

# Boundaries and demarcation

## Delimiting and securing Lebanon's borders

A conversation with General Nizar Abdel-Kader

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### Failure to demarcate Lebanon's boundaries

Article 1 of Lebanon's Constitution asserts that it is "an independent, indivisible, and sovereign state." It describes its frontiers to the north, east and south – as well as the Mediterranean to the west. Nonetheless, Lebanon's borders with Israel and Syria are in fact neither resolved on the ground nor agreed legally.

The history of efforts to demarcate Lebanon's borders is confused. On 23 December 1920 British and French authorities in Palestine and Lebanon established a joint border committee, led by Lieutenant-Colonel Newcomb (Britain) and Paulet (France), which agreed in February 1922 the demarcation of Lebanon's borders with Palestine fixing 71 points on the ground. The French Mandate over Syria and Lebanon also undertook to delimit the boundaries between Lebanon and Syria, but only completed around 80 per cent of the demarcation.

Following Lebanese independence in the 1940s, Beirut and Damascus failed to take steps to jointly demarcate their common border. Today, discussions over Lebanon's border with Israel refer to three different historical boundaries: the 1922 line; the 1949 'Green Line' – part of the Truce agreement reached between Israel and its neighbours following the 1948 Arab-Israeli war; and the 2000 'Blue Line' – determined by the UN in relation to Israeli withdrawal from south Lebanon.

Following the 1967 Arab-Israeli war, then Israeli Foreign Minister Abba Eban declared that Israel would not be bound by any conditions of the 1949 Truce. In 1978 Israel

occupied part of southern Lebanon, declaring it a "security zone". It did not vacate it for the next 22 years, rejecting the requirement of UN Security Resolution (UNSCR) 425 (1978) to withdraw to Lebanon's "internationally recognised boundaries." When Israel finally did pull out in May 2000, the new UN Blue Line did not correspond either to Newcomb-Paulet or to the 1949 Truce.

Consideration of Lebanon's borders must include the northern part of the village of Ghajar, which sits on the Syrian-Lebanese border, the Kfar-Shuba Hills and the Chebaa Farms, key areas along Lebanon's border which remain disputed with Israel and are points of friction between Lebanon, Israel and Syria. Today, there are thirty-six points of disagreement between Syria and Lebanon concerning the border, the most significant of which is in the central zone around Deir al-Ashayer.

These ambiguities over Lebanon's borders with Israel and Syria mean that Lebanese sovereignty has always been violated, leading to border disputes and violent clashes – not least the 2006 war.

### Lebanon's borders with Israel

The Blue Line did not end the territorial dispute between Lebanon and Israel, but included several points of contention. Beirut insists that Israel has not fully complied with UNSCR 425. After expelling Lebanese farmers from the Chebaa Farms during the 1967 war, Israel did not acknowledge that it had invaded de facto Lebanese territory. Since 1978, Israeli forces have transformed the occupied farms into a buffer zone along the border. Tel

Aviv ostensibly waits for Syria's official renunciation of the Chebaa Farms, knowing that Syria will not do this before recovering the occupied Golan Heights, thereby enabling Israel to maintain a strategic observatory, and control over abundant Mount Hermon water resources.

## “ Following Lebanese independence in the 1940s, Beirut and Damascus failed to take steps to jointly demarcate their common border”

Hezbollah is also exploiting this occupation to validate its continued armament until all parts of Lebanon are liberated. This situation distorts the domestic political balance in Lebanon, as Hezbollah's role as an armed 'Resistance' has secured for it inflated influence, and the party has been able to dominate the current government of Najib Mikati. Syria also plays a negative role in supporting Hezbollah's resistance and in addition to refusing to accept the demarcation of the border, especially in the Chebaa Farms.

### **Natural gas reserves in the eastern Mediterranean**

Recent discoveries of huge natural gas reserves off the coast of Haifa have presented another thorny border issue regarding the delineation of Israel's and Lebanon's maritime boundaries. The 2000 Blue Line did not establish a maritime boundary, which at that time did not seem important before the discovery of the gas reserves. Beirut and Tel Aviv have responded to disagreement over natural gas with militaristic rhetoric and bravado.

In 2011 the Lebanese parliament agreed to a new draft law to delineate Lebanon's exclusive economic zone (EEZ) and its maritime boundaries. The UN rejected a request from Lebanon to help in this demarcation due to the difficulties it had experienced trying to delineate the Blue Line.

Without UN involvement, the eastern Mediterranean could become another theatre for war between Hezbollah and Israel. Hezbollah is rumoured to have been developing a specialist unit for underwater sabotage and amphibious warfare for use against Israeli gas fields. The Israeli navy, at a cost of US \$70 million, has developed a maritime security plan to defend these.

Negotiations, however, are taking place to respond to this disputed area of about 800 km<sup>2</sup>. Beirut has shared new maps drawn up by Lebanese experts to delineate

maritime boundaries with the UN Secretary-General. It is also discussing the matter with Cyprus. The experienced US Diplomat Frederic Hof has been trying to help Lebanon and Israel reach an agreement. External technical expertise or UN mediation could be used to help settle the disagreement.

As Lebanese-Israeli relations are still effectively on a war footing, achieving agreement on maritime boundary delineation is very difficult. Meanwhile, increased tensions between Israel and Lebanon, or Hezbollah, are to be expected over gas or some other matter. Consequently, the potential for escalation could easily become imminent.

### **Lebanon's border with Syria**

Lebanese-Syrian relations have been marked by political conflict and instability since their independence from the French Mandate in the mid-1940s, while families, towns and populations span and intermingle across the border. Syria has always considered Lebanon one of its 'lost territories'. Frequent border closures by Damascus and military occupation over 30 years have prevented Lebanon from achieving security and political stability.

Following Syrian withdrawal from Lebanon in 2005, new efforts were made by Lebanon and the international community to convince Damascus to demarcate their 360 km common border. All of these efforts were futile. In October 2008, Lebanon's historic decision to establish formal diplomatic relations with Syria created a new opportunity to demarcate the border.

The border as set out under the French mandate has been blurred by Syrian action. Visitors to the border will not see Lebanese army units, but they will see Syrian border guards almost everywhere. Lebanese officials have not pushed hard to make progress on demarcation and Damascus has no interest in accomplishing this. The former president Hafez al-Assad and his son Bashar have repeatedly described Lebanon as a strategic extension of Syria.

As part of the October 2008 rapprochement, Lebanon and Syria signed an agreement on demarcation. However, this stressed that the process would begin from the north, postponing demarcation at the Shebaa Farms – with Syria claiming that the area is still under Israeli occupation, and that demarcation is not possible before Israeli withdrawal from the whole of the Golan Heights.

### **Border security**

Following the 2006 war between Hezbollah and Israel, Syria refused any international efforts to deploy UN observers along its own border. Beirut missed this opportunity to pressure Damascus over demarcation and to benefit from

international support for Lebanon's sovereignty. The only international involvement was a German technical support team that began a project to help Lebanon improve its border security in the north.

Despite this project, the popular uprising in Syria today shows that the border is not secure, due to a lack of both expertise and political will. Current tensions along the border and the commitment of the Lebanese government to the 'Resistance' against Israeli occupation make it unlikely that any serious moves towards border demarcation will take place in the near future.

Under current conditions, Lebanese security cannot curb smuggling and the realisation of arms shipments to

Hezbollah. Lack of Syrian and Israeli will to address the key issues of the Chebaa Farms, Kfar-Shuba and Ghajar means that these areas will remain potential flashpoints between Hezbollah and Israel. After Israel's withdrawals in 2000 and in the 2006 war, Hezbollah has increasingly looked to the Chebaa Farms as a focus for its resistance. Lebanese officials have failed to support repeated claims to the Chebaa Farms with documentary evidence. Syria has used the ongoing disagreement over the farms between Lebanon and Israel to defer progress on demarcating its own border.

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Interview by Alexander Ramsbotham

#### BOX 8

### UNIFIL's contribution to peace in Lebanon

#### A conversation with Timur Goksel



Timur Goksel is a former spokesperson and senior advisor to UNIFIL. He currently teaches in the Department of Political Studies and Public Administration at the American University of Beirut.

#### What have been the main changes between UNIFIL I (1978) and UNIFIL II (2006)?

The revision of the UNIFIL mandate in 2006 by the UN Security Council meant a major expansion in terms of force strength, and of breadth of Troop Contributing Countries (TCCs). In particular, powerful European Union (EU) Member States, such as France, Germany, Italy and Spain, agreed to provide personnel. The 2006 expansion therefore enhanced UNIFIL's political authority, and local and international credibility. High profile EU interest raised the political stakes for the parties.

But political benefits of expansion were balanced by military and practical trade-offs, in particular operational challenges. UNIFIL's 12,000-strong military contingent (as at August 2011) comprises troops from 37 different countries, with divergent command and control and other logistical priorities, as each TCC tries to balance international obligations with national interests, and answers to national capitals as much as mission headquarters.

#### Does UNIFIL offer Lebanon better protection from Israel?

When UNIFIL was first deployed in 1978, Israel occupied south Lebanon. Israeli cross-border incursions at that time

were therefore comparatively inconspicuous. But following the Israeli withdrawal from south Lebanon in 2000, Israeli troop movements across the border have been more apparent – and more controversial.

Ultimately, UNIFIL is a peacekeeping mission: it can defend itself, but it is not mandated to fight a war. Member States contributing troops to UNIFIL are not prepared for aggressive action. In relation to border security, UNIFIL is there to observe and report, and to promote dialogue. This latter function is very important and UNIFIL fulfils a vital role.

But it is important to acknowledge what the mission is there for. Local people in south Lebanon understand UNIFIL's role well: its strengths, weaknesses and limitations. But politicians in Beirut are less well-informed – or see UNIFIL as an easy political target – and make impractical demands on the mission.

#### How can UNIFIL support border security in south Lebanon, in view of challenges of both regional conflict and internal tensions?

Although UNIFIL primarily comprises military personnel, its main advantage is political. A vital function is to act as a neutral third party link between Lebanese and Israeli militaries. UNIFIL legitimacy comes from its UN Security Council mandate; but in practice its legitimacy has latterly (post-2006) been strengthened by the international breadth of participation in the mission, and by increased resources and capacity.

UNIFIL's international status allows it a level of neutrality. It has used this to promote dialogue between the parties across the border. A tripartite mechanism between the