



Press Release SC/8181

Security Council
5028th Meeting (Night)

SECURITY COUNCIL DECLARES SUPPORT FOR FREE, FAIR PRESIDENTIAL ELECTION IN LEBANON; CALLS FOR WITHDRAWAL OF FOREIGN FORCES THERE

Resolution 1559 (2004) Adopted by Vote Of 9 in Favour, to None Against, with 6 Abstentions

The Security Council this evening declared its support for a free and fair presidential election in Lebanon conducted according to Lebanese constitutional rules devised without foreign interference or influence and, in that connection, called upon all remaining forces to withdraw from Lebanon.

By a vote of 9 in favour (Angola, Benin, Chile, France, Germany, Romania, Spain, United Kingdom, United States) to none against, with 6 abstentions (Algeria, Brazil, China, Pakistan, Philippines, Russian Federation), the Council adopted resolution 1559 (2004), reaffirming its call for the strict respect of Lebanon's sovereignty, territorial integrity, unity, and political independence under the sole and exclusive authority of the Government of Lebanon throughout the country.

In a related provision, the Council called for the disbanding and disarmament of all Lebanese and non-Lebanese militias. It also called upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all its resolutions concerning the restoration in Lebanon of territorial integrity, full sovereignty and political independence.

Requesting the Council to withdraw its consideration of that resolution before the vote, Secretary-General of the Ministry of Foreign Affairs and Emigrants of Lebanon, Mohamad Issa, said that friendly Syria had helped Lebanon to maintain stability and security within its borders. Syrian troops had been deployed and redeployed at Lebanon's request, and had contributed to rebuffing the radical reactions emanating from repulsive Israeli actions. Also, the matter was purely internal and related to the upcoming presidential elections in Lebanon.

Asserting that the Syrian actions in the past week had made a "crude mockery" of the principle of a free and fair presidential electoral process, the United States' representative said the Syrian Government had imposed its political will on Lebanon and had compelled the Cabinet and Lebanese National Assembly to amend its constitution and abort the electoral process by extending the term of the current President by three years. Clearly, the Lebanese Parliament had been pressured, and even threatened, by Syria and its agents to make them comply.

Similarly, the representative of France, who, along with the United States, had introduced the resolution, worried that persistent serious interference in the political life of Lebanon might cause it to retreat from the objectives that had been reaffirmed constantly by the international community. That was why a rapid mobilization and a decisive reaction from the Council had seemed essential. By refraining to act, the Council would have sanctioned interference in the internal affairs of another State. By acting in a robust manner, it was showing its confidence in Lebanon's future, which must include its full restoration of sovereignty, and not the intensification of interference.

Having abstained in the voting, China's representative said that respect for the principles of sovereignty, independence, territorial integrity and non-interference in internal affairs constituted a centrepiece of China's foreign

policy and were principles of the United Nations. In adherence to those principles, he supported safeguarding the sovereignty, independence and territorial integrity of Lebanon. But, the draft resolution touched on the question of the presidential elections in Lebanon, and such questions fell within Lebanon's internal affairs and should be decided by the Lebanese people themselves.

The representative of the Russian Federation said that, with tensions high in the region, any wrong step might exacerbate the situation and lead to a new focal point of instability. He had tabled amendments to the text, aimed at moving it towards the context of a Middle East settlement as a whole and preventing the document from being one-sided and from concentrating solely on domestic Lebanese affairs. His proposals would have improved the draft by making it more acceptable to Council members. Their lack of acceptance, however, had made it impossible for him to support the resolution.

Pakistan's speaker said he had also abstained, as the resolution was not consistent with the Council's functions and responsibilities. Moreover, there was no evidence of any urgent threat to peace. There had been no complaint from the country whose sovereignty and integrity the draft purported to uphold. On the contrary, the Lebanese representatives had communicated to the Council their opposition to consideration of the resolution. Besides, the text addressed the wrong threat. If there were a threat to Lebanon, that was well known and did not arise from Syria.

Explanations of vote were also made by the representatives of Algeria, Brazil, Chile, Angola, Philippines and Benin.

The meeting began at 7:38 p.m. and was adjourned at 8:38 p.m.

Resolution

The text of resolution 1559 (2004) reads as follows:

"The Security Council,

"Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, resolution 520 (1982) of 17 September 1982, and resolution 1553 (2004) of 29 July 2004 as well as the statements of its President on the situation in Lebanon, in particular the statement of 18 June 2000 (S/PRST/2000/21),

"Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally territorially recognized borders,

"Noting the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon,

"Gravely concerned at the continued presence of armed militias in Lebanon, which prevent the Lebanese government from exercising its full sovereignty over all Lebanese territory,

"Reaffirming the importance of the extension of the control of the Government of Lebanon over all Lebanese territory,

"Mindful of the upcoming Lebanese presidential elections and *underlining* the importance of free and fair elections according to Lebanese constitutional rules devised without foreign interference or influence,

"1. *Reaffirms* its call for the strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon;

"2. *Calls upon* all remaining foreign forces to withdraw from Lebanon;

"3. *Calls for* the disbanding and disarmament of all Lebanese and non-Lebanese militias;

"4. *Supports* the extension of the control of the Government of Lebanon over all Lebanese territory;

"5. *Declares* its support for a free and fair electoral process in Lebanon's upcoming presidential election conducted according to Lebanese constitutional rules devised without foreign interference or influence;

"6. *Calls upon* all parties concerned to cooperate fully and urgently with the Security Council for the full implementation of this and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty, and political independence of Lebanon;

"7. *Requests* that the Secretary-General report to the Security Council within thirty days on the implementation by the parties of this resolution and *decides* to remain actively seized of this matter."

Statements

MOHAMAD ISSA, Secretary-General of the Ministry of Foreign Affairs and Emigrants of Lebanon, said that there were no militias in Lebanon. There was only the national Lebanese resistance, which appeared after the Israeli occupation and which would remain so long as Israel remained. The resistance force existed alongside the Lebanese national forces. Lebanon determined the presence and size of the force, depending on the country's need. The authority of Lebanon extended to all parts of Lebanon except those areas occupied by Israel.

He said that submitting the draft resolution confused two matters. The first was the distinguished relations linking Lebanon and Syria, which achieved their joint interests, particularly the interests of Lebanon. Friendly Syria had helped Lebanon to maintain stability and security within its borders. It had warded off radicalism and violence, fed by the violence exercised by Israel against the Palestinians. Secondly, the matter was purely internal, and related to the presidential elections to be held in Lebanon. Syrian troops came to Lebanon in accordance with legitimate requests. Their presence was guarded by an agreement concluded by two sovereign States. Those troops had been redeployed several times. They contributed to rebuffing the radical reactions emanating from repulsive Israeli actions.

Hence, saying that Syria supported radical movements in Lebanon was not true. To the contrary, Syria supported the Lebanese national resistance, which desired to liberate the territories occupied by Israel. The draft resolution was talking about supporting free and just elections in Lebanon. He did not believe that that internal matter had ever been discussed in the Council relating to any MemberState. It was an internal matter, he stressed. The United Nations had not interfered in that matter with regard to any other State. There was no justification for the draft resolution, which constituted an interference in the internal affairs of a MemberState.

In addition, it discussed bilateral relations between two friendly nations, neither of which had filed any complaint concerning those relations. He called for the withdrawal of the draft resolution.

Action on Text

Next, the Council adopted the resolution by a vote of 9 in favour (Angola, Benin, Chile, France, Germany, Romania, Spain, United Kingdom, United States) to none against, with 6 abstentions (Algeria, Brazil, China, Pakistan, Philippines, Russian Federation).

Speaking after the vote, JOHN DANFORTH (United States) said that the Security Council had consistently affirmed that it supported the full sovereignty and independence of Lebanon, free of all foreign forces. Lebanon should be allowed to determine its own future and assume control of its own territory, yet the Lebanese people were still unable to exercise their rights as a free people. With France, the United States had introduced the resolution, joined by several other co-sponsors. He had asked for a vote tonight because the situation in Lebanon was moving very quickly.

He explained that the Syrian Government had imposed its political will on Lebanon and had compelled the Cabinet and Lebanese National Assembly to amend its constitution and abort the electoral process by extending the term of the current President by three years. The final vote in the Assembly was scheduled for Friday so it was imperative for the Council to address the issue now. The Lebanese Parliament and Cabinet should express the will of the Lebanese people through a free and fair presidential electoral process. What the Lebanese people and he had witnessed in the past week in terms of Syrian actions was a "crude mockery" of that principle.

Clearly, he continued, the Lebanese Parliament had been pressured, and even threatened, by Syria and its agents to make them comply. He strongly supported the extension and control of Lebanon's Government over all Lebanese territory, including southern Lebanon, as called for by the Council for the past four years. The continued presence of armed Hezbollah militia and the presence of Syrian military and Iranian forces in Lebanon hindered that goal.

He said that that situation, 14 years after the end of Lebanon's civil war and four years after the Council had accepted unanimously the Secretary-General's report that Israel had complied fully with Council resolution 425, was simply unacceptable. It was wrong for Syria to continue to maintain forces in Lebanon in "flat contravention" of the spirit and clear intent of the Taif Accord, and it would be very wrong for it to continue to interfere in the presidential electoral process in Lebanon.

JEAN-MARC DE LA SABLIERE (France) welcomed the adoption of the resolution. Lebanon had been through several decades of upheaval. After the war it had started to rebuild and had committed itself to a strengthened rule of law, faithful to its democratic aspirations. After a very troubled period, Lebanon must be able to restore confidence and prosperity, and that included the full restoration of its sovereignty and the free exercise of democracy. The Council had, since 1978, and well after that, noted Israel's withdrawal and had been calling for respect for the territorial integrity, political independence and sovereignty of Lebanon. It had also regularly reaffirmed those objectives.

Today, he said, serious dangers threatened the future of Lebanon. Serious interference had persisted in the political life of the country, particularly in the electoral process, and occupation and the presence of armed militias had been maintained. France was deeply concerned that Lebanon might retreat from the objectives that had been reaffirmed constantly by the international community. That was why a rapid mobilization and a decisive reaction from the Council seemed essential. Withdrawal of foreign forces should no longer be delayed and the electoral process should carry on without any foreign interference. Those demands were in keeping with the Council's position for more than 25 years and did not constitute interference in a State's internal affairs.

By refraining to act, he added, the Council would sanction interference in the internal affairs of another State. By acting in a robust manner, the Council was showing its confidence in Lebanon's future, which must include its full restoration of sovereignty, and not the intensification of interference.

WANG GUANGYA (China) said that respect for the principles of sovereignty, independence, territorial integrity and non-interference in internal affairs constituted a centrepiece of China's foreign policy and were principles of the United Nations. In adherence to those principles, he supported the safeguarding of the sovereignty, independence and territorial integrity of Lebanon. The draft resolution touched on the question of the presidential elections in Lebanon. Such questions fell within the internal affairs of Lebanon and should be decided by the Lebanese people themselves. China had abstained in the vote on the draft.

China had closely followed the developments in Lebanon and hoped that Lebanon would maintain stability and economic development, which would be in the interest of peace and stability in the Middle East. He reiterated the hope that the parties concerned would be able to satisfactorily resolve all problems, including those on the Israeli/Palestinian, Israeli/Lebanese and Israeli/Syrian tracks so that lasting peace could be achieved in the Middle East.

ABDALLAH BAALI (Algeria) said that his country was staunchly committed to the sovereignty, unity and independence of Lebanon, as well as to respect for non-interference in its internal affairs, and had decided to abstain on the draft resolution for the following reasons. First, the situation in Lebanon did not appear to constitute a threat to international peace and security. Therefore, it was not of a nature to prompt an examination by and decision of the Council.

Secondly, it was Israel, by its policies of occupation and aggression, and its repression of the Palestinians, which constituted an undeniable threat to international peace and security, he said. That should have required an urgent consideration and effective measures on the part of the Security Council. He had hoped to see the Council display towards Israel the same firmness shown today towards Lebanon, by demanding Israel's withdrawal from Arab lands.

Thirdly, the Council must not interfere in the internal affairs of States or in bilateral affairs between States.

The Council's consideration of an internal matter for Lebanon constituted a harmful precedent which must not be repeated, unless the Council was to be led into serious excesses, running counter to the United Nations Charter. Only a just, lasting and comprehensive settlement could bring about a definitive peace in the Middle East.

MUNIR AKRAM (Pakistan) said he had abstained for a number of reasons, including that the resolution was not consistent with the Council's functions and responsibilities, especially under Article 41 of the Charter. In the present case, there was no evidence of any urgent threat to peace. There had been no complaint from the country whose sovereignty and integrity the draft purported to uphold. On the contrary, the Lebanese representatives had communicated to the Council their opposition to consideration of the resolution.

In addition, he said that the resolution addressed the wrong threat. If there was a threat to Lebanon, that was well known and did not arise from Syria. He construed the provisions of operative paragraph 2 as now worded as constituting a reference to those foreign forces which had entered Lebanon uninvited and by the use of force. Also, the resolution went beyond the Council's mandate and authority, as described in Article 24 (2) of the Charter. The resolution, in preambular paragraph 6 and operative paragraph 5 intervened in the internal affairs of Lebanon. Such intervention was unacceptable and contrary to the Charter. That had also set an unfortunate precedent.

He said the text was also unclear, since it would be impossible for the Council to determine whether and when the constitutional rules of any country were "devised without foreign interference or influence". For that reason, that provision was also unimplementable. Indeed, the Council would find it impossible to enforce changes in the national constitutions and rules of sovereign States. Action was taken on the text under an item on the Middle East. The Council must address the real threat to peace in the region, arising from the occupation of Palestinian and Arab territories, including the territory of Syria. He trusted it would not be deflected or diverted from that objective by the resolution it adopted today.

ANDREY DENISOV (Russian Federation) said the main purpose of the draft had been to prevent further escalation in the Middle East. Tension was high; any wrong step might exacerbate the regional situation and lead to a new focal point of instability, in addition to the existing Palestinian/Israeli conflict and Iraq. There was also a possibility that the fragile political balance in Lebanon might be in danger. So, he had tabled amendments, the purpose of which was to move the draft towards the context of a Middle East settlement as a whole and to prevent the document from being one-sided and from concentrating solely on domestic Lebanese affairs. Russia's proposals improved the draft by making it more acceptable to Council members. Unfortunately, they had not been adopted, and he, therefore, had been unable to support the resolution.

RONALDO MOTA SARDENBERG (Brazil) said he had abstained on the vote. His delegation was following closely the events in Lebanon, as a result of its friendly historic ties to the Lebanese people. Bilateral relations with Lebanon were a high priority for Brazil. Resolution 1559 dealt with matters within the domestic jurisdiction of Lebanon. The existence of a dispute likely to endanger international peace and security had not been properly characterized in the text. He reiterated his commitment to a lasting peace in the Middle East, in conformity with, among other things, Council resolutions and various peace initiatives.

CRISTIAN MAQUIEIRA (Chile) said he had voted in favour of the text because he supported its philosophy. The amendments to the original text had addressed his delegation's concerns. At the same time, he stated that the resolution meant that once again a double standard had been imposed in the Middle East conflict because of the clear lack of political will to deal with Israel's occupation of Arab lands. Also, there was no mention of the peace plan, which was the only viable mechanism to achieve lasting peace in the Middle East.

ISMAEL ABRAAO GASPAS MARTINS (Angola) said he voted in favour of the resolution, as the concerns expressed and the proposed amendments had been taken into account sufficiently. While it was not a perfect resolution, it was a "possible" resolution. He hoped that in adopting the resolution, the Council would be able to give an effective contribution to the political independence and sovereignty of Lebanon in its territorially recognized borders. He also hoped that its adoption would not have undesirable effects, since the situation in Lebanon did not represent an immediate threat to peace and security. The approach adopted by the Council could have been better balanced.

Also, the Council could have taken a more proactive role to the problems in the region. He would have preferred to seize the opportunity for an encouragement by the Council to the Governments of Lebanon and Syria to conclude a bilateral agreement, under the auspices of the Council. That approach might have safeguarded the interests of all the parties concerned and better achieved the objectives set by the international community.

LAURO L. BAJA, JR. (Philippines) said he had abstained because the resolution could not be justified as part of the role given to the Council in the collective security system under the Charter. There was a fine but clear boundary that marked the Council's role, as embodied in Article 39. Resolution 1559 had crossed that line and had collided "head on" with the principle of non-interference.

He said he had understood the promotion of Lebanon's enhanced territorial sovereignty and integrity, but no matter how noble its motives, the resolution placed the Council in a situation of acting in a manner which it sought to avoid in the first place, namely, not to interfere in the internal affairs of a country. The amendments tabled by Russia would have moved the resolution out of a distinct Lebanese internal affairs context. As a founding member of the Organization, he had felt a special duty to defend the Charter and its principles.

JOEL W. ADECHI (Benin) said he had supported the draft, as the initiative had been aimed at stabilizing Lebanon. He voted in favour of it because he had wished to reaffirm Council support for Lebanon's sovereignty and independence. Resolution 1559 dealt with the situation in the Middle East. He reaffirmed his support for the efforts to bring about a comprehensive political settlement in that region, including the withdrawal of all foreign forces present in the countries of the region. Accordingly, he had repeatedly expressed his commitment to peace and security in the region.

* * * * *