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The Shib'a Farms Dispute and Its Implications

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Summary

Israel's withdrawal from southern Lebanon in May 2000 left several small but sensitive territorial issues unresolved, notably, a roughly 10 square mile enclave at the southern edge of the Lebanese-Syrian border known as the Shib'a Farms. Israel did not evacuate this enclave, arguing that it is not Lebanese territory but rather is a part of the Syrian Golan Heights, which Israel occupied in 1967. Lebanon, supported by Syria, asserts that this territory is part of Lebanon and should have been evacuated by Israel when the latter abandoned its self-declared security zone in May 2000. On June 16, 2000, the U.N. Secretary General informed the Security Council that the requirement for Israel to withdraw from Lebanon had been met. The Secretary General pointed out, however, that the U.N. determination does not prejudice the rights of Syria and Lebanon to agree on an international boundary in the future.

This obscure enclave has become a focal point for tensions in the Lebanese-Israeli-Syrian border area in the aftermath of Israel's withdrawal from southern Lebanon. Neither the Lebanese Armed Forces nor the U.N. Interim Force in Lebanon (UNIFIL) has established an effective presence in the border territory vacated by Israel in 2000. The Lebanese Shi'ite Muslim militia Hizballah, which had spearheaded a guerrilla war against Israeli forces in Lebanon, has continued to mount raids against Israeli forces in the Shib'a Farms area. Israel blames Syria, which maintains over 20,000 troops in Lebanon, for tolerating or inciting the Hizballah attacks and has retaliated against Syrian military installations in Lebanon. As these clashes continue, observers fear that they could escalate into a higher level of conflict.

There are various alternatives that might break the cycle of violence centered on the Shib'a Farms area: wider deployment of the Lebanese Armed Forces or UNIFIL, a formal Lebanese-Syrian border agreement confirming Lebanese sovereignty over the Shib'a Farms, or Israeli withdrawal from the Shib'a Farms area. All of these would require Syrian and Israeli concurrence, which does not seem likely at this time. Syria may see continued tension over the Shib'a Farms as a means of keeping pressure on Israel to end its occupation of the Golan Heights territory. Israel, on its part, is probably wary of taking any steps that might strengthen the position of Syria or Hizballah in southeastern Lebanon.

The Shib'a Farms area remains a source of tension and potential risk. Beyond its small size and limited strategic value, the Shib'a Farms area has become yet another symbol of the intractability of broader Arab-Israeli issues. If unresolved, it could lead to an increase in tensions and localized conflict that would further complicate U.S. efforts to bring peace to the region.

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The Shib'a Farms Dispute and Its Implications

Israel's withdrawal from southern Lebanon on May 24, 2000 left several small but sensitive territorial issues unresolved. The principal example is a roughly 25 square kilometer (approximately 10 square mile) enclave called the Shib'a Farms,¹ which lies at the southern edge of the Lebanese-Syrian border. In the past, this enclave has been widely regarded as part of Syria, specifically, as part of the Syrian Golan Heights territory which was occupied by Israel during the Arab-Israel war of 1967. Lebanon, supported by Syria, asserts that this territory is part of Lebanon and should have been evacuated by Israel when the latter abandoned its self-declared security zone in southern Lebanon in May 2000. The Shib'a Farms territory remains a source of further unrest along Lebanon's borders with Israel and the Syrian Golan Heights, as the Lebanese Shi'ite Muslim militia Hizballah continues to challenge Israeli military units in the disputed enclave.

This report discusses the origins of the Shib'a Farms dispute, current issues in the debate concerning sovereignty over this area, and implications of the dispute for regional stability. Besides the Shib'a Farms area, several other territorial issues remain unresolved, but so far they have not constituted significant flash points in the region. A provisional line drawn by a U.N. team to confirm Israel's withdrawal in May 2000 divided the town of Ghajar, located near the Shib'a Farms, between Lebanon and the Israeli-occupied Golan Heights. Israeli officials have expressed concern over this arrangement. Also, Lebanon claims seven northern Israeli villages that were included in Israel under earlier international agreements; however, Lebanese leaders acknowledge that these villages are not part of the Lebanese territory occupied by Israel in 1978. These lingering disputes over the seven villages, Ghajar, and other small pieces of territory are not discussed in this report.

Origins of the Dispute

The Shib'a Farms Area

The term Shib'a Farms (sometimes referred to as Shib'a farmlands) refers to a group of approximately 14 farmsteads lying between the Asal Valley in the northern Golan Heights and the Syrian-Lebanese boundary as depicted on most maps of the region. The roughly 25 square kilometer (10 square mile) area of the Shib'a Farms is narrow and elongated, stretching northeast to southwest for a distance of roughly 15 kilometers (10 miles). Discussions with U.S. State Department officials dealing

¹There are several variant transcriptions of this name into the Western alphabet, including Shebaa, Shabaa, and Shab'a.

with U.N. affairs and other experts indicate that there are no precise boundaries to the Shib'a Farms area.²

The Shib'a Farms area does not appear on most maps of the Middle East region, although many of these maps do show the *town* of Shib'a, which is located north of the farmlands and across the Lebanese-Syrian (Golan) border, in Lebanon. The absence of the Shib'a Farms on most maps may reflect the fact that they do not constitute a clearly defined area and have only recently become the focus of international attention, in the aftermath of Israel's withdrawal from Lebanon in May 2000. Official United Nations maps of peacekeeping operations in this region, for example, do not mention the Shib'a Farms, although the Secretary General refers to them at some length in his May 2000 report dealing with Israeli withdrawal. Several periodicals dealing with Middle East affairs, however, do contain maps showing the general location of the Shib'a Farms,³ and their general location is indicated on the accompanying map.

Border Evolution

The Shib'a Farms controversy is a legacy of overlapping border disputes among Israel, Lebanon, and Syria. Borders among the three countries evolved from post-World War I arrangements which awarded mandates to Britain and France to administer several former Ottoman Turkish territories. In 1923, Britain (which had a mandate for the territory of Palestine) and France (which had mandates for Syria and Lebanon)⁴ negotiated a boundary separating Palestine from Lebanon and Syria. After the establishment of Israel in most of the Palestine mandate territory in 1948 and the Arab-Israeli war that followed, the 1923 line was succeeded by two separate lines under armistice arrangements in 1949:

- an Israeli-Lebanese armistice line, which replicated the Lebanon-Palestine segment of the former 1923 boundary negotiated by Britain and France. Some minor border adjustments took place in subsequent years by mutual agreement.
- an Israeli-Syrian armistice line, which deviated somewhat from the 1923 boundary. Subsequent troop deployments by Israel and Syria, together with

²Most sources estimate the area of the farms as approximately 25 square kilometers (10 square miles). See, for example, Frederic C. Hof, *Beyond the Boundary: Lebanon, Israel, and the Challenge of Change*, Washington, Middle East Insight, p. 18; Michael Slackman, "Shabaa Farms at Center of Tension for Lebanon, Syria and Israel," *Los Angeles Times*, April 28, 2001, p. A-1. One source, however, gives a larger figure of 15.6 square miles: Nicholas Blanford, "Shebaa Farms and Beyond," *Middle East Insight*, September-October 2001, p. 7. This degree of precision seems incongruous since most sources state that the Shib'a Farms do not constitute a precise area; it is possible that the figure of 15.6 square miles was derived by applying a conversion factor to a round figure of 25 square kilometers.

³See, for example, Frederic C. Hof, "A Practical Line: The Line of Withdrawal from Lebanon and its Potential Applicability to the Golan Heights", *Middle East Journal*, Winter 2001, p. 42.

⁴The original mandate awarded to France by the League of Nations covered what was then known as Syria, which the French later subdivided into present-day Syria and Lebanon.

land and water reclamation projects, resulted in further de facto modifications on the ground, and these changes continue as issues in stalled Israeli-Syrian peace talks.⁵

A different situation existed with regard to Lebanon and Syria. France, which had mandates for both countries, did not define a formal boundary between the two, although it did separate them by administrative divisions. Nor did Lebanon and Syria establish a formal boundary after gaining independence from France in the aftermath of World War II. The U.N. Secretary General noted in May 2000 that “there seems to be no official record of a formal international boundary agreement between Lebanon and the Syrian Arab Republic....”⁶ The absence of such an agreement complicates the task of determining ownership of the Shib’a Farms.

War and Occupation

Subsequent Arab-Israeli conflicts and civil strife in Lebanon created further border complications. During the June 1967 Arab-Israeli war, Israel occupied a 450-square mile portion of southwestern Syria known as the Golan Heights. Following another Arab-Israeli war in October 1973, then U.S. Secretary of State Henry Kissinger negotiated a disengagement agreement between Israel and Syria. Under this agreement, a U.N. Disengagement Observer Force (UNDOF) was assigned to the Golan area to maintain a cease-fire, supervise initial disengagement of forces, and supervise an area of separation and areas of limited armament between the two forces. The Shib’a Farms enclave is located at the northwestern end of the UNDOF area of operations, as discussed in more detail below. (See map and appendix.)

Lebanon’s 15-year civil war, which began in 1975, made the situation even more intricate. In 1976, Syrian forces entered Lebanon at the invitation of then Lebanese President Suleiman Frangieh and remained in large parts of the country, nominally as part of an Arab peacekeeping force. In 1978, a brief incursion by Israeli forces into southern Lebanon (“Operation Litani”) in retaliation for Palestinian guerrilla attacks led to the adoption of Security Council Resolution 425, which called on Israel to withdraw from southern Lebanon. Resolution 425 also created a U.N. Interim Force in Lebanon (UNIFIL) with a threefold mission: to confirm withdrawal of Israeli forces; to restore international peace and security in the area; and to assist the Government of Lebanon in reestablishing effective authority over southern Lebanon. (A companion resolution, number 426, deals with implementation of Resolution 425.) Most maps and other information available to the United Nations place the Shib’a Farms outside UNIFIL’s area of operations (see section entitled “The U.N. Position,” below; also, see map and appendix).

⁵For more information on Arab-Israeli negotiations, including Israeli-Lebanese and Israeli-Syrian issues, see CRS Issue Brief IB91137, *The Middle East Peace Talks*, by Carol Migdalovitz.

⁶United Nations Security Council, Report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978), S/2000/460, May 22, 2000, [hereinafter referred to as UNSC document S/2000/460], pp.2-3 (paragraph 14).

Although Israel withdrew from southern Lebanon later in 1978, it launched a large-scale invasion of Lebanon in 1982 (“Operation Peace for Galilee”) designed to eliminate armed Palestinian groups and expel Syrian troops from Lebanon. In the end, the Israeli operation succeeded in evicting Palestinian guerrillas; however, Syrian forces, though badly mauled, stayed in Lebanon.

For the next 3 years, Israeli forces remained in the southern third of Lebanon, withdrawing to the extreme south in 1985 as security in Lebanon continued to deteriorate. From 1985 until 2000, Israeli forces in conjunction with a pro-Israeli Lebanese militia (the South Lebanon Army, or SLA) maintained what Israel described as a security zone, approximately nine miles wide, just north of the Israeli-Lebanese border. During this period, Israeli and SLA forces were increasingly targeted by the Lebanese Shi’ite Muslim militia Hizballah, which enjoyed wide support among southern Lebanon’s largely Shi’ite population and other sectarian groups as well. UNIFIL found its activities significantly circumscribed by the presence of warring parties in its area of operations.

Israeli Withdrawal from Lebanon

In March 2000, as Israeli and SLA casualties continued to mount, the Israeli Cabinet approved a proposal by then Prime Minister Ehud Barak to withdraw from Lebanon by July, preferably through an agreement with Lebanon but otherwise unilaterally. Lebanon refused to negotiate an agreement unless Israel undertook to withdraw from the Syrian Golan Heights and help find a solution to the problem of over 300,000 Palestinian refugees in Lebanon. On May 4, 2000, Lebanon also raised the issue of the Shib’a Farms, informing the U.N. Secretary General’s envoy that Lebanon planned to claim this territory in the context of Israel’s obligation to withdraw from Lebanon under the provisions of U.N. Security Council Resolution 425 of 1978. Unable to reach agreement with Lebanon and faced with the collapse of its SLA allies, Israel completed its withdrawal from its former security zone in southern Lebanon on May 24. It did not, however, withdraw from the Shib’a Farms enclave, which it does not regard as part of Lebanon (see section entitled “Other Positions,” below).

Meanwhile the U.N. Secretary General had identified three principal requirements that must be fulfilled for the United Nations to certify that Israel had fully complied with Resolution 425: (a) withdrawal of Israeli military and civilian personnel from Lebanese territory, including Lebanese territorial waters and air space; (b) dissolution of Israel’s auxiliary force, the South Lebanon Army (SLA); and (c) release of all prisoners detained in a prison operated by the SLA in the southern Lebanese town of Khiam.⁷ The second and third requirements were met quickly as the SLA collapsed and its leaders fled to Israel and other countries. The first requirement was more complicated because of uncertainties surrounding the exact location on the ground of Lebanon’s borders with Israel and with the Israeli-occupied Golan Heights territory of Syria.

⁷UNSC document S/2000/260, p. 4 (paragraph 21). As noted below, the U.N. Security Council endorsed the Secretary General’s report in which he outlined these requirements.

The Blue Line

To accomplish this task, the U.N. Secretary General identified a “line of withdrawal,” commonly called “the Blue Line,” based on available cartographic material and a technical survey conducted on the ground by a U.N. team in consultation with the Governments of Israel and Lebanon. The Secretary General emphasized that the U.N. was not establishing a border, but rather was drawing a line for the purpose of confirming Israeli withdrawal in compliance with U.N. Resolution 425. It was the intent of the Secretary General, however, that the line should conform as closely as possible to recognized international borders. The Blue Line, as drawn by the U.N. team, consisted of two segments: a longer segment (approximately 80 kilometers) between Lebanon and Israel; and a shorter segment (approximately 20 kilometers) between Lebanon and the Israeli occupied Golan Heights territory. (See map.)

The first segment of the Blue Line conformed largely to the 1949 Israeli-Lebanese armistice line, although minor adjustments were made to accommodate existing towns and terrain features.⁸ Regarding the second segment of the Blue Line, as noted earlier, there was no formal Syrian-Lebanese border agreement that could serve as a guide for the U.N. team in drawing a line between Lebanon and the Syrian Golan territory, which Israel had occupied in 1967. Consequently, the U.N. Secretary General recommended that the line separating the area of operations of UNIFIL (the U.N. force in southern Lebanon) and UNDOF (the U.N. force in Golan) be used to confirm Israel’s withdrawal from Lebanon in the eastern sector. Using the UNIFIL-UNDOF line for this purpose had the effect of placing the Shib’a farms in the Golan territory rather than in Lebanon. (UNDOF and UNIFIL sectors are shown on the accompanying map and described further in the appendix.)

Both the Israeli and Lebanese Governments expressed reservations over several small segments of the Blue Line; however, according to the Secretary General, the two countries took the position that “identifying this line was solely the responsibility of the United Nations and that they will respect the line as identified.”⁹ On June 16, 2000, the Secretary General informed the Security Council that Israel had withdrawn from Lebanon in compliance with Resolution 425, and on July 27, in Resolution 1310, the Security Council called on Lebanon and Israel to respect the line of withdrawal (Blue Line). The Government of Lebanon, however, has asserted that the Blue Line is not valid in the Shib’a Farms area and has claimed the right to use every means including force against Israeli forces occupying the enclave.¹⁰

⁸A knowledgeable researcher who has studied the Israeli-Lebanese border in detail has said the differences between the Blue Line and the previous Israeli-Lebanese armistice line are so minute that they would not be apparent except on very large scale maps. Discussion, May 2, 2001.

⁹United Nations Security Council, Report of the Secretary-General on the implementation of Security Council Resolutions 425 (1978) and 426 (1978), S/2000/590, June 16, 2000, [hereinafter, UNSC document S/2000/590], p. 6 (paragraph 14).

¹⁰United Nations Security Council, Report of the Secretary-General on the United Nations
(continued...)

The Current Territorial Debate

It was in the context of the Israeli withdrawal that the Shib'a Farms area acquired its new found prominence. In the past, the small enclave, wedged between the slopes of Mt. Hermon and the Golan Heights, had attracted little attention. Residents of the nearby town of Shib'a, which lies clearly in Lebanon, say that they and their ancestors had cultivated the farms for over 200 years prior to 1967, when Israel captured the Golan Heights, including the Shib'a Farms area.¹¹ Initially, Israel reportedly allowed residents of Shib'a town to harvest olives and other produce from the Shib'a Farms every 2 years, but withdrew its permission in the 1970s. Since Israel occupied the Shib'a Farms, portions of the enclave have become a winter resort and a center for wine production under Israeli proprietorship, and in recent years Jews from Ethiopia have moved onto some of the farms.¹² The following discussion summarizes the Lebanese and U.N. positions on the Shib'a Farms, as well as the positions of other interested parties.

Lebanon's Position

Lebanese Government officials generally take the position that the Shib'a Farms area has always been part of Lebanon or was transferred to Lebanon by Syria some years ago. Some Lebanese officials have mentioned an alleged transfer of the Shib'a Farms area from Syria to Lebanon in 1951. According to another Lebanese version, the two countries entered into an oral agreement in 1951 dividing jurisdiction over the farms between them. Neither agreement appears to have been documented or registered with the United Nations.¹³

In May 2000, on the eve of Israel's withdrawal from Lebanon, the Lebanese Government provided the United Nations with title deeds showing Lebanese ownership of the farmlands in the disputed area, together with other documents indicating that Lebanese governmental and religious institutions had held jurisdiction over the farmlands at various times. In addition, the Government of Lebanon informed the United Nations that a joint Lebanese-Syrian border commission concluded in 1964 that the Shib'a Farms area was Lebanese land and that the

¹⁰(...continued)

Interim Force in Lebanon (for the period from July 18, 2000 to January 18, 2001), S/2001/66, [hereinafter, UNSC document S/2001/66], p. 2 (paragraph 5).

¹¹Nicholas Blanford, "UN acceptance of claim to Shebaa Farms looks shaky, warns insider," *The Daily Star*, May 9, 2000. Sultan Sleiman, "Lebanese land claim complicates Israeli Withdrawal," Reuters news wire, May 17, 2000, 22:06. The latter article quotes a local source as saying that residents of the Shib'a Farms used to pay municipal taxes to Lebanese authorities.

¹²Blanford, *op.cit.* Sleiman, *op.cit.*

¹³Frederic C. Hof, "Defining Full Withdrawal: Re-marking the Lebanese-Israeli Frontier," *Middle East Insight*, May-June 2000, p. 33. According to yet another account, the farms were initially regarded as Lebanese rather than Syrian, but Syria established and expanded a security presence in the enclave during the 1950s to control smuggling. Nicholas Blanford, "Shebaa Farms and Beyond," *Middle East Insight*, September-October 2001, p. 7.

international border should be redefined to reflect that conclusion. Also, the Government of Lebanon provided the United Nations with a 1966 map which reflected the Lebanese position that the Shib'a Farms are located in Lebanon.¹⁴

Lebanese officials have continued to maintain their claim to the Shib'a Farms. In April 2001, Lebanese Prime Minister Rafiq al-Hariri was asked during a visit to the United States if he agreed with the Hizballah position that the Shib'a Farms are part of Lebanon. He answered: "This is not the theory of Hezbollah [variant spelling]; this is the theory of the Lebanese government. We believe it is Lebanese territory for sure."¹⁵ In a press conference with Secretary of State Colin Powell, Hariri told reporters that "we can argue all the time" about whether the Shib'a Farms is Lebanese or Syrian, but that "[i]t is not on Israeli land, anyway."

The U.N. Position

In response to Lebanon's claims and such supporting documentation as Lebanese officials were able to provide, the U.N. Secretary General noted the following pertinent points.¹⁶

First, with regard to the 1966 map provided by the Lebanese Government locating the Shib'a Farms in Lebanon, the United Nations has 10 other maps issued after 1966 by various Lebanese governmental institutions including the Ministry of Defense. All 10 of these Lebanese maps place the Shib'a Farms inside Syria. Moreover, according to the Secretary General, the United Nations has six maps issued by the Government of Syria including three maps published after 1966, and all six locate the disputed area in Syria.

Second, the division of responsibilities between the two relevant U.N. peacekeeping forces tends to support the position that the Shib'a Farms are located on Syrian rather than Lebanese territory. UNDOF, created in 1974, is located on the Golan Heights where it supervises the cease fire agreement of that year between Syria and Israel.¹⁷ UNIFIL was established in 1978 with its area of operations in southern Lebanon, although (as noted above) it has not fully deployed throughout the area because of the presence of other warring parties. The Secretary General noted that the 1974 Israeli-Syrian disengagement agreement that established UNDOF included maps showing the Shib'a farms in the UNDOF area; these maps were initialed by both

¹⁴UNSC document S/2000/460.

¹⁵Lally Weymouth, "Q&A: Lebanon's Rafiq Hariri, 'This Land Is Our Land,'" *The Washington Post*, April 29, 2001, p. B4.

¹⁶The Secretary General's points are discussed in more detail in UNSC document S/2000/460, pp. 3-5 (paragraphs 15-19).

¹⁷UNDOF is stationed in the "Area of Separation" (or demilitarized zone) between Syrian and Israeli forces. However, it also has responsibilities for supervising an area of limited forces and armaments extending 10 kilometers in width on each side of the Area of Separation. Text of Agreement and Protocol Signed May 31, 1974, contained in *Facts on File*, June 1, 1974, p. 430. Also, paragraph 2 of the principal side letter to the protocol, contained in Henry A. Kissinger, *Years of Upheaval*, Boston/Toronto, Little, Brown and Co., 1982, p. 1254.

Israel and Syria.¹⁸ The Secretary General pointed out that the Security Council could not have included the Shib'a Farms in the UNIFIL area of operations (i.e., southern Lebanon) because the farms were already included in the area of another U.N. peacekeeping force, namely, UNDOF. Placing the Shib'a Farms in Lebanon would require shifting this enclave from UNDOF's to UNIFIL'S area of operations. This would necessitate modifying long-standing Security Council decisions defining the areas supervised by UNDOF and UNIFIL.

In view of the foregoing, in a report to the Security Council of May 22, 2000, the Secretary General recommended that the line separating the UNIFIL and UNDOF area of operations be used to identify the portion of the Blue Line between Lebanon and the Israeli-occupied Golan Heights. In effect, this meant placing the Shib'a Farms in Syrian territory. In his report, the Secretary General explained that this definition was solely for the purpose of confirming Israeli withdrawal from Lebanon and would not prejudice any international border agreement that Lebanon and Syria might wish to conclude in the future. In a statement on May 23, 2000, the Security Council welcomed and said it "strongly endorses the report of the Secretary-General of 22 May 2000 (S/2000/460)." Security Council Resolution 1310 adopted on July 27, 2000, among other things, called on the parties to respect the withdrawal line, exercise utmost restraint, and cooperate fully with the United Nations and with UNIFIL.

Other Positions

Syria supports Lebanon's claim to the Shib'a Farms, as does the Lebanese Shi'ite Muslim militia Hizballah, which has continued to challenge militarily Israel's presence in the disputed area. In a telephone conversation with the U.N. Secretary General on May 16, 2000, the Syrian Foreign Minister endorsed Lebanon's assertion that a Lebanese-Syrian team had concluded that the Shib'a Farms were located on Lebanese territory. Subsequently, a Lebanese newspaper reproduced what it claimed was a copy of a letter dated October 24, 2000 from the Syrian Permanent Representative to the United Nations to the President of the Security Council stating that the Shib'a Farms are on Lebanese territory.¹⁹ Some analysts believe that Syria and Hizballah raised the issue of this obscure enclave as a justification for continuing to put military pressure on Israel to withdraw from the Golan Heights in the aftermath of its withdrawal from Lebanon.²⁰ Syrian and Hizballah representatives deny this.

¹⁸UNSC document S/2000/460, p. 3 (paragraph 17). The principal map was appended to U.N. Security Council document S/11032/Add.3, dated July 9, 1974, "Report of the Secretary-General—Addendum." The introductory paragraph of this document states that the military representatives of Israel and Syria signed the map on June 5, 1974 and agreed to the map's publication.

¹⁹Article in Lebanese newspaper *Al-Mustaqbal*, November 21, 2000, p. 1. *Al-Mustaqbal* (Arabic for "the future") is owned by Lebanese Prime Minister Rafiq al-Hariri.

²⁰Michael Slackman, "Shabaa Farms at Center of Tension for Lebanon, Syria and Israel," *Los Angeles Times*, April 28, 2001, p. A-1.

Lebanese who are opposed to their pro-Syrian government or to Syrian influence in Lebanon seem more ambivalent. Cardinal Nasrallah Sfeir, the religious head of Lebanon's Maronite Christian community, expressed the view that the issue should be solved through negotiations and not through military operations. Still, he took issue with the Blue Line as established by the United Nations, observing that "we should talk to the United Nations so that this line includes the Shebaa Farms."²¹

Israel has not spoken extensively on the legal aspects of the issue, but has made clear that it has no intention of withdrawing from the Shib'a Farms under present circumstances. On May 28, 2000, then Prime Minister Ehud Barak said the territory would not be evacuated, and then Foreign Minister David Levy added that the United Nations had made a determination which would be binding on Israel.²² In May 2001, an Israeli diplomat confirmed that his government does not regard the Shib'a Farms as part of Lebanon.²³

The United States has endorsed the U.N. position on the requirements for Israeli withdrawal without taking a position on sovereignty over the Shib'a Farms. In a press briefing on May 31, 2000, then spokesman Philip Reeker, told reporters the following:

We supported the UN Secretary General's report, which was submitted to the Security Council and unanimously endorsed that Shebaa Farms is part of a territory that Israel occupied in 1967, so the UN has stated very clearly that Shebaa Farms does not fall within the scope of UN Security Council Resolutions 425 and 426 which [sic] regard to the withdrawal from Lebanon.

He did not respond directly, however, when asked whether the Shib'a Farms were part of Syria or part of Lebanon. In May 2000, both houses of Congress passed resolutions (S.Con.Res. 116 and H.Con.Res. 331) commending Israel for its decision to withdraw and for taking risks for peace, while calling on UNIFIL in conjunction with the Lebanese Armed Forces to gain full control over southern Lebanon. Neither resolution specifically mentioned the Shib'a Farms.

Anomalies

Periodic statements by various officials concerned with the area have injected further ambiguities in the claims and counter-claims over the Shib'a Farms area. For example, although he helped frame the decisions that effectively put the Shib'a Farms in Syrian territory, U.N. Secretary-General Kofi Annan suggested that the territory could be allocated to Lebanon in the future. On June 15, 2001, he told reporters in Beirut that the Shib'a Farms issue "in time will be resolved and the land will be back in Lebanon." But added that, for the time being, "the Blue Line as it is drawn has to be respected."

²¹Sultan Sleiman, "Lebanon's Sfeir wants diplomatic solution for Shebaa," Reuters news wire, November 23, 2000, 12:37 PM.

²²"Barak says Israel will not cede Shebaa to Lebanon," Reuters news wire, May 28, 2000, 10:33AM.

²³Discussion, May 7, 2001.

A more notable inconsistency concerns the town of Al-Ghajar, which was split by the Blue Line between Lebanon and the Israeli-occupied Syrian Golan Heights. There is a close territorial linkage between Al-Ghajar and the Shib'a Farms, both situated just to the northwest of the Asal Valley (see map). But the Syrian Foreign Minister, while maintaining that the Shib'a Farms are Lebanese, has asserted that Al-Ghajar lies in occupied Syrian territory. A U.S. expert believes this assertion undermines the Lebanese-Syrian claim that the Shib'a Farms are located on Lebanese territory. He comments that "[t]he putative boundary that would place the Shib'a Farms in Lebanon would do the same for Al-Ghajar..."²⁴ On the other hand, the mayor of Al-Ghajar appears to reject the theory of a territorial linkage between his town and the Shib'a Farms. Speaking to reporters, the mayor asserted that "we are Syrians" and added that the Lebanese claim to the Shib'a Farms (which he did not dispute) "has nothing to do with Ghajar because it [Ghajar] is originally Syrian."²⁵

Finally, some observers—even those who regard the Shib'a Farms as Syrian—suggest that small parts of this ill-defined area may spill over into Lebanon. For example, in a statement carried by his office at the time of Israel's withdrawal from Lebanon in May 2000, then Israeli Prime Minister Ehud Barak said that "90 percent of the territory of the farms did not belong to Lebanon." Barak's comment implies that a small portion or an extension of the farms could be in Lebanese territory. Ambiguities over the location of the Shib'a Farms are likely to continue as long as broader issues involving Israel, Lebanon, and Syria remain unresolved.

Implications

The status of the Shib'a Farms could be an important factor in any future agreements involving Israel, Lebanon, and Syria. If the Shib'a Farms area forms part of Lebanese territory occupied by Israel in 1982, it would come under the provisions of U.N. Resolutions 425 and 426, which address Israeli withdrawal from Lebanon. If the Shib'a Farms area forms part of the Syrian Golan Heights territory occupied by Israel in 1967, it would come under the provisions of other U.N. resolutions (242 and 338), which address the Golan territory and other broader aspects of the Arab-Israeli conflict. In practice, it may prove difficult to determine the appropriate provisions that would apply to this territory during any future negotiations. Among other things, the question of the Shib'a Farms illustrates the difficulty in disaggregating the Israeli-Lebanese and the Israeli-Syrian tracks of the stalled Arab-Israeli peace process. This difficulty is probably welcomed by Syria, which has consistently favored linkage between the two negotiating tracks.

For the time being, the controversy over the Shib'a Farms helps feed continuing unrest in southern Lebanon. In his periodic reports to the Security Council, the U.N. Secretary General has mentioned several serious breaches of the Blue Line in the Shib'a Farms area since the summer of 2000. In one of these incidents, on October

²⁴See, for example, Frederic C. Hof, "A Practical Line: The Line of Withdrawal from Lebanon and its Potential Applicability to the Golan Heights," *Middle East Journal*, Winter 2001, p. 34.

²⁵"Ghajar mayor appeals for reunion of village," *The Daily Star*, June 29, 2001.

7, 2000, Hizballah guerrillas seized three Israeli soldiers to hold as hostages. On two occasions, April 16, 2001 and July 1, 2001, Israeli planes bombed a Syrian radar installation in Lebanon in response to Hizballah attacks on Israeli forces in the Shib'a Farms. These incidents mark the first Israeli attacks on Syrian military installations in Lebanon since 1996. In addition, there have been numerous lower level incidents involving ground violations of the Blue Line, attacks by fire, and frequent Israeli overflights of Lebanese air space. Continued friction in the Shib'a Farms area, coupled with a Palestinian uprising broadly supported throughout the Arab world, carries a risk of further escalation.

Several alternatives have been proposed in an effort to reverse these potentially dangerous trends in the vicinity of the Shib'a Farms. Any of these alternative approaches, however, is likely to encounter serious obstacles to its implementation.

One alternative would be the return of effective Lebanese authority throughout southern Lebanon up to the Blue Line, including those areas of southeastern Lebanon adjacent to the Shib'a Farms. U.N. Security Council Resolution 1310 of July 27, 2000 called on Lebanon to take this step following Israel's withdrawal. So far, however, Lebanon has deployed only a small mixed force of approximately 1,000 military and police units in isolated parts of southern Lebanon, leaving the Hizballah militia in effective control of most of the areas vacated by Israel. When asked during an April 2001 press interview why Lebanon had failed to deploy its armed forces in the south, Prime Minister Hariri responded that achieving a peace agreement is more important than sending an army at this time; he added that, although Israel had withdrawn from Lebanon the previous year, Israel continues to violate Lebanon's territorial waters and air space on a daily basis.²⁶ In all likelihood, however, neither Syria nor Hizballah would approve of a Lebanese Army deployment that could complicate Hizballah's ability to maintain pressure on Israel in southern Lebanon.

A second alternative, also enjoined by Security Council Resolution 1310, would be a wider deployment of UNIFIL in southern Lebanon. Such a step might help reduce continuing tensions in the Shib'a Farms area and other potential flash points in the vicinity of the Blue Line. Again, Syria and its allies probably would not welcome a wider UNIFIL deployment that might constrain Hizballah pressure on Israel. Moreover, UNIFIL in the past has had little success in restraining Israeli responses to challenges mounted from southern Lebanon. In actuality, the Secretary General has recommended cutting back on the number of personnel in UNIFIL since, according to U.N. officials, the force has already met its main goals. On July 31, 2001, the Security Council voted to downgrade UNIFIL, cutting back its size and scaling back its missions. The Secretary General envisions a reduced force of approximately 2,000 by mid-2002, down from 5,800 in January 2001.²⁷ This reconfiguration of UNIFIL's size and role does not augur a wider deployment.

²⁶Weymouth, *op.cit.* In this connection, as noted earlier, the U.N. Secretary General stated that the requirement for Israeli withdrawal from Lebanon included withdrawal from Lebanon's air space and territorial waters.

²⁷United Nations Security Council, Interim report of the Secretary-General on the United Nations Interim Force in Lebanon, S/2001/423 [hereinafter, UNSC document S/2001/423], April 30, 2001, pp. 2-3 (paragraphs 6-11).

A third alternative would be for Lebanon and Syria to conclude a bilateral agreement stipulating that the Shib'a Farms are situated on Lebanese territory. In his report of May 2000, the U.N. Secretary General pointed out that the placement of the Blue Line, which effectively put the Shib'a Farms in occupied Syrian territory, was done "without prejudice to any internationally recognized border agreement that Lebanon and the Syrian Arab Republic may wish to conclude in the future." Although the two parties are free in theory to reach such an agreement, as a practical matter it would be hard for Lebanese and Syrian cartographers to demarcate a new boundary as long as the disputed area remains under Israeli occupation.²⁸ There is no guarantee that Israel, on its part, would respond to an ex post facto border agreement between Syria and Lebanon by unilaterally withdrawing from the Shib'a Farms. Then too, Syria, despite its current endorsement of Lebanon's claim to the Shib'a Farms, may be unwilling to sign away this enclave on a permanent basis.

A fourth alternative would be for Israel to recognize Lebanon's claim of sovereignty over the Shib'a Farms and withdraw from the territory, unilaterally or in agreement with one or more of the other interested parties. By doing so, Israel could test the sincerity of Syrian, Lebanese, and Hizballah leaders, who have previously stated or implied that attacks on Israeli forces would cease upon Israel's full withdrawal from Lebanese territory. At best, Israeli withdrawal from the Shib'a Farms could eliminate the principal catalyst for continued fighting on the southern Lebanese border. At worst, it could leave a vacuum that might result in further instability in this area. On balance, it seems unlikely that Israel would consider such a step unless assured that its forces would not be replaced by those of Hizballah or Syria.²⁹ The latter, on their part, have little incentive to guarantee tranquility as the price of Israel's withdrawal from a small enclave that is not of major concern to either Syria or Hizballah. Syria, in particular, may see continued tension over the Shib'a Farms as a means of keeping pressure on Israel to end its 34-year occupation of the Syrian Golan Heights.

In the meantime, the Shib'a Farms area remains a source of tension and potential risk. Beyond its small size and limited strategic value, the Shib'a Farms area has become yet another symbol of the intractability of broader Arab-Israeli issues. If unresolved, it could lead to an increase in tensions and localized conflict that would further complicate U.S. efforts to bring peace to the region.

²⁸For further discussion of this option, see Nicholas Blanford, "Shebaa Farms and Beyond," *Middle East Insight*, September-October 2001, p. 8.

²⁹Also, Israeli leaders may be unwilling to carry out any further withdrawals in view of widespread perceptions that their unilateral withdrawal in May 2000 was perceived as a sign of weakness and may have enhanced Hizballah's position as a role model for other Arabs. See Alan Philips, "Israeli troops prepare for long campaign," *The Daily Telegraph (London)*, October 25, 2000, p. 19; Gareth Smyth, "Palestinians hear Hizballah message: The Islamic group is promoting its ideas about waging war on Israel beyond its Lebanese heartland," *Financial Times (London)*, October 28, 2000, p. 7.

Appendix.

UNDOF and UNIFIL Areas of Operations

See map for further clarification of the UNDOF and UNIFIL areas of operations.

UNDOF Areas of Operations. The area of operations involving UNDOF consists of several components, as provided in the Israeli-Syrian Disengagement Agreement of May 31, 1974, the accompanying Protocol, and an attached side letter.³⁰

Area of Separation (AS). The core of UNDOF's area of operations is an Area of Separation between Israeli and Syrian forces, approximately 80 kilometers long, from north to south, and varying in width from 500 meters to 14 kilometers. Units assigned to UNDOF are stationed in this Area of Separation, where they maintain observation posts and conduct patrols to assure that there are no Israeli or Syrian military forces in this zone. This area is depicted on the accompanying map in gray.

Area of Limitation on Forces and Armaments (AOLFA). On each side of the Area of Separation, there is a zone approximately 10 kilometers wide in which the two countries are allowed to maintain only limited forces and armaments. Observers attached to UNDOF³¹ inspect these zones regularly to verify that both sides are complying with the force and armament limitations contained in the disengagement agreement, protocol, and side letter. These areas are depicted on the accompanying map in horizontal lined pattern.

Area of Limitation on Armaments (AOLA). On each side of the 10-kilometer areas of limited forces and armaments, there is an additional 15-kilometer zone in which certain types of armaments are restricted (heavy artillery, surface to air missiles). These AOLAs are not shown on the accompanying map, because these zones do not extend as far north as the Shib'a Farms area and are not directly related to our discussion.

Eastern Boundary of UNIFIL. The UNIFIL area of operations covers a portion of southern Lebanon north of the Israeli border, extending from the Mediterranean coast line in the west to the Israeli-occupied Golan Heights in the east. The UNIFIL area of operations is shown on the accompanying map in checker-board pattern. UNIFIL and UNDOF share a common boundary separating their respective areas of operations, as depicted on the accompanying map. A short segment of UNIFIL's eastern boundary abuts part of the Area of Separation (AS) between Israeli and Syrian forces in the Golan territory, where UNDOF units are deployed. A longer

³⁰For the text of the agreement and protocol, see *Facts on File*, June 1, 1974, p. 430. For the text of the side letter, see Henry A. Kissinger, *Years of Upheaval*, Boston/Toronto, Little, Brown, and Co., 1982, p. 1254. See also, Andrew Bacevich, Michael Eisenstadt, and Carl Ford, *Supporting Peace: America's Role in an Israel-Syria Peace Agreement*, Publication ISBN 0-944029-59-0, The Washington Institute for Near East Policy, November 1994.

³¹Technically, these observers are detached from the U.N. Truce Supervisory Organization (UNTSO), which was established to supervise the 1949 armistice agreements between Israel and its neighbors. Bacevich, Eisenstadt, and Ford, *op.cit.*, pp. 24-25. UNTSO.

segment of UNIFIL's eastern boundary abuts one of the Areas of Limitation on Forces and Armaments (AOLFA), where UNDOF is responsible for verifying compliance with restrictions on forces and armaments.

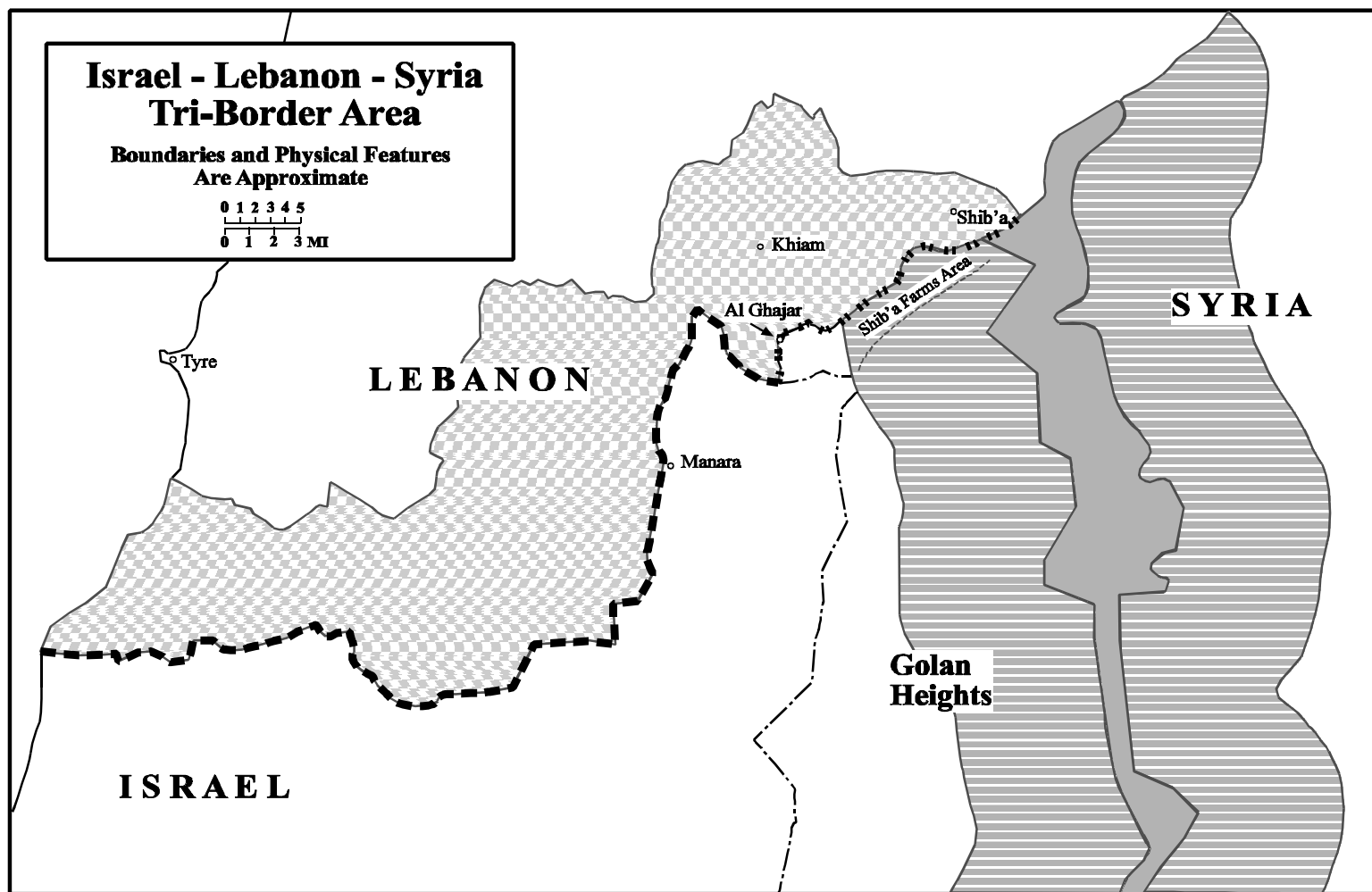
Map References. Principal maps used in compiling the accompanying map:

U.N. Security Council, Report of the Secretary-General, Addendum, Disengagement Plan, Document S/11302/Add. 3, July 9, 1974, with attached map entitled "Separation of [Israeli and Syrian] Forces."

United Nations, Department of Public Information, Cartographic Section, Map No. 4144 Rev. 2, January 2001.

Andrew Bacevich, Michael Eisenstadt, and Carl Ford, *Supporting Peace: America's Role in an Israel-Syria Peace Agreement*, Publication ISBN 0-944029-59-0, The Washington Institute for Near East Policy, November 1994, p. 79 (map entitled "The Golan Heights").

Frederic C. Hof, "A Practical Line: The Line of Withdrawal from Lebanon and its Potential Applicability to the Golan Heights", *Middle East Journal*, Winter 2001, p. 42, (map entitled "Israel-Lebanon-Syria Border Region").



— — — — “Blue Line” (Dashed):
Israel - Lebanon

|| || || || “Blue Line” (Hash Marks):
Lebanon-Syria (Golan)

----- Asal Valley

■ ■ ■ ■ Area of separation between Israeli
and Syrian forces (UNDOF
deployment)

▨ ▨ ▨ ▨ UNIFIL Area of Operations

— · — · — Israeli-Syrian Armistice Line 1949

▨ ▨ ▨ ▨ Area of limited forces and armaments
(UNDOF supervision)

Note: There are additional arms
limitation zones not shown on this
map.

Map drawn by Geography and Map
Division, Library of Congress based on
material provided by the Congressional
Research Service; July 2001.