstances, the Secretary-General, on 4 March 1966, instructed his Special Representative in Cyprus, Mr. Carlos Bernandes to employ his good offices with the parties in and outside Cyprus with a view to discussions, at any level, of problems of a local or broader nature. Thereafter, the Special Representatives of the Secretary-General were engaged in a mission of good offices on his behalf, with a view to promoting an agreed settlement. In 1975, the Security Council, by resolution 375 (1975), requested the Secretary-General to undertake a new mission of good offices, a mission the Council has reaffirmed periodically in connection with the extension of the mandate of UNFICYP. When UNFICYP was established in 1964, the contingents were deployed throughout the island and an effort was made as far as possible to match their areas of responsibility (zones or districts) with the island's administrative district boundaries. This was meant to facilitate a close working relationship with Cyprus Government District Officers, and with the local Turkish Cypriot leaders. All districts were covered according to the intensity of the armed confrontation. Over the years, there have been numerous redeployments of UNFICYP contingents to secure better use of available troops in relation to the requirements of the

\textsuperscript{146} Ibid, p. 35.
mandate and to cover any new areas of tension\textsuperscript{147}. Certain contingents were so positioned as to enable them to interpose themselves between the opposing sides in areas of tension and wherever incidents might cause a recurrence of fighting. Observation squads, backed by mobile patrols, were regularly deployed into areas that were likely to be potential areas of trouble. On the basis of the experience gained during the first 6 months of operation of the Force, the guiding principles remained into effect to this day, and were summarized by the Secretary-General in his report of 10 September 1964 as follows: the force is under the exclusive control and command of the United Nations at all times. The force undertakes no functions which are not consistent with the provisions of the Security Council’s resolutions of 4 March 1964. The troops of the force carry, in the discharge of their functions, the interest of preserving international peace and security, seeking to prevent a recurrence of fighting, and contributing to the maintenance and restoration of law and order and a return to normal conditions. The personnel of the force acted with restraint and with complete impartiality towards the members of the Greek and Turkish Cypriot Communities. As regards the principle of self-defense, it is explained that the expression of “self-defense” includes the defense of United Nations posts, premises, and vehicles under armed attack\textsuperscript{148}. The principle of minimum force shall always be applied and armed force will be used only when all peaceful means of persuasion have failed. The decision as to when force may be used- in dangerous circumstances- rests with the commander on the spot. Examples in which troops may be authorized to use force include attempts by


force to compel them to withdraw from a position which they occupy under order from
their commanders, attempts by force to disarm, and attempts by force to prevent them
from carrying out their responsibilities as ordered by their commanders. With further
reference to the question of the use of force the Secretary-General had reported to the
Security Council on 29 April 1964\textsuperscript{149} that the Force Commander was seeking to achieve
objectives of UNFICYP by peaceful means and without resorting to armed force, the
arms of the force being carried only for self-defense. Despite these efforts and the
Secretary-General's appeals, fighting continued. This was the dilemma facing
UNFICYP, which could not stand idly by and see an undeclared war deliberately
pursued or innocent civilians struck down. When UNFICYP Civilian Police
(UNCIVPOL) became operational on 14 April 1964, the Secretary-General outlined the
following duties for it: establishing liaison with the Cypriot Police; accompanying
Cypriot Police patrols which were to check vehicles on the roads for various areas
where tension existed and might be alleviated by the presence of UNFICYP. The United
Nations Operation in Cyprus became involved, from its inception, in carrying out a vast
array of activities that affected almost every aspect of life on the island, often in difficult
conditions. All of UNFICYP's functions were of necessity carried out in contact and
consultation with the Government of Cyprus and the Turkish Cypriot Authorities, and
also, on many occasions, with the Governments of Greece and Turkey, and depended
for their success on the cooperation of all concerned. From the outset, UNFICYP made
arrangements for close and continuous liaison with the Government of Cyprus and with
the Turkish Cypriot leadership. Liaison was likewise maintained at various levels of the
administrative and military establishments of both sides, including field military units in

\textsuperscript{149} United Nations, Department of Public Information. United Nations Peace-
keeping, 1996, 17.
the areas of confrontation.

Messages and appeals were sent to civilian leaders and military commanders of both sides in Cyprus, calling upon them to exercise restraint, refrain from provocative actions, observe the cease-fire, cooperation with the force and contribution to a return to normal conditions. To the Cyprus Government, UNFICYP’s task was to assist in ending the rebellion of the Turkish Cypriots and extending its authority over the entire territory of the Republic. To the Turkish Cypriots, a “return to normal conditions” meant having UNFICYP restore, by force if necessary, the status of the Turkish Cypriot Community under the 1960 constitution. The Secretary-General- in his reports- rejected those interpretations, which it followed, would have caused UNFICYP to affect basically the final settlement of the Cyprus problem. The agreement on the status of UNFICYP provides for the freedom of movement of the force throughout Cyprus.

Indeed the function of preventing a recurrence of fighting depends for its implementation entirely on the freedom of movement of the military and police elements of UNFICYP. Nevertheless, incidents of obstruction and harassment of UNFICYP occurred from time to time. In certain cases, these even involved firing at UNFICYP soldiers, manhandling of UNFICYP officers and other unacceptable practices. Both the Cypriot National Guard and Turkish Cypriot fighters were involved in incidents of this kind during periods of tension. UNFICYP’s operating procedures to prevent a recurrence of fighting and to supervise the cease-fire were worked out pragmatically in the light of the impasse that persisted between the two sides. The Force instituted a system of fixed posts and frequent patrols, intervention on the spot and interposition to prevent minor incidents from escalating into serious fighting, demarcation of cease-fire lines where appropriate, and the submission of proposals or plans for remedying situations of military tension or conflict. Thus, UNFICYP
endeavored to secure the withdrawal or elimination of fortifications erected by the two sides, designed plans to reduce the armed confrontation without prejudice to the security requirements of both sides. Wherever violent incidents broke out, UNFICYP made every effort, by persuasion, negotiation, and interposition, to stop the fighting; it assisted civilians, evacuated the wounded and endeavored to resolve underlying security problems. Despite the efforts of UNFICYP, sporadic violence continued on the island after the force became operational, punctuated by outbreaks of severe fighting in which United Nations troops would find themselves - at times - fired upon by both sides, and forced to return the fire. A number of UNFICYP soldiers were killed as they sought to carry out their duties (similarly, some UNIFIL soldiers in South Lebanon were destined to the same fate).

It should be noted that the UNFICYP functions relating to the Turkish national contingent concerned also relations between the Governments of Cyprus and Turkey and therefore did not fall strictly within the terms of UNFICYP’s mandate; they were assumed at the request of all concerned, in the interest of maintaining the peace, reducing tension on the island, and creating favorable conditions for carrying out other aspects of UNFICYP’s mandate. In general, UNFICYP employed persuasion and negotiation exclusively. The principal objective was to restore conditions that would enable all the people of the island to go about their daily business without fear for their lives and without their activities being disrupted by the inter-communal strife. A significant aspect of UNFICYP’s procedures under this heading concerned humanitarian and relief assistance. All of UNFICYP’s efforts were so framed as to

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150 United Nations Secretariat, Department of Public Information. Information Notes (Periodic Updates on Specific Peace-Keeping Missions), 1995, 37.

151 Ibid; p. 37.
avoid prejudicing the positions and claims of the parties in respect of a final political settlement. However, its task was made difficult by the reluctance of the two communities to modify their positions in the absence of such a settlement. From the beginning of the United Nations operation, UNFICYP undertook measures designed to save lives, minimize suffering and, to the extent possible, restore essential civilian activities. UNFICYP also made intensive efforts to alleviate hardships resulting from the economic restrictions that had been imposed on the Turkish Cypriot Community. This comprehensive approach resulted in some improvement of the situation, but the basic political problem continued to limit the effectiveness of UNFICYP’s normalization efforts between the two communities. The Secretary-General appealed to the President of Cyprus and the Prime Ministers of Greece and Turkey, on 22 and 24 November 1967, to avoid an outbreak of hostilities, and he sent personal representatives to the three capitals. In a second appeal, the Secretary-General urged the three parties to agree upon a staged reduction and ultimate withdrawal of non-Cypriot armed forces, other than those of the United Nations, and he offered the assistance of UNFICYP in working out a program of phased withdrawals and helping to maintain calm. During December 1967, the Secretary-General addressed a third appeal to the President of Cyprus and to the Prime Ministers of Greece and Turkey, in which he called for further withdrawal of the forces in excess of their contingents in Cyprus. In his report, he considered it desirable to enlarge the mandate of the force so as to give it broader functions in regard to the realization of quiet and peace in Cyprus, including supervision of disarmament and the devising of practical arrangement to safeguard internal security.

152 United Nations, Department of Public Information. The Blue Helmets, 1996, 158.

embracing the safety of all the people of Cyprus. All three Governments welcomed the Secretary-General’s appeal, and Turkey even supported the enlargement of the UNFICYP mandate to include supervision of the disarmament in Cyprus of forces constituted after 1963. In response to the Secretary-General’s appeals, Greece and Turkey reached an Agreement under which Greek national troops were withdrawn from Cyprus. However, as no agreement was reached by Greece and Turkey on the issue of reciprocity, UNFICYP did not take on the task of checking that no Greek or Turkish forces in excess of their respective contingents remained in Cyprus.

The inter-communal security situation in Cyprus improved during 1968 and in January 1969, President Makarios confirmed that he intended to extend normalization measures, including the freedom of movement for the Turkish Cypriots, throughout the island. The Secretary-General suggested that the Turkish Cypriot leadership should respond by allowing the free movement of Greek Cypriots through Turkish Cypriot areas, but this was not accepted. From the beginning of the Cyprus Operation, the Secretary-General reported that the influx of arms and military equipment to both sides was a cause of concern for UNFICYP with regard to the discharge of its mandate. UNFICYP kept a careful watch on all imports of such arms and equipment. In March 1970, increasing tension within the Greek Cypriot Community culminated in an attempt on the life of President Makarios committed by “pro-union with Greece” Elements. Tension continued in 1971, and in view of that, the Government of Cyprus in January 1972 imported a large quantity of arms and ammunition. To minimize the resultant increase in tension, UNFICYP negotiated a provisional agreement whereby the Cyprus Government undertook to keep the imported arms in safekeeping and open to inspection by the Force Commander. In April 1971, the Secretary-General reported that an improved arrangement had been agreed upon, under which the weapons and munitions,
except for the high explosives, would be stored in a fenced area within the perimeter of a UNFICYP camp. The fenced area would be in charge of unarmed Cyprus police personnel, but control of the camp perimeter and access to it would be the responsibility of UNFICYP. The consolidation of the security situation that was achieved by the beginning of 1965, however, limited and tenuous, made possible a gradual reduction of the strength of UNFICYP. Steps were taken in cooperation with the Government of Cyprus and the Turkish Cypriot Leadership, to ensure that the effectiveness of the Force would not be adversely affected. Further reductions took place gradually over the next years. Thereafter, the strength of UNFICYP from 1970 to 1972 remained stable at approximately 3,150\textsuperscript{154}. However, this state of affairs was soon overtaken by the events of July 1974, which made it necessary to increase the strength of the force again. On 15 July 1974, the National Guard, under the direction of Greek officers, staged a coup d'état against the Cyprus Government headed by President Makarios. In view of the seriousness of the matter in relation to international peace and security and in view of the United Nations movement in Cyprus, the Secretary-General requested the President of the Security Council to convene a meeting of the Council. The Permanent Representative of Cyprus also requested a meeting. On 20 July 1974\textsuperscript{155}, the Turkish Government invoking the Treaty of Guarantee of 1960, launched an extensive military operation on the North Coast of Cyprus which resulted eventually in the occupation of the main Turkish Cypriot Enclave North of Nicosia and areas to the North, East, and West of the Enclave including Kyrenia. The Council met on the same day and adopted

\textsuperscript{154} United Nations, Department of Public Information. United Nations Peacekeeping, 1996, p. 17.

\textsuperscript{155} Ibid., p. 17.
resolution 353 (1974)\textsuperscript{156}, by which it called upon all parties to cease firing and demanded an immediate end to foreign military intervention and called on Greece, Turkey, and the United Kingdom to enter into negotiations without delay for the restoration of peace in the area and constitutional Government in Cyprus. The Council also called on all parties to cooperate indicating that UNFICYP was expected to continue to function despite the radically changed circumstances. The cease-fire called for by the Council was announced for the 22\textsuperscript{nd} of July. The fighting resumed on 23\textsuperscript{rd} of July, especially in the vicinity of Nicosia International Airport. The Secretary-General reported to the Council on the breakdown of the cease-fire and sent messages to the Prime Minister of Greece and Turkey and to the Acting President of Cyprus, expressing his great anxiety and requesting measures to ensure observance of the cease-fire. As a consequence of these events, UNFICYP was faced with a situation that had not been foreseen in its mandate. As laid down by the Security Council in resolution 186 (1964), the functions of UNFICYP were conceived in relation to the inter-communal conflict in Cyprus, not to large-scale hostilities arising from action by the armed forces\textsuperscript{157}. It was reported that on 15 July, as soon as the coup d’etat was staged, UNFICYP was brought to a high state of readiness. Additional liaison officers were deployed at all levels and increased observation was maintained throughout the island in all areas of likely intercommunal confrontation. On 20 July, the day of the Turkish landings, UNFICYP was placed on full alert. The National Guard reacted to the Turkish operations by strong, simultaneous attacks.

\textsuperscript{156} United Nations, Department of Public Information. The Blue Helmets, 1996, 161

\textsuperscript{157} Robert C.R. Siekmann, Legal Documents and Studies on Peace-Keeping (Boston: Nijhoff Publishers), 1985, 210
The best UNFICYP could achieve under these circumstances was to arrange local cease-fires to prevent further loss of life and damage to property, as the Turkish Cypriot fighters, who were mainly deployed to protect isolated villages and town sectors, were outnumbered. In all areas, including the Kyrenia Sector, intensified United Nations patrolling was carried out, a close watch was maintained over the battle zone and all possible efforts were made to promote the safety of civilians. The Special Representative, the Force Commander and all the Personnel of UNFICYP made every effort to restore the cease-fire, to ensure that it was observed and to prevent any incidents from escalating into a full recurrence of fighting\textsuperscript{158}. In this connection, UNFICYP assisted in delineating the positions of the parties on 22 July. Additional and extensive patrolling was carried out in order to maintain United Nations presence throughout the island. In addition, the Secretary-General requested reinforcements from the contributing countries which increased the total strength of the force by 2,078 all ranks to a total number of 4,444. UNFICYP was redeployed to meet the new situation. The general level of surveillance throughout the island was increased accordingly. Because of the suffering caused by the hostilities, UNFICYP took a number of humanitarian tasks to assist the afflicted population of both Communities.

UNFICYP's protective functions in respect of Turkish Enclaves had continued, including regular patrols, assistance to the population, escorts of convoys for relief supplies (food, medicaments, etc.)\textsuperscript{159}, and visits to detainees to ensure that their treatment was satisfactory. These protective functions were also being carried out in mixed villages. On 12 August 1974, the Secretary-General reported that the National

\textsuperscript{158} United Nations, Department of Public Information. The Blue Helmets, 1996, 162.

\textsuperscript{159} Ibid, p. 163.
Guard had evacuated a number of Turkish Cypriot villages, and UNFICYP had assumed
the responsibility for the protection of those areas. Following the breakdown of the
Geneva Conference on 14 August 1974, fighting resumed in Cyprus. In these
circumstances, UNFICYP resorted to emergency operating procedures. Armored
reconnaissance units of UNFICYP maintained observation over the battle zone
wherever possible. It made major efforts throughout the Country to put an end to the
fighting, but was not able to do so since in certain combat areas, UNFICYP posts had to
be withdrawn. The resumption of heavy fighting on 14 August had placed UNFICYP
units in an extremely difficult and dangerous position, resulting in severe casualties.160
Even the Security Council noted that development with concern in its resolution 359
(1974) of 15 August; it recalled that UNFICYP was stationed in Cyprus with the full
consent of the governments of Cyprus, Turkey, and Greece; it demanded that all parties
concerned fully respect the international status of the United Nations Force and refrain
from any action which might endanger the lives and safety of its members. It further
demanded that all parties cooperate with the force in carrying out its tasks, including
humanitarian functions, in all areas of Cyprus and in regard to all sections of the
population.

After negotiations, the Turkish forces declared a cease-fire on 16 August. On
the same day, the Council adopted resolution 360 (1974) in which he urged the parties
to comply with its previous resolutions and resume- without delay- the negotiations
called for in resolution 353 (1974). During the events of July and August 1974,
UNFICYP assumed important humanitarian functions, and the Security Council, in its
resolution 359 (1974), took notice of these tasks. On 22 July, a special humanitarian

160 United Nations Secretariat, Department of Public Information. Peace-
and economics branch had been set up at UNFICYP headquarters. Every effort was made to protect the civilian population caught up in the hostilities. In cooperation with ICRC, a wide range of relief assistance was organized for Greek and Turkish Cypriots. However, it soon became evident that a more systematic and larger scale operation was needed, since approximately one third of the population of the island had become homeless. Accordingly, the Secretary-General designated the United Nations High Commissioner for Refugees as Coordinator of United Nations Humanitarian Assistance for Cyprus. In resolution 361 (1974) of 30 August, the Security Council, noting that a large number of people in Cyprus were in dire need, and "... mindful of the fact that it is one of the foremost purposes of the United Nations to land humanitarian assistance in situations such as the one currently prevailing in Cyprus", requested the Secretary-General to continue to provide emergency humanitarian assistance to all parts of the island’s population in need of such assistance. UNFICYP assisted the coordinator in carrying out his functions.

Since its establishment in 1964, the main objective of the United Nations in Cyprus as of all other United Nations peace-keeping Operations, has been to foster peaceful conditions in which the search for an agreed, just and lasting settlement of the problem could best be pursued. The main instrument for maintaining calm and preventing strife on the island has been and remains the United Nations Peace-keeping Force, which continues effectively to carry out its task of conflict control. Accordingly, the Secretary-General has reported to the Security Council, at the end of every six-month mandate period, that in the light of the situation on the ground and of political developments, the continued presence of UNFICYP remains indispensable, both in helping to maintain calm on the island and in creating the best conditions for the

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161 Ibid, pp. 2-3.
Secretary-General’s good offices efforts. For its part, the Security Council has regularly extended the mandate of the force for six-month periods. Until June 1983, the parties concerned consistently informed the Secretary-General of their concurrence in the proposed extension of the stationing of the force on the island. The function of the United Nations Peace-keeping Force in Cyprus was originally defined by the Security Council in its resolution 186 (1964) of 4 March 1964 in the following terms: “...in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting, and as necessary to contribute to the maintenance and restoration of law and order and a return to normal conditions...”\textsuperscript{162} That mandate, which was conceived in the context of the confrontation between the Greek Cypriot and Turkish Cypriot communities in 1964, has been periodically extended by the Security Council in connection with the hostilities of July and August 1974.

The Security Council adopted a number of resolutions which have affected the functioning of UNFICYP and have required the Force to perform certain additional functions relating, in particular, to the maintenance of the cease-fire. That cease-fire came into effect on 16 August 1974. Immediately afterwards, UNFICYP inspected the areas of confrontation and recorded the deployment of the military forces on both sides. In the absence of a formal cease-fire Agreement, the military status quo, as recorded by UNFICYP at the time, became the standard by which it was judged whether any changes constituted violations of the cease-fire. The military status quo was subsequently clarified further and adjusted in numerous local agreements between the units of UNFICYP and of the sides concerned. Most of those agreements were eventually consolidated in a simple set of rules, which UNFICYP communicated to the military forces on both sides in early 1989.

\textsuperscript{162} Ibid; pp. 2-3.
It is an essential feature of the cease-fire that neither sides can exercise authority or jurisdiction or make any military moves beyond its own forward military lines. In the area between the lines, which is known as the United Nations buffer zone, UNFICYP maintains the status quo (including innocent civilian activity and the exercise of property rights) without prejudice to an eventual political settlement concerning the disposition of the area. UNFICYP discharges its responsibilities in that area, with a view to safeguarding the legitimate security requirements of both sides, while giving due regard to humanitarian considerations. UNFICYP keeps the cease-fire lines and the buffer zone under constant surveillance through a system of observation posts and patrols. High-powered binoculars and night observation devices are used in this work. The force maintains a patrol track, which runs the length of the buffer zone and is used for surveillance, monitoring of agricultural activities, the resupply of observation posts and rapid reaction to any incident. In Nicosia, the cease-fire lines of the two sides are in close proximity and, consequently, the most serious incidents have tended to occur there. In May 1989, UNFICYP reached an agreement with both sides whereby they unmanned their positions and ceased their patrols in certain sensitive locations. The opposing troops were thus moved further apart, although the cease-fire lines were left unchanged. As a result, the number of incidents in Nicosia has been reduced. UNFICYP has continued its efforts to extend the 1989 Agreement to all areas of the buffer zone where the troops of both sides remain in close proximity to each other.

Both sides on the island have frequently expressed concern about the strength and development of the military forces of the other side. This subject is of concern to

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164 Ibid, p. 20.
UNFICYP as well, and it has proposed to both sides that it conduct inspections to verify such developments. In the absence of any agreement on this proposal, UNFICYP monitors the opposing forces by overt means to the best of its ability. In accordance with its mandate, UNFICYP encouraged the fullest resumption of normal civilian activity in the buffer zone. To this end, some villages and certain areas in the buffer zone have been designated as civilian use areas, which means that they are freely accessible and are policed by local civilian police. Elsewhere, in the buffer zone, no civilian movement or activity is permitted unless specifically authorized by UNFICYP\textsuperscript{165}. The force also delivered supplies to the Maronites living in three villages in the Northern part of the island and generally assisted them in humanitarian matters. United Nations Civilian Police maintained close cooperation and liaison with the Cyprus Police and the Turkish Cypriot Police on matters having inter-communal aspects. UNFICYP cooperates with the United Nations High Commissioner for Refugees, as coordinator of United Nations humanitarian assistance to needy displaced persons in Cyprus and with the United Nations Development Program, in particular to facilitate projects involving both Communities. In the first part of 1995, UNFICYP conducted a humanitarian review with regard to the living conditions of Greek Cypriots and Maronites living in the Northern part of the island and of Turkish Cypriots living in the Southern part. In June 1995, UNFICYP shared with the Government of Cyprus and with the Turkish Cypriot authorities, the outcome of its review and set out its concerns, since it discovered that Turkish Cypriots- under law- did not enjoy the same rights as other citizens and were often victims of capricious discrimination or police harassment and thus did not enjoy a fully normal life. With regard to Greek Cypriots and Maronites

\textsuperscript{165} United Nations, Department of Public Information. The Blue Helmets, 1996, 166.
living in the Northern part of the island, the review confirmed that those communities were the objects of very severe restrictions imposed on them by local authorities "...which curtailed the exercise of many basic freedoms and had the effect of ensuring that, with the passage of time, those communities would cease to exist in the Northern part of the island..." \(^{166}\) UNFICYP discussed extensively those issues with the authorities on both sides and made a number of recommendations for remedial action by the Greek Government and the Turkish Cypriot authorities respectively. Since the events of 1974, the situation in Cyprus has remained calm, although tension has arisen periodically. Both sides have generally respected the cease-fire and the military status quo. But as the Secretary-General has repeatedly stated, the continuing quiet should not obscure the fact that there is only a cease-fire in Cyprus, not peace. The Security Council has declared on numerous occasions that the Status Quo is not an acceptable option. It is now more than 30 years since the Secretary-General was first asked to use his good offices with the representatives of the two Communities. Since then, the successive Secretaries-General and their Special Representatives have tried to find a formula acceptable to both the Greek Cypriots and the Turkish Cypriots. In the 1990’s, there has been an intensification of efforts, which led to fleshing out the essential elements of an overall settlement. By mid-1994, the Secretary-General reported to the Security Council that agreement on confidence-building measures remained beyond reach \(^{167}\). In the nineties, at the suggestion of the Secretary-General, the leaders of the Greek Cypriot and Turkish Cypriot communities met together many times with the Deputy Special Representative to review the situation and to discuss a broad range of

\(^{166}\) Ibid; p. 167.

\(^{167}\) Ibid, pp. 167-168.
possible trade-offs for an Overall Settlement and for the implementation of the
confidence-building measures. As the Secretary-General has noted, all the elements for
an overall settlement are on the table, if all concerned manifest the necessary political
will, a just and lasting solution to the Cyprus Problem is within reach. Until 1993,
UNFICYP was the only United Nations peace-keeping operation not financed from
assessed contributions by Member States of the Organization. In accordance with
Security Council resolution 186 (1964), the costs of the Force were met by the
Governments providing the military contingents and by voluntary contributions
received for this purpose by the United Nations. In addition, the Government of Cyprus
provided, at no cost, areas for the headquarters, camps and other premises of
UNFICYP\textsuperscript{168}. Voluntary contributions had fallen short of the required funds, leaving
the Special Account for UNFICYP with a total deficit of approximately $200 million
for the period from the inception of the force to June 1993. The Secretary-General
repeatedly voiced his profound concern about the worsening financial situation
confronting UNFICYP. Many countries— in the nineties— informed the Secretary-
General of their own decision to withdraw their contingents unless substantial
improvements could be achieved both in the Force’s financial situation, particularly
through the introduction of financing by assessed contributions, and in the prospects for
a political solution. In 1992, due to the deterioration of the financial situation of the
force and the frustration over the lack of progress towards a lasting political solution to
the Cyprus problem, a number of troop-contributing Governments decided to reconsider
their participation in UNFICYP. In his May 1992 report on UNFICYP activities, the
Secretary-General spoke of the need to consult with the Force, including the timing of

\textsuperscript{168} United Nations, Department of Public Information. United Nations Peace-
keeping, 1996, 17.
any reductions or withdrawals of their contingents, and on the possible future options for UNFICYP. The Secretary-General informed the Council that the troop-contributing Governments had given firm indications of their intention to reduce “the operational commitment” of their contingents, and he outlined a plan for a possible restructuring of UNFICYP. In December 1992, UNFICYP’s strength was reduced by approximately 28 percent. The Secretary-General stated that these reductions in the size of the force necessitated a major restructuring and reorganization of UNFICYP. The required operational and organizational adjustments had been put in place on 16 December 1992. He went on to say that further withdrawals announced by certain countries would reduce the force’s strength enormously and that unless the situation was redressed, UNFICYP would cease to be viable in June 1993. The Council decided that UNFICYP should be restructured to a strength of three infantry battalions of approximately 350 personnel each, the minimum number required to maintain effective control of the buffer zone. A limited number of military observers were added to UNFICYP for reconnaissance, liaison and humanitarian tasks in 1993, but were discontinued in 1994. As a result of reductions, the force now covers the cease-fire lines more thinly than before.

At the same time, the mandate of UNFICYP continues to interpose itself between the Greek Cypriot and the Turkish Cypriot forces and to supervise the cease-fire lines that define the buffer zone, by observing and reporting any violations of the cease-fire and the military status quo. To compensate for further reductions in the force’s strength, the Force Commander adjusted the organization of UNFICYP by

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169 United Nations, Department of Public Information. The Blue Helmets, 1996, 169.

170 Ibid; p. 169.
moving a greater portion of the battalion's strength posts, relying more heavily on mobile patrolling. He also handed over some humanitarian activities of the Force to the two sides. In 1993, the Secretary-General reported to the Council in connection with its re-assessment of UNFICYP and proposed using a large number of military Observers in UNFICYP. The idea had been addressed before in a review of the force carried out in 1990, and the matter was looked at again. The report concluded that a number of arguments continued to weigh heavily against the deployment of United Nations Military Observers.\footnote{Ibid; p. 170.}

In a world plagued by conflict, UN peace-keeping provided in the Middle East the means for instant consultations among governments as well as the forum for dealing with long-term problems when negotiations between governments were deadlocked, the UN provided the good offices of the Secretary-General to act as a neutral third party or provided peace-keeping missions which were assigned to oversee cease-fire agreements, act as a buffer between opposing forces, protect refugees, deliver food aid, and medical supplies, delineate lines of disengagement and forces' separation, supervise areas of limited armament and military presence, preserve calm, and quiet on military fronts, prevent the recurrence of fighting and hostile activities between warring parties. The validity of the decision-making power vested in the Security Council depends on the willingness and ability of Member States in carrying out its decisions. If its decisions are not complied with, the Council has several options. It may refer the matter to the International Court of Justice, asking it for an advisory opinion. It may utilize other means, such as imposing economic and other sanctions, should a country threaten or breach the peace or commit an act of aggression. It has established international tribunals to try persons accused of war crimes. It may even authorize the use of force,
either by UN peace-keeping forces or by forces under the command of Member States. However, the use of force is always a last resort, to be used only if all peaceful means of settling a dispute have been exhausted!!
CHAPTER IV

UNITED NATIONS INTERIM FORCE IN LEBANON

A. Circumstances: Operation Litani

The Lebanese Civil war which had broken out in April 1975, did not reach its end with the election of President Elias Sarkis, the constitution of a new central Government and the establishment of an Arab Deterrent Force. Fighting did not completely stop in Southern Lebanon. When Syrian troops of the Deterrent Force deployed towards the South, the Israeli Government threatened to take stern counter-measures if they should advance beyond an imaginary East-West line\textsuperscript{172}, extending South of the Zahrani River. Whether because of this threat or for other political calculations, the Syrian forces stopped short of the Red Line. The authority of the Central Government was not restored in the South. Sporadic fighting continued in that area between the Christian Militias, which were assisted by Israel and the armed elements of the Lebanese National Movement (a loose association of a variety of Muslim and leftist parties, supported by the armed forces of the Palestine Liberation Organization, PLO).

The PLO was the dominant force in Southern Lebanon at the time and had established many bases in the area. From these it launched commando raids against Israel which were followed by intensive Israeli retaliation. On 11 March 1978, a commando raid, for which the PLO claimed responsibility took place near Tel-Aviv according to Israeli sources, and resulted in 37 deaths and 76 wounded among the

\textsuperscript{172} United Nations, Department of Public Information. The Blue Helmets, 1996, 83.
Israeli population. In retaliation, Israeli forces invaded Lebanon on the night of 14/15 March, and in a few days occupied the entire region South of the Litani River, except for the city of Tyre and its surrounding area. It was exactly midnight on Tuesday, the 14th of March 1978, in Beirut and in the South, when Israeli troops crossed the Lebanese frontier in what they code-named **Operation Litani**.

A carefully orchestrated Israeli reaction prepared world opinion for a retaliatory action, not only against what it habitually used to call “Palestinian Terrorism”, but against its southern neighbor as well\(^{173}\).

Though not legally – in 1978 – at war with each other, Lebanon was considered by Israel as responsible for “harboring the terrorists”, giving them sanctuary, and allowing them “to use its territory as launching-ground”. As was expected, the Israeli reaction produced the usual letter of protest to the Security Council, containing the words that proclaimed Israel’s determination to strike back. The letter contained ample quotations from remarks by Prime Minister Begin describing the PLO in the harshest terms\(^{174}\).

Will the Security Council meet or will not meet? For five days, that was the question. Lebanon had long since given up calling for Security Council meetings which merely resulted in a collection of resolutions condemning Israeli acts of aggression. The most recent such meeting, in December 1975, had ended abruptly with a veto cast by the United States.

With the advent of the Lebanese War, the Lebanese-Israeli problem acquired a totally different dimension. Mr. Fuad Boutros (Minister of Foreign Affairs in 1977 and


\(^{174}\) Ibid; p. 3.
head of the Lebanese delegation to the Thirty Second Session of the General Assembly) clearly summarized the complex nature of the problems that Lebanon confronted in dealing with its Southern neighbor in his speech before the Assembly “…The war in Lebanon is, in most respects, the result of a prior injustice committed against a people driven out from its land and deprived of its country. Thus, injustice had itself provoked injustice, and violence has engendered violence in the host country which is innocent of what befell Palestine…”\textsuperscript{175}.

Later, with Dr. Kurt Waldheim, the UN Secretary-General, the possibility was explored of taking further “preventive measures” on the Lebanese-Israeli border, by increasing the number of observers in the United Nations Truce Supervision Organization (UNTSO), with guarantees of greater security. But neither New York, nor Washington, could – at the time – dissuade Israel from invading Lebanon. “International concern” for Lebanon, being still very real, indeed, pushed Dr. Waldheim to issue, as early as Wednesday morning, March 15, a strong condemnation of the Israeli invasion, drawing the attention of the Security Council to the letters of protest he had already received from many Governments.

The magnitude of the invasion, the number of victims (hundreds of civilians) and the extent of destruction (whole villages and towns were being totally demolished) were beyond tolerance in the eyes of the World Community. It was obvious to everyone that Israel’s over-reaction was universally inadmissible and that, if allowed to take its course, it would lead to catastrophic consequences – military as well as diplomatically and politically.

There was, however, a great symbolism in Israel’s selection of the code-name for its military operation. The Litani River, Southern Lebanon’s principal life line, had

\textsuperscript{175} Ibid; p. 4.
always been coveted by Israel. Even before the inception of the Jewish State, when the borders between Lebanon and Palestine were being redrawn by the British and French in 1919, following World War One, the Jewish Agency was officially pressing the Foreign Office to include the Litani Area in the British Mandate as an essential economic component of the projected "National Home". More important, though probably not unrelated to Israel’s economic considerations, the Litani River had also been designated as the invisible "Red Line" below which the Arab Deterrent Forces were not supposed to be deployed when they entered Lebanon in 1976.

The Palestinians – initially described as refugees who had temporarily crossed the common border with Lebanon in 1948 – witnessed their own metamorphosis into a "Diaspora-in-Revolt" preparing to return to their Homeland by force when necessary, were conducting from the South, their own little warfare with Israel which reprisals were in no way commensurate with Palestinian operations.

Using the doctrine of “hot pursuit”, which it had not yet publicly proclaimed, Israel in fact contributed to a “Palestinization” of Southern Lebanon by provoking a massive ad constant exodus of peaceful Lebanese citizens from the villages and towns in the border area, up to the Litani and beyond.

The Lebanese war, which led to the collapse of the State and the dispersion of the units of the Lebanese Army, enabled Israel to open its borders to the inhabitants of what has since been called “the Christian Enclave”. In terms of substance, this policy, known as the “Good Fence” has been one of the major issues at stake, particularly within the UN framework. It is hardly

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176 Ibid, p. 5
a coincidence when Israel launched Operation Litani, it clearly announced that its forces would only enter a strip along the border, six to twelve kilometers in depth. This is exactly the area occupied by the periphery of the “Christian Enclave”. In the strictest military terms, the Palestinians were to be considered defeated in Operation Litani, but the fact that they survived as a Guerilla Movement and that Israel’s political gain from its military victory was almost insignificant, have combined to make this whole war a senseless and counter-productive exercise. Regardless of how history will evaluate Operation Litani, one fact will remain beyond doubt: that Israel’s disarray was due principally to the convergence, into the UN process, of varied international reactions that expressed themselves with unexpected determination and forcefulness.

Approved by the Security Council while the invasion was still underway, Resolution 425 deprived Israel from the political dividends expected from Operation Litani’s success.

B. First International Response: UN Resolution 425 (1978)

There were long agonizing hours in the corridors of the United Nations, its lounges and the various conference rooms, where the drafting of texts was carried out and arrangements were concluded. While the Israeli Army was still fighting, intensive diplomatic exchanges and cross-exchanges were taking place between Beirut and New York, New York and Washington, Washington and Moscow, Moscow and Paris, Paris and Tel-Aviv, Tel-Aviv and Washington, Washington and Beirut to deliver Resolution 425, in its original form and terms stating the following: “...The Security Council, taking note of the letters from the Permanent Representative of Lebanon and

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177 Marguerite Johnson and Robert Slater, “Israeli strikes at the PLO and make peace even more remote”, Time Magazine, June 21 1982, 14.
from the Permanent Representative of Israel, having heard the statements of the
Permanent Representatives of Lebanon and Israel. Gravely concerned at the
deterioration of the situation in the Middle East and its consequences to the maintenance
of international peace, convinced that the present situation impedes the achievement of
a just peace in the Middle East,

- Calls for strict respect for the territorial integrity, sovereignty, and political
  independence of Lebanon within its internationally recognized boundaries.
- Calls upon Israel to cease its military action against Lebanese territorial
  integrity and withdraw forthwith its forces from all Lebanese territory.
- Decides, in the light of the request of the Government of Lebanon, to
  establish immediately under its authority a United Nations force for Southern Lebanon
  for the purpose of confirming the withdrawal of Israeli forces, restoring international
  peace and security and assisting the Government of Lebanon in ensuring the return of its
  effective authority in the area, the force to be composed of personnel drawn from
  Member States.
- Requests the Secretary-General to report to the Council within twenty-four
  hours on the implementation of the present resolution…

Though not taken by surprise when the Israeli invasion began, the Government
of Lebanon took a long time to place its reaction under the proper perspective. The
magnitude of the operation was not immediately perceived. By the time it became
apparent that this was not just another incursion or another “punitive expedition”,
similar to many in the past, the dimensions of the human and physical tragedy had far

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178 S/12600 and S/12606 and S/12607 documents preserved among the official
records of the Security Council, for the thirty-third year, Supplement for April and May
1978.
exceeded the capacity of the frail Lebanese Government to cope with them – socially, politically, or diplomatically. The military considerations were of a different order, as this was a government that did not have even the semblance of an army which could, at least symbolically, resist an invasion.

In calling for a Security Council meeting on Friday 17 March, 1979, Lebanon clearly announced that this was not going to be just another exercise in rhetorical performance, but a serious and determined attempt to regain its land and to transform into a “zone of peace” under UN auspices. Lebanon, thus, made a subtle distinction between its own case and the ongoing debate on the Middle Eastern Question.

It was therefore of paramount importance that a resolution (like resolutions 425 and 426) should be adopted by the Security Council before Prime Minister Begin arrived in Washington to discuss the Middle East with President Carter. Both the American and Lebanese Governments were anxious that the withdrawal from the South should not become a part of the Israeli bargaining game. Although America’s “special relationship” with Israel was admitted by the Arabs as a “fact of life”, Washington’s special commitment to the preservation of Lebanese integrity, unity, and sovereignty, had never been tested in an operative manner, vis-à-vis Israel.

For years, the United States had not sponsored, alone, any resolution in the Security Council on a Middle Eastern or Third World issue. Yet the Lebanese delegation made it clear that only a US-sponsored resolution would carry the necessary weight, not only in the Council but also later, during the difficult days of implementation.

“Let my People Live” was the peace-cry addressed to the world Community by Lebanon’s representatives at the UN, through the Security Council. It was a challenge to the World Community, and the United Nations responded with an unprecedented
sense of urgency and realism, because defining the terms of reference of UNIFIL, its
general guidelines, its area of operations, and the final objectives which it was expected
to achieve, was no easy task.

On the same afternoon of 19th March 1978, the Secretary-General submitted a
report to the Security Council in which he set out the terms of reference of the new
force, to be called the United Nations Interim Force in Lebanon (UNIFIL), the
guidelines for the force's deployment and a plan of action for its speedy establishment.
The force was to confirm the withdrawal of Israeli forces, restore international peace
and security, and assist the Government of Lebanon in ensuring the return of its
effective authority in the area. It would establish and maintain itself in an area of
operation to be defined in the light of those tasks, and would use its best efforts to
prevent the recurrence of fighting and to ensure that its area of operation would not be
utilized for hostile activities of any kind. In the fulfillment of its tasks, the force would
have the cooperation of the military observers of the United Nations Truce Supervision
Organization (UNTSO), who would continue to function on the Armistice Demarcation
Line (ADL) after the termination of UNIFIL's mandate.

C. Implementation of Resolution 425?

In the first stage, the force was supposed to confirm the withdrawal of the
Israeli forces from Lebanese territory to the international border. Once this was
achieved, it would establish and maintain an area of operation to be defined in
consultation with the parties concerned. It would supervise the cessation of hostilities,
ensure the peaceful character of the area of operation, control movement, and take all
measures deemed necessary to assure the effective restoration of Lebanese sovereignty.
The Secretary-General also indicated that, with a view to facilitating UNIFIL's tasks it
might be necessary to work out arrangements with Israel and Lebanon as a preliminary measure for the implementation of the Security Council resolution, and it was assumed that both parties would give their full cooperation to UNIFIL in this regard.¹⁷⁹

Particular emphasis was placed on the principles of non-use of force and non-intervention in the internal affairs of the Host Country. UNIFIL – like all other peace-keeping forces – would not use force except in self-defense, which would include resistance to attempts by forcible means to prevent it from discharging its duties under the Council’s mandate. Like any other United Nations peace-keeping operation, UNIFIL could not and should not take on responsibilities which befell under the authority of the Government on whose soil it is operating. Those responsibilities should be exercised by the competent Lebanese Authorities.

In working out the terms of reference of UNIFIL, the Secretary-General had wanted to define more clearly the area of operation of the force and its relationship with the PLO. But he could not do so, as the discussion he held with the Member States of the Security Council and with other Governments concerned revealed a profound disagreement among them on both subjects. The guidelines proposed by the Secretary-General were essentially the same as those applied to UNEF II and UNDOF. Important decisions on the organization of UNIFIL, such as the appointment of the Force Commander or the selection of contingents, would be taken by the Secretary-General, but he would need to consult the Security Council and obtain its consent. All matters, which might affect the nature or the continued effective functioning of the force, would be referred to the Council for its decision.¹⁸⁰


¹⁸⁰ Ghassan Tueini, Peace-Keeping Lebanon... The Facts, the documents (New York: William Belcher Group, 1979), 21.
The Secretary-General said that Lieutenant-General Ensio P.H. Siilasvuо, chief coordinator of the United Nations Peace-keeping Missions in the Middle East, would be instructed to contact immediately the governments of Israel and Lebanon for the purpose of reaching agreement on the modalities of the withdrawal of the Israeli forces and the establishment of a United Nations area of operation. Major-General (later Lieutenant-General) Emmanuel A. Erskine, of Ghana, the chief of UNTSO, would be appointed immediately as Interim Commander and, pending the arrival of the first contingents of the force, would perform his tasks with the assistance of a group of UNTSO military observers. At the same time, urgent measures would be taken for the early arrival in the area of contingents of the force. The Secretary-General proposed that the force has a total strength of the order of 4,000 and that it be stationed initially in the area for six months. The best possible preliminary cost estimate was approximately $68 million for a force of 4,000 all ranks for that period. As with UNEF II and UNDOF, the costs of UNIFIL were to be considered as expenses of the Organization to be borne by Member States as apportioned by the General Assembly.

By resolution 426 (1978) of 19 March 1978, the Council approved the Secretary-General’s report and decided that UNIFIL should be established for an initial period of six months, subject to extension.

While the members of the Security Council, in close consultation with the Secretary-General, were discussing the establishment of UNIFIL, the situation in Southern Lebanon remained extremely tense and volatile. Israeli forces had occupied most of Southern Lebanon up to the Litani River. The PLO troops regrouped with much of their equipment in the Nabatiyah and Chateau de Beaufort. Intense exchanges of fire continued between the opposing forces.

The Secretary-General’s two immediate objectives were to set up the new force
and deploy it along the frontlines as soon as possible, and to initiate negotiations on the withdrawal of the Israeli forces. General Erskine, who has been appointed as Interim Commander of UNIFIL on the 19th of March, immediately set up temporary Headquarters at Naqoura in Southern Lebanon, in the premise of the UNTSO outstation, with the 45 military observers who were already in the area.\(^{181}\)

These were soon reinforced by 19 additional observers of UNTSO. In order to make UNIFIL operational without delay, the Secretary-General transferred some military personnel from the two existing peace-keeping forces in the Middle East, after obtaining the concurrence of the Governments concerned.

One reinforced company from the Iranian contingent of UNDOF and another from the Swedish contingent of UNEF were temporarily assigned to the new force, together with a movement control detachment and a signal detachment of the Canadian logistic unit of UNEF.\(^{182}\) Meanwhile, urgent action had to be taken to seek and obtain 4,000 troops for the force. France, Nepal, and Norway had already offered to provide contingents. On 21 March, after he secured the agreement of the Council, the Secretary-General accepted the offers of the three Governments. Later, in response to an appeal by the Secretary-General, Nigeria, and Senegal each agreed to provide an infantry battalion.

The first French troops arrived in Beirut on 23 March, the Norwegian contingent a week later and the Nepalese by mid-April. With the Canadian, Iranian, and Swedish units already in the area, the strength of UNIFIL reached 1,800 all ranks by 8 April, 2,502 by 17 April and 4,016 by the beginning of May.

\(^{181}\) Ibid, p. 88.

\(^{182}\) Ibid, p. 85.
On 1 May 1978, shortly after the withdrawal began, the Secretary-General recommended that the total strength of the force should be brought to 6,000. He also indicated that the Governments of Fiji, Iran, and Ireland were prepared to make available a battalion each for service with UNIFIL. By resolution 427 (1978) of 3 May 1978, the Security Council approved the Secretary-General's recommendation. The Swedish and Iranian contingents that had been temporarily detached from UNEF and UNDOF returned to their parent units. As of mid-June 1978, the strength of the force was 6,100. 42 military observers of UNTSO assisted UNIFIL in the performance of its tasks, having been organized on 1 April 1978 as Observer Group Lebanon (OGL) under the operational control of the Force Commander of UNIFIL. From June 1978 till June 1981, the strength of UNIFIL varied between 5,750 and 6,100 according to the movements of the various contingents. The strength of UNIFIL was further increased to about 7,000 in early 1982 on the recommendation of the Secretary-General (resolution 501, 1982, of 25 February 1982). General Emmanuel A. Erskine of Ghana, who acted as Interim Commander at the outset of the operation, was appointed Force Commander on 12 April 1978. On 14 February 1981, he was reappointed Chief of Staff of UNTSO and was succeeded at UNIFIL by Lieutenant-General William Callaghan of Ireland (15 February 1981 – 31 May 1986), who was in turn succeeded by Major-General Gustav Hagglund of Finland (15 June 1986 – 30 June 1988). General Hagglund was replaced on 1 July 1988 by Lieutenant-General Lars-Eric Wahlgren of Sweden, who served until 22 February 1993, when on 23 February he was succeeded by Major-General Trond Furwhovde of Norway. On 1 April 1995, Major-General Sanislaw Francizek

\[183\] Ibid, p. 85.

\[184\] I consulted the Annual UN reports on UNIFIL's activities from 1978 to 1996.
Wozniak of Poland became the Force Commander of UNIFIL and was replaced by Daniel Seith O’beng the Commander who had witnessed the bloody episode as characterized by the Kana Massacre.

During the initial stages of UNIFIL, General Siilavuo, the Chief Coordinator of the United Nations Peace-Keeping Missions in the Middle East, had a leading role in the negotiations with the Israeli authorities concerning the withdrawal of their forces from Lebanon.

D. UNIFIL Activities: March – April 1978

UNIFIL – like all other peace-keeping forces – had no enforcement power and required cooperation of the parties concerned to fulfill its tasks. Resolution 425 (1978) mentioned only Israel and Lebanon. Immediately after the adoption of the resolution, the Secretary-General sought and obtained an undertaking from both of those countries to cooperate with UNIFIL.

To obtain the cooperation of the PLO, the Secretary-General issued an appeal during March to all parties concerned, including the PLO, for a general Cease-Fire\textsuperscript{185}. This was followed up with a meeting between Mr. Yasser Arafat (chairman of the Executive Committee of the PLO at the time) and General Erskine, the Force Commander, during which a pledge of cooperation with UNIFIL was secured from the PLO. Another complication arose from the presence and activities in Southern Lebanon of various Lebanese armed elements not controlled by the Central Government. UNIFIL could not officially negotiate with these armed elements, although they were very much a part of the problem, because some of them have sided with the PLO and

\textsuperscript{185} United Nations Secretariat, Department of Public Information. An Agenda for Peace and its Supplement, 1995-1996, 72.
others with Israel. The Lebanese National Movement (LNM), a loose association of
Lebanese Moslem and leftist parties, allied with the PLO, and the armed elements of the
two groups (i.e. the PLO elements) operated under a joint command. When difficulties
arose with the armed elements, UNIFIL generally endeavored to resolve them in
negotiations with the PLO leadership. One the opposite side, UNIFIL had to contend
with the Lebanese de facto forces, which were composed mainly of Christian militias
led by Major Saad Haddad (renegade officer of the Lebanese National Army later on
succeeded by Major Antun Lahd). When UNIFIL encountered problems with De Facto
Forces, it sought the cooperation and assistance of the Israeli Authorities, since these
forces were armed, trained, and supplied by Israel and, by all evidence, closely
controlled by it.

A second difficulty encountered by UNIFIL arose from the lack of a clear
definition of its area of operation. Security Council Resolution 425 (1978), which was
the result of a compromise, was vague on this point. It indicated only that UNIFIL
would operate in Southern Lebanon and that one of its tasks was to confirm the
withdrawal of the Israeli Forces to the International border. The Secretary-General was
unable to propose a clearer definition and merely stated that UNIFIL would set up an
area of operation in consultation with the parties\textsuperscript{186}. But the parties had very different
perceptions of the tasks of UNIFIL and no agreement could be reached on a definition
of its area of operation. This difficulty gravely hampered UNIFIL’s work from the very
start. On 20 March 1978, General Erskine established temporary headquarters in
Naqoura. At the same time, General Siilasvuo initiated negotiations with the Israeli
authorities in Jerusalem to secure their agreement to withdraw their troops from

\textsuperscript{186} United Nations, Department of Public Information. The Blue Helmets.
Lebanon without delay.

Pending the withdrawal, plans were made to deploy UNIFIL troops in a strip of land immediately south of Litani River and, in particular, to assume control of the Kasimyah and Khardala bridges, which were the two main crossing-points into Southern Lebanon. The Iranian and Swedish contingents were instructed to proceed to the Central Sector and the Khardala Bridge respectively. Their movement to their destinations was initially delayed by the opposition of the Christian De Facto Forces which were deployed near those areas. However, this opposition was overcome through negotiations with the Israeli Authorities, and the proposed deployment took place on 24 March and the following days. The Swedes were deployed at the Khardala Bridge and in the area of Ibil as Saqy (further east). At the end of March, the Norwegian battalion had arrived and was deployed in the Eastern Sector, and the Swedish company re-deployed in the Central/Western Sector. The French Battalion was sent to the Tyre Region. During this period in New York, the Arab representatives to the United Nations strongly supported the PLO’s view that the Tyre pocket should not be included in UNIFIL’s area of operation.

The UNTSO observers assigned to UNIFIL, namely Observer Group Lebanon, played an extremely useful role during this formative phase, since they were already familiar with local conditions. They continued to man the five observation posts established by UNTSO in 1972 along the Armistice Demarcation Line. Some observers served as Staff Officers at the Naqoura headquarters. Teams of two observers each were attached to the various contingents for liaison and other purposes. Other observers provided liaison with the Lebanese Authorities, the Israeli forces, the PLO, and various

\[187\] Ibid, pp. 88-89.
armed groups in Southern Lebanon. The office of the Israeli-Lebanon Mixed Armistice Commission in Beirut ensured liaison between UNIFIL and the Lebanese Government. The situation in Southern Lebanon remained volatile during the first days of UNIFIL. As previously mentioned, on 27 March 1978, the Secretary-General had issued an appeal to all the parties concerned to observe a general cease-fire. Considerable tension, with occasional exchanges of fire, continued in the Tyre Area and the Eastern Sector which was close to the main base of the Christian De Facto Forces in Marjayoun and the PLO stronghold of Chateau de Beaufort North of the Litani River. UNIFIL troops, which were deployed between the opposing forces in two sensitive areas, endeavored to maintain a precarious cease-fire, while the Secretary-General and General Siilasvuo continued to press the Israeli Authorities to withdraw their troops from Lebanon without delay.

E. UNIFIL Activities: April – June 1978

On 6 April 1978, the chief of staff of the Israel Defense Forces submitted to General Siilasvuo a plan for an initial withdrawal of the Israeli Forces in two phases. In a first phase, to take place on 11 April, the Israeli Forces would withdraw from an area west of Marjayoun. A number of villages and the Khardala Bridge would be evacuated. A second withdrawal would follow on 14 April and would cover a zone extending from a point on the Litani River to a point about one kilometer West of Dayr Mimas. The area to be evacuated during the two first phases would cover about 110 square kilometers, or one tenth of the total perimeter of the Occupied territory.

The next day, the Secretary-General indicated that the Israeli plan was not satisfactory since Security Council Resolution 425 (1978) called for the withdrawal of Israeli Forces without delay from the entire occupied Lebanese Territory. The plan,
however, was accepted on the understanding that a further withdrawal would be agreed upon at a further date. The proposed withdrawal took place as scheduled without incident. All the positions evacuated by the Israeli Forces were handed over to UNIFIL troops.

Further negotiations between General Siilasvuo and the Israeli Authorities led to a third phase of the Israeli withdrawal, which took place on 30 April. This withdrawal was more extensive and covered an area of about 550 square kilometers. As in the previous withdrawals, the positions evacuated by the Israeli Forces were taken over by UNIFIL troops without incident.

Following the Third Phase of the Israeli withdrawal, UNIFIL was deployed in two separate zones south of the Litani River within an area of about 650 square kilometers, or approximately 45 percent of the territory occupied by Israel. Pending further withdrawals of the Israeli Forces, UNIFIL acted to consolidate its control of the area in which it was deployed. Its main objectives were to supervise and monitor the cease-fire and to ensure that no unauthorized armed personnel entered its area. To this end, observation posts and checkpoints were set up at various points of entry in its area of deployment, and frequent patrols were conducted throughout the area. All unauthorized and uniformed personnel were turned back at entry points and, if they were discovered within the area, UNIFIL troops endeavored to disarm them and to escort them out of its area. Following the third phase of the Israeli withdrawal, UNIFIL was faced with two major problems. First, the Israeli Government was reluctant to relinquish the remaining area, and the United Nations efforts to achieve further withdrawal with increasing resistance. Secondly, PLO armed elements attempted to enter the area evacuated by the Israeli forces on the grounds that they had a legitimate
right to do so under the terms of the Cairo Agreement of 3 November 1969\textsuperscript{188}, concluded between Lebanon and the PLO, under the auspices of President Nasser of Egypt, which dealt with the presence of Palestinians in Lebanon\textsuperscript{189}. The uncooperative attitude of certain PLO Armed Elements led to some serious clashes in the Tyre Area. On 1 May 1978, a group of Armed Elements attempted to infiltrate a UNIFIL position manned by French soldiers. When challenged, they opened fire on the French Guards who returned fire in self-defense and killed two infiltrators. In the following days, French troops were ambushed at various locations.

Strenuous negotiations were undertaken by the Secretary-General and his representatives in the field to prevent infiltration attempts by PLO Armed Elements and to avoid further incidents. Chairman Arafat confirmed that the PLO would cooperate with UNIFIL and that it would not initiate hostile acts against Israel from Southern Lebanon, although it would continue its armed struggle from other areas. In particular, the PLO would refrain from infiltrating armed elements into the UNIFIL Area of Operation. In exchange, Chairman Arafat insisted that the Palestinian Armed Elements who were already in the UNIFIL Area of Operation should be allowed to remain there. UNIFIL, agreed to this condition, on the clear understanding that the limited number of armed elements allowed to remain in its area of operation would not be used for military purposes. The agreement involved about 140 armed elements belonging to various groups of the PLO, assembled in six positions. Strict instructions were given to the UNIFIL contingents concerned to keep a close watch over the six PLO positions.


Under the pressure of the United Nations, the Israeli Government announced its decision to withdraw its forces from the remaining occupied territory in Lebanon by 13 June 1978. The modalities for the withdrawal were to be determined between the Israeli authorities and Generals Erskine and Siilasvuo.

Following the announcement of this decision, intensive discussions were held between United Nations representatives and the Lebanese Government regarding the deployment of UNIFIL in the area to be evacuated and, in particular, regarding its relationship with the De Facto Forces (the pro-Israeli Militia under the command of Major Saad Haddad). UNIFIL had also engaged in discussions with the Israeli Authorities to work out practical arrangements for its deployment in the border area following the Israeli withdrawal. However, no common ground could be reached. On 13 June, General Erskine reported that the Israeli Forces had withdrawn from Southern Lebanon. This information was transmitted by the Secretary-General to the Security Council. The manner in which the Israeli forces carried out the last phase of withdrawal, however, created major problems for UNIFIL. In contrast to the procedure followed during the previous three phases, IDF on 13 June turned over most of its positions not to UNIFIL but to the de facto forces of Major Haddad (who had no authority whatsoever to act on behalf of any governmental authority, to negotiate with the United Nations, or to exercise any legal command in the area), on the grounds that IDF considered him a legitimate representative of the Lebanese Government. UNIFIL units were able to occupy only five positions evacuated by the Israeli Forces on that day, because the de facto forces, which had been strongly armed by the Israelis, threatened to use force to oppose any attempts by UNIFIL to gain wider deployment.
In a letter dated 13 June\textsuperscript{190}, Foreign Minister Moshe Dayan informed the Secretary-General that Israel had fulfilled its part in the implementation of Security Council resolution 425 (1978). In his reply, the Secretary-General observed that the difficult task lying ahead for UNIFIL had not been facilitated by the decision of the Israeli Government not to turn over control of the evacuated area to UNIFIL. He added that he was making efforts to deal satisfactorily with the consequences of that development, in cooperation with the Lebanese Government. In order to fulfill its mandate, UNIFIL had to be fully deployed in its entire area of operation, including the enclave controlled by the De Facto Forces of Major Haddad. While waiting to deploy in the Enclave, UNIFIL continued to contain infiltrations by the Armed Elements, as well as encroachments by the De Facto Forces or the Israeli Forces. At the same time, UNIFIL would exert all possible efforts to assist the Lebanese Government in restoring its authority and promote the return of normalcy in its area of deployment. In these various fields of activity, UNIFIL encountered serious difficulties. No significant further deployment could be achieved in the Enclave. There were frequent and destructive exchanges of fire between the opposing forces over and across its area until 24 June 1981, when cease-fire arrangements were worked out through a joint effort by the United States and the United Nations. The various objectives pursued by the Interim Force were closely interconnected, and setbacks in one inevitably affected the others.

F. Relief Assistance to the Southerners

UNIFIL’s efforts were also devoted to humanitarian assistance in cooperation

\textsuperscript{190} United Nation Secretariat, Department of Public Information. Information Notes (Periodic Updates on Specific Peace-Keeping Missions), 1995, 101.
with United Nations Children Fund (UNICEF) and the International Committee of the Red Cross (ICRC). Its humanitarian teams distributed to needy local inhabitants food and water and other essential supplies. The UNIFIL Hospital at Naqoura and the medical teams of the various national contingents dispensed medical care to the local population, including vaccination campaigns for Lebanese children. UNIFIL also assisted the local authorities with various community projects, and with the repair of public buildings such as schools and local dispensaries. A French engineering unit did much to clear the area of mines, shells, and explosive devices, which were a constant danger to the population. In many cases, the officers and soldiers of the various contingents made voluntary contributions to help villagers in their sectors. Further Governments of troop-contributing countries provided assistance in the form of new schools or medical Centers in their battalions' sectors.

When the force was set up in March 1978, the Security Council decided that its costs should be considered as expenses of the Organization to be paid by assessed contributions set up by the General Assembly. The sum of $25,469 million (net) had been appointed for UNIFIL by the General Assembly for the period from its inception to 31 January 1996. Assessed contributions received during the same period amounted to $2,341.3 million net. Estimated net expenditure during that period amounted to 2,544.8 million. Because of the serious deficit which has grown steadily over the years, the United Nations has been forced to cut expenditures and fall further and further behind in reimbursing Governments for the costs they have incurred in contributing troops, equipment, and supplies to UNIFIL.

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G. UNOGIL

Lebanon represents – by most international standards – a unique laboratory where most peace-keeping experiences occurred, starting with the UNTSO observers sent to the area in the wake of the partition of the Palestinian Arab Territory, passing through the UNOGIL (constituting a different type of an observer mission and a noteworthy precedent to UNIFIL’s establishment later on), ending with the first full-fledged peace-keeping force UNIFIL sent to ensure the implementation of UN Resolution 425 and to restore peace and stability on our international borders.

In May 1958, armed rebellion broke out in Lebanon when President Camille Chamoun made known his intention to seek an amendment to the constitution which would enable him to be re-elected for a second term. The disturbances, which started in the predominantly Moslem City of Tripoli, soon spread to Beirut and Northern and North-Eastern Areas near the Syrian border, and assumed the proportions of a civil war.

On 22 May, the Lebanese Government requested a meeting of the Security Council to consider its complaint “in respect of a situation arising from the intervention of the United Arab Republic in the internal affairs of Lebanon”\(^{192}\). It charged that the United Arab Republic was encouraging and supporting rebellion by the supply of large quantities of arms to subversive Elements in Lebanon, by the infiltration of armed personnel from Syria into Lebanon. After the League of Arab Nations failed in finding a settlement of the dispute, the Council took up the case and, on 11 June, adopted resolution 128 (1958) by which it decided to dispatch urgently to Lebanon an Observation Group “...so as to ensure that there is no illegal infiltration of personnel or

supply of arms or other material across the Lebanese borders..."¹⁹³. The Secretary-General was authorized to take the necessary steps to dispatch the Observation Group, which was asked to keep the Council informed through him. Resolution 128, supported by both Lebanon and the United Arab Republic, formed the basis for the establishment of the United Nations Observation Group in Lebanon (UNOGIL).

The Observation Group would be made up of highly qualified and experienced men from various regions of the world. They would be assisted by military observers, some of whom would be drawn from UNTSO. The Secretary-General stressed that the Group would not be a police force like the United Nations Emergency Force deployed in Sinai and the Gaza Strip. In order to start the operation without delay, five observers from UNTSO arrived in Beirut on 12 June and began active reconnaissance in the following morning. The plan was to cover as many areas as possible and to probe further each day in the direction of the Syrian border to observe if any of the presumed illegal infiltrations of personnel and arms through the common border was taking place. The number of observers was rapidly increased with new arrivals and reached 100 by 16 June, drawn from 21 countries selected by the Secretary-General in accordance with the same criteria as those he had developed for UNEF in 1956, namely the agreement of the Host Country and the exclusion of nationals of the Permanent Members of the Council and of "Special Interest" countries.

As outlined by the Secretary-General, the role of UNOGIL was strictly limited to observation, to ascertain whether illegal infiltration of personnel or supply of arms or other material across the Lebanese border was occurring. It was decided that the UNOGIL Military Observers would conduct regular and frequent patrols on all accessible roads from dawn to dusk primarily in border districts and the areas adjacent

¹⁹³ Ibid; p. 115.
to the zones held by the opposition forces. An evaluation team was to be set up at headquarters to analyze, evaluate, and coordinate all information received from observers and other sources. Aerial reconnaissance was to be conducted by light airplanes and helicopters.

In their first report, the observers indicated that they were facing difficulties in gaining access to much of the Frontier Area held by the opposition and could provide no substantiated or conclusive evidence of major infiltration. The Lebanese Government criticized what it called the report’s “inconclusive and misleading” conclusions. In the early stage, some areas could only be patrolled by aircraft, including photographic and night reconnaissance. But the situation improved later on, when UNOGIL finally obtained full freedom of access to all sections of the Lebanese frontier and received assurances of complete freedom to conduct ground patrols throughout the Area North of Tripoli.

In the meantime, however, new complications arose outside Lebanon’s borders. On 14 July 1958, the Hashemite Kingdom of Iraq was overthrown in a coup d’etat and replaced with a Republican regime. This event had serious repercussions both on Lebanon and Jordan. On the same day, President Chamoun requested United States intervention to protect Lebanon’s political independence and territorial integrity. On 15 July, the Representative of the United States at the UN informed the Council of his government’s decision to respond positively to the Lebanese request. He stated that United States forces were not in Lebanon to engage in hostilities of any kind but to help the Lebanese Government in its efforts to stabilize the situation, brought on by threats from outside. He added that his Government was the first to admit that the dispatch of United States Forces to Lebanon was not an ideal way to solve the current problems and that these forces would be withdrawn as soon as the United Nations could take over.
UNOGIL asked the Secretary-General to raise the number of observers to 200, with additional aircraft and crews to undertake direct and constant patrolling of the actual frontier. In transmitting this request to the Council, the Secretary-General stated clearly that he endorsed the demands contained in it.

The continued operation of UNOGIL being acceptable to all Council members would imply concurrence in the further development of the Group, so as to give it all significance it could have, consistent with its basic characters as determined by the Council in its resolution of 11 June 1958 and the purposes and principles of the Charter.

The Secretary-General's plan was to increase the strength of UNOGIL as soon as possible to enable it to carry out fully its mission and thus expedite the withdrawal of the United States troops.

In a further report submitted by the Commandership of UNOGIL, it stated that the Military Observers were operating with skill and devotion, often in conditions of considerable danger and difficulty. Intensive air patrolling had been carried out by day and by night and air observations had been checked against the results of ground patrolling and observation. The Group, therefore, reached the conclusion that the infiltration which might be taking place could not be anything more than a limited scale and was largely confined to small arms and ammunition. With regard to illegal infiltration of personnel, the Observers who had been vigilantly patrolling the opposition held areas and had frequently observed armed bands there, were able to detect the presence of persons who had undoubtedly entered across the border for the purpose of fighting.

The United States troops, which had landed in Beirut on 15 July, were confined at all times to the Beach Area and there were no contacts between them and the United Nations Military Observers. In a report of 14 August, UNOGIL indicated that just
before the election of President Fuad Chehab (Chamoun’s successor), there had been a noticeable reduction of tension throughout the country and a comparable absence of armed clashes between Government and Opposition Forces. Since 31 July, there had been a virtual nationwide truce with only occasional reports of sporadic firing in some areas.

At the end of the emergency special session, the General Assembly unanimously adopted on 21 August a proposal submitted by 10 Arab States. This became resolution 1237 (ES-III) by which the Assembly requested the Secretary-General to make forthwith, such practical arrangements as would adequately help to uphold Charter purposes and principles in relation to Lebanon, and thereby facilitate the early withdrawal of the foreign troops from its land.\(^{194}\)

In September 1958, the Secretary-General was informed that Lebanon and the United States were discussing a schedule for the completion of the withdrawal of the United States Forces, and that they hoped this might take place by the end of October.

UNOGIL’s Military Observers had not only been able to re-establish confidence in the independent nature of their activities but had won for themselves the trust and understanding of all sections of the population. No cases of serious infiltration had been detected and, if any infiltration was still taking place, its extent must be regarded as insignificant. The withdrawal of United States troops was completed by 25 October and cordial diplomatic relations between Lebanon and the United Arab Republic had resumed their normal course. On 17 November 1958, UNOGIL recommended that the operation should be withdrawn since its task might be regarded as completed. The Observers were withdrawn in three phases, with the key staff, the

\(^{194}\) Leila Shehab, “the Role of the United Nations during the Lebanese Crisis of 1958” (M.A. Thesis American University of Beirut, 1963), 104.
personnel required for air service and the logistic components leaving last. The withdrawal was completed by 9 December.
CHAPTER V

UNIFIL TODAY: ACHIEVEMENTS AND CHALLENGES

A. Pre-1982 Invasion

Immediately after 13 June 1978, the Secretary-General instructed General Siilasvuo and General Erskine to exert every effort, in close cooperation with the Lebanese Government, to achieve progressively wider deployment of UNIFIL in the enclave, until the force would immediately be in a position effectively to discharge its mandate in its entire area of operation. He made it clear, however, that it remained his intention to utilize peaceful and diplomatic means to achieve this objective.

By September 1978, UNIFIL held a total of 24 positions in the Enclave, in addition to its Headquarters at Naqoura and the five posts previously established by UNTSO along the Armistice Demarcation Line. But no further deployment could be achieved.\textsuperscript{195}

1. Fulfilled Political and Military Objectives

The Security Council repeatedly reaffirmed its determination to implement its resolutions on UNIFIL in the totality of the Area of Operation assigned to the Force, and called upon all the parties to extend necessary cooperation to UNIFIL. The situation prevented UNIFIL from fulfilling an essential part of its mandate and made its other tasks considerably more difficult.

Infiltration attempts resumed and increased. The inability of UNIFIL to take

\textsuperscript{195} United Nations Secretariat, Department of Public Information. UNIFIL...Information 1997, 7
over the enclave from the pro-Israeli De Facto Forces, undoubtedly contributed to the increase in infiltration attempts. In order to prevent infiltration, UNIFIL, often assisted by Lebanese Gendarmes, checked and inspected vehicles and personnel for military equipment and supplies at the checkpoints established at points of entry and along the main and secondary road networks in its area of deployment. Foot and motorized patrols were conducted day and night along key highways.

After July 1979, UNIFIL’s troops were redeployed in greater density along the perimeter of the UNIFIL Area in order better to control infiltration, and a steady effort was made to improve its surveillance and detection capability. The Palestinian or Lebanese armed elements stopped at checkpoints generally, surrendered their weapons and left the UNIFIL Area peacefully. In some cases, however, they reacted by firing at UNIFIL soldiers, who then had to return fire in self-defense. At other times, the infiltrators, after being turned back, would return with reinforcements to attack the UNIFIL positions involved. UNIFIL tried to resolve all incidents by negotiation. Given the difficulty of the terrain, the limited size of UNIFIL, and its lack of enforcement power, it was virtually impossible to prevent all infiltration attempts. That difficulty was compounded by the existence of many arm caches in the UNIFIL area, which the force found and destroyed many of them, but others remained.

It was relatively easy for PLO personnel and their Lebanese allies to pass through UNIFIL checkpoints unarmed and, once inside the area, get weapons from the caches. Inside the UNIFIL area, the PLO, and particularly the Lebanese National Movement, still had many sympathizers who gave the infiltrators shelter and assistance.

Later on, the PLO leadership did cooperate with UNIFIL to a significant degree, so that there were no infiltration attempts on a major scale. By July 1981, the number of Palestinian Armed Elements inside the UNIFIL area had increased to about
450 according to UNIFIL estimates\textsuperscript{196}, and they had established some 30 positions inside that area.

2. Attacks from Local and Pro-Israeli Militias

The activities of the de facto forces under the command of Major Haddad also created serious difficulties for UNIFIL. No precise figures on the strength of those forces were available, but it was generally estimated that they numbered about 1,500 in June 1978\textsuperscript{197}. They were formed around a nucleus of some 700 former Christian Soldiers of the Lebanese National Army, to which were added smaller groups of Christian Phalangists and locally recruited Civilians from all Sects. They were financed, trained, armed, and by all evidence, controlled by the Israeli authorities.

The measures devised by UNIFIL to prevent infiltrations by the Palestinians and Lebanese leftist Elements also applied to the de facto forces. The main problems the United Nations encountered with these forces concerned their harassment of UNIFIL and the local population, and their attempts to encroach upon the UNIFIL Area.

While making clear that full deployment in the enclave remained its main objective, UNIFIL concentrated its immediate efforts on preserving the installations it held there and on securing the freedom of movement it required for this purpose. With the assistance of the Israeli Army, a modus vivendi was reached with the De Facto Forces whereby UNIFIL troops would enjoy freedom of movement on the main roads in the Enclave, five days a week in order to rotate personnel and resupply its installations.

\textsuperscript{196} United Nations, Department of Public Information. The Blue Helmets, 1996, 93.

\textsuperscript{197} United Nations, Department of Public Information. U.N Peace-Keeping, 1996, 12.
UNIFIL helicopters could fly over the enclave when necessary, but each overflight had to be cleared with Major Haddad’s Command. However, even this limited freedom of movement was occasionally denied to UNIFIL when difficulties of one kind or another arose between UNIFIL and the De Facto Forces, Major Haddad would retaliate by closing the roads in the Enclave to United Nations personnel and vehicles. During periods of tension, some UNIFIL positions in the enclave, and particularly the five observation posts along the Armistice Demarcation Line, were at times completely isolated, and the United Nations personnel manning them subjected to severe harassment. In some cases, the observation posts were broken into by Militia men, their equipment stolen and the United Nations personnel threatened.

In a few instance, the De Facto Forces sent raiding parties into the UNIFIL area to abduct persons suspected of pro-PLO sentiments or to blow up their houses. UNIFIL strongly protested harassment measures with the Israeli Authorities. To deter attacks against villages in its area, it established additional positions in their vicinity.

From December 1978 onwards, the De Facto Forces made several attempts to set up positions within the UNIFIL area. These attempts were carried out by strongly armed groups, sometimes supported by tanks. Whenever this occurred, UNIFIL sent reinforcements to surround the raiding parties and, at the same time, tried by negotiation to have their positions removed, usually with the assistance of the Israeli Army. In some cases, the raiding parties were persuaded to leave peacefully, but in others the negotiations were unsuccessful.

While, as a matter of principle and policy, UNIFIL sought to contain the actions of the De Facto Forces by negotiation, its troops were sometimes obliged to resist harassments and to use force in self-defense. Despite the restraint displayed by UNIFIL soldiers, violent incidents occurred in some cases. On April 24 1980,
following an incident in which the De Facto Forces directed heavy shelling at UNIFIL headquarters, the Security Council adopted resolution 467 (1980), by which it deplored all acts of hostilities against UNIFIL in or through its Area of Operation and condemned the deliberate shelling of the headquarters.

After June 1978, the Israeli Government claimed that its forces had withdrawn from Lebanese territory in accordance with Security Council resolution 425 (1978) and that henceforth it was no longer responsible for what happened in the Enclave.

During the initial months, the presence of IDF in the Enclave appeared limited, but from November 1979 onwards, IDF activities increased. Israeli soldiers were frequently observed laying mines, manning checkpoints, transporting water and supplies and constructing new positions inside Lebanon in the border areas.

In late 1980, UNIFIL reported an increasing number of encroachments by IDF along the Armistice Demarcation Line. The original border-fence remained intact, but on the Lebanese side of it, IDF established new positions at selected points, laid minefields, built dirt tracks, and asphalt roads. At the same time, the presence of IDF inside the Enclave was generally expanded. IDF gun and tank positions were established near Marjayoun, Major Haddad’s Headquarters. In the course of 1980, IDF openly conducted military exercises near the outpost of Khiam (a United Nations observation post North of the border).

On a number of occasions, IDF carried out incursions into the UNIFIL Area in search of PLO Armed Elements. UNIFIL took all possible measures to stop those incursions.

In addition to its activities in the enclave, IDF frequently intruded into

Lebanese air space and territorial waters. Its aircraft constantly flew over Lebanon for observation purposes and its patrol boats were often observed cruising near the Lebanese coast. The air and sea violations greatly increased after June 1980.

The UNIFIL Area constituted an imperfect buffer between the opposing forces. As already described, the area was divided into two parts, with a gap of about 15 kilometers between them. In this gap where the two opposing sides were separated only by the Litani River, UNIFIL was able to set up four positions, including one at the Khardala Bridge, to provide at least a limited United Nations presence. But the gun positions of the PLO in its stronghold of Chateau de Beaufort North of the River, and those of the De Facto Forces in and around Marjayoun, reinforced in 1980 by IDF tanks and artillery were not far apart199. From its positions in the Tyre Pocket and Chateau de Beaufort, the PLO’s heavy artillery and rockets could easily reach villages and towns in Northern Israel, including the Nahariyya and Qiryat Shemona settlements200.

From March 1979 onwards, there were frequent exchanges of fire between the PLO and the De Facto Forces across the gap and over the UNIFIL Area. When fighting intensified, IDF would come to the support of the De Facto Forces and, in retaliation, PLO fighters would direct their heavy artillery and rockets at targets in northern Israel, which would in turn provoke violent reprisals by IDF. Whenever PLO shelling resulted in Israeli casualties, and also after incidents inside Israeli-occupied territories for which the PLO claimed responsibility took place, IDF would send its warplanes to launch massive attacks against PLO targets North of the UNIFIL Area, sometimes as far as Beirut. Since the armed forces engaged in the hostilities were located outside its Area,


UNIFIL could not take direct action to prevent or stop them. It did, however, arranged cease-fires whenever possible, and brought most serious cases to the attention of the Security Council.

On 19 August 1980, while the shelling and bombing were in progress, a group of about 200 IDF elements, transported by helicopters, carried out a commando raid to destroy PLO installations in and around the villages of Arnun and Kafr Tibnit. This operation was preceded by a build-up of IDF personnel and equipment throughout the Enclave. According to Lebanese and Palestinian sources, the attacks resulted in at least 25 killed including five Lebanese civilians, and 26 wounded, as well as very heavy destruction of houses and other property. The Israeli Authorities indicated that the operation was intended to destroy PLO artillery and mortar nests which had shelled Israel’s Northern Settlements.\(^{201}\)

On 16 and 17 July 1981, exchanges of fire intensified, with Israeli naval vessels joining in, while Israeli aircraft destroyed bridges on the Zahrani and Litani rivers and launched an intense attack on Beirut itself, causing heavy loss of life and damage to property. Exchanges of fire in all sectors, as well as Israeli air strikes and naval bombardments continued on 18 and 19 July, on a gradually declining scale, until 24 July.

On 17 July 1981, the Security Council’s President issued an urgent appeal to the parties for restraint and an immediate end to all armed attacks. On 21 July, the Council unanimously adopted resolution 490 (1981), by which it called for an immediate cessation of all armed attacks and reaffirmed its commitment to the sovereignty, territorial integrity, and independence of all Lebanon within its

\(^{201}\) United Nations, Department of Public Information. The Blue Helmets, 1996, 95-96.
internationally recognized boundaries. Parallel peaceful efforts were undertaken by the United States Government, which led to the establishment of a de facto cease-fire. On 24 July 1981, ensuring that all hostile military action between Lebanese and Israeli territory in either direction would cease. The Israeli Government endorsed the American proposal, the Lebanese Government welcomed it, and the PLO assure that it would respect its terms.

3. Services Offered to Local Southern Population

While the force continued its efforts to assume control of the Enclave through negotiations, it took action to help the Lebanese to deploy as many administrators and elements of the Lebanese Army and the internal Security Forces (gendarmes) as possible in the area controlled by it. The gendarmes worked in close cooperation with UNIFIL. They assisted UNIFIL soldiers in the inspection of personnel and vehicles at checkpoints and, in many instances, served as interpreters and liaison officers with the local population. Civil offences reported to UNIFIL were handed over to the gendarmes for investigation.

In the course of July 1978, extensive consultations were held between the Lebanese Authorities and UNIFIL regarding the possibility of bringing Lebanese Army Units to the UNIFIL Area of Operation. Many obstacles had to be overcome. The De Facto Forces and the Israeli Authorities were opposed to any move of the Lebanese Army to the south. For different reasons, the PLO also opposed such a move. However, small teams of Lebanese Army Personnel were flown to Southern Lebanon on board of UNIFIL helicopters, and assigned to various UNIFIL contingents to represent the Lebanese Government in their respective sectors.

By resolution 444 (1979) of 19 January 1979, the Security Council invited the
Lebanese Government to draw up, in consultation with the Secretary-General, a phased program of activities to promote the restoration of its authority in Southern Lebanon. Within this program, a Lebanese army battalion of 500 men was deployed in the UNIFIL area by April 1979. The De Facto Forces tried to prevent the deployment of the army by subjecting UNIFIL headquarters and some of its positions to intense shelling during that month. These attacks caused casualties and heavy material damage, but UNIFIL stood firm, and the deployment of the Lebanese battalion proceeded as planned and was completed on 17 April. In December 1980, the strength of the Lebanese Battalion was increased to 617 men with the addition of some medical and engineering elements. Initially, the Lebanese Battalion confined its activities to the immediate vicinity of Arzun (the location of its Headquarters) but, from early 1981 on, some of its units were gradually deployed in various UNIFIL sectors.

The cease-fire arrangement of 24 July 1981 (concluded under American sponsorship) was accepted by all parties, and on that day all firing stopped. Lieutenant-General William Callaghan (Commander of UNIFIL), obtained an undertaking from each of the parties that in the event of a breach of the cease-fire by the opposing side the other side would exercise a maximum restraint and, rather than take retaliatory action, would refer the matter to UNIFIL for resolution. A problem which threatened the cease-fire during this period arose from the continuing overflights of Southern Lebanon by Israeli reconnaissance aircraft, which the PLO protested as violations of the cease-fire arrangements.

The cease-fire held remarkably well until April 1982. For eight months, the situation in Southern Lebanon was quiet and there were no firings between the PLO and the IDF/De Facto Forces in the Area. However, UNIFIL continued to experience serious difficulties with the Armed Elements of the Lebanese National Movement on
the one hand, and with the De Facto Forces of Major Haddad on the other.

Relations with the De Facto Forces remained tense. Those forces continued to impose restrictions on the freedom of movement of UNIFIL elements in the Enclave. In the UNIFIL Area of deployment, they not only continued to maintain four positions they had established, but set up a new one near the village of Al-Tayri, in the Irish Sector. The Force Commander sought the assistance of the Israeli Authorities in this regard, stressing that the position was clearly provocative and might jeopardize the cease-fire.

During this period of relative quiet, UNIFIL had to content with a new problem in its Area. Amal, a Shiite Political Movement with a paramilitary organization, became more active in Southern Lebanon in resisting the presence of non-Lebanese on Southern Lebanese territory. Serious clashes broke out between Amal followers and members of the Lebanese National Movement in January and April 1982 in the Senegalese Sector, and UNIFIL had to intervene to help restore law and order.

**B. The Second Israeli Invasion of 1982: Operation Galilee**

In early April 1982, tension markedly increased in Southern Lebanon, not because of any violations of the cease-fire in the Area, but as a consequence of events elsewhere. On 3 April, an Israeli diplomat was assassinated in Paris and the Israeli Government held the PLO responsible, although responsibility was denied by that organization.

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202 United Nations, Department of Public Information. The Blue Helmets, 1996, 96.

On the night of 3 June, the Israeli Ambassador to the United Kingdom was seriously wounded in London in a terrorist attack. Although the PLO disclaimed any responsibility for this assassination attempt, the Israelis launched on 4 June massive bombing raids against PLO targets in and around Beirut, causing heavy loss of life and destruction. Shortly after those attacks, intense exchanges of fire broke out between the PLO and the IDF/De Facto Forces' positions in Southern Lebanon, over the UNIFIL Area. Israeli towns came under PLO artillery and rocket fire.

1. Unfolding Events

On the same day, the Secretary-General, and later on the President of the Security Council, appealed to all concerned to desist from all hostile acts and to make every effort to restore the cease-fire. Nevertheless, the exchanges of artillery fire continued unabated on 5 June in the same areas. Later the same day, the Security Council met and unanimously adopted resolution 508 (1982), by which it called upon all the parties to the conflict to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border not later than 6 June.

After the cease-fire time set by the Council, Israeli forces launched intensive air attacks against various PLO targets in Southern Lebanon. At 10:30 hours local time on the morning of 6 June, General Callaghan met with Rafael Eitan (the Chief of Staff of IDF) at Metulla. General Callaghan’s purpose was to discuss the implementation of Security Council 508 (1982), but instead he was told by Eitan that IDF planned to launch a massive military operation into Lebanon within half an hour. Eitan explained to him, that he did not expect UNIFIL to raise any physical difficulty to the advancing
troops!! After the meeting, General Callaghan issued instructions to all UNIFIL units, in case of attack by one of the parties, to block advancing forces, take defensive measures, and stay in their positions unless their safety was “seriously imperiled”. At 11:00 hours local time, about two IDF divisions, with full air and naval support crossed the border and entered the UNIFIL Area along three main axes (in the Western sector, along the coastal road, in the central sector towards Al-Taybah, and in the eastern sector, through the Shebaa area).

In accordance with their general instructions, UNIFIL troops took various measures to stop, or at least delay, the advance of the Israeli forces. Despite such efforts, the UNIFIL soldiers with their light defensive weapons could not withstand the massive Israeli invading forces, and the UNIFIL positions were overran within 24 hours.

On the morning of 6 June, the Security Council met again and unanimously adopted resolution 509 (1982) by which it demanded that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon and that all parties strictly observe the cease-fire.

UNIFIL, throughout its existence in the South, had been faced with the inadequate cooperation of the parties concerned which should have been a necessary condition for the success of its mandate. In this connection, it was a fundamental assumption that the parties would fully abide by the Council’s decisions and that, in the event of non-compliance, the Council itself and those Member States, in a position to

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204 United Nations, Department of Public Information. The Blue Helmets, 1996, 101.

bring their influence to bear, would be able to act decisively to ensure respect with the Council’s resolutions. Once the Israeli invasion commenced and proceeded, it was evident that UNIFIL troops could at best, maintain their positions and take defensive measures. The invasion of June 1982 radically altered the circumstances in which it had functioned since March 1978. By 8 June, the UNIFIL Area of Operation had fallen under Israeli control, and the force had to operate behind the Israeli lines.

The Secretary-General – during this period – instructed General Callaghan to ensure that all UNIFIL troops and the UNTSO Military Observers attached to it continued to provide protection and humanitarian assistance to the local population to the extent possible. The Force remained deployed in its Area of Operation with only minor adjustments. Much in the same way as they had done before the invasion, UNIFIL troops operated observation and checkpoints and conducted patrols in sensitive areas. But they could not control the movement and the actions of the Israeli forces or of the irregulars when they acted with those forces’ direct support. Soon after the invasion, the Israeli forces’ presence in the UNIFIL area of deployment was reduced. In mid-1983, when the activities of the Shiite Resistance Movement against the Israeli occupation became increasingly frequent in the Northern part of the occupied territory, and began to spill over into the UNIFIL area.

2. **Interaction between UNIFIL and Local Population**

UNIFIL carried out various humanitarian activities and rehabilitation programs in close cooperation with the Lebanese authorities and the Coordinator of United Nations Assistance for the Reconstruction and Development of Lebanon. It took an active part in the execution of projects involving restoration of water, electricity, and health services, distribution of supplementary food supplies and the rebuilding of
houses, schools, and roads. The UNIFIL hospital maintained by the Swedish Camp and the medical facilities of its contingents were open to the local population benefiting frequently and freely of those services. Almost every contingent possesses its own dispensary which is equipped to receive Lebanese civilian patients freely, those of them who needed delicate surgeries were transported on board of UN helicopters to hospitals in the capital or in the main Lebanese cities (such measures are usually adopted in times of grave military crises, i.e. heavy Israeli bombardment on innocent targets in southern villages).

Elements of the Italian contingent offered gifts and material help to Lebanese children unable of leaving their villages during Christmas time. They also provided schools – in villages under Israeli occupation - with generators and photocopying machines, and took part in several activities of a cultural and humanitarian nature.

On several occasions, the contingents offered their headquarters to local inhabitants seeking shelter from heavy shelling. In April 1996, such international protection failed to prevent the unfolding events that led to the "Kana Massacre".

Elements of the Nepalese contingent also escorted farmers so that they could work their fields that are within the range of IDF/SLA gun positions and assisted in putting out fires set off by firing by IDF/SLA²⁰⁶.

In Al-Tiry village, elements of the Irish contingent helped elderly people in their daily activities, and went as far as helping in digging the grave of any of those people in case he passed away²⁰⁷.

²⁰⁶ سناء الغزي ونينيا واكيم, "نشر القوات الدولية في الجنوب رفع عدد العائدين من ألف الى 800 ألف", مجلة الأفكار, 10 نيسان 1400/1999.

²⁰⁷ أحمد فقية, "التجديد الثاني والاربعون... انجاز رغم اكتسابه طابعا روتينيا", الديار 4541 (آب 1998), ٥٠.
3. **Relationship with the Lebanese Resistance**

The resistance attacks – till February 1985 – took the form of road-side bombs followed by counter-measures by the Israeli forces mainly in the form of cordon-and-search operations in the Shiite Villages. UNIFIL could not prevent such counter-measures by the Israeli forces, but endeavored, by pressure and persuasion, to mitigate violence, and protect the civilian population as much as possible.

In April 1984, three months after the death of Major Haddad, Major-General Antoine Lahad (also a former officer of the Lebanese National Army) took over the command of the De Facto Forces, which were by then calling themselves the "Southern Lebanon Army" (SLA). The strength of SLA had been increased to approximately 2,000 as of October 1984. Although Israel gave SLA an expanded role in the Northern part of the occupied territory, it did not make any determined attempt to increase its activities in the UNIFIL Area. Until February 1985, the UNIFIL Area was generally quiet – much quieter than in other parts of Lebanon during those years of turmoil.

Each time the mandate of UNIFIL neared its expiration, many ‘mukhtars’ (village mayors) would write to the Secretary-General to beseech him not to withdraw the Force, and the Lebanese Government would request its extension in insistent terms. In support of his recommendation for an extension of UNIFIL’s mandate, the Secretary-General would point out, that despite the difficulties confronted by it, UNIFIL remained an important element of stability in Southern Lebanon. Its presence represented the commitment of the United Nations to support the independence, sovereignty and territorial integrity of Lebanon and to help bring about the withdrawal of the Israeli forces from the Lebanese territory, in accordance with Security Council resolutions 425

\[208\] Ibid; p. 50.
During September 1983, the Israeli forces were frequently attacked by Moslem Guerilla Groups and were obliged to redeploy south of the Awali River. In his report of 9 October 1984 to the Security Council, the Secretary-General noted that there was general agreement that an expanded mandate for UNIFIL and a widening of its Area of Operation would be key elements in future arrangements for bringing about the withdrawal of Israeli forces from Southern Lebanon and ensuring peace and security in the region. After consultations with the concerned Governments, the Secretary-General convoked a conference of military representatives from Lebanon and Israel at UNIFIL headquarters in Naqoura. From the outset, it was impossible to ensure the retreat of the Israeli forces from Lebanese territory and the subsequent deployment of the Lebanese army together with UNIFIL down to the international boundary, in accordance with Security Council resolution 425 (1978). While Israel would accept a limited UNIFIL presence further South, the Israeli Representative maintained that local De Facto Forces should be responsible for security arrangements in the southern mot part of Lebanon. There was little change in these basic positions as the confrontation progressed209.

On 14 January 1985, the Israeli Government announced a plan for the unilateral redeployment of the Israeli forces in three phases. In the first phase, the Israeli Defense Forces would evacuate the Sidon Area and deploy in the Litani-Nabatiyah Region. In the second phase, IDF would deploy in the Hasbayya Area. In the third phase, it would deploy along the Israel-Lebanon international border while maintaining a Security Zone in Southern Lebanon where local forces (the so-called "South Lebanon Army") would function with IDF backing.

On 16 February 1985, the Israeli forces proceeded with the first phase of the redeployment plan and withdrew from the Sidon Area. From early February onwards, there was an intensification of Guerilla attacks against the Israeli forces by Shiite Resistance Groups and of Israeli cordon-and-search operations against Shiite Villages. An increasing number of those operations occurred in the UNIFIL Area. The Secretary-General outlined the dilemma faced by UNIFIL and stated that, for obvious reasons, the force had no right to impede Lebanese acts of Resistance against the occupying forces, nor did it have the mandate and the means to prevent Israeli counter-measures. In these prevailing circumstances, UNIFIL did its utmost to mitigate violence, protect the civilian population and reduce acts of reprisal to the minimum.

The Israeli forces carried out the second phase of their redeployment in the course of March and April 1985, handing over their positions to SLA. On 10 June, the Israeli Government announced that the third phase had been completed, it indicated that, while all combat units had been withdrawn from Lebanese territory, some Israeli troops would continue to operate in the "Security Zone" for an unspecified period of time and act as advisers to SLA.²¹⁰

The Force continued to extend humanitarian assistance to the civilian population in the form of engineering work and repairs to buildings damaged as a result of hostilities. The force helped carry out a school project supported financially by UNICEF and the United Nations Educational, Scientific, and Cultural Organization²¹¹ and assisted the United Nations Development Program in its South Lebanon Emergency Rehabilitation Program. The Force cooperated closely on these matters with the

²¹⁰ United Nations, Department of Public Information. The Blue Helmets. 1996, 105.

Lebanese authorities, ICRC, and other Non-Governmental Organizations.

Many times, the soldiers of the Force obliged the civilians to regain their shelters since they suspected Israeli air bombardment of their villages at any moment. Sometimes, while escorting civilians to work out their fields, they found themselves – like those civilians – victims to unexpected Israeli raids. If it was not for their presence in Southern Lebanon and specifically in proximity of confrontation lines, villagers would have fled their homes and lands long time ago. The presence of UNIFIL soldiers gave southerners the feeling of living under the protection of those who represent the will of the international community keen on preserving Lebanon from all military threats.\(^{212}\)

Between 1985 and 1995, the situation in the UNIFIL area of operation remained essentially unchanged. The Israeli-controlled area (ICA) in which IDF/SLA was present included territory adjacent to the Armistice Demarcation Line. Parts of the Fijian, Nepalese, Irish, and Finnish battalion sectors and the entire Norwegian battalion sector, as well as sizeable area of UNIFIL’s Area of Operation were in direct contact with IDF/SLA military positions. Israel continued its occupation on the grounds that this was necessary to ensure Israel’s security as long as the Lebanese Government was not able to exercise effective authority and prevent its territory from being used to launch attacks against Northern Israel.

The Government of Lebanon’s position on the Israeli occupation of Southern Lebanon was that there could be no possible justification for the continuation of Israel’s occupation of Lebanese territory, which it viewed as the root cause of the continuing hostilities in the Southern part of the country. The only solution to the conflict would

\(^{212}\) ibid; p. 108.
be a withdrawal of Israeli forces from its territory as required by Security Council resolution 425 (1978). The Israeli Authorities held that UNIFIL as a Peace-Keeping force was not capable of assuming this responsibility. Accordingly, IDF improved its fortifications along the border, many of them on Lebanese territory, and strengthened the military power of SLA.

IDF gradually established a civilian administration in the area it controlled. That administration assumed responsibility for police, intelligence, collection of taxes, and various other administrative functions. The establishment of the civilian administration was accompanied by threats against the civilian population, who often appealed to UNIFIL for support. Furthermore, IDF/SLA campaigned to recruit local men into SLA, employing coercion, arrests, and threats. At times, villagers or their family members were expelled from their villages, for refusing to cooperate with that campaign. Movement between ICA and the rest of Lebanon was strictly controlled, crossing points were closed frequently, and sometimes for long periods, causing difficulties for the inhabitants. The ICA remained economically dependent on Israel, and several thousands of its inhabitants held jobs in Israel, access to such jobs was controlled by SLA elements. Israel also imposed restrictions on the movement of Lebanese fishermen in Lebanese territorial waters off the coast of Southern Lebanon. At times, this involved the temporary detention of Lebanese fishermen. UNIFIL intervened with the Israeli authorities repeatedly for the release of those detained.

The IDF/SLA positions – during this phase of the occupation – remained targets for attacks by Lebanese Groups opposed to the Israeli occupation. These groups

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included Amal, the Islamic Resistance (the military wing of Hizbullah Organization), and Palestinian Groups. At first, Amal was most active in attacking IDF/SLA; later, the Islamic Resistance became responsible for the majority of attacks. Their attacks were generally directed at positions at the forward edge of the area occupied by Israeli forces.

As a result, UNIFIL often found itself between two fires: on the one hand, the Lebanese groups attacking the Israeli forces and their Lebanese auxiliaries; on the other hand, those very forces reacting, often with heavy weapons and with air support from Israel, to the attacks directed against them. The situation in Southern Lebanon remained tense and volatile, with occasional escalations to high levels of tension and hostilities, prompting Third States to intensify their diplomatic efforts seeking to resolve such situations.

In response to armed attacks, IDF/SLA elements continued to carry out cordon-and-search operations against Shiite villages within the UNIFIL area, as well as long-range patrols. At a later stage, the emphasis of the IDF/SLA response shifted to artillery and aircraft. In the UNIFIL Area, the situation was calm in the late 80’s, and there was an increase in economic activity.

In the early 90’s, hostilities between Lebanese Resistance Groups and IDF/SLA in the UNIFIL Area of Operation intensified and the number of casualties rose. There was an increase both in attacks – by armed elements – against Israeli forces and its auxiliaries, and in retaliatory action by the latter. IDF/SLA increasingly reacted to attacks by firing indiscriminately into nearby villages. They employed heavy artillery, tanks, and sometimes helicopter gunships\(^{215}\).

A very tense situation developed in the wake of the killing on 16 February

\(^{215}\) I am mentioning information I got from the annual UNIFIL Reports of the early Nineties.
1992 of Sheikh Abbas Musawi (the General-Secretary of Hizbullah), together with his wife and young son by Israeli forces who attacked his car with helicopters North of the Litani River. This was followed by heavy exchanges of artillery and rocket fire between Lebanese Armed Elements and IDF/SLA within the UNIFIL Area of Operation. Tensions rose even higher in a series of events which began with an Israeli air raid on 8 November 1992 in the Southern Bekaa Valley. IDF also brought reinforcements to the border, causing a heightened atmosphere of tension to persist for the coming months.

In early 1993, attacks by Armed Elements against Israeli and associated military targets on Lebanese territory were generally more effective than previous attacks, and the severity of Israeli retaliation rose accordingly.

4. The “Seven Days” Israeli Attack on Southern Villages

A very serious escalation of hostilities took place in July 1993, involving the shelling of civilian targets in Southern Lebanon and Northern Israel. The incident culminated in an exceptionally intense week-long bombardment from 25 to 31 July, by the Israeli air force and artillery for villages South and North of the Litani River. The effects of the bombardment – according to informed Lebanese sources at the time – were severe, since a total number of 130 persons were killed and more than 500 injured. A large number of houses were destroyed or damaged, an estimated 200,000 inhabitants were temporarily displaced from UNIFIL’s Area of Operation.

In the field, UNIFIL maintained close contact with both opposing sides, urging them to respect the Non-Combatant Status of Civilians. It continued to make every effort to limit the conflict and to protect the inhabitants from the hostilities. It, consequently, increased the number of its checkpoints and observation posts on
principal roads. In addition, UNTSO military observers maintained five observation posts and operated five mobile teams in the area under Israeli control. The presence of Lebanese Authorities – since 1994 – in the UNIFIL area of operation proved especially helpful in defusing confrontations with Armed Elements. The force continued to cooperate with the Lebanese internal Security Forces on matters pertaining to the maintenance of law and order. In December 1995, Lebanon and the United Nations concluded a status-of-the-force agreement in respect to UNIFIL (a protocol agreement related to the functioning of UNIFIL troops on Lebanese soil).216.

C. The Challenges Faced by the UNIFIL

Perpetuity of Military Status Quo

However, in carrying out its tasks, UNIFIL continued to be hampered by firing directed at its positions and personnel by both IDF/SLA which did not dare much to respect the international and impartial status of the force. In response to such threats, UNIFIL took urgent measures to improve the security of its troops. Certain vulnerable positions were closed, a program was launched to provide for additional shelters and to improve the physical defenses at certain positions IDF/SLA were responsible for most cases of firing close to or at UNIFIL positions. Sometimes this happened when IDF/SLA were responding to attacks by Armed Elements, but the firing was also frequently unprovoked and at times, apparently, deliberate. As a result of this firing, UNIFIL suffered damage and casualties, including deaths.

D. The Kana Massacre

The most flagrant episode of Israeli aggression, occurred on the 18th of April

1996 in the Southern village of Kana, when Israeli mortars fell upon the Fijian Battalion Headquarters causing extensive material and human damage. Because on that day, more than 100 Lebanese civilians were killed in the Headquarters of the Fijian Battalion of the United Nations Interim Force in Lebanon (UNIFIL). It was the report submitted to the Secretary-General Boutros Ghali, by his military Adviser Major-General Franklin Van Kappen sent to Lebanon to investigate the volume of the atrocity that was downplayed in Kana, that indicated – after exclusive discussions with UNIFIL commanders, Lebanese, and Israeli authorities and eyewitnesses – that what happened in the Kana area made it unlikely that the shelling of the United Nations Compound was the result of technical and/or procedural errors, or the result of a mis-identification of their targets – as Israeli military sources claimed at the time\(^\text{217}\).

The Secretary-General saw with utmost gravity the shelling of the Fijian position and considered the incident all the more serious because civilians, including women and children, had sought refuge in the United Nations Compound at Qana.

A cease-fire agreement was announced on 26 April 1996, with the hope of restoring clam in the area, and enhancing the prospects for negotiations leading to a comprehensive peace settlement which would preclude further tragic events.

Meanwhile, Mr. Boutros Ghali gave his instructions for arrangements to be worked out with the Israeli Authorities to see that the United Nations positions in Lebanon are not fired upon in the future. In view of the seriousness of the events at Qana, Mr. Ghali has decided to adopt the content of Van Kappen’s report, though not knowing that such a defying position vis a vis Israel’s representative and allies at the

\(^{217}\) Here, I had to consult the report dated May 1 1996 of the Secretary-General’s Military Advisor concerning the shelling of the UN compound at Kana on 18 April 1996.
UN would cost him his position as Secretary-General. A detailed survey of the area of the Massacre at Qana was carried out by a special team of investigators sent from New York to Beirut and headed by Major-General Franklin Van Kappen who held several meetings with Lebanese Army Officers and Representatives of the Israeli Defense Forces\(^ {218} \) who had supposedly investigated the incident and invented a cause standing behind what happened which is the exposure of an Israeli patrol – on the same day of the attack – to fire emanating from Qana. Several witnesses reported that during the shelling, there had been a perceptible shift in the weight of Israeli fire around the Compound. In front of UN investigators, Israeli Officers claimed that they were not aware – at the time of shelling – that more than a 100 Lebanese had sought refuge inside the compound. Several eyewitnesses stated that they saw two helicopters flying over the Kana area before, during, and after the shelling. The presence of one helicopter was documented on a videotape, which covers the latter part of the shelling. It was taken by a member of the Force Mobile Reserve from a position overlooking the United Nations Compound at Kana from a distance of about 1,5 kilometers\(^ {219} \).

As Israel’s Operation “Grapes of Wrath” against Lebanon entered its second week, Hizbullah Guerillas continued to fire Katyusha rockets on Northern Israel and Israeli warplanes resumed their attacks on Southern Lebanese targets. Hizbullah Guerillas fire about 100 Katyusha rockets, of which 70 slammed into Israel, forcing Israelis to leave their homes and move to safer areas. Prime Minister Al-Harriri (who involved himself in a shuttle diplomacy between major Western Countries) presented the continued Israeli attacks as proof that military force could not solve the problem for

\(^ {218} \) Ibid; p. 3

\(^ {219} \) Ibid; p. 4
Israel. Al-Hariri insisted on a political solution and confirmed that his Government was considering two proposals for settling the military crisis in the South that resulted in the aftermath of the massacre, presented by the United States and France. He hoped that both proposals could be merged into one, while showing his clear preference for the French Proposal over the American one. While Lebanon appeared to favor the French draft, Israel seemed opposed to it, preferring instead the American proposal.

1. American and French Proposals for Solving the Crisis

According to press sources published at the time\textsuperscript{220}, the US proposal included the following:

- Hizbullah will abstain from attacking Northern Israel.
- Israel will abstain from attacking civilian targets North of the area it occupies in Lebanon.
- Hizbullah will undertake no activity in the civilian areas North of the occupied zone;
- An international mechanism will be set up to monitor and supervise the agreement;
- Israel should be able to launch attacks at Hizbullah’s targets in Lebanon; if Hizbullah attacked targets in Northern Israel.
- Hizbullah will abstain from attacking Israeli troops in Southern Lebanon.
- Israel undertakes to enter negotiations on its withdrawal from Southern Lebanon.

The French Proposal, on the other hand, reportedly provided for the following:

• Formalizing the understandings reached in July 1993 by putting them in a written form.

• The Israeli Government will abstain from taking any action that could undermine the security of civilians or their right to live in their normal habitats.

• The Lebanese Government will take all the necessary measures to ensure the security of Israeli civilians and to prevent any action emanating from Lebanese territory against them.

• Hizbullah and all other groups based in Southern Lebanon will abstain from using offensive weapons against Israeli territory.

• Third party Guarantors will take notice of these understandings (these countries are the United States, France, and other European States).

• These countries will gain the approval of other States in the region particularly Syria.

2. The April Accord’s First by Product: the Monitoring Group

The most important ingredient of that proposal relates to the formation of a security committee known as the Monitoring Group (to be considered later on as the main product of the April understanding) and constituted of the guarantor countries, Lebanon, Israel, Syria, the U.S. and France which played the role of co-sponsors of the “Monitoring Group”. Since its formation, the Lebanese side, which is an active member of the group, made it clear that it will consider the “Monitoring Group” or “The Security Committee” as a security body rather a political one. Also, the United States and France held talks about the “specific structure of the Monitoring Group” which would add to Lebanon and Israel a third regional party (Syria) which would act in coordination with the co-sponsors or the April Understanding, as a guarantor country in charge of the
arrangements’ implementation. The Monitoring Group or the Security Committee, as some labelled it, will be open to complaints from the parties. During the examination of a complaint, the party concerned would refrain from reprisal. meetings of the group would be based in Naqoura (the South Lebanon town on the international border with Israel, where peace-keepers of the United Nations Interim Force, UNIFIL, also had their headquarters). The group was also supposed to have branches in Tyre and Nahariyya, a town in the Northern part of Occupied Palestine). According to French official reports: French, Syrian, Lebanese, and US representatives would attend meetings in Tyre, while French, Israeli, and US representatives would attend those in Nahariyya.

3. Diverse Responses

a. At the Lebanese Level

Immediate reaction came from Hizbullah, which flatly rejected the American proposal. In the analysis of that proposal a spokesman of Hizbullah was reported as saying that the proposal “…Makes our people in South Lebanon, hostages of the Israeli occupation, the only way out of the present situation is to halt the Zionist attacks immediately and return to the July understanding.”

The spokesman noted that the French proposal for a cease-fire was more favorable to Lebanon. Hizbullah’s representative in Parliament, Ali Ammar said in a statement: “…We believe that the American side is not fit to launch any initiatives because it provides political, moral, and military cover for the Israeli aggression…”

From his side, President Elias Hrawi was quoted as saying to have rejected

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222 Ibid; p. 10.
"...any attempt to circumvent UN Security Council Resolution 425..." which Lebanon insists on implementing to bring about an immediate and unconditional Israeli withdrawal from Lebanese territory.

As reported by the media, House Speaker Nabih Berri said Lebanon agrees to avoid hitting Lebanese and Israeli civilians. However, he added, Lebanon rejects the American proposal as the only way to guarantee a solution to the conflict because accepting it, would mean that Lebanon accepts the cancellation of Resolution 425. Furthermore, Berri reportedly said, Lebanon rejects the demand for Syrian guarantees for security in Southern Lebanon, even though he insists on complete and permanent coordination with Syria.

b. At an Arab Level

In the meantime, Arab States took Lebanon's side in its conflict with Israel, saying Lebanese guerillas had a legitimate right to resist the Israeli occupation of their Country. This was a statement approved at an Emergency Session of the Arab League in Cairo which strongly condemned Israel's blitz against Lebanon and called on UN Security Council to put an end to these attacks, ensure Israel's compliance with the 1978 UN Security Council Resolution 425, and make Israel pay compensation for the damage and casualties caused in Lebanon. Lebanese Foreign Minister Fares Boueiz said he expected the United States to veto such a resolution but added that the Arab States have decided to press on regardless of such obstacles. Farouk Al-Sharra, Foreign Minister of Syria, Lebanon's main ally, told reporters "A new conviction is taking shape that Israel wants to combat the Arabs under the banner of combating

\[223\] Ibid, p. 4.
Terrorism...the Israeli attack on Lebanon has proved to those who have relations with Israel that they have made a mistake in making peace or normalizing relations with the Jewish State...”\(^{224}\). Egypt’s Foreign Minister Amr Moussa said that Israeli occupation of parts of Lebanon was a major obstacle to peace. He also stated the following:

“...peace cannot be biased and it cannot work to the benefit of one country at the expense of another. What we want is peace based on total withdrawal, not less...”\(^{225}\).

In an official response to Israel’s continuous bombing of Lebanon, Iranian President Hashemi Rafsanjani called for the use of oil “...as a weapon in the face of US Hegemony and the continued Zionist aggression...”\(^{226}\).

In Jordan, opposition deputies urged the Jordanian Government to expel Israel’s Ambassador and abrogate its 1994 Peace Treaty with the Jewish State, to protest against Israeli attacks on Lebanon. University students staged a sit-in to protest Israeli Air Raids against Lebanese civilians and asked also for the expulsion of the Israeli Ambassador, for recalling their envoy in Israel, and for freezing the Treaty in response to Israeli barbarism since the Lebanese resistance’s right to oppose Israeli occupation was not “Terrorism”. In fact, these attacks exposed the true aggressive face of Israel; that it does not want true peace and that its acceptance of peace is only a tactic to impose its economic and political hegemony over the whole region\(^{227}\).

c. At the UN Level

Two days after a fruitless Security Council debate on the crisis in Lebanon, a

\(^{224}\) Ibid; p. 4
\(^{225}\) Ibid; pp. 4-5.
\(^{226}\) Ibid; p. 5
\(^{227}\) ibid; p. 5
resolution was formally circulated among Council members calling on Israel to "cease its military action" and pay compensation. The draft was being pressed by Lebanon's UN Ambassador Samir Mubarak: "This is a very important matter. Every minute counts".228

At the time, the United States opposed any action by the Council and there was no indication that the draft might be put to a vote. Egyptian Ambassador Nabil El-Araby, the Council's only Arab Member, presented the draft during a closed-door consultations session and asked for it to be officially circulated. El-Araby assured reporters that the draft was supported by the Arab Group, was subject to further consultations as "...an official document of the Security Council now...". A US official questioned whether the newly submitted text which makes no mention of Hizbullah's attacks on Israel, would have sufficient Council support to win adoption. He also said the Council was not the right place to resolve complex Middle Eastern issues when a peace process was already in place. Another Western Member of the Council said the text tilted too far in the direction of one of the parties and did not take account of all the events which led to the current crisis. The resolution was supposed to demand from Israel to "...immediately cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all of Lebanon...". The draft would strongly condemn "...the Israeli aggression against Lebanon which has brought about high tolls of civilian casualties, led to the displacement of hundreds of thousands of civilians, and a massive destruction of Lebanon's infrastructure...". The Council would have to consider Lebanon "...as entitled to appropriate redress for the destruction it has suffered and holds Israel responsible for adequate compensation..."

228 Ibid, pp. 5-6
CHAPTER VI

CONCLUSION: WEAKNESSES AND STRENGTHS OF THE UNITED NATIONS INTERIM FORCE IN LEBANON

Today, three of the five previously based peace-keeping Operations in the Middle East are still functioning in their respective areas of deployment. These are UNDOF (United Nations Disengagement Force positioned on the Golan Heights), UNFICYP (United Nations Force in Cyprus present since 1963 to prevent any outbreak of inter-communal strife between the Greek Cypriots and the Turkish Cypriot inhabitants of the island) and UNIFIL (United Nations Interim Force in Lebanon) sent to ensure a strict application of UN Resolution 425 calling for a total withdrawal of Israeli troops from Lebanese territory, a strict respect for Lebanese territorial integrity and political independence, and a return of the South to the territorial sovereignty of the Lebanese State.

On the whole, UNDOF encountered no serious difficulties that affected its smooth functioning. In his periodic reports on the activities of the Force, Secretary-General Ghali has been able to report that the situation in the Syrian-Israeli Sector has remained quiet. Generally, UNDOF has continued to perform its tasks effectively with the cooperation of the concerned parties. In Cyprus, the troops of the force discharged their tasks, with the interest of preserving international peace and security, seeking to prevent a recurrence of fighting and contributing to the maintenance and restoration of law and order and a return to normal conditions. The personnel of the force acted with restraint and with complete impartiality towards the members of the Greek and Turkish Cypriot Communities. Wherever violent incidents broke out, UNFICYP made every effort, by persuasion, negotiation, and interposition, to stop the fighting. It assisted
civilians, evacuated the wounded and endeavored to resolve underlying security problems. The basic political problems continued to limit the effectiveness of UNFICYP’s normalization efforts between the two Communities. In the areas between the lines of disengagement, which is known as the UN buffer zone, UNFICYP maintains the status quo without prejudice to an eventual political settlement concerning the disposition of the area. The continuing quiet should not obscure the fact that there is only a cease-fire in Cyprus and not peace. UNIFIL as a peace-keeping mission has known several setbacks and weaknesses that hampered it from fulfilling its duties, since its initial deployment in Lebanon. UNIFIL – since March 1978 – came to be regarded as one of the most difficult peace-keeping missions sent to the area because few of the pre-conditions for its success have ever been present in the light of the Israeli refusal to withdraw from Southern Lebanon and to allow the force to deploy its elements up to the Armistice Demarcation Line. To this fact, one should add a phenomena dating back to the eighties and represented best by the weakening drive and commitment of the nations of the world to the achievement of peace and security in the Middle East which remained a theater for many regional conflicts. This trend led to a partial paralysis of the UN as a Guardian of peace. By returning to UNIFIL, several representatives at UN of troop-contributing countries have noticed that the force had become – at one moment of time – a part of the landscape of the Middle East. The review of the experience of the “blue berets” in Southern Lebanon accused of prolonging the status quo, perpetuating the conflict, diminishing UN credibility in general, and discrediting peace-keeping operations in particular. The basic conflict continued between Israelis and Palestinians who may well be that UNIFIL’s presence had the unintended effect of perpetuating the

Arab-Israeli conflict, and contributed simply to transferring it to another theater. Some political analysts suggested that UNIFIL should have shot its way to the designated zone of deployment against all resistance. However, in that case, the force would have seen itself engaged in an unprecedented pattern of military escalation, for which it was not prepared, trained, or equipped even!  

UNIFIL’s role in Southern Lebanon displayed weaknesses and strengths. UNIFIL, as will be remembered, was dispatched to supervise and confirm the withdrawal of Israeli troops, restore international peace and security and assist the Lebanese Government in the restoration of its effective authority in Southern Lebanon. It was never able to achieve its original mandate as defined by Security Council Resolution 425 of March 1978.

UNIFIL was named an Interim venture because of the feeling it could only contribute to the restoration of peace and security, if it was a short-term mission. There existed no precise time frame for the Interim force, which pushed several troop-contributing States to UNIFIL to warn that the term “Interim” might not demand the short duration of the operation but allow instead for an “indefinite” stay in Lebanon, which almost became the case if it wasn’t for the unexpected withdrawal of the Israeli troops from Lebanese territory in May 2000. On the whole, the Israeli Government regarded the force as imposed upon it and never ceased denouncing its presence and activities in Southern Lebanon. Moreover, the Lebanese Government – in the wake of the 1975 war – was too weak to support the tasks of the force strongly.

Concerning UNIFIL (even though it received the backing of the Security Council), it seemed that the same Council was disunited, not used to deal with such a complex type of ongoing conflict with local, regional and Superpower involvement.

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230 Ibid, p.163.
The force was not created to separate national armies which did not want to fight anymore, in contrast with other UN peace-keeping operations.

In fact, since 1978, UNIFIL operations can be divided into three very distinct phases. During the first four years, UNIFIL had to concentrate its efforts on limiting the conflict between the PLO and Israel, and their respective allies. The second phase began in June 1982, at the time of the second Israeli invasion to Lebanon and lasted until Israel’s partial withdrawal in spring 1985. The force’s main tasks – at that period – were to extend protection and humanitarian assistance to the Lebanese people under Israeli occupation. In 1985, Israel established its so-called “Security Zone” that overlapped a part of the area where UNIFIL was deployed\textsuperscript{231}.

With time, these UNIFIL positions came under the fire of the Israelis as well as of the Lebanese resistance attacking Israeli targets. UNIFIL was thus faced with a dilemma, it has neither the authority to force Israel to withdraw or to disarm their auxiliaries. On the other hand, the resistance against Israeli occupation has been endorsed by the highest Lebanese Authorities, by many Governments of the region, and by the vast majority of the population in the area as the legal right of Southerners looking forward to freeing their land from Israeli occupation. In general, it can be considered that UNIFIL had only been able to limit hostilities on the ground, but not to prevent them completely. It generally failed to counter the numerous air, sea, and ground violations of Lebanese territory by Israeli forces, a point in case was their inability to stop the Israeli invasion of 1982 when their positions were overrun in a record time. It also failed to assist the Lebanese Government in its efforts to regain authority and sovereignty in the South which proved to among the most difficult

\textsuperscript{231} United Nations Secretariat, Department of Public Information. Information on UNIFIL, 1997, 2.
objectives to implement on ground.

So far, the mandate of the force has been extended for the 46th time between March 1978 and January 2001, due to a general feeling at the Security Council that it was better to keep the soldiers in place since the conflict dragged on with Israel and no understanding about the border region could be reached.

It is worth remembering that the effectiveness of the force was based on the consent and the full backing of the Security Council and the Host country Lebanon. One of the main achievements of the force consisted in the deployment and usage of its best efforts to limit the ongoing conflicts and to shield the inhabitants of the area from the worst effects of the violence.

Despite the limitations imposed on the force and the defects that crippled its activities, the mission of UNIFIL must not be considered as a total failure. There exist many positive aspects of its role, despite its obvious military importance. UNIFIL, from an operational point of view, was unable of following textbook guidelines for peacekeeping. It registered some success in the domain of checking small-scale infiltration attempts, minor incursions, and intervened in local conflicts as the “de facto” clashes with Lebanese Armed elements. The force proceeded pragmatically according to the belief that it has no enemies and should preserve the utmost degree of impartiality in dealing with “difficult clients”!

Also, the Interim Force registered violations of international law, acted as a witness to harassment of the population, and guaranteed publicity through the World Forum. Moreover, UNIFIL enhanced the role of civilian village heads who regained power and prestige by way of support of the UN force which attracted international relief Organizations to the area, delivered emergency aid, and restored utility lines and other needed facilities. Such humanitarian commitment on behalf of the UNIFIL was
regarded as the non-political aspect of peace-keeping, because welfare as such was not included in the enabling resolution 425 of 1978. However, it became immediately a major purpose besides the above mentioned containment of hostilities. Furthermore, the force created jobs and had a positive impact on the local economy. Relief, reconstruction, and rehabilitation enabled people to stay or return in large numbers, that’s why it is generally recognized that the force has been instrumental in maintaining a measure of stability in Southern Lebanon. During UNIFIL’s mandate, the Southern population increased from a few thousand people living there to more than a quarter of a million. The very presence of the force ensure the people living in the South, that they would be spared from aerial, and artillery bombardment – during the 1982 invasion, although unfortunately much destruction did occur at the time and since.

To a certain extent, UNIFIL which was created as a prop for the Beirut Government, saw itself replacing the central administrators because the peace Force worked as a substitute for the functions and services normally rendered by a Government. The UN upheld responsibility of the Government of Lebanon for the South as long as IDF seemed to be “invincible”.

The functionalist approach of the UN is based on the conviction that problems related to peace and security can be dealt with according to a list of priorities. This is the “peace by pieces” principle as it is known in UN terms and as it was applied in Lebanon, where UNIFIL struggled to fulfill its mandate, while using this approach and promoting socio-economic welfare in a situation with a military deadlock. Although, the operation had also an emergency as well as disengagement character, UNIFIL was a

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232 Ibid; p. 4.

true peace force insofar as it tried to create conditions which allowed people to resolve their differences and hostilities by other then violent means. UNIFIL did not localize or isolate the basic conflict between Israelis and Palestinians or between Israelis and Lebanese later on. But at least it drew attention to the dispute, which has been a source of international conflict for more than two decades\textsuperscript{234}, till Hizbullah (the Party of God) transformed into a heroic resistance army succeeded in driving off Israeli soldiers from Lebanese territory in May 2000 and was hailed for doing what many Arab States had never done\textsuperscript{235}.

By renewing the force's mandate for several times, the Security Council was reaffirming the commitment of the international community to the full sovereignty, independence, territorial integrity, and national unity of Lebanon within its internationally recognized boundaries. The force presence kept all these issues alive over the years.

\textsuperscript{234} Ibid, p. 170

\textsuperscript{235} Nicholas Blanford, "UN Veteran witnesses end of an ugly era", The Daily Star (May 2000), 1.
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