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Syrian-Lebanese question before the Security council in 1946

Robert William Zibell

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THE SYRIAN-LEBANESE QUESTION

BEFORE THE SECURITY COUNCIL IN 1946

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B.A., Montana State University 1949

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CHAPTER I

INTRODUCTION

I

The republics of Syria and Lebanon are located at the eastern end of the Mediterranean Sea in the area generally termed the Levant. Today, both countries are separate, contiguous, sovereign states. Syrian independence was proclaimed in the name of the Allies in Damascus on 27 September 1941, by General Catroux, Commander-in-Chief of the Free French forces. Lebanon was proclaimed independent under the same authority on 26 November 1941. The two proclamations, establishing de facto independence for Syria and Lebanon, followed the twenty years of a French mandate that had been authorized by the League of Nations in 1920.

Syria and Lebanon are "small powers" in the family of nations. Neither state is large geographically. Lebanon, containing 3600 square miles, approximates Connecticut.

2. Ibid., pp. 9-10.
in area; Syria, although eighteen times larger than her sister republic, has an area of only 66,046 square miles and is about the size of Illinois. Syria and Lebanon can also be classified as "small powers" in industrial activity. Both countries are basically agrarian and have developed only small scale production in the textile, match, cement, tobacco, soap, and olive oil industries. The scarcity of large scale industry is essentially caused by inadequate supplies of coal, iron, and oil; and even where deposits of such basic natural resources are found, as in the Majerba iron and coal region and the Deir-Ezzor oil region, they have been little exploited.

Because of the negligible amount of natural resources and manufacturing, Syria and Lebanon are poor countries. Their standards of living are low for their small populations. Syria has 3,006,028 people, of whom 2,524,599 are Moslem. Lebanon, although smaller in total population, is larger in Christian population. Fifty-five per cent of the 1,229,545 people in Lebanon are Christian. Both Moslem and Christian populations lack the necessary labor skill vital to industrialization.

Because of this shortage of skilled labor, natural and industrial resources, and necessary capital, the Levantine nations are not great competitors in the trade markets of the world. In 1949, their total exports were valued at 111 million Syrian pounds; while their imports, valued at 516 million Syrian pounds, were five times as large. In American dollars, exports were equivalent to $50,225,000 and imports equaled $293,485,000.7

Therefore in size, population, natural resources, industrial activity, trade, and wealth Syria and Lebanon must be considered "small powers." However, the Levant states are strategically important "small powers." Because of their location at the eastern end of the Mediterranean, they are part of the indispensable three-way bridge of the Near East connecting Europe, Asia, and Africa. Syria and Lebanon play an important role with the rest of the Near East as guardians of the Eastern Mediterranean, the Suez Canal, and Persian Gulf "which together form the most vital sea route in world trade and commerce."8 Furthermore, the Levant states are adjacent to the richest

7. Ibid., p. 1392.
petroleum reserves in the world. And, although oil fields of significance have not been developed, there is the possibility that future fields may be discovered.  

Today, Syria and Lebanon are crossed by two oil pipelines running from the oil fields of Kirkuk, Iraq to the refineries of Tripoli, Lebanon. At present, another line is under construction. The Kirkuk oil fields and pipelines are owned and controlled by the Iraq Petroleum Company, a joint stock enterprise owned by Iraqi, Dutch, English, French, American, and C. S. Gulbenkian interests. Dutch, American, French, and British private companies each own 23.75% of the stock in the Iraq Petroleum Company, the remaining 5% being owned by the C. S. Gulbenkian private


11. Calouste Sarkis Gulbenkian, one of the world's wealthiest men, was born in Istanbul, Turkey, 83 years ago. He is reportedly a descendent of Armenian Kings, an ex-Turkish rug peddler, and a lace merchant. Gulbenkian became a British subject in 1902 and attended Kings college in London. In 1911, he wangled oil concessions for all of Iraq for Britain, Germany, and the Netherlands. In payment for these concessions, the three governments gave Gulbenkian a 5% interest in Iraq oil wells. These interests in Middle Eastern oil grant him royalties of $1,200,000 yearly, and have helped to make Gulbenkian worth between $200,000,000 and $800,000,000 today. Little is known of Gulbenkian's personal life. He spends most of his time at the Hotel Aviz in Lisbon, Portugal pursuing his hobby of collecting Middle Eastern art treasures.
Interests. In addition to the two operating pipelines, a third line begins at the Bahrain, Iraq oil fields, crosses Syria and Lebanon, and terminates at the Sidon, Lebanon refineries. This $225,000,000 Trans-Arabian pipeline extends 1068 miles and has been termed the greatest American construction project on foreign soil. A line has been proposed to link the Kuwait, Iraq fields with the Tripoli refinery. As yet, construction has not begun.

II

The Levant is not only important to the Big Powers because of its strategic location, oil pipelines, and potential natural resources. Syria and Lebanon in the past have been spheres of cultural influence for certain foreign powers, especially France. France has long claimed to be the protector of Christians in the area, such claims, going back as far as the Crusades. During the Middle Ages, French traders developed commercial relations with the Levant, and these commercial activities became very important to France by the 18th and 19th centuries. French missionaries, French culture, and the French language accompanied

commercial interests, and schools, churches, monasteries, and hospitals were built with French money. In 1860, France sent troops to Turkish-controlled Syria to protect the rights of the Maronite Christians then being usurped by the Moslems. France obtained an important concession from the Ottoman government. A semi-autonomous district was set up under the governorship of a Christian official. "France thus had a traditional claim to Maronite sympathies." The French claim, brought about primarily through religious, cultural, and economic penetration, paid dividends at the San Remo Conference in 1920 when France secured a Class "A" Mandate over Syria and Lebanon.

On becoming the mandatory power, "France sought to make use of the existing parochial differences which in this area are unusually profuse, even for the Near East." In 1920, the French government proclaimed Christian Lebanon a separate state, thus separating the Maronite community in part from Moslem Syria. Lebanon remained under the mandate, and "French policy was at once directed toward the permanent retention of the provinces." A large

16. Ibid., p. 84.
17. The Encyclopedia Americana, p. 190.
French army was sent into the Levant, and a series of disorders and rebellions followed. The most important of such disorders was the revolt of the Jebel Druses in 1925. Although the Drusean revolt began as a rebellion against French civilizing changes in the educational and economic fields imposed by the French administrator, Captain Carbillet, other revolts of the time were initiated primarily by Arab nationalistic groups. Constant attempts were made to drive the French from the Levant. France persistently refused to withdraw on the grounds that Syria and Lebanon were not ready for independence.

In an endeavor to pacify the nationalistic attitudes of the mixed populations in Syria and Lebanon, France granted a constitution to Lebanon in 1926 and one to Syria in 1930. Although both constitutions set up unicameral legislatures with popularly elected presidents, the French High Commissioner retained the veto power over all legislation, and Syria and Lebanon were little more than administrative districts of French control. The constitutions were no panacea for the political, religious, economic, and social ills of the Levantine states, and internal troubles of a nationalistic and religious sort continued.

Syria and Lebanon repeatedly demanded the termination of the mandate and admission to the League of Nations as sovereign and independent states. France, always reluctant, finally agreed to negotiate treaties of peace, friendship, and alliance in 1936 prior to the granting of actual independence. The treaty negotiated with Syria was concluded for a twenty-five year period and provided for the use by France of Syrian territory in time of war; the privilege to maintain troops for eight years to protect the rights of minorities in Latakia and Jebel Druz; and the right to use two Syrian air fields. The treaty with Lebanon guaranteed to France the right to maintain troops within that Levant nation for twenty-five years. Both treaties provided for close association of French and Syrian-Lebanese foreign policies. Syria and Lebanon were to become fully independent three years after the ratification of the treaties and were to be welcomed into the League of Nations.

Neither of the treaties was ratified by the French parliament because of the outspoken opposition of military

21. Ibid., p. 56.
22. Ibid., p. 56.
commercial, and ecclesiastical interests. These groups contended that Syria and Lebanon were not ready for independence and attacked the logic of establishing a unitary government in Syria. Nor had the question of protection of minorities been solved by the treaties. And, finally, objections were raised because the treaties did not provide for Syrian-Lebanese repayment of French expenses incurred under the mandate.

Certain nationalistic groups in Syria gladly accepted the failure of the treaties because they wanted to unite Syria and Lebanon into a greater Syria; but, the consensus was one of increased hostility toward France. Accompanied by strikes and riots, these rumblings of nationalism grew in strength. France retaliated with more stringent governmental decrees, and in 1939, the Syrian-Lebanese constitutions were suspended.

"World War II provided a temporary, if tragic, solution of the Syrian-Lebanese problem." Anglo-French forces invaded the Levant in the summer of 1941 to take security measures against Nazi penetration and Vichy collaboration in the region. Remnants of the Anglo-French forces were still in Syria and Lebanon when World War II ended in 1945.

During 1945, the Levantine states made repeated overtures to France and Great Britain requesting the evacuation of all foreign troops. Because these requests went unheeded by the two Great Powers, Syria and Lebanon brought the question of the evacuation of French and British troops to the attention of the Security Council in February 1946.
CHAPTER II

THE NINETEENTH MEETING

OF THE SECURITY COUNCIL

The Syrian-Lebanese question, so-called in the United Nations because it involved the evacuation of French and British troops from Syria and Lebanon, was first brought before the Security Council at the two-hour long nineteenth meeting at Church House, Westminster, London, on 14 February 1945. Representatives of the permanent members--China, France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States--and of Australia, Brazil, Egypt, Mexico, The Netherlands, and Poland were present.

The meeting was convened by the first president of the Security Council, N. J. O. Makin of Australia. After the


2. Norman John Oswald Makin, the first president of the Security Council, was born on 31 March 1889. Makin has long been associated with Australian affairs of state. From 1929-1932, he was Speaker of the House of Representatives of the Commonwealth of Australia. In 1945, Makin was Minister of Aircraft Production. Since 1946, Makin has been ambassador to the United States and leader of the Australian delegation to the Security Council.
adoption of the agenda, the president referred the members to a letter of 4 February 1946 from the Syrian and Lebanese governments to the Security Council which stated:

...the Syrian and Lebanese delegations, acting on the instructions of their Governments, have the honour, in accordance with Article 34 of the Charter, to bring this dispute to the attention of the Security Council and to request it to adopt a decision recommending the total and simultaneous evacuation of the foreign troops from the territories of Syria and the Lebanon.3

Previously, this letter had been circulated as Document 5 in accordance with provisional Rule 8 which provided for a three day notification to members before an issue could be placed on the Security Council agenda. However, before the substance of the letter was considered, certain problems of procedure were suggested to the Council by the president.

Although the letter from the Syrian-Lebanese delegates clearly stated that a "dispute" did exist to which France, the United Kingdom, Syria, and Lebanon were parties, Makin suggested that the reality of the alleged "dispute" need not be verified at that time. The president pointed out the difficulty encountered when the Security Council attempted automatically to determine if a question brought

before it were a "dispute" or a "situation." He advised that the Council could not decide that a "dispute" or a "situation" did exist until it had called the parties before it and heard all the evidence. The president took this stand because if a "dispute" existed, parties to that "dispute" were barred from voting under Article 27, paragraph 3, of the Charter. Such procedure was in line with the general principle of international law that a state should not be both a party to, and a judge of, its own case.

This proviso was not made when a question was termed a "situation," in which case the abstention rule did not apply.

The letter from the Syrian and Lebanese delegates further stated that the "dispute" was being submitted to the Security Council under Article 34 of the Charter. But

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"1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 62, a party to a dispute shall abstain from voting."


"The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."
the president suggested that the Levantine states be invited to the Council table under Article 31 of the Charter under which the Security Council did not have to determine at the outset whether a "dispute" or a "situation" existed; for, Article 31 permitted the participation of United Nations members in the discussion of questions before the Security Council if the Council considered the interests of such members specially affected. Makin suggested such a procedure because under Article 31 the Council could hear the question without determining "substance" of that issue immediately.

Furthermore, President Makin proposed that the delegates from Syria and Lebanon, upon being seated at the Council's table, be given the power of "proposition"—the right of non-Security Council members to propose methods of settlement for questions to which they were a party. Such "propositions" had no legal weight before the Council.

7. The Charter of the United Nations, Article 31. "Any member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that member are specially affected."

8. Security Council, Provisional Rules of Procedure, Rule 36, New York, 1945, p. 10. "Any member of the United Nations invited in accordance with the preceding Rule or in application of Article 32 of the Charter to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative on the Security Council."
Yet, to grant the power of "proposition" might facilitate the settlement of a question.

Before the Security Council could accept the suggestions made by the president, Mamdouh Riaz of Egypt interrupted to raise a question of procedure. The Egyptian delegate suggested that the Council decide whether the vote to determine the existence of a "dispute" or "situation" was to be "procedural" or "substantive." He called for this decision before the Council could hear the Syrian-Lebanese question. The issue raised was of the utmost importance because, according to Article 27, paragraph 2, of the Charter, the determination of all "procedural" questions required merely the affirmative vote of any seven members of the Security Council. However, to determine all "non-procedural" or "substantive" questions, as stated in Article 27, paragraph 3, an affirmative vote of seven members, including the concurring votes of the five permanent members, was necessary. Paragraph 3, of Article 27, thus, provided

9. Mamdouh Riaz, born in Cairo in 1895, was educated at the Faculty of Law at the University of Paris and the School of Political Science in Paris. He was Chairman of Foreign Relations in the House of Deputies in Cairo from 1944-1945. In 1946, he was Finance and Budget Commissioner. He has been an Egyptian representative to the General Assembly and Security Council and was one of the elected members to the Council when the Syrian-Lebanese question was before it in 1946.
for the veto power of the permanent members in all "substantive" questions.

Riaz was attempting to block the use of the veto power. Not only did he propose that the Security Council decide whether the "substantive" or "procedural" vote should apply to the question, but also in so deciding a "procedural" vote should be employed. To substantiate this stand, Riaz proposed the following motion:

That the decision of the Council as to whether any question is a dispute or a situation is a procedural matter.\(^\text{10}\)

The motion now involved the whole question of voting procedure as set down in Article 27 of the United Nations Charter. Certain immediate questions were raised as to the interpretation of this article.

First, what are procedural matters and second, what is the nature of the vote required for the decision on whether a matter is procedural within the meaning of Article 27, paragraph 2.\(^\text{11}\)

The latter question was raised by Riaz. He called upon the Security Council to decide at once that a "procedural" vote, or a concurring vote of any seven members on the Council, would judge if a "dispute" or a "situation" existed in the Syrian-Lebanese question.

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10. Security Council, Official Records; First Year, First Series, No. 1, nineteenth meeting, p. 274.

11. De Arechaga, op. cit., p. 1
The Charter itself offered no answer to the question. It did, however, provide that matters coming under Chapters IV, V, X, and XII of the Charter should be considered "procedural" in nature. Article 31 is found in Chapter V. Furthermore, the Statement of the Sponsoring Governments at San Francisco regarding voting procedure in the Security Council provided no conclusive list of matters to be considered "procedural" in nature. Yet, the statement did assert in part I, section 3:

...no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under paragraph 2, section A, Chapter VIII. [Dumbarton Oaks Proposals]

Still, this provision did not state the type of vote necessary to decide such a question.

Furthermore, a Statement of the Sponsoring Governments provided in part II, paragraph 1:

In the opinion of the delegations of the Sponsoring Governments, the draft Charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

This statement, then, referred to the above sections of the Charter which have been termed "procedural." However, if a

12. To be found in Article 35, paragraph 2, of the Charter.
controversy did arise over the interpretation of what was "procedural" and what was "substantive" under the Charter, the Statement of the Sponsoring Governments declared in part II, paragraph 2:

Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members.\(^\text{15}\)

To complicate the problem still more, the nineteenth meeting of the Security Council had before it no clear-cut definition of the exact distinction between a "dispute" and a "situation." No definition was to be found in the Charter or in the Statement of the Sponsoring Governments made in San Francisco. The question was left for the United Nations to decide. As late as the 15 July 1948, the Interim Committee of the General Assembly was still trying to draw up a definition. In connection with this attempt at

\(^{15}\) \textit{Ibid.}, XI, p. 714.

\(^{16}\) "(1) In deciding, for the purposes of Article 27, paragraph 3, whether a matter brought before the Security Council by a State or States is a dispute or a situation, the Security Council shall hold that a dispute arises:

"(a) If the State or States bringing the matter before the Security Council, and the State or States whose conduct is impugned, agree that there is a dispute.

"(b) Whenever the State or States bringing the matter before the Security Council allege that the
definition, the Interim Committee also decided in 1948 that the manner of deciding the existence or non-existence of a "dispute" was to be by a "procedural" vote. Unfortunately, the Committee's report was not adopted by the General Assembly, let alone by the Security Council. Even so, the information was not before the Security Council until two and one-half years after the nineteenth meeting.

Perhaps a more workable definition of the difference between a "dispute" and a "situation" was given by Goodrich and Hambro in their commentary on the Charter:

A dispute can properly be considered as a disagreement or a matter at issue between two or more

actions of another State or States in respect of the first State or States constitute a breach of an international obligation or are endangering or are likely to endanger the maintenance of international peace and security, or that such actions demonstrate preparation to commit a breach of international obligations or to endanger the maintenance of international peace and security, and the State or States which are the subject of these allegations contest, or do not admit, the facts alleged or inferences to be drawn from such allegations.

"(2) Further, if a State bringing before the Security Council a matter of the nature contemplated under paragraph (1) above, alleges that another State is violating the rights of a third State, and the latter supports the contention of the first State, then the third State shall also be deemed to be a party to the dispute.

"(3) Nothing in this definition shall prevent the Security Council from deciding that a dispute exists in circumstances not covered by the above definition."

states which has reached a stage at which the parties have formulated claims and counterclaims sufficiently definite to be passed upon by a court or other body set up for purposes of pacific settlement. A situation, by contrast, is a state of affairs which has not as yet assumed the nature of conflict between parties but which may, though not necessarily, come to have that character.17

Like other definitions, this one, too, suffers from vagueness; but, it does state that a "dispute" pre-supposes the existence of claims and counterclaims which in themselves are of a more serious nature and a greater threat to the peace than conditions involved under a "situation." The consensus of the Security Council would appear to make this type of distinction, although the organization has never adopted a set definition of what constitutes a "dispute" or a "situation."

Because these problems were raised by the motion proposed by Riaz, other members of the Council—namely President Makin, E. N. van Kleffens of The Netherlands, Cyro


18. Elco Nicolaes van Kleffens was born in Heerenveen, The Netherlands, on 17 November 1894. After an education at the University of Leyden, he entered government service. From 1946-1947, he served as minister without portfolio and Netherlands representative on the Security Council and the Economic and Social Council. Mr. van Kleffens is the present (1951) Dutch ambassador to the United States.
19. Gyro de Freitas-Valle, Brazilian diplomatist, was born in 1898 and educated in Sao Paulo. He has held such positions as the General Secretary of the Brazilian Foreign Office in 1939 and the ambassadorship to Germany from 1939-1942. Since 1944, he has been Brazilian ambassador to Canada and a representative of his country to the United Nations.

20. Yi Kyuin Wellington Koo was born in 1888. Since receiving his Doctorate in Philosophy at Columbia University, Koo has represented the Chinese government in the League of Nations and the United Nations. He has also been Chinese ambassador to the United States since 1946.
a "situation" was to be considered a "procedural" matter. Because the Committee of Experts was studying at that time the problems relative to the functioning of the Council, the above mentioned members proposed that the question be turned over to that group of experts charged with deciding those very issues.

Riaz accepted the suggestion of the president that the decision on whether a "dispute" or a "situation" did exist be postponed until after the Security Council heard the Syrian and Lebanese delegates. But the Egyptian delegate maintained that the type of vote necessary to determine that question should be decided at once. He argued that the vote should be "procedural." Koo disagreed and attempted to block the Egyptian motion:

I suggest that the motion of the representative of Egypt be tabled and referred to the Committee of Experts for them to study it and report back to the Council. 21

II

At this point, no action was taken on the Egyptian motion or Chinese proposal. The Council turned from its debate over the method of voting to the question whether the

maintenance of French and British troops in Syria and Lebanon constituted a "dispute" or a "situation." Ernest Bevin of the United Kingdom believed that a "dispute" actually existed:

If any accuser State says that there is a dispute, then there is a dispute; and if a State makes a charge against another State, and the State against which it is made repudiates it or contests it, then there is a dispute, and the Council can make its recommendations.\(^2\)

The United Kingdom delegate maintained that because Syria and Lebanon asserted the existence of a "dispute" in their letter of 4 February 1946, then in fact it did exist. He argued that the Council ought to accept that fact and act accordingly. In speaking thus, Bevin at least implied that the United Kingdom was partially the cause of the Syrian-Lebanese question, because British troops were at that time stationed on Syrian-Lebanese territory. Moreover, in maintaining that a "dispute" existed, Bevin further implied that his country, as a party to the "dispute" would be debarred from voting in the Security Council according to

\(^2\) Ernest Bevin [P.C. 1940] was born on 9 March 1881 and died on 14 April 1961. Bevin long served the British government. From 1940-1945, he was Minister of Labor and National Service. Bevin was Secretary of State for Foreign Affairs from 1945-1951. When the Syrian-Lebanese question came into the Security Council, Bevin represented the United Kingdom as a permanent member.

\(^2\) Security Council, Official Records; First Year, First Series, No. 1, nineteenth meeting, p. 275.
Article 27, paragraph 3, if and when methods of settlement were proposed. The United Kingdom delegate was the first representative of a Great Power to take this stand on the Syrian-Lebanese question.

The views of the smaller states were contrary to those held by Bevin. The delegates from Egypt, Brazil, and The Netherlands argued that the Security Council should decide if a particular question constituted a "dispute," but only after the Council had heard the parties to that question and had evaluated all facts in the case. Van Kleffens summed up the attitude of the three powers:

I quite agree with the representative of China that it might be a good thing to have that question (whether a dispute or a situation existed and the procedure of deciding) studied. I think this is a very healthy debate because the world can see that this Council is working out what we might perhaps call its common law. We are trying to find out our way. This is a new body. We must work very guardedly in these matters. I think all interests would best be served if we first heard the parties and then took the decision.24

The Netherlands delegate, in explaining the necessity for the establishment of a solid foundation for future activity, realized that the Council was making its common law. For this reason, van Kleffens pleaded for co-operation and a methodical approach to new problems. Perhaps more important, he and representatives of certain small nations

24. Ibid., p. 277.
insisted that the Security Council should decide the nature of questions presented to it through open discussion. Through such action, the small nations clearly showed their faith in an international organization.

Riaz, by now aware that the majority of Council opinion was against his original motion, reworted his motion to read:

Without prejudice to the final decision we shall take, any decision on whether a case brought before the Security Council constitutes a dispute or a situation shall be considered to be a question of procedure and shall therefore be the subject of a procedural vote.25

Van Kleffens interrupted with a counter proposal:

I believe that, before we can vote on the Egyptian proposal, we should first vote on the question whether it is necessary to vote on that proposal now. I beg to move that it is not necessary that the Council vote on that proposal now.26

The Council at this point had two motions before it.

Before a vote could be taken on either the motion of van Kleffens or on the amended motion of Riaz, the Soviet delegate, Andrei Vyshinsky, wished to speak. In his rebuttal

25. Ibid., p. 290.
26. Ibid., p. 290.
27. The suggestion made by Koo was not a motion.
28. Andrei Januarievich Vyshinsky, Soviet lawyer and politician, was born in 1883. A member of the Communist party since 1920, he has in the past been Head of the Legal Section of the Soviet Academy of Sciences, Deputy-Public Prosecutor and Public Prosecutor of the Soviet Union, Ambassador to the United States, and Soviet representative to the Security Council.
to Riaz* argument that a "procedural" vote should be taken to determine whether a "dispute" or a "situation" was before the Council, Vyshinsky explained:

Procedure is the manner of deciding a matter, a method of decision, but the question as to what the actual substance of a particular matter amounts to, whether it is a situation or a dispute, is not the manner of decision, not the method of deciding the matter, but relates in fact to the evaluation of the very substance of the matter.29

Since according to Vyshinsky the determination of a "dispute" or a "situation" concerned the substance of a question, he maintained that a "substantive" vote must be taken under Article 27, paragraph 3. He argued further:

If, finally, the question arises as to whether a matter is procedural or not, the rule to be applied is that laid down, on 7 July 1945, in San Francisco, on the basis of the report of the Third Committee, where it is stated that a decision in regard to such questions must be taken by an affirmative vote of seven members of the Security Council, including the concurring votes of the permanent members of Council, that is, again, according to Article 27, paragraph 3.30

Vyshinsky based his case upon two major premises. He insisted that determining a question to be a "dispute" was a "non-procedural" matter because that determination had to do with an evaluation of the "substance" of the issues involved. In such a case, the required concurrence of the

29. Security Council, Official Records; First Year, First Series, No. 4, nineteenth meeting, pp. 230-231.

30. Ibid., p. 261.
permanent members would permit the use of the veto. He then insisted that the decision whether a "substantive" or "procedural" vote was to be taken (according to the Statement of the Sponsoring Governments), required the concurrence of the permanent members. In the latter argument the Soviet delegate was correct in his interpretation, but his assertion that "substantive" voting should determine whether a "dispute" or a "situation" prevailed was debatable.

Were Vyshinsky's argument accepted (that the qualification of a case as a "dispute" or a "situation" was to be decided by a "substantive" vote), then a permanent member of the Security Council could, by his dissent alone, prevent the identification of any issue to which he was a party as a "dispute." Under such procedure, the permanent member could retain his right of veto even when, according to impartial standards, the question was a "dispute." The permanent member thus would act as a judge in its own case. To prevent this very danger, Article 27, paragraph 3, of the United Nations Charter was incorporated to prevent use of the veto by parties to a "dispute" under Chapter VI and Article 52. In 1946, the Council had not succeeded in defining a "dispute" nor in resolving that a "procedural" method of voting would be used to decide whether a "dispute" existed.

After the Soviet argument for the "substantive" vote,
Makla called for a vote upon the van Kleffens motion which had stated that the Council need not vote on the Riaz motion at this time. Eight members voted in the affirmative and the motion was carried. Riaz' motion was automatically killed.

The president of the Council then invited the delegates from Syria and Lebanon to take their seats at the Council table. He explained the Council procedure to them:

I should like to inform the representatives who have just taken their seats at the table that they are invited by the Security Council to take part in its deliberations upon the question that is now before it, and with the right to participate in the discussions without vote. Also, at an appropriate time they will have the opportunity of making a proposition, if it is their wish to do so. In those circumstances, they will realize that the Council has desired their attendance and invited them to take part in its discussions upon this matter.\[32\]

III

In summation, the nineteenth meeting of the Security Council decided very little. The Council did not decide whether the maintenance of British and French troops in

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31. Ibid., p. 281. (In the early meetings of the Security Council, no breakdown was given in regard to the way members voted on a particular issue. Total votes were recorded only. Now the vote is broken down as follows: in favor, against, abstaining, and absent.)

32. Ibid., p. 282.
Syria and Lebanon constituted a "dispute" or a "situation." Although Devlin maintained that if a state said a "dispute" did exist, then in fact it did; the other members appeared to be unwilling to arrive at such decision until after all parties to the "dispute" had been heard. In addition, and even more important, the Security Council could not agree as to the type of voting procedure to be followed in determining such questions.

Two diametrically opposed views developed. Riaz maintained that the question was "procedural;" Vyshinsky insisted that it was "substantive." The use of the veto in such matters was therefore left undecided. Even though a solution was offered by Koo, van Kleffens, and de Freitas-Valle (to submit the question to the Committee of Experts for determination), the Council took no action.

However, the meeting did take some positive action. The Syrian-Lebanese question was brought before the Security Council, and placed upon the future agenda. The Syrian-Lebanese delegates were seated at the Council table. They were invited to take part in the discussion, and they were given the right of "proposition." Such action implied that the Security Council might at some later date, after hearing the Syrian-Lebanese case, peacefully settle the question regarding the evacuation of British and French troops from Syria and Lebanon. Furthermore, the Council implied
that it might in some future meeting determine whether a "dispute" or a "situation" existed in Syria and Lebanon as well as whether the "procedural" or "substantive" vote was to be employed in making that decision.
CHAPTER III

THE TWENTIETH MEETING OF

THE SECURITY COUNCIL

On the next day, Friday, 15 February 1946, the twentieth meeting of the Security Council was held at Church House, Westminster, London, and the actual discussion of the Syrian-Lebanese question began. This meeting, too, was presided over by President Makin. The same delegates were present with one exception; Sir Alexander Cadogan, representing the United Kingdom, replaced Bevin who at this time was occupied with other affairs.

I

After the adoption of the agenda and the seating of

1. The Rt. Hon. Sir Alexander George Montagu Cadogan was born on 25 November 1884 and educated at Eton and Oxford. Cadogan has long been connected with diplomatic services for His Majesty’s Government and was ambassador to China from 1935-1936 and permanent Under Secretary of Foreign Affairs 1938-1946. Since 1946, he has been a United Kingdom delegate to the United Nations.

2. Security Council, Official Records; First Year, First Series, No. 1, twentieth meeting, p. 294.
Hamid Bey Frangie of Lebanon and Faris El-Khoury of Syria, the president called upon the Levantine delegates to state their case.

Frangie of Lebanon spoke first. In presenting the Lebanese case, he first made it clear that Lebanon and Syria were sovereign and independent states. Both of the Levant nations had signed the United Nations Charter in San Francisco in 1945, and this action in itself, Frangie argued, precluded any limitation of their sovereignty. For proof, he referred to Article 2 of the Charter which stated that the organization was based upon the sovereign equality of its members. Other member nations, then, accepted this sovereignty and independence in the Levant when they, too, signed the Charter, Frangie argued. France and the United

3. Biographical material on Frangie is unavailable.

4. Faris El-Khoury, representative of Syria to the Security Council during the Syrian-Lebanese question, was born in Keir, Syria in 1879. He was educated at the American University of Beirut and has been professor at the Syrian University of Damascus and a member of the Arab Academy since 1919.


"The organization and its Members, in pursuance of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter..."
Kingdom as signatories had accepted Syria and Lebanon as sovereign nations.

Frangie was correct in his argument. The United Kingdom and France not only accepted Syria and Lebanon as sovereign and independent states in 1945 at San Francisco, but the two Great Powers had accepted that independence in the past. Before the invasion of Syria and Lebanon in 1941, General Catroux, representing Free France in the Near East, on 8 June 1941, stated: "...I come to put an end to the mandatory regime and to proclaim you free and independent." The proclamation set up, at least in de facto status, Syria and Lebanon as independent states. Catroux promised that the independence would be guaranteed "in a treaty in which (our) mutual relations will be defined," a treaty to be negotiated as soon as possible.

On the same day, Sir Miles Lampson, British ambassador at Cairo, made the following statement regarding British policy in the Levant:

I am authorised by His Majesty's Government in the United Kingdom to declare that they support and associate themselves with the assurance of independence given by General Catroux on behalf of General

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7. Ibid., p. 7.
de Gaulle of Syria and Lebanon.

Lampson went on to state that if Syria and Lebanon supported the Allies, they would enjoy all the advantages of the free countries of the world including the lifting of the blockade and admittance to the sterling block.

These two earlier guarantees of independence were elaborated later in the summer of 1941 by the Lyttelton-de Gaulle Agreement of 7 August 1941. The United Kingdom restated her earlier pledge to Syria and Lebanon, for Lyttelton wrote: "Both Free France and Great Britain are pledged to the independence of Syria and Lebanon." Furthermore, the United Kingdom recognized the favored position of France in the Levant after complete independence was granted:

When this essential step has been taken (the complete independence of Syria and Lebanon), and without prejudice to it, we freely admit that France should have the predominant position in Syria and Lebanon over any other European power. Lyttelton did not define this privileged position, but it

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8. Sir Miles Lampson, "Declaration by His Majesty's Ambassador at Cairo, 8 June 1941," Statements of Policy by His Majesty's Government in the United Kingdom in Respect to Syria and Lebanon, 8 June 1941 and 9 September 1941, Command 8800, London, 1945, p. 2. (See appendix, page

9. Ibid., p. 3.

10. Ibid., p. 3.
was generally conceded that France should have preferential treatment in cultural, economic, and strategic matters.

The importance of the Lyttelton-de Gaulle Agreement was that the United Kingdom and France again committed themselves to the independence of Syria and Lebanon. Furthermore, the United Kingdom accepted a privileged position for France in the Levant when that independence was realized. Therefore, France was correct when he maintained that France and the United Kingdom accepted the Levantine states as sovereign and independent.

With this history in mind, France informed the Security Council that British and French troops at that moment were stationed on Syrian and Lebanese soil. Such action, he said, constituted a grave violation of the sovereignty of the two nations, especially since there was no legitimate reason for these troops to be in Syria and Lebanon. Nor was the presence of these troops approved by the Levantine governments. As France stated, the occupation was not "justified by the existence of any agreements, treaties or understanding of any sort."

France was correct. There was no legitimate reason for the maintenance of British and French troops in Syria.

and Lebanon in 1946 even though there had been a justification in the past. French troops were stationed in Syria and Lebanon since the beginning of the mandate granted to France at the San Remo Conference on 24 April 1920. These troops were to be maintained for the defense of the mandated territories. However, "French rule bore too close a resemblance to that annexation for which it was a substitute, and the limits of the mandate, as originally contemplated, were in fact soon extended by a process of military conquest." Revolts occurred such as the Druzean revolt of 1925-1926, and France found it necessary to send larger numbers of troops (many of which were the hated Senegalese) into Syria and Lebanon. The Syrian and Lebanese peoples objected to this show of foreign militarism. They objected, in fact, from 1920 until 1948.

British troops joined French occupation forces in the Levant in 1941. On 8 June 1941, a mixed force of Im-
perial, Free French, and other Allied troops under command of General Sir Henry Maitland Wilson crossed the frontiers of Syria and Lebanon. The invasion came as no sudden surprise, because it was common knowledge that France permitted German aircraft to use Syrian airbases. To prevent such action and further Nazi penetration into the Levant, Catroux and Lampson made their joint proclamations of Syrian and Lebanese independence on the same day that Allied forces were crossing Levantine frontiers.

After four weeks of concentrated fighting, Vichy forces under General Dentz sued for an armistice. The Allied occupation of Syria and Lebanon was successful. Remnants of these French and British forces, as well as British troops which intervened in May 1945 at the request of Syria and Lebanon, were still in the Levant in 1946. However, Syria and Lebanon no longer saw a need of or a desire for the continued maintenance of these troops by 1946. Therefore, Frangie, in speaking before the Council, argued that these troops were violating Syrian-Lebanese sovereignty and must be evacuated.

Frangie continued the Lebanese case by informing the

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Council that Syria and Lebanon had made repeated representations to France and the United Kingdom since the end of World War II in an attempt to secure the simultaneous withdrawal of foreign troops. He stated that such requests had failed to settle the "dispute" and that the United Kingdom and France had not withdrawn their troops. Instead, the two Great Powers had signed the Anglo-French Agreement of 13 December 1945:

The programme of evacuation will be drawn up in such a way that it will ensure the maintenance in the Levant of sufficient forces to guarantee security, until such time as the United Nations has decided on the organization of collective security in this zone. Until these arrangements have been carried out, the French Government will retain forces re-grouped in the Lebanon.17

Frangie admitted that the agreement mentioned evacuation, but he insisted it made no commitment on how or when that evacuation was to take place. Frangie also argued that the Anglo-French Agreement was a violation of the Charter because under that agreement France and the United Kingdom were maintaining troops on Syrian-Lebanese soil until the United Nations could provide "collective security" in the region. He insisted that such action was illegal. Syria and Lebanon were independent nations.

17. Anglo-French Agreement 13 December 1945, (See appendix, page 152.)
Neither had been designated a "trust territory" or a "strategic area." Their signing of the Charter precluded any possibility that Syria and Lebanon could fall in either of these categories. Moreover, France also assured the Council that Syria and Lebanon were able to provide for their own security and in such manner fulfill their obligations to the United Nations under Article 43.

18. The Charter of the United Nations, Article 82.
"There may be designated, in any trusteeship agreement, a strategic area which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements under Article 45." (Certain of the Pacific Islands are an example of such areas. The United States has full power of administration, legislation, and jurisdiction, and protection over these islands.)

19. Ibid., Article 78.
"The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality."

20. Ibid., Article 43.
"1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including the right of passage, necessary for the purpose of maintaining international peace and security.
2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.
3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes."
He stated:

They (Syria and Lebanon) have no desire that foreign powers should settle matters on their behalf or should act in their stead in the accomplishment of this mission.  

Such action, Frangie contended constituted a "dispute" which created "a threat to International peace," and Syria and Lebanon were submitting the "dispute" to the Security Council for settlement.

In closing, Frangie made it plain that had Syria and Lebanon requested unilateral troop withdrawal, British troops would have been out of the Levant. However, he stated:

For our part, we have always asked for the simultaneous withdrawal of British and French troops, namely, that of treating on a footing of equality all friendly Powers and all Powers with whom we have relations.

II

El-Khoury of Syria accepted all the arguments presented by his colleague, Frangie. The Syrian delegate, too, contended that Syria and Lebanon were independent states and

22. Ibid., p. 284.
that the stationing of troops on their territories was an abridgment of sovereignty. Such action was a violation of the Charter. Overtures that Syria had made to France for troop evacuation had gone unanswered, El-Khoury stated.

The Syrian delegate rejected the Anglo-French Agreement of 13 December 1945 because it was a bilateral agreement between France and the United Kingdom. He contended that the establishment of "collective security" as provided in the agreement was not needed, was not wanted, and was not legal. He objected further to the bilateral agreement on the grounds that it was vague and that it did not set a time limit for the evacuation of all foreign troops. And, finally, El-Khoury explained that evacuation under the agreement was not dependent upon purely technical considerations. El-Khoury's position at this time was counter to that taken by Syria and Lebanon when the Anglo-French Troop Agreement was made public.

In December 1945, the populations of Syria and Lebanon first rejoiced at the Anglo-French Agreement because of the promise of evacuation of the Levant and mutual support and consultation between France and the United Kingdom on Middle Eastern affairs. However, the joy expressed in the Levant soon turned to renewed hostility. 24 When the French

and British military experts met in Beirut on 21 December 1945 to draw up plans for evacuation, they found themselves in disagreement as to the method to be followed and the time limit to be set. A mis-interpretation arose between the signatory powers over the question of regroupment. France maintained that the United Kingdom should regroup in Palestine. The United Kingdom interpreted the agreement to mean that her forces should regroup in Lebanon (with the French) until the Levant was completely evacuated. Demonstrations and strikes were called in the Levant to show the Syrian and Lebanese dissatisfaction over the lack of agreement among the two Great Powers over evacuation. French troops were put under British guard, and France was forced to give up the remaining controls over customs, radio stations, and railways in Syria. But these concessions did not satisfy the Syrian and Lebanese governments which insisted that foreign troops be completely removed.

Syria and Lebanon sent notes to France on 26 December 1945 and the 9 January 1946 informing France of their dis-

26. Ibid., Dec. 28, 1945, p. 3.
27. Ibid., Dec. 28, 1945, p. 3.
28. Ibid., Dec. 28, 1945, p. 3.
29. Ibid., Dec. 28, 1945, p. 3.
approval of the troop agreement. Neither of the notes was answered by France. The Lebanese note of 9 January 1946 stated:

The Lebanese government immediately made known to the Minister of Great Britain and to the representative of France in Lebanon, that being the third party with respect to the agreement, it could only recognize the stipulations of it as likely to infringe upon the rights and interests of Lebanon.

Because the notes went unanswered, and because no definite action was taken for the withdrawal of troops, El-Khoury informed the General Assembly of conditions in the Levant at its sixteenth meeting on 19 January 1946:

The Syrian Government, acting on a motion passed by the Syrian Parliament, has requested the Syrian delegation to bring this matter to the attention of the United Nations, demanding an early and complete withdrawal of foreign troops.

The Syrian delegation would be content for the moment to do no more than call the attention of the Assembly to this matter, which it hopes will be resolved by the early withdrawal of foreign troops so that it will not be necessary to bring up this question in full before the United Nations Organization.

Before the Assembly in January, El-Khoury did not refer to conditions in Syria and Lebanon as constituting a "dispute." On the contrary he used the term "matter."

30. The Syrian legation did not co-operate in sending a copy of the Syrian note of 26 December 1945.


However in the joint letter of 4 February 1946, the Syrian and Lebanese governments stated that conditions at that time constituted a "dispute." It must be implied, then, that the disagreement between the British and the French themselves as to evacuation and regroupment of forces, the failure of that evacuation of foreign forces to become a reality, the strikes and riots that broke out in the Levant over the interpretation of the agreement, the failure of France to answer overtures made by Syria and Lebanon in regard to evacuation, and the growing resentment between French troops and the Syrian-Lebanese populations were the causes of the "dispute" on 4 February 1946. These conditions are sufficient causes for any "dispute."

With this history in mind, El-Khoury continued the Syrian case before the Council by explaining that a "dispute" did exist in Syria and Lebanon during this twentieth meeting of the Security Council. He maintained that French and British troops were the cause of this "dispute." He called upon the Security Council to take action and propose methods of settlement by deciding that:

...all foreign armed forces should be withdrawn simultaneously from Syria and Lebanon and to fix a maximum date which is technically possible for the realization of the withdrawal.33

33. Security Council, Official Records; First Year, First Series, No. 1, twentieth meeting, p. 289.
Georges Bidault, in speaking for France, was careful to inform the Council of the past benevolent French attitude toward the Levant states. He explained that independence was granted to Syria and Lebanon in 1941. This independence was recognized by the other nations of the world, and Bidault insisted for that reason that France had been instrumental in having the Levant states invited to the San Francisco Conference. Syria and Lebanon received invitations on 28 March 1945.

The question of whether Syria and Lebanon were completely independent was debatable as was the statement that France was instrumental in having Syria and Lebanon invited to the San Francisco Conference. The argument that other nations of the world had accepted Syrian-Lebanese independence was not debatable. The United Kingdom extended formal recognition to Lebanon on 26 December

34. Georges Bidault, French diplomat, historian, and editor, was born in 1899. During World War II, he served in the ranks and was held prisoner by the Nazis for eighteen months. After release, he became Chairman of the Resistance Council inside France. Bidault has been a past Prime Minister, Foreign Minister, and Minister of Foreign Affairs for France. He is a member of the French delegation to the United Nations.

1941. In July 1944, the Union of Soviet Socialist Republics recognized Syria and Lebanon as sovereign, independent states. The United States completed recognition by the Great Powers on 27 September 1944.

Bidault contended that French troops were in Syria and Lebanon because of the heritage of war. He pointed out that French and British troops invaded the Levant in 1941 to protect the Syrian and Lebanese populations from the horrors of war. Therefore, he frankly admitted that he could not see how the Levant governments could insist upon the evacuation of troops at this time. He explained that troops were still stationed in other belligerent countries all over the world. Certainly, the Syrian-Lebanese situation did not differ from any of these. And, furthermore, Bidault argued that French troops were legally in the Levant. After all, France had been given certain responsibilities under the mandate. One of these was the protection of the mandated territory. Bidault insisted that the mandate had never been terminated de jure through the now defunct League of Nations, and that consequently it was up

37. Ibid., p. 302.
to the United Nations "to assume (our) responsibility and
to decide whether specific measures should be taken to con-
tinue to ensure the security of the region in question."

Bidault insisted that a "dispute" did not exist be-
tween France and Syria and Lebanon. As evidence, he cited
the speech of El-Khoury before the General Assembly on 19
January 1948. At that time El-Khoury had referred to condi-
tions in the Levant as a "matter" and not as a "dispute."

Bidault stated:

Nothing has happened since then that could alter
the status of the question or give it the character
of a dispute.40

Having concluded that no "dispute" existed, Bidault argued
that Article 35 of the Charter was inoperative in this case
because that article referred to a "dispute" or a "situ-
tion being brought before the Council by any member nation.

Series, No. 1, twentieth meeting, p. 293.

40. Ibid., p. 292.

41. The United Nations Charter, Article 35.
   1. Any Member of the United Nations may bring any
dispute, or any situation of the nature referred to in
Article 34, to the attention of the Security Council
or of the General Assembly.
2. A state which is not a Member of the United Na-
tions may bring to the attention of the Security Coun-
cil or of the General Assembly any dispute to which it
is a party if it accepts in advance, for the purposes
of the dispute, the obligations of pacific settlement
provided in the present Charter.
3. The proceedings of the General Assembly in respect
of matters brought to its attention under this Article
will be subject to the provisions of Articles 11 and 12."
He argued that Article 33 was inoperative because the parties involved, Bidault contended, had not attempted settlement through negotiations or other methods prior to submitting the question to the Council. (France had turned a deaf ear to the overtures made by Syria and Lebanon in notes of 26 December 1945 and 9 January 1946.)

Furthermore, Bidault argued that Article 34 (the article under which the Syrian and Lebanese governments had submitted the "dispute" to the Council) was inoperative because under this article the Council was given the right to investigate any "dispute" or any "situation" that might endanger world peace. The Council had not investigated the Syrian-Lebanese question in the past, so Bidault questioned:

*Why, therefore, invoke this Article (34) now, if not because in fact there is no dispute, and because the existing situation in Syria and Lebanon cannot in good faith be considered as likely to endanger international peace and security?*


1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means."

43. See page 13.

44. *Security Council, Official Records; First Year, First Series, No. 1*, twentieth meeting, p. 292.
The French delegate's argument that a "dispute" did not exist in Syria and Lebanon was based upon his interpretation of Articles 33, 34, and 35 of the Charter. This interpretation, however, was that of only one member of the Security Council. It is questionable whether its logic was sound. The existence or non-existence of a "dispute" cannot be established by merely examining certain articles of the Charter. The "substance" or cause of that condition must be studied. The evidence of all parties involved must be heard. The majority of the members had accepted the latter procedure in the nineteenth meeting.

The French position obviously was opposed to that taken by the Syrian and Lebanese delegates. The latter had argued that a "dispute" did exist in the Levant at this time. That "dispute" was caused by the maintenance of French and British troops in the region against the expressed will of the Syrian-Lebanese peoples. The French delegate insisted that such was not true. He argued that there was no "dispute;" and, moreover, that French troops were not a threat to world peace because they had a legal right to be in Syria and Lebanon.

III

Cadogan, representing the United Kingdom in the ab-
sence of Bevin, assured the Security Council that his govern-
ment wished to evacuate British troops from Syria and
Lebanon as soon as possible. He, as did Bidault, contended
that British troops were in the Levant as a heritage of
World War II. But, more important still, Cadogan informed
the members that British troops were in the Levant because
they had been requested by the Syrian-Lebanese governments
in May 1945.

To understand Cadogan's argument, a brief examination
must be made of conditions in Syria and Lebanon in the
spring and summer of 1945.

During April and May 1945, France, represented by
General Paul-Beynet, was attempting to negotiate certain
treaties with Syria and Lebanon prior to the turning over
of the 'troupes spéciales' to the Levant governments and
prior to the complete evacuation of French troops. The
treaties were to guarantee to France strategic rights in
the form of air fields in Syria and naval bases in Lebanon;

45. The "troupes spéciales" were Syrian and Lebanese
troops which were incorporated into the French army
in that they were completely under the jurisdiction
of the French command. They totaled between 25,000
and 30,000 in July 1945. In contrast, there were only
5,000 French troops in the Levant at the time. But,
because France controlled the "troupes spéciales,"
she controlled the military strength of Syria and
Lebanon and could, therefore, dictate policy. The
economic privileges in the form of preferential tariffs; and cultural advantages in that the French language was to be the compulsory language in Levant schools. The Levantine states agreed only to the strategic rights condition.

During the process of negotiation, the French steamer, Jeanne d'Arc, unloaded 500 Senegalese troops at Beirut. France contended that the Senegalese were needed replacements for French troops in Syria and Lebanon then being sent to the Pacific. Syria and Lebanon interpreted the move as an attempt to build up French military strength in the Levant to coerce their governments into granting the special rights France desired. In retaliation, the Syrian and Lebanese representatives walked out of the conference.

A chain reaction followed the walkout. Strikes and riots, culminating in street fighting in Damascus, Aleppo, and Homs ensued. On 28 May 1945, the United States addressed a note to the French government expressing "deep concern over the French threat of force to obtain concessions of a political, cultural, and military nature" in the Near East. Syria and Lebanon appealed to the San

Francisco Conference to take action in the "dispute" but were informed that the body was in a process of formation and had no jurisdiction. Therefore, they appealed to the United Kingdom for needed British troop protection. British troops were sent into the area on 31 May 1945, the same day that Churchill sent his "cease fire" note to de Gaulle stating:

In order to avoid a collision between the British and French forces we request you immediately to order the French troops to cease fire and withdraw to their barracks. Once firing has ceased and order has been restored, we shall be prepared to begin tripartite talks here in London.51

Immediately after receiving the "cease fire" order, de Gaulle, in an attempt to save face in the Near East, proposed a Four Power Conference of France, the United Kingdom, the Soviet Union, and the United States to deal with all problems in the Near East. The conference was not held because the United States and the United Kingdom believed that the settlement of conditions in Syria and Lebanon should be left up to the powers involved.

France attempted another method of settlement in the latter part of June 1945. The French representative,

51. Ibid., June 1, 1945, p. 6.
52. Ibid., June 3, 1945, p. 3.
Joseph Paul-Boncour, appealed to Edward S. Stettinius, Chairman of the Executive Committee at the San Francisco Conference, to establish a three member conciliatory committee to investigate conditions in the Levant. Stettinius refused on the grounds that the United Nations was not equipped to handle such questions at that time. The organization was in a process of formation, and it would appear that Stettinius wished to keep it free from settling particular issues until the proper machinery was established.

France and the United Kingdom did reach certain agreements with Syria and Lebanon during the summer of 1945. On 7 July 1945, General Beynet announced that the "troupes spéciales" would be turned over to Syrian and Lebanese authorities within forty-five days. This action was completed within the stipulated time limit. On 25 July 1945, France and the United Kingdom agreed, through an agreement signed by General Paget and General Beynet, that French troops were to remain in the coastal areas of Lebanon only. On 26 July 1945, the complete military control of Syria was turned over to the Syrian government with the one exception.

53. Ibid., June 25, 1945, p. 10.
54. Ibid., June 25, 1945, p. 10.
55. Ibid., July 8, 1945, p. 6.
56. Ibid., July 26, 1945, p. 9.
that France retained several airfields in the country.

However, the complete evacuation of foreign troops had not been carried out by December 1945. In an attempt to reach an agreement as to evacuation and to provide for security in the zone until the United Nations could act, the Anglo-French Agreement of 13 December 1945 was signed. This was the agreement to which Syria and Lebanon objected because no set time-limit for evacuation was established.

The members were aware of these facts at the time that Cadogan was addressing the twentieth meeting of the Security Council.

Cadogan continued the British case with the British interpretation of the Anglo-French Agreement of 13 December 1945. He argued that it was impossible for the British to withdraw their troops and leave a vacuum in the Levant, where, he reminded the Council, there had been troubled conditions and bad feeling. After all, British troops had been called in for the preservation of order, and Cadogan felt that these troops should be maintained until the Security Council could establish "collective security."

Cadogan argued that the agreement could in no way be interpreted to mean that French and British troops were to stay in the Levant for an indefinite time. On the contrary,

he stated:

And I repeat, our desire is to withdraw at the earliest possible moment and be free of responsibility to which, by our presence in the Levant, we are exposed. 58

IV

The twentieth meeting of the Security Council provided a forum for the actual discussion of the Syrian-Lebanese question by the four parties involved. None of the other members expressed opinions on the question in this meeting.

The Syrian and Lebanese delegates, El-Khour and Frangie, formally advised the Council that French and British troops were being maintained on Syrian and Lebanese soil against the expressed wishes of their governments. They insisted that the presence of these foreign troops was a definite violation of their sovereignty. Furthermore, Frangie and El-Khour contended that these foreign troops on their soil constituted a "dispute" which might gravely threaten the peace. They insisted that these foreign troops be evacuated immediately and called upon the Council to take action.

58. Security Council, Official Records; First Year, First Series, No. 1, twentieth meeting, p. 295.
Bidault and Cadogan admitted that French and British troops were stationed in Syria and Lebanon. However, they argued that their forces were in the Levant because of the heritage of war and, in fact, Bidault claimed that French troops had kept the Levant safe from the horrors of war. Cadogan admitted that British troops had entered with the Allied forces in 1941, but he also pointed out that British troops were in Syria and Lebanon because their presence had been requested by the Syrian and Lebanese governments in May 1945.

Both Bidault and Cadogan recognized the sovereignty and independence of Syria and Lebanon, but they appeared to believe that the presence of their troops within the Levant states was no abridgment of independence. Bidault contended that France still had certain responsibilities within the area, namely that of providing security. He explained that France was charged with this duty until the United Nations could establish security in the Levant. Cadogan accepted the latter argument. Both admitted that the Anglo-French Agreement of 13 December 1945 had been drawn up for this interim period until the United Nations could establish "collective security."

Frangie and El-Khouri complained that the Anglo-French Agreement was a bilateral agreement which violated their sovereignty and the Charter. They argued that Syria and
Lebanon were able to provide for their own security. France explained that neither Syria nor Lebanon were "trust territories" or "strategic areas," and foreign forces had no legal right in their countries.

Bidault stated flatly that a "dispute" did not exist. He turned to Articles 33, 34, and 35 of the Charter to prove his point. Primarily, he based the French case on the interpretation of Article 33, maintaining that since Syria and Lebanon had refused to negotiate there could be no "dispute." Cadogan was non-committal on the question of whether a "dispute" did or did not exist, but he did admit that a troubled condition existed in May 1945. France and El-Khouri mistrusted Cadogan's non-committal attitude and flatly rejected Bidault's insistence that a "dispute" did not exist.

France and El-Khouri maintained that the Security Council should settle the "dispute." They requested immediate, simultaneous withdrawal. Bidault implied the issue could be settled between the parties through negotiations. France and El-Khouri mistrusted negotiations because negotiations in the past had been unsuccessful. Cadogan did not commit himself on a method of settlement. He stated that British troops were ready to withdraw, and further informed the Council that the principle of evacuation was set down in the Anglo-French Agreement.
In the twentieth meeting of the Security Council no action was taken for the settlement of the Syrian-Lebanese question. However, the arguments of the four parties involved were heard. The members, therefore, received information that might aid in the future settlement of a condition in Syria and Lebanon which Frangie and El-Khoury termed a "dispute."
CHAPTER IV
THE TWENTY-FIRST MEETING
OF THE SECURITY COUNCIL

The Security Council reassembled after a three hour recess, and discussion of the Syrian-Lebanese question was continued in the twenty-first meeting held at Church House, Westminster, London, on 15 February 1946. The same representatives were present, with one exception: Bevin, the permanent delegate from the United Kingdom, replaced Cadogan who had sat in the twentieth meeting.

I

Frangie of Lebanon opened the discussion. He attacked the pseudo-benevolent attitude of France as painted by Bidault in the previous meeting and contended that the issue did not lie between an always generous France and always discontented Syria and Lebanon. In proof, he stated:

...the recognition of Syria's and Lebanon's independence was not a pure gesture of benevolence

1. Security Council, Official Records; First Year, First Series, No. 4, twenty-first meeting, p. 296.
but an act of justice as well as being vital for the war effort.\textsuperscript{2}

In explanation, Frangie noted that Syria and Lebanon had aided the Allies in World War II. Both of the Levant States had placed at the disposal of the Allies their means of communication, their economic and industrial sources, and their troops. Frangie insisted that without this aid (since there were only 12,000 British and 3,000 French troops in the area in 1941), the Allied campaign in the Near East would have lost its effectiveness. He concluded that Syria and Lebanon had shown that they were capable of defending themselves and, certainly to a great extent, had earned their independence.

Frangie again refuted the heritage of war argument used previously by Cadogan and Bidault. Hostilities had ended, and he insisted that French and British troops must be evacuated. Evacuation presented no basic problems. The Lebanese delegate maintained that all the French and British had to do was withdraw. These troops had no legal right to provide for Syrian and Lebanese security. Frangie insisted that as sovereign and independent states, Lebanon and Syria were responsible for their own security, and foreign troops had no legal or moral right to usurp this responsibility.

\textsuperscript{2} Ibid., p. 296.
\textsuperscript{3} Ibid., p. 296.
\textsuperscript{4} Ibid., p. 296.
Frangie called upon the Security Council to settle the question:

The Lebanese delegation, as well as the Syrian delegation, is prepared to consider a solution which, on the basis of the fundamental principles of the Charter, would provide for the simultaneous withdrawal of French and British troops stationed in Syria and Lebanon in full recognition of the sovereign rights of these States...

Such evacuation, he explained, should not only be simultaneous but unconditional. He asked that the withdrawal be subject only "to the time required for making the necessary technical and material arrangements." Syria and Lebanon would accept no other conditions. Frangie then asked that the question be settled under the continued auspices of the Council until the withdrawal had been carried out in full.

II

The representative of the United States, Mr. Edward R. Stettinius, spoke for the first time on the Syrian-Lebanese

5. Ibid., p. 500.
6. Ibid., p. 300.
7. Edward R. Stettinius, Jr., was born on 22 October 1900. He was educated at Pomfret School and at the University of Virginia. He has long been connected with government affairs in the United States. In 1944-1945, Stettinius was Secretary of State. He has been chairman of the United States delegation to the General Assembly since 1945 and is the American representative on the Security Council.
question in this meeting. Stettinius believed that the question of evacuation of French and British troops should come under Article 33 of the Charter. Since negotiations had not been exhausted by the parties involved, he suggested that they further continue negotiations among themselves. Until a settlement was reached, the question should be of continuing concern to the Council.

In outlining general United States policy in such matters, Stettinius informed the Council that his government supported and encouraged the removal of Allied troops from member nations when those member nations so requested. He stated: In so

In conformity with this general policy, I wish to express the hope of the United States Government that the desires of the Syrian and Lebanese Governments that the foreign troops in their territory should depart at the earliest practicable moment shall be met by means of a mutually satisfactory agreement to that effect.8

Thus Stettinius committed the United States government.
The United States not only desired the evacuation of Anglo-French troops from Syria and Lebanon, but such evacuation should take place at the earliest practicable moment. Stettinius did not define "practicable moment." He left this to the parties involved.

8. Ibid., p. 301.
III

Vyshinsky rebutted Bidault’s argument on two major premises. He claimed that the placing of any conditions on the complete evacuation of Anglo-French troops from Syria and Lebanon was contrary to the Charter, and he contended that France had no right to special privileges in Syria and Lebanon.

Vyshinsky again referred to the French note of General Beynet to Syria and Lebanon of 18 May 1945. He informed the Council that the note had demanded certain cultural, strategic, and economic privileges before France would give up the "troupes spéciales" to Syria and Lebanon. He implied that, because Bidault was unwilling to commit himself on certain conditions to be settled before the evacuation, France still was attempting to get the same privileges as those in May 1945. Vyshinsky called upon Bidault to state specifically what conditions were to be fulfilled before the removal of troops could be realized. The Soviet delegate cautioned the Council that conditions of the nature imposed upon Syria and Lebanon by France in 1945 were

9. In a letter of 29 January 1951 to the author, the French Embassy stated that the note was not made public.

10. See page 50.
incompatible with Article 2 of the Charter.

Vyshinsky stated that the Soviet Union could not accept the premise that France was entitled to special privileges in the Levant. He alleged that the United Kingdom did accept French special privileges in the Levant (the Lyttelton-de Gaulle Agreement of 7 August 1941 had stipulated such.) As proof, he quoted from a speech made by de Gaulle in the Consultative Assembly of France in June 1945:

> One might say that the interests of our two nations (France and the United Kingdom) and the interests of Arab States imply the necessity for France and England to adopt a common position and to pursue a common policy, as we have suggested a good number of times.  

The Anglo-French Troop Agreement of 13 December 1945 did provide for mutual support and consultation between France and the United Kingdom on all Near Eastern problems. Furthermore, neither France nor the United Kingdom was to interfere with the other's established interests in that area. Vyshinsky concluded that the latter statement could only refer to certain special interests.

11. See p. 34.


13. See appendix, p. 151.

14. Ibid.
Vyshinsky's claim was not unfounded. Churchill, in reporting before the House of Commons in 1945 on the Yalta Conference, stated that the United Kingdom "would never seek to supplant French influence by British influence in the Levant States." It was indisputable that the United Kingdom at the time of Yalta favored a privileged position for France in Syria and Lebanon. Opposing the British position at Yalta were the United States and the Soviet Union who insisted that there were to be "no special positions for any foreign countries" in the Levant. Vyshinsky had such statements in mind when discussing French special privileges before the Council.

The Soviet delegate continued to attack the Anglo-French Troop Agreement on legal grounds. He stated that it was a violation of the principles of sovereignty laid down in Article 2 of the Charter because the agreement was signed without the consent of Syria and Lebanon. Furthermore, Vyshinsky attacked the agreement because it contained no set method for evacuation. He argued that the agreement contained nothing but "algebraic formulae, and abstract

16. Ibid., March 5, 1945, p. 18.
17. Ibid., March 5, 1945, p. 18.
promises, without any real basis of reality," and he found it totally unworkable. Lastly, Vyshinsky insisted that "collective security" was a matter which concerned Syria and Lebanon alone because the United Nations had not acted. He maintained that France and the United Kingdom had no legal right to impose security on a sovereign state, and he concluded:

From the point of view of the elementary principles of international law, this Agreement is simply illegal, simply unfair in regard to the sovereignty of Syria and Lebanon...19

Vyshinsky mentioned nothing about the principle of evacuation that actually was embodied in the Anglo-French Agreement. He did not attack its "substance." He could not because the principle of evacuation was stated. Vyshinsky was correct in maintaining that no method of withdrawal was established. He was correct in maintaining that the agreement abridged the sovereignty of Syria and Lebanon. After all, the agreement was signed by France and the United Kingdom without the consent or without the participation of the Levantine states.

Vyshinsky admitted the need for French and British


19. Ibid., p. 305.
troops in the Levant during World War II, because those troops were providing "collective security" for the Levant during the war period. However, he maintained that there no longer was a need for foreign troops in the area, and that actually French troops were creating "collective insecurity" because they were being stationed against the expressed will of the Syrian and Lebanese peoples. He referred to the strikes and riots of May 1945 as an example of "collective insecurity," and insisted that such conditions did constitute a "dispute." Because of these circumstances, the Soviet delegate informed the members that the Syrian-Lebanese appeal for evacuation of troops was a "demand" and not a "request." He insisted that the Council could not stand by as a spectator in this "dispute," and called upon it for immediate action to bring about settlement. Vyshinsky concluded:

The only decision worthy of our Organization is to satisfy the demand of the Syrian and Lebanese Governments, which the Soviet delegation hereby fully supports in the name of the Soviet Government.

IV

In speaking for China, Koo insisted that the mainten-

20. Ibid., p. 309.
21. Ibid., p. 309.
ance of foreign troops in the territory of a friendly sovereign state, without the express consent of that state, was a *prima facie* case of limitation of that state's sovereignty. He pointed out that this was happening in Syria and Lebanon and stated: "Such troops should be withdrawn as soon as possible."

Koo suggested negotiations between the four parties involved as a method of settlement. He explained that these negotiations ought to be concerned only with the practical arrangements necessary for withdrawal, including the fixing of a period for the beginning and completion of the evacuation. Until the evacuation was completed, the Chinese delegate believed that the Security Council should be kept informed of the progress of the negotiations between the parties.

At this point, the president briefly summarized the causes of the Syrian-Lebanese question. He stated that although troops had been stationed in the Levant in the past for a definite purpose, that purpose was now accomplished, and Syria and Lebanon had requested that these troops be evacuated. He cautioned the members that these troops were now stationed on the territories of two member nations against the will of those member nations, and that

therefore the question was of a different nature than that of the three previous cases before the Council. The president suggested the following plan for evacuation:

…it would be sufficient if the Council took note of the statements of the parties and invited them to continue negotiations with a view to reaching an agreed solution of this problem speedily. The results of the negotiations should be reported to the Council, and if they are not satisfactorily concluded within a reasonable time, the Council can then consider what further action it might wish to take.24

No action was taken on the president's proposal.

V

Riaz of Egypt insisted that the Syrian and Lebanese requests for troop withdrawal was absolutely legal. He pointed out that the request was founded on the basic premise upon which the United Nations had been established, that of the sovereign equality of nations. He stated:

If such a clear and well established principle is put into doubt ...it would be better for us to disband this Organization and leave to the five great Powers the right to do what they think fit for

23. In the Iranian question foreign troops were stationed in Iran under legal treaty arrangements. In the Greek and Indonesian questions, foreign troops were stationed upon Greek and Indonesian territory with the consent of those two governments.

the maintenance of peace and prosperity.

Although Riaz considered that the Syrian and Lebanese claims were based upon legal grounds, the Egyptian delegate deemed the French claim to be based upon mere political, moral, historical, and opportunistic grounds. He stated: "...the French argument does not rest on any legal basis; it is no more based on the text of the Charter than on recognized principles of international law."

Riaz' interpretation was correct. Syria and Lebanon were no longer "mandates" or "trusts." The Levant delegates signed the Charter and were accepted into the family of sovereign nations at San Francisco. France, however, still considered the mandate to be in de jure effect because she had not turned it over to an international organization. This position was not accepted by the other nations, nor was it valid from a legal standpoint.

Riaz questioned the right of France and the United Kingdom to provide for security in Syria and Lebanon. He maintained that, according to Article 43 of the Charter, Syria and Lebanon were responsible for their own security.

25. Ibid., p. 311.
26. Ibid., p. 311.
27. See page 32.
He informed the Council that agreements made between members for protection under Article 42 were to be negotiated "on the initiative of the Security Council." The Anglo-French Agreement of 13 December 1945 had not been negotiated on the initiative of the Council. Therefore France and the United Kingdom, according to Riaz, were usurping the rights and duties of Syria and Lebanon as well as those of the Security Council.

Riaz accepted Koo's suggestion for settlement. The Egyptian delegate asserted that negotiations should be started immediately between the four parties to the "dispute." He too believed that negotiations should deal only with the discussion of the ways and means necessary to bring about troop "withdrawal from Lebanon and Syria as quickly as possible."

Mr. Zygmunt Modzelewski of Poland spoke for the first time. He was educated at the School of Political Science in Paris. After serving as an officer in the Polish Army in World War II, he became Ambassador to the Soviet Union in 1945. He also served as Polish Under-Secretary of State and Minister of Foreign Affairs in 1945. In 1946, Modzelewski was the Polish representative on the Security Council and one of the Members of the Polish delegation to the General Assembly.
time on the Syrian-Lebanese question. After welcoming Syria and Lebanon to the family of independent states, he informed the Council that it should settle the legally justified claims presented by the Levantine nations. He stated:

...the Polish delegation will not hesitate to vote in support of the solution asked for by the delegations of Syria and Lebanon, even if my delegation should be in the minority...

Therefore, the Polish delegate accepted the claim of the Levant states. Furthermore, Modzelewski asserted that the Council should take action to rid those two countries of French and British troops.

De Freitas-Valle of Brazil, in explaining that foreign troops should be kept in a member nation only by virtue of agreement with that nation in which troops were stationed, accepted the Stettinius philosophy expressed earlier in this meeting. The Brazilian delegate agreed with the other members of the Council who proposed negotiations between France, the United Kingdom, Syria and Lebanon.

Bidault, in answer to Vyshinsky's previous questions, did not explain what specific issues France wished to negotiate prior to evacuation. He did inform the Council, however, that in June 1945 de Gaulle had proposed a five power conference to examine the whole Near Eastern situation. The Great Powers had not accepted the invitation. Furthermore, France had requested that the San Francisco Conference set up a commission of enquiry to study conditions in Syria and Lebanon in June 1945. This action, too, had not been accepted. Therefore, Bidault maintained that his government had attempted to uncover the facts in the case. Since no action was taken previously, the French delegate maintained:

...if the problem is studied with the necessary impartiality, it will be found that there is no dispute likely to endanger peace or, therefore, to justify any special action on the part of the Security Council.33

Since there was no "dispute," Bidault proposed that the Security Council should rely upon the French government, to-

33. See page 52.
34. See page 53.
gather with the British government in agreement with Syria and Lebanon, to reach a satisfactory solution of the difficulties submitted to the Council.

Bidault was correct in asserting that France had attempted on the two occasions mentioned to have the problem investigated. Both times France had been turned down. However, France was never ready to evacuate without imposing certain conditions on Syria and Lebanon. For this reason, Syria and Lebanon had, as a last resort, submitted what they termed a “dispute” to the Security Council.

Van Kleffens of The Netherlands was the last to speak on the Syrian-Lebanese question in the twenty-first meeting. He partially upheld the French position by implying that France would withdraw her troops at the earliest possible time. He said that troops still were stationed in many countries as a result of the war. Such conditions could not be remedied overnight. Yet The Netherlands delegate admitted that the stationing of troops on the territory of a sovereign state without the consent of that state was a breach of that state’s sovereignty. For this reason he was sure that France would withdraw her troops. However, if withdrawal of foreign troops could not be arranged between the parties involved, van Kleffens suggested that the Security Council then take action under Article 34 of the
Charter. He submitted the following motion for settlement of the Syrian-Lebanese dispute:

I therefore believe that the Council should take note of the statements made by the four States; express its confidence that, as a result of negotiations or otherwise, the foreign troops in Syria and Lebanon will be withdrawn at no distant date; request the parties to inform the Council when this has been done, in order that the Council may at any time revert to the question; and pass on to the next item on the agenda. 37

The van Kleffens motion was the first formal proposal for settlement of the Syrian-Lebanese dispute. It suggested that the four parties to the "dispute" settle that "dispute" through negotiations among themselves. These negotiations were to deal with the evacuation of foreign troops. The Council was to be informed when evacuation was completed with the stipulation that the Council could at any time revert to discussion of the question.

VII

The twenty-first meeting of the Security Council provided for further discussion of the Syrian-Lebanese question that tended to unravel two basic differences of opinion

36. See page 73.

within the Council. Frangie and Vyshinsky still maintained that a "dispute" did exist. Bidault insisted that a "dispute" did not exist. The other members of the Council were non-committal; but they agreed that the maintenance of troops upon the territory of a sovereign state without the consent of that state was contrary to the Charter and to international law and that such troops should be evacuated as soon as possible.

From this point there was disagreement upon the manner in which the French and British troops should be removed from Syria and Lebanon. Frangie, backed by Vyshinsky and Modzelewski, insisted that the Security Council should prescribe the manner of evacuation and that such evacuation should be simultaneous and immediate. Stettinius, Koo, Makin, Riaz, de Freitas-Valle, Bidault, and van Kleffens were of the opinion that the four parties should settle the question themselves through negotiations. Van Kleffens submitted a motion to that effect that the parties involved negotiate or employ some other means of settlement to bring about the evacuation of French and British troops from Syria and Lebanon and notify the Council when this action was accomplished. Until such settlement, the Council could revert to the question at any time.

No vote was taken on the van Kleffens motion in the twenty-first meeting. However, the first definite plan of
settlement for the Syrian-Lebanese question was put before the Council—the implication being that the Council later would take action, perhaps under the van Kleffens motion or perhaps in some other way, to bring about the evacuation of French and British troops from Syria and Lebanon.
CHAPTER V

THE TWENTY-SECOND MEETING
OF THE SECURITY COUNCIL

The Security Council resumed the discussion of the Syrian-Lebanese question the next morning, 16 February 1946, at its twenty-second meeting. The same representatives were present. After the Syrian-Lebanese delegates took their seats at the Council table, discussion was opened by Padilla Nervo of Mexico.

I

Padilla Nervo stated that the Mexican government could "never approve the presence of foreign troops in the territory of a sovereign State without the free and express con-

1. Luis Padilla Nervo, Mexican poet-diplomat, was born on 19 August 1898. He has represented his country in Mexican embassies and legations in five European countries and in eight western hemisphere nations. Padilla Nervo has also represented Mexico in the United Nations, and was the Mexican delegate to the Security Council in 1946. The Mexican diplomat writes poetry in his spare time—"modern stuff with a philosophical flavor."
sent of its legitimate government." Therefore, he said that the Anglo-French Agreement of 13 December 1945 was illegal because it provided for French troop regroupment in Lebanon without the consent of Lebanon. Padilla Nervo also questioned the ground on which France and the United Kingdom took it upon themselves to establish security in the Levant. This was a job delegated to the Security Council. He contended that the obligations of France and the United Kingdom to the United Nations (the respect of sovereignty of member nations under Article 2) should prevail over the obligations of the two countries to each other under the Anglo-French Agreement. The Anglo-French Agreement was thus a violation of Article 103 of the Charter.

Padilla Nervo submitted the following motion for the settlement of the "dispute."

1. That the claim of the Syrian and Lebanese Governments to the effect that the British and French troops should be withdrawn simultaneously and at the earliest possible date is justified.


3. See appendix, page 152.

4. The Charter of the United Nations, Article 103. "In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail."
2. That the date for the evacuation of such troops should be fixed by negotiations between the parties in this case, it being understood that such negotiations will be concerned exclusively with the military-technical arrangements necessary for the adequate evacuation of such troops.

3. To request the parties to inform the Council when this is done."

The motion of the Mexican delegate required the parties to the "dispute" to negotiate. In this respect, it agreed with the van Kleffens motion of the last meeting. However, Padilla Nervo's motion differed in one important respect. Negotiations were to be limited to those of a "military-technical" variety. There could be no doubt that such negotiations were not to deal with the "substance" of the question. Van Kleffens' motion did not specify the nature of negotiations.

II

Fraangie of Lebanon interrupted before a vote could be taken on Padilla Nervo's motion. The Lebanon delegate stated that actually all the members were in agreement in principle that foreign troops should be evacuated from Syria

and Lebanon. (France had stated as much in the Anglo-French Agreement.) Furthermore, the consensus was that evacuation procedures should be established through negotiations between the parties involved. France insisted that such negotiations should deal only with the "fixing of a time-limit for carrying out withdrawal." Although he preferred that the Council set this time limit, he did state that Lebanon would bow to the Council's decision if the Council ruled that the time-limit was to be determined through negotiation by the four parties to the "dispute."

France preferred to trust the Security Council rather than the proposed negotiations. For this reason he called upon the Security Council to set a time-limit to which France and the United Kingdom were to conform. On similar grounds, France objected to the motion submitted by van Kleffens. He mistrusted the nature of the negotiations that France would envisage under the motion. France maintained that negotiations regarding evacuation should be completely independent of any other agreement between Lebanon and France.

El-Khouri of Syria accepted France's agreement, but with one radical exception. El-Khouri flatly stated that

6. See appendix, page 152.

7. Security Council, Official Records; First Year, First Series, No. 1, twenty-second meeting, p. 320.
there was no need for negotiations. He insisted that France and the United Kingdom need merely withdraw their forces. He informed the Council that after all such was the policy in the United Kingdom where American forces were evacuating. No negotiation was necessary. Bevin interrupted to point out that the United States and the United Kingdom did have "to negotiate on the bride." After the interruption, El-Khoury concluded his case for no negotiation by stating:

I declare solemnly here, in the name of my Government, that we shall raise no objections to evacuation. We shall impose no conditions as to formalities. We shall not say anything. Let them evacuate without asking us, without negotiating with us, because for us there is no question of opposing a principle the application of which we are emphatically demanding."

III

At this point Riaz of Egypt proposed the third motion for settlement of the Syrian-Lebanese dispute:

After having heard the statements by the representatives of Lebanon, Syria, France and the United Kingdom, and after having exchanged views on the case which is submitted to it,

The Security Council,

Considering that the presence of British and French troops on Lebanese and Syrian territory is

8. Ibid., p. 322.
9. Ibid., p. 322.
incompatible with the principle of the sovereign equality of all Members laid down in the Charter;

Believing that this principle, the validity of which is fully recognized by all the parties concerned, should receive its full application by the immediate and simultaneous withdrawal of all British and French troops still in the territories referred to;

Recommends to the British and French Governments on the one hand, and Lebanese and Syrian Governments on the other hand, to enter into negotiations as soon as possible with a view to establishing exclusively the technical details of the said withdrawal, including the fixing of the date of its completion, and requests them to keep the Council informed of the result of these negotiations. 10

The Riaz motion was similar to the van Kleffens and Padilla Nervo motions in that it, too, provided for negotiations between the four parties. However, the Riaz motion contained certain fundamental differences. Negotiations were to be exclusively for arranging the technical details of withdrawal. Padilla Nervo had stated the same, but van Kleffens had merely mentioned negotiations or other means. Riaz' motion provided for immediate and simultaneous evacuation. Padilla Nervo made no mention of immediate withdrawal, and van Kleffens made no mention of simultaneous withdrawal. Although the other two motions requested that the negotiating parties inform the Council when negotiations had been completed, Riaz' motion implied that the parties

10. Ibid., pp. 323-324.
were to keep the Council informed of the progress of negotiations. Under these circumstances, the Council could play a more active role. Both Riaz and Padilla Nervo provided that the negotiations fix a time limit for evacuation. Van Kleffens did not. Finally, Riaz' motion stated that the maintenance of foreign troops upon the territories of member states without their consent was incompatible with the principle of sovereign equality. Neither of the other two motions had made this statement, although Padilla Nervo had stated that the claim for withdrawal was just.

Before discussion of the Riaz motion, Bidault answered the questions put to him in the twenty-first meeting by Vyshinsky. Bidault pointed out that naturally France had special interests in the Levant since she had been given certain responsibilities there under the mandate. The mandate had charged France with the protection of her mandate peoples, and Bidault stressed that point. He explained that French interests were cultural and strategic. Bidault mentioned the letter of 4 February 1946 from Syria and Lebanon as an example of a cultural interest. The letter had been written in French. Bidault admitted that such cultural rights should be protected by cultural methods but he explained:

I could wish only that the voice of Intellect could be heard and that, in particular, our French schools in Syria were not at present the object of
discriminatory measures which are not in keeping with the status of the other schools in that country. The French complaint of discrimination failed to point out that such discrimination was part of a desperate policy to get French troops to evacuate.

Bidault continued, turning to the question of strategic interests. He stated that the problem was not that of dealing with a state that had been independent and a member of the League, but a problem involving the question of a mandated territory. France had been responsible for security in the region under the mandate. To aid in this task, France had recruited the "troupes spéciales". These troops had since been returned to Syria's and Lebanon's jurisdiction in the fall of 1945. However, Bidault contended that French troops could not just withdraw and leave a vacuum in the area. "In order to fill this gap, the Agreement of 13 December 1945 proposed a system of collective security," Bidault concluded.

The French argument was logical as well as legal only so long as the mandate was in existence. In fact, the French argument was logical during the war after the actual

11. Ibid., p. 324.
12. See page 50, footnote 45.
grant of independence. But after the Levantine nations signed the Charter at San Francisco and were recognized as sovereign, independent nations, with the stipulation that neither was a "trust" territory under Article 78 of the Charter, there can be no doubt that France was no longer charged with the protection of what was now a defunct mandate.

In answer to the Riaz argument of the previous meeting, Bidault insisted that Article 43 of the Charter did not in any way invalidate the terms of the Anglo-French Troop Agreement. Bidault maintained that according to paragraph 152 in Article 43, such agreements should govern the number and types of forces, their degree of readiness and general location and the nature of the facilities and assistance to be provided. He maintained that the Anglo-French Agreement did just this. Then, too, the agreement provided for the principle of evacuation. Furthermore, that agreement provided for the transfer of the responsibility for the maintenance of security in Syria and Lebanon to some organ of the United Nations. Before this transfer could become effective, Bidault explained that negotiations were necessary.


between the parties involved. He was now shocked that Syria and Lebanon desired no negotiations. He stated:

Either there is a dispute, in which case we are required under Article 33 of the Charter to negotiate with a view to seeking a solution of the dispute; or else, if there are no negotiations and there is a refusal to negotiate, the assumption must be that there is no dispute...16

The paradox in the whole affair was that Bidault desired negotiations while El-Khoury did not. However, Bidault's conclusion was a weak one. The fact that Syria and Lebanon did not wish to negotiate with France did not necessarily negate the existence of a "dispute." Bidault failed to state that Syria and Lebanon had tried to negotiate in May 1945. The Levant nations never refused further negotiations only because France attempted to make the evacuation of troops dependent upon other negotiations which were to grant her preferential treatment in the Levant. Furthermore, merely because Bidault accepted the principle of evacuation as stipulated in the Anglo-French Agreement did not necessarily mean that the negotiations he wished were not of the same nature as those of May 1945. The need for any type of negotiations became very questionable. Syria and Lebanon were independent. France had no legal right to maintain troops within their territories or

to demand special privileges unless Syria and Lebanon so desired.

IV

Riaz of Egypt disputed Bidault's interpretation of paragraph 2, Article 43, of the Charter. It was this section upon which Bidault based French military regroupment in Lebanon. Bidault interpreted the paragraph to refer to the forces of any state. Riaz, on the other hand, stated: "...this paragraph deals with the forces of the country concerned and not with the forces of another State."

The basis for the Egyptian interpretation was paragraph 1, of Article 43. Under paragraph 1, all members of the United Nations were to make available to the Security Council upon its call or through necessary agreements forces for maintaining international peace and security. Riaz insisted that this paragraph referred "to the territory and the armed forces of the State concerned, and not to the forces of a foreign country."

17. See page 39, footnote 20.


There is little doubt that the Riaz' interpretation of Article 43 was more correct than that of Bidault. Riaz might further have mentioned that according to paragraph 3 of that article, the Security Council must initiate such agreements between the members. However, both Riaz and Bidault might be accused of misinterpretation of Article 43; for, under that Article action is to be taken when there are threats to international peace in the form of overt aggression. Such was not the case in Syria and Lebanon.

Bevin interrupted Riaz with a remarkable observation. He informed the Council that his country was really not involved in the controversy. After all, Bevin asserted, the United Kingdom was ready to evacuate. Therefore, since the consensus had been in the previous meeting that the four parties should enter into negotiations, Bevin suggested that a method of settlement had now been reached. He accepted the van Kleffens' motion. Furthermore, he stated that negotiations should deal with those procedural problems the Council had discussed. If so, he believed such action would provide a satisfactory settlement.

The mere fact that British troops were ready to evacuate the Levant did not make the United Kingdom guiltless. Bevin ignored the fact that British troops as well as French

forces were still in Syria and Lebanon. The United Kingdom therefore was a party to the controversy. Bevin's strategy appeared to be one of aloofness at this point. In attempting to show his country was not involved, he tried not to take sides with Syria, Lebanon, or France.

V

The Levant delegates regained the floor and Frangie informed the Council that the difficulties between Lebanon and France were not a quarrel or an economic question. Lebanon was not trying to censure France. Frangie stated that all Lebanon desired was the complete evacuation of foreign troops. Furthermore, he maintained that Lebanon and Syria were capable of making a direct contribution to their own security. Therefore, he refused to accept the French argument that troops were being stationed in the Levant because France was charged with the protection of that area under the mandate, and he stated: "We no longer recognize anybody's right to argue on the basis of that mandate, and in particular we resent any attempt to claim privileges under the mandate."

Frangie accepted the principle of evacuation as stated in the motion of van Kleffens, but he did not accept its terms because, "they might give rise to new disputes in the future." He objected primarily because the type of negotiations was not qualified. However, Frangie accepted the Riaz motion, because under it negotiations were to be of a "technical" nature only. The Padilla Nervo motion was the second choice of the Lebanese delegate.

El-Khouri, too, argued that France had no right to maintain security in Syria and Lebanon. He based his argument on Article 106 of the Charter which provided for joint action of the permanent members in setting up security. He insisted that the Anglo-French Troop Agreement could not be considered joint action. It was bilateral action on the part of France and the United Kingdom.

The Syrian delegate contended that there were no dif-


24. The Charter of the United Nations, Article 106. "Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security."
ficulties connected with evacuation, nor were any negotiations required. He stated that Syria would accept negotiations only at the insistence of the Council, and such negotiations should deal with evacuation only because Syria was not "ready to enter into negotiations on subjects other than the evacuation..."

El-Khoury again called upon the Security Council to take some type of action to settle the "dispute." He did not accept or reject any of the motions before the Council. He did not favor any of the motions as did Frangie.

VI

A fourth motion, a somewhat modified version of the one proposed by van Kleffens, was submitted by Stettinius:

The Security Council

Takes note of the statements made by the four parties and by the other members of the Council;

Expresses its confidence that the foreign troops in Syria and Lebanon will be withdrawn as soon as practicable, and the negotiations to that end will be undertaken by the parties without delay; and

Requests the parties to inform it of the results of the negotiations.26


26. Ibid., pp. 332-333.
The Stettinius motion, too, proposed settlement of the Syrian-Lebanese dispute through negotiations between the parties involved. However, Stettinius did not state in his motion the nature of these negotiations. He did not limit his negotiations as did Riaz and Fadilla Nervo to those of a technical nature. The Stettinius motion did not mention immediate evacuation as did Riaz'. The Stettinius motion did not stipulate that evacuation was to be simultaneous as did the motions of Riaz and Fadilla Nervo. The Stettinius motion did, however, establish the principle of evacuation, provide for a method of negotiations, and stipulate that the parties involved should inform the Security Council of the results of negotiation. All four proposals had these three things in common.

Vyshinsky analyzed the four motions at this point. He stated that the motions of van Kleffens and Stettinius were alike in substance; neither defined the type of negotiations to be entered into by the four parties. Therefore, he objected to the two motions. On the other hand, Vyshinsky accepted the Riaz motion because it specifically stated that negotiations were to be of a technical nature. If the Riaz motion were accepted, he asserted, there could be no question of the "substance" of negotiations. Vyshinsky thus backed the stand taken by Frangie.

Before the meeting adjourned, Stettinius replied to
Vyshinsky's interpretation of his motion. Stettinius informed Vyshinsky and the Council that his motion referred only to negotiations concerned with the evacuation of foreign troops from Syria and Lebanon. He explained that these negotiations were to deal with the method of withdrawal and not with the "substance" of withdrawal, and he stated that the words "to that end" could only refer to negotiations necessary to set up a method for evacuation.

VII

In summary, at the end of the twenty-second meeting, the Security Council had four motions before it for the settlement of the Syrian-Lebanese question. Since no action had been taken upon any of the motions in the meeting, the cumbersome task of making a decision awaited the Council in future meetings. The four motions were all in agreement in principle—the evacuation of foreign troops. The four motions were in agreement in method—negotiations between the parties involved. Furthermore, the four motions were all in agreement that the Security Council should be informed as to the results of these negotiations.

However, there were basic differences in the four motions. The motions of Padilla Nervo and Riaz limited negotiations to those of a "technical" nature. The motions of
van Kleffens and Stettinius merely mentioned negotiations. Yet Stettinius stated before the Council that by negotiations he referred to negotiations relevant to evacuation.

The Council itself could not agree upon a particular motion as a method of settling the Syrian-Lebanese question. More important, the parties involved disagreed on what motion would effectively bring about evacuation and peaceful settlement. Bevin accepted van Kleffens' motion. Bidault accepted negotiations, but felt that such negotiations should be carried on outside the jurisdiction of the Council. In other words, Bidault thought the Council should drop the matter. Frangie expressed an inherent fear of any type of negotiations, but he did accept the Riaz motion.

His second choice was the Padilla Nervo motion. These motions limited negotiations to those of a "technical" nature. El-Khoury flatly insisted that negotiations were not necessary, and he maintained he did not want to negotiate. He insisted that the Council should set a time-limit by which foreign troops should be evacuated. Only if the Council refused and stated that negotiations were to be carried out between the parties involved, would he accept. Vyshinsky accepted the Riaz motion but condemned the motions of van Kleffens and Stettinius because they failed to stipulate the nature of the negotiations. The members who proposed motions naturally accepted their own motions. The other
The closest alignment in the twenty-second meeting was between Frangie, El-Khoury, Vyshinsky, and Riaz. Bidault stood alone. Bevin tried to play the role of a neutral in standing between Bidault and the Levantine delegates. Koo took no part in discussion. Stettinius submitted his motion for evacuation and maintained that troops should be withdrawn from the Levant as soon practicable.

Padilla Kervo, Frangie, El-Khoury, Riaz, and Vyshinsky generally agreed that the Anglo-French Agreement of 13 December 1945 was illegal and violated the Charter. Bevin and Bidault maintained it did not. The Council made no decision pro or con. Neither did the Council decide the correct interpretation of Article 45. Although Bidault and Riaz disagreed radically on that Article, the interpretation of the Charter was left to the members.

No decision was made for the settlement of the Syrian-Lebanese question in the twenty-second meeting. In fact, the meeting showed a considerable disagreement on how the question should be settled. Of the four motions submitted to settle the question, not one was acceptable to the four parties involved. No vote was taken upon any motions submitted. However, the Council did again discuss the question before it. The Council did discuss the methods proposed
for the settlement of that question. The possibility of
future settlement seemed nearer.
CHAPTER VI

THE TWENTY-THIRD MEETING

OF THE SECURITY COUNCIL

I

After a three hour recess, the twenty-third meeting of the Security Council, the final meeting at which the Syrian-Lebanese question was considered, convened on 16 February 1946 at Church House, Westminster, London. The meeting was called to order by the president and the first order of business was the continuation of discussion of the Syrian-Lebanese question.

Stettinius of the United States opened the discussion by stating that throughout the 20th, 21st, and 22nd meetings the Security Council had shown itself generally in agreement that foreign troops should be withdrawn from Syria and Lebanon. He insisted, therefore, that the principle of evacuation had been established, and he argued that his motion in stating that "negotiations were to be held to that end," referred only to negotiations that were consistent with the principle of evacuation. Stettinius concluded that his motion was perfectly clear, and he urged the Council to accept that motion and prove to the rest of the world that it would not permit "itself to be divided by a lack of mutual confidence and mutual trust."1

1. Ibid., p. 336.
Stettinius' explanation coupled with his original motion left little doubt that the negotiations which he proposed were to be of a "procedural" nature. Although the United States delegate did not use the words "technical," "procedures," "military-technical," or "exclusively" in his resolution, his explanation did make it clear that negotiations were to deal with the evacuation of foreign troops and not the question of whether these foreign troops should be evacuated.

However, not all the members agreed with Stettinius. Vyshinsky still questioned the ambiguity of the resolutions of van Kleffens and Stettinius. He questioned the interpretation of the words "negotiations or otherwise" in the Dutch motion and the meaning of the words "to that end" in the American. Stettinius informed the Russian delegate once again that "to that end" referred to negotiations that were to be connected with troop evacuation. The Russian delegate countered that the United States motion thus referred to the same policy embodied in the Egyptian motion. The only difference, according to Vyshinsky, was that Riaz specifically stated that negotiations were to deal with "technical details." Because of such clarity, the Soviet representative heartily accepted the Riaz motion.

Bidault, on the other hand, would not accept the Egyptian motion. He found it unacceptable because it did
not provide for negotiations *per se*, but limited the parties concerned to merely "technical negotiations." The French delegate insisted that the Syrian-Lebanese question boiled down to one of two alternatives—"either there is a dispute or there is not a dispute." If a "dispute" did exist, a settlement must be arrived at through negotiations as provided for in Article 33. Article 33 did not limit the nature of the negotiations. "If Article 33 is not applicable," Bidault stated, "there is no dispute; in that case, I wonder what we have been doing here for so many hours, usefully spent, no doubt, but to what purpose?"

The French attitude expressed by Bidault by now was somewhat changed. By his rejection of "technical negotiations" and his insistence on unlimited negotiations as provided for under Article 33, Bidault admitted negatively, at least, that a condition existed in Syria and Lebanon, brought about by the maintenance of French and British troops, which required a solution. His reference to Article 33 implied further that a "dispute" might exist. The Article specifically mentioned "the parties to any dispute," and then provided for negotiations or other methods of settlement.

4. See page 48, footnote 42.
Discussion switched back to the Agreement of 15 December 1945. Riazi contended that the vagueness of that agreement was a basic cause for the disagreement in the Security Council. He proposed that the Security Council interpret the agreement and give it meaning as well as reach some kind of decision on a method to be followed for the complete and total evacuation of Syria and Lebanon. He contended his motion which provided for "technical negotiations" best served this purpose.

In rebuttal, Bevin attempted to clarify certain statements made by Cadogan in the twentieth meeting. Granting that a "dispute" did exist in the Levant in May 1945, Bevin insisted that conditions had cleared up considerably as of the Anglo-French Agreement in December 1945. Yet he conceded that misinterpretation of that agreement had caused a "dispute." Still, because of the British statement of withdrawal and the amplification of the Anglo-French Agreement by Bidault in the 22nd meeting to the effect that France, too, envisaged withdrawal; Bevin concluded: "...I suggest that the dispute arising out of the paragraph quoted no longer exists."

Bevin’s position in the Syrian-Lebanese question was far from clear. Bevin argued that a "dispute" had existed

in the past—in May 1945 when British troops intervened in the Levant to preserve order, and in December 1945 over the interpretation of the Anglo-French Agreement. The latter "dispute" was brought about because of a disagreement between the British and French authorities themselves over the place to which the United Kingdom should withdraw her forces. France interpreted the agreement to mean Palestine. The United Kingdom interpreted the agreement to mean Lebanon until French forces, too, withdrew from that Levant state. However, Bevin now insisted that conditions could no longer be termed a "dispute" because statements had been made in the previous meetings of the Council by himself and Bidault confirming evacuation at an early date. If Bevin's statement was true, his statement made in the 19th meeting of the Council (if a state says a "dispute" exists, then in fact it does) was fallacious. For, in conformance with that line of reasoning, a "dispute" was still in progress because Syria and Lebanon maintained that such a "dispute" did exist.

Riaz challenged Bevin's argument by insisting that a "dispute" did exist and that the Security Council was charged with the settling of that "dispute." He contended

the question whether and when British and French troops were to evacuate Syria and Lebanon had brought about such conditions. Bevin retorted that the decision to withdraw was patent under the Anglo-French Agreement. However, the British delegate conceded that his government would accept the Stettinius resolution since the agreement appeared not definite enough. He believed such action would make the agreement definite, and he concluded: "...I should have thought, cleared up the real dispute that exists."

Bevin again contradicted himself, for here he stated that a "dispute" existed. Again he took the position that he held in the 19th meeting.

Because of the utterly confused state of affairs in the Council by this time, Stettinius requested that the other three parties involved express their views upon his motion. Bidault stated that France would have preferred to dispense with a motion of the type submitted by Stettinius but was now ready to support it as a method of settlement. Therefore, both of the Great Powers to the "dispute" accepted the Stettinius resolution. Frangie explained that Lebanon still favored the motions of Riaz and Padilla Nervo because both stated clearly the type of negotiations to be

entered into. However, the Lebanese delegate proposed that if immediately before the words "to that end" in the Stettinius resolution, the word "exclusively" was inserted, and if at the end of the proposal the words "as well as of the final date of withdrawal" were added, then he would agree with the Stettinius resolution and accept it.

Bevin objected to the proposals to amend the Stettinius motion on the grounds that such limited negotiations to the withdrawal of troops only and implied that negotiations on no other matters could be conducted. He contended that such action was unduly discriminatory and argued that all kinds of negotiations were going on in other countries in which foreign troops were stationed. None of these were regulated by the Security Council. He did, however, qualify the negotiations desired and stated:

I ought to make it clear that the other negotiations should not be made dependent upon the withdrawal of the troops, but I am quite clear that something has to be done while we are withdrawing; and, if the words in this text were used, it would mean that we could not discuss anything at all. 9

The British delegate, in admitting that other negotiations were necessary for withdrawal, did not admit what

10. The Lebanese delegate's suggestions were not formal amendments and the Council did not vote.
matters these other negotiations were to include. But, Bevin made it emphatically clear to the Syrian and Lebanonese delegates and the other members that troop withdrawal should not be dependent on any other negotiations. The statement was a definite British guarantee to Syria and Lebanon. The opposite had been true regarding negotiations between France, Syria, and Lebanon in May 1945. Bevin's statement guaranteed that such procedure would not recur under the motion as proposed by Stettinius.

Frangie of Lebanon interrupted the discussion to point out that the two Levantine states did not refuse negotiations. But he maintained that both Syria and Lebanon did refuse "to negotiate on the question of the withdrawal of troops in relation to other questions." For this reason he had inserted the word "exclusively" in the Stettinius motion "to avoid any attempt to confuse two types of negotiations in such a way that the result of one type of negotiations might influence the result of another type."

Vyshinsky agreed with Frangie's argument and asserted that unless the Council specified the character of the negotiations specifically in the written motion, the organization would get nowhere in the settlement of the Syrian-

12. Ibid., p. 342.
13. Ibid., p. 342.
Lebanese question. He called upon the French representative explicitly to commit himself upon the character of the negotiations France envisaged. Because Bidault had not answered Vyshinsky’s same question previously, the Soviet delegate admitted that he was led to believe that France still wished to negotiate upon the cultural, economic, and strategic conditions she had used in May 1945. For this reason, he called upon the Council to make a clear cut decision on the negotiations and concluded:

If they are to be technical negotiations, let us say so; if they are to be negotiations of another kind, let us say so; but, unless we do, I feel that not only shall we continue to mark time, but the situation itself may become more difficult.14

From Vyshinsky’s statement, the question arose, was the Soviet delegate now considering the issue a "dispute" or a "situation?" His concluding statement referred to the possibility of the "situation" becoming more difficult. Even the Soviet delegate was not clear as to which prevailed. Certainly the other members were not. However, Vyshinsky was positive that the Security Council should set down a definition of terms. Such definition would have to include specific methods of settlement to which the four parties concerned would be bound. Under such procedure,

France, the United Kingdom, Syria, and Lebanon would have to conform to the pattern set by the Security Council, and there could be no misinterpretation of the type of negotiations to be followed. Vyshinsky contended that such was not true under the Stettinius motion.

In an attempt to lend clarification to his original motion, Stettinius made the following amendment to his original motion: "and that negotiations to that end, independently of other issues, will be undertaken." With the new amendment, the original Stettinius motion had been amended three times—twice by Frangie and once by Stettinius. In addition, the Council had three other motions, those of van Kleffens, Padilla Nervo, and Riaz, before it.

Vyshinsky denounced the Stettinius amendment because it did not limit negotiations to those of a technical nature. In accepting the amendment, Bevin stated:

I am willing to accept that these negotiations are exclusively for the withdrawal of the troops; and if they do that, that is all there is to it, as far as I can see. That answers the complaint that the Lebanese and Syrians put to us.16

Frangie, in speaking for the Levantine states, explained that the Stettinius amendment did not clear up the political issues involved in the Agreement of 13 December 1945.

15. Ibid., p. 343.
16. Ibid., p. 345.
He could accept the amended motion only if France would no longer stand by the Agreement of 1945 and stipulate that no conditions other than technical ones necessary to withdrawal would be included in the negotiations. Frangie assured the members that after such conditions had been fulfilled, both Syria and Lebanon would be happy to discuss any cultural, economic and strategic issues. Bidault accepted the amendment but maintained that his country was in honor bound by the Anglo-French Troop Agreement. He did clarify the French stand considerably:

The purpose of the negotiations provided for in the text is beyond doubt the evacuation of the countries referred to. For my part, I see no objection, quite the contrary, to these negotiations being separate from other negotiations leading to a resumption of fully satisfactory relations between our various countries and our old friends of the Levant.\textsuperscript{17}

Bevin and Bidault, then, accepted unconditionally the method for settlement of the Syrian-Lebanese question as laid down in the amended version of his original motion by Stettinius. The other two parties to the "dispute," as Frangie stated, accepted the amendment and original proposal only with qualifications. They demanded that France no longer stand by the Anglo-French Agreement for troop evacuation in the Levant. Furthermore, Frangie demanded that France stipulate conditions for evacuation be only

\textsuperscript{17} \textit{Ibid.}, p. 346.
those of a technical nature so that negotiations necessary to evacuation could in no way be made dependent upon any other negotiations between France and Syria and Lebanon. Bidault accepted the condition that the negotiations would be concerned with evacuation and would be separate from any negotiations leading to a resumption of more satisfactory relations with Syria and Lebanon. Bidault, then, did clarify the French stand. He stated unequivocally that other negotiations would be separate from troop evacuation negotiations. However, he did not state specifically that evacuation negotiations would not be dependent upon other successful negotiations. He did not commit France on the time element involved.

The trend toward general agreement on the Stettinius motion between the parties to the "dispute" did not prevent further attempts to change that motion. Van Kleffens of The Netherlands suggested the words, "which may be discussed" be added to the original motion to qualify the "negotiations." Bevin requested that the word "mutually" be inserted before the word "discussed." The two proposals were not considered formal amendments. Both helped to confuse the Council further.

18. Ibid., p. 346.
19. Ibid., p. 346.
As usual, Vyshinsky found the new proposals objectionable because neither made mention of the "substance" of the negotiations. He still maintained that the Council should specifically state in the motion the "procedure" to be followed, leaving only the time of withdrawal, details of withdrawal, and departure schedule to the four parties to the "dispute." His contention was that France still wished to negotiate on the "substance" of the question.

Vyshinsky's attitude was unwarranted. The consensus was that troops should be withdrawn from Syria and Lebanon. Even Bidault had openly admitted that France favored such policy, and every member presupposed that negotiations between the parties would be concerned with evacuation procedure. Bidault accepted this policy when he stated:

I consider that the whole problem of interpretation as to the nature of the negotiations to take place between us has already been solved by the foregoing explanations. 20

At this point, Koo presented one of the most rational evaluations of the proposed methods for settlement of the question. He maintained that the original motion of Stettinius was the most workable because it incorporated all ideas in the other motions. He found the amendments nothing but confusing. He explained that "as soon as practicable" and "to that end" could refer only to the

20. Ibid., p. 347.
practical arrangements to be made. The phrases could not refer to "substantive" questions. Stettinius had said as much in his explanations. Furthermore, Koo informed the Council that it was to be concerned with negotiations for evacuation only. Other negotiations were going on in the world every day and were no concern of the Council. Therefore, since these negotiations were to be concerned with the evacuation of foreign troops from Syria and Lebanon, since the principle of withdrawal had been definitely recognized by members, and since negotiations would naturally center upon practical arrangements for the withdrawal of French and British troops, Koo called upon the Council to accept the original Stettinius motion and settle the question.

El-Khouri in attempting to clarify Frangie's amendment (insertion of the word "exclusively") asserted that it did not prevent other negotiations between the four countries if such were mutually agreed upon. He informed the Council that his government and the Lebanese government wished the word included as definite protection against any attempt to make evacuation negotiations dependent upon any other negotiations between France and Syria and Lebanon. (Bidault had not specifically stated France would not attempt to do this. Bevin had stated the United Kingdom would not.) Furthermore, the Syrian delegate did not favor the inclusion
of the Stettinius amendment which added the words "independently of other issues." He felt the addition would only complicate negotiations by insinuating that other issues had to be negotiated. He stated:

I express the views of my Government when I say that, for the time being, it prefers that no other subject should be opened for negotiation with France as long as troops are in our country.\(^{21}\)

However, El-Khoury qualified his statement by saying that Syria would welcome negotiations on any questions with any government as soon as foreign troops were out of Syria.

El-Khoury, who had previously explained to the Council that his country preferred the motions of Riaz and Fadilla Nervo to the Stettinius motion, informed the Security Council at this point that as long as the matter of withdrawal of foreign troops was substantiated, accepted, and recommended by the Council, then:

...any method which is adopted to attain that end would be equally acceptable to us, provided that no matters for negotiations are imposed on the parties in addition to the main issue, except by mutual consent.\(^{22}\)

By this statement, El-Khoury implied that Syria would accept the Stettinius resolution. Any method of settlement adopted by the Security Council was acceptable to him as

\(^{21}\) Ibid., p. 349.

\(^{22}\) Ibid., p. 350.
long as the matter of withdrawal was substantiated and accepted. Frangie was less conciliatory. He had not stated he would drop his amendment containing the word "exclusively." Furthermore, although both Syria and Lebanon refused negotiations without mutual consent, Frangie maintained that Lebanon refused to negotiate any other issue with France until French troops were evacuated. The paradox was that Christian Lebanon, always more friendly toward France than Moslem Syria, at this point appeared more hostile.

Of the proposals for settlement of the Syrian-Lebanese question, most of the discussion had centered around the original version and the amended version proposed by Stettinius. Aware of this fact and trying to bring about a method of settlement, the president of the Council again called upon the parties involved to state their preference between the two. Bevin admitted he favored the original motion. El-Khoury hedged. He stated that Syria and Lebanon felt that the text should be elaborated in such form to protect the "small powers" if the Great Powers attempted to interpret the resolution as they saw fit. Frangie did not accept either of the Stettinius resolutions. He stated that he would drop the amendment "exclusively" but maintained that the negotiations should be technical and that the Security Council should be informed of the final date
of withdrawal. Frangie could accept the Stettinius motion only with these proposed amendments. Bideault did not speak at this time. Previously in the meeting he had stated that he would accept the Stettinius resolution.

After ascertaining the statements of the parties to the "dispute," Makin put the following question to the Council:

I should like to ask the members of the Council whether, in the light of the explanations that we have had, there is any objection to the original text that was submitted by Mr. Stettinius. 23

Before the members could respond Vyshinsky interrupted to propose that the Council establish an order of voting upon the motions before it. He proposed that Rule 32 of the provisional rules be followed and that van Kleffens' motion be voted upon first, Padilla Nervo's second, Miaz' third, and Stettinius' fourth. The Council agreed.

Before the vote was taken on van Kleffen's motion, the Netherlands delegate withdrew it. He took this action under Rule 35 of the provisional rules of procedure believ-

23. Ibid., p. 354.


"Principle motions and draft resolutions shall have precedence in the order of their submission. Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects."
ing that there was sufficient agreement on the Stettinius resolution. The action left three proposals before the Council. Because the Stettinius resolution was so confused by suggested amendments, it was read to the members in original form:

The Security Council

Takes note of the statements made by the four parties and by the other members of the Council;

Expresses its confidence that the foreign troops in Syria and Lebanon will be withdrawn as soon as practicable and that negotiations to that end will be undertaken by the parties without delay; and

Requests the parties to inform it of the results of the negotiations. 25

After the rereading, Stettinius explained that there was only one amendment to the motion, that being the addition of the words "independently of other issues" after the words "to that end."

Frangie of Lebanon and Rizk of Egypt proposed certain formal amendments before the other motions could be read to the Council. Frangie withdrew his proposed amendment to

25. Ibid., Rule 35.

"A motion or draft resolution can at any time be withdrawn, so long as no vote has been taken with respect to it.

"If the motion or draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it."

insert the word "exclusively" before the words "to that end" in the Stettinius motion. However, Frangie maintained that his other two amendments, the inclusion of the word "technical" before negotiations and the addition of the words "as well as of the final date of withdrawal" at the end of the United States resolution, still stood. Hiaz amended his motion by deleting the word "exclusively."

The motions as read by the president of the Council were as follows:

The Security Council shall decide:

1. That the claim of the Syrian and Lebanese Governments to the effect that the British and French troops should be withdrawn simultaneously and at the earliest possible date is justified.

2. That the date of the evacuation of such troops should be fixed by negotiations between the parties in this case, it being understood that such negotiations will be concerned exclusively with the military-technical arrangements necessary for the adequate evacuation of such troops.

3. To request the parties to inform the Council when this is done.

The motion of Hiaz, the delegate from Egypt:

After having heard the statements by the representatives of Lebanon, Syria, France and the United Kingdom, and after having exchanged views on the case which is submitted to it,

The Security Council,

Considering that the presence of British and French troops in Lebanese and Syrian territory is incompatible with the principle of the sovereign equality of all Members laid down in the Charter;
Believing that this principle, the validity of which is fully recognized by all the parties concerned, should receive its full application by the immediate and simultaneous withdrawal of all British and French troops still in the territories referred to;

Recommends to the British and French Governments on the one hand, and to the Lebanese and Syrian Governments on the other hand, to enter into negotiations as soon as possible with a view to establishing the technical details of the said withdrawal, including the fixing of the date of its completion, and requests them to keep the Council informed of the result of these negotiations.

The motion of Stettinius, the delegate from the United States:

The Security Council

Takes note of the statements made by the four parties and by the other members of the Council,

Expresses its confidence that the foreign troops in Syria and Lebanon will be withdrawn as soon as practicable, and that negotiations to that end will be undertaken by the parties without delay; and

Requests the parties to inform it of the results of the negotiations.

This was the original motion of the representative of the United States. The president of the Council did not submit the amended version.

II

Before the Security Council was ready to vote, the question of "substantive" and "procedural" voting, which
had been raised but not settled in the nineteenth meeting, was again brought up by Vyshinsky. The Soviet delegate insisted, as before, that a "substantive" vote be taken under Article 27, paragraph 3, of the Charter. Because Vyshinsky maintained that a "dispute" did exist, it was logical for him to call this article into force. Since under the article parties to a "dispute" were to refrain from voting under Chapter VI and Article 52 of the Charter, Vyshinsky was actually calling upon the Council to legally decide the Syrian-Lebanese question constituted a "dispute."

Although the president had no authority to determine by himself if the question constituted a "dispute," because the opinion in the Council had previously implied that some form of a "dispute" did exist, he stated:

...if there is no objection, I shall take it to be the decision of the Council that a dispute does exist between Syria and Lebanon on the one hand and France and the United Kingdom on the other.

Bidault and Bevin objected to the decision.

Bidault, as throughout the entire discussion on the Syrian-Lebanese question, insisted that a "dispute" did not exist. He adhered to the same argument used earlier and pointed out that Syria and Lebanon did not wish to negotiate under Article 33 of the Charter. His conclusion

27. Ibid., p. 357.
was, therefore, that a "dispute" did not exist. Furthermore, Bidault based his case on the letter of 4 February 1946 from the Syrian-Lebanese governments. He contended that the letter was inconsistent. Although the fifth paragraph mentioned that "this dispute" was being brought to the attention of the Security Council, the second paragraph was a contradiction and stated that "the presence of these troops, which constitutes a grave infringement on the sovereignty of two States Members of the United Nations, may give rise to serious disputes." Bidault's conclusion was that even Syria and Lebanon were not positive that a "dispute" did exist.

Bevin, whose position was confused throughout the entire discussion of the Syrian-Lebanese question, did not now admit that a "dispute" existed. He, too, took note of the letter from the Syrian and Lebanese governments. If he admitted that a "dispute" did exist, he also had to admit that British troops were constituting a "grave infringement of the sovereignty" of Syria and Lebanon. Bevin informed the Council that the latter could not be the case because the presence of British troops had been requested by the Syrian and Lebanese governments in May 1945. Therefore, such troops could not be gravely infringing their sovereignty. Bevin used this excuse to hedge and concluded:
I am really not pitting the opinion I expressed then (if an accuser states there is a dispute, there is a dispute, expressed in nineteenth meeting) against the opinions that were expressed all around the table by the great authorities we have here now on procedure.28

As an alternative, Bevin suggested that the question go to the Committee of Experts that was set up for determining basic questions of procedure. In the meantime, he stated that the United Kingdom would, in accordance with Bidault's statement, refrain voluntarily from voting without prejudice to future decisions.

In opposition to the positions adopted by Bidault and Bevin, El-Khourí, in speaking for Syria and Lebanon, maintained that a "dispute" did exist. The Syrian representative referred to the letter from his government of 4 February 1946 to prove his point. He pointed out that the fifth paragraph stated that a "dispute" did exist. Furthermore, he contended that the "dispute" might take one or more forms. It might lead to more serious "disputes" as stated in paragraph two. However, El-Khourí insisted the possibility of more serious "disputes" did not negate the "dispute" then in existence. Vyshinsky and Riaz agreed with this interpretation.

Vyshinsky, too, rebutted the argument expressed by

Bidault. He reminded the French delegate that the Security Council was the organization charged with determining, after hearing all evidence, whether a "dispute" actually existed. It was not up to one nation to decide after investigating pieces of evidence. He further reminded the Council that Article 33 of the Charter provided that parties to a "dispute" were to seek solution by "negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." The Soviet delegate insisted, therefore, that negotiation was but one method of peaceful settlement and the turning down of that one method by parties to a "dispute" did not rule out the existence of that "dispute." With these reasons in mind, Vyshinsky concluded:

It is a dispute which threatens international relations, which may lead to further bloodshed and constitute a menace to international peace and security... We have to admit that the dispute is not solved yet, and that the Council must solve it.

In so doing, Vyshinsky contended that Article 27, paragraph 3, of the Charter should be followed.

The case Vyshinsky presented was logical. Merely be-

29. See page 48, footnote 42.

cause Syria and Lebanon did not wish to accept one means of settlement under Article 33, that of negotiation, did not necessarily mean, as Bidault concluded, that a "dispute" did not exist. The reason the Levantine states refused negotiation was their fear that negotiations for the evacuation of troops would be dependent upon other negotiations. Such had been the case in May 1945. Furthermore, Vyshinsky was correct in maintaining that it was the duty of the Security Council to determine after hearing all evidence whether a "dispute" did exist. Although the Security Council did not specifically commit itself, opinion in the Council, barring that expressed by Bidault and Bevin, was that a "dispute" did exist. Even Bevin twice had admitted as much, and Bidault had insinuated as much in this meeting. However, Vyshinsky's argument implying that the "dispute" could lead to bloodshed and become a menace to international peace was more debatable. It is impossible to tell what might have happened in the Syrian-Lebanese question had it not been settled, but it is possible to conclude that a "dispute" or "situation" left unchecked is a possible threat to world peace and security.

Makin proposed that the Council vote upon the motions before it. He did not term the question a "dispute" or a "situation" but suggested that the vote be taken without any formal decision on voting rules since the delegates
from France and the United Kingdom stated they would refrain from voting. The procedure made voting possible without the Council's actual determination of whether the Syrian-Lebanese question was a "dispute."

III

Voting was conducted in the chronological order in which the motions had been submitted and the motion of Padilla Nervo was the first to be voted upon. Before the vote was taken, the Mexican delegate requested that he be allowed to amend his motion by deleting the word "exclusively." This was done, but the motion was lost. Four members voted for the motion; an affirmative vote of seven was necessary to carry. The Egyptian motion, which carried only four affirmative votes, was likewise defeated.

Before a vote could be taken on Stettinius' motion, Vyshinsky proposed three amendments. The first amendment replaced the words "expresses its confidence that the foreign troops in Syria and Lebanon will be withdrawn" by

31. Ibid., p. 364. (In the early meetings of the Security Council, no breakdown was given in regard to the way members voted on a particular issue. Total votes were recorded only. Later meetings divide the vote into such categories as: in favor, against, abstaining, and absent.)

32. Ibid., p. 364.
the expression "recommends to the Governments of the United Kingdom and France to withdraw their troops from the territories of Syria and Lebanon." The second amendment substituted the word "immediately" for "as soon as practicable." The third called for the insertion of the word "technical" before the word "negotiations." The vote became more confused as Riaz now proposed an amendment to the Soviet amendment. He suggested deleting the word "recommends" in the Soviet amendment and insertion of the words "takes note." Vyshinsky accepted the Egyptian amendment.

The voting proceeded. Riaz' amendment was lost by an affirmative vote of three. Vyshinsky's second amendment was lost by affirmative vote of two. His third amendment was defeated by an affirmative vote of five. The original motion of Stettinius was voted upon next and carried by an affirmative vote of seven. Bevin and Bidault abstained.

33. Ibid., p. 365.
34. Ibid., p. 365.
35. Ibid., p. 366.
36. Ibid., p. 366.
37. Ibid., p. 367.
38. Ibid., p. 367.
39. Ibid., p. 367.
40. Ibid., p. 367.
voluntarily because of their previous pledges to the Security Council. The Syrian and Lebanese delegates did not have the franchise. Poland abstained. Modelewski informed the Council that he did not vote because the Stettinius motion did not completely satisfy him that it would yield good results.

Vyshinsky voted against the Stettinius resolution.
He maintained, since voting was conducted under Article 27, paragraph 3, of the Charter, that the motion was defeated. He exercised his power of the veto and explained the Soviet position by stating:

I am a permanent member, and I voted against this proposal, because the amendments which would have enabled me to vote for it have not been accepted. I think the position is quite clear. I am applying a rule, and I am using my right as a permanent member to make such statements as I think proper. 41

Stettinius and Koo made no comment. The other two permanent members accepted the position taken by the Soviet delegate as being completely within the interpretation of the Charter. Bidault stated:

The interpretation of Article 27 by the representative of the Soviet Union is entirely in conformity with the letter and spirit of the Charter. I therefore believe that, from the legal standpoint, this vote does not create an obligation. 42

41. Ibid., p. 367.
42. Ibid., p. 368.
His colleague, Bevin, concurred:

I join with Mr. Bidault and I agree that legally the interpretation given of the Charter is correct. We will, as a party to this conflict, carry out the majority decision of the Council as expressed in the vote. 43

Bidault, in speaking for France, also pointed out that his government would carry out the decision of the Council.

"After five hours and fifty minutes of a debate that failed to reach a decision," the president declared the motion not carried and the Security Council passed on to the next order of business.

IV

Legally, the twenty-third meeting of the Security Council did not settle the Syrian-Lebanese question. The proposal for settlement by Stettinius was vetoed by the Soviet delegate under the "substantive" provision for voting embodied in Article 27, paragraph 3, of the Charter, and by this action, the opinion of the majority of the Council was nullified by Vyshinsky.

Actually, though, since the majority of the members favored the Stettinius motion, Bidault and Bevin stated

43. Ibid., p. 368.

that their governments would be morally bound to conform to its stipulations. They agreed to negotiate as soon as practicable. They accepted the Council's opinion that negotiations were to be directed toward evacuation procedures. They agreed to notify the Council as soon as negotiations were carried out. The desire for settlement was, therefore, accepted. The technicalities of evacuation were to be carried out by France, the United Kingdom, Syria, and Lebanon.

The alignment of delegates in the twenty-third meeting of the Security Council was more discernible than in any of the other meetings in which the Syrian-Lebanese question was considered. El-Khoury and Frangie were agreed, as throughout the entire discussion, that a "dispute" existed and that the Security Council should take action to put an end to that "dispute." They preferred the motions of Riaz and Padilla Nervo as methods of settlement because these motions limited negotiations to those of a "technical" nature. They insisted that any other negotiations between their governments and France and the United Kingdom should in no way be dependent upon negotiations related to the evacuation of troops. From this point, there was some disagreement between the two delegates. Frangie stated specifically that his country was not willing to have negotiations with France on other matters until troops were evacu-
ated. El-Khourl implied as much, but he stated that Syria would accept any solution agreed upon by the Council as long as the principle of evacuation was embodied in that solution. Frangie insisted upon "technical" negotiations and that the Council set a date at which time evacuation should be completed. The Lebanese delegate did not yield on these points, although he did finally withdraw his amendment which had stated negotiations should be "exclusively" directed toward evacuation.

Vyshinsky and Riaz upheld the stand taken by the Levant delegates. They insisted that a "dispute" existed and that the best method of settlement of that "dispute" was embodied in the Riaz motion because that motion provided for "technical" negotiations. Because the Stettinius motion made no such limitation on negotiations, Vyshinsky vetoed it. Bidault and Bevin were agreed that the Soviet action was justified because of the "substantive" nature of the vote under Article 27, paragraph 3.

Stettinius and Koo did not commit themselves on the legality of the Soviet veto. However, neither questioned the procedure. Koo and Stettinius were non-committal on the question of whether a "dispute" actually existed, but, again, neither contested voting procedure being conducted under Article 27, paragraph 3, which stated that parties to a "dispute" must abstain from voting.
Bidault and Bevin were in general agreement at the end of the twenty-third meeting that conditions in the Levant did not constitute a "dispute." The French delegate had insisted upon this point throughout the discussion, but the British delegate had vacillated back and forth, at one time maintaining that a "dispute" did exist, and at another maintaining that it did not. Both delegates accepted the principle of and the method for evacuation as set down in the Stettinius motion.

Delegates of the other nations, with the exception of Modelewski, after much pro and con discussion, also accepted the Stettinius motion. Their decisions were arrived at only after prolonged discussion that at intervals became so involved and so complicated that it appeared unlikely that the Council would ever come to a decision. Although the process was tedious, and although ultimate results were doubtful, a decision was finally reached. British and French troops were soon to be evacuated from Syria and Lebanon.
CHAPTER VII

CONCLUSION

I

In a letter dated 30 April 1946 addressed to the president of the Security Council, Ambassador Henri Bonnet of France informed the Council that the French and British governments had jointly made arrangements for the complete evacuation of their troops from Syrian territory by 30 April 1946. These arrangements had been agreed upon at a conference of French and British military experts held in Paris from 2-6 March 1946, the purpose of which was to determine the procedures to be followed in the evacuation as well as to set time limits under which the evacuation was to be carried out. The British and French troops in question were evacuated from Syria by 15 April 1946, and the Syrian Premier Saadallah El Jabiri confirmed this fact in a telegram of the 19 May 1946 to the Security Council:


The Syrian Government has the honour to inform the members of the Security Council that the evacuation of the foreign troops from the Syrian territory in compliance with the proposal of the delegate of the United States of America has been accomplished during the first two weeks of April 1946.  

In conjunction with the French and British military conference of 2-6 March 1946, the French and Lebanese Ministers of Foreign Affairs met in Paris to fix a date by which all French troops would be evacuated from Lebanon. This date was set at 1 April 1947. British forces were to be withdrawn from Lebanon by 30 June 1946. Furthermore, the first thousand British and the first thousand French troops were to be evacuated by 31 March 1946. Withdrawal of these forces was carried out by the appointed dates.

By a note dated 19 March 1946, the French government informed the Lebanese government that French troops could be withdrawn from Lebanon at an earlier date than 1 April 1947 if the Lebanese government would take certain steps to aid in the evacuation. France called upon Lebanon to

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3. Security Council, Telegram from the Syrian Premier and Minister of Foreign Affairs to the Secretary-General, Doc. S/64, New York, 23 May 1946. (See appendix, page 160)

4. Ibid., Doc. S/64.


grant to the French command in the Levant the full use of
the public services and of the Lebanese army for the trans­
port, guarding, and embarkation of all materiel. France
also requested the Lebanese government to agree to the
setting up of a joint Franco-Lebanese military staff for
the coordination of all activities connected with the evac­
uation. Lebanon accepted these provisions and verified
the fact by a letter of 21 March 1946 from the Lebanese
Minister of Foreign Affairs to Bidault.

In a mutual exchange of letters between the Lebanese
and French Ministers of Foreign Affairs of 23 March 1946,
the date at which French troops as a whole were to be
withdrawn from Lebanon was set at 31 August 1946. From
the 31 August 1946 to the 31 December 1946, France was to
be allowed to maintain thirty officers and three hundred
technicians in Lebanon for the purposes of supervising the
shipments of materiel to France. Both countries accepted
these stipulations.

In a letter dated 12 June 1946, Dr. Charles Malik,
Lebanese Minister to the United States, informed the Se­
curity Council that negotiations had been concluded be­
tween his government and France to bring about the com­

plete evacuation of French troops from Lebanon. His letter included a letter from Hamid Frangie, the Lebanese Minister of Foreign Affairs, which stated: "The Lebanese government is satisfied with the outcome of the said negotiations and has decided to inform the Security Council thereof."

The "dispute" over the evacuation of French and British troops from Syria and Lebanon was, therefore, a closed issue.

II

Certain definite conclusions can be drawn from the operation of the Security Council in the Syrian-Lebanese question. The Council itself did not settle the "dispute." It had no legal authority to act after the veto of the Stettinus motion without reconsidering the question. At the most, the Security Council merely provided a world forum which heard the cases of the four parties to the "dispute." In this respect, the value of the Council should not be underestimated. General agreement reached among the members within the Council influenced France and the United Kingdom to the extent that they

accepted on their own initiative the content of the Stettinius motion and acted outside the Council to bring about settlement of the "dispute." Discussion within the Council aided in initiating this action--negotiations between France, the United Kingdom, Syria, and Lebanon--which brought about the evacuation of foreign troops.

Other important questions were not settled by the Council during the time which the Syrian-Lebanese "dispute" was before it. No decision was reached on whether the maintenance of French and British troops in Syria and Lebanon constituted a "dispute" or a "situation." Even so, from the evidence presented, it can be concluded that a "dispute" did exist. (Bidault was the only member to maintain consistently that a "dispute" did not exist.) Moreover, the Council did not decide whether the vote necessary to determine the existence of a "dispute" was to be "substantive" or "procedural." Again from the evidence presented, the conclusion to be drawn is that such a vote if taken should have been "substantive." And, finally, the Council never determined the legality of the Anglo-French Agreement of 13 December 1945. Still, that agreement was apparently regarded as illegal by most of the members of the Security Council.

In its early meetings in 1946, the Council avoided or at least was non-committal on such controversial ques-
tions as those mentioned above. Decisions in these questions were left to the discretion of the individual members. Perhaps this was a wise policy. Perhaps the members realized there was little possibility for agreement. By avoiding commitment, the Council did leave itself a greater possibility for agreement on its major issue—the determination of a method for the evacuation of the foreign troops in the Levant. However, this procedure did set a bad example. It created the impression for individual members and the world that the Council could not even agree on minor issues. It appeared not even to try, for a vote was taken on only one of the three issues cited. If the members were aware that these questions probably could not be settled at that time, then the procedural techniques developed by the Council were at least workable. On the other hand, the Security Council in failing to decide all these questions might well be charged with having failed in its duty.

During the meetings in which the Syrian-Lebanese "dispute" was heard, Council action further showed the beginning of the split between the Great Powers, later to be called the "Cold War." Vyshinsky consistently opposed Bevin, Bidault, Koo, and Stettinius, his opposition continuing even though Bevin and Bidault made certain important concessions to the Soviet delegate. Still, these
concessions failed to satisfy Vyshinsky, and he eventually vetoed the Stettinius motion for the settlement of the Syrian-Lebanese "dispute."

A paradox can be seen in Soviet strategy. Vyshinsky, who had championed the cause of Syria and Lebanon throughout all the discussions, chanced leaving the Levant nations devoid of United Nations aid by his veto. The Council could thus make no guarantee to Syria and Lebanon that French and British troops would be evacuated, for it had no legal authority to act under the Stettinius motion. Furthermore, it was highly debatable that any other plan would be as acceptable to a majority of the members. Therefore, the veto by Vyshinsky was not only a betrayal of the Syrian-Lebanese cause, but it was an example of Soviet uncooperative spirit and an indication of possible future Soviet action in the Security Council.

Yet, even though the Soviet veto blocked the Council's action to settle the Syrian-Lebanese "dispute," and even though the Council failed to settle important questions (regarding "substantive" and "procedural" voting, the existence of a "dispute," and the legality of the Anglo-French Agreement), the Council did at least provide a world forum which heard the Syrian-Lebanese plea. Discussion in this forum made known to France and the United Kingdom the majority opinion of the members, and in good faith and in
a spirit of cooperation with this majority opinion, the two Great Powers evacuated their troops from Syria and Lebanon. Although evacuation was carried out by France and the United Kingdom on their own initiative, they were stimulated to this action by the Security Council discussions. This was the "victory" of the United Nations.
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Documents S/51, S/52, S/64, and S/90 were important because they contain the correspondence which established the mechanics for evacuation.

Volume XI of the UNCIO Documents provided a needed aid on "substantive" and "procedural" voting in that it contained the Statement of the Sponsoring Governments made at San
Francisco regarding all Security Council voting.

The text of the Anglo-French Agreement of 13 December 1945 was vital for an understanding of certain Syrian and Lebanese objections. The Lebanese note of 9 January 1946, was important because it presented the official Lebanese attitude in regard to the Agreement between France and the United Kingdom. The Syrian note of 26 December 1945 could not be obtained.

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troops. Hourani's *Syria and Lebanon* was an excellent objective aid to understanding conditions in the Levant from pre-World War I to 1945. The appendix contained the texts of important documents including the proposed Franco-Syrian and Franco-Lebanese treaties of 1936.

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APPENDICES
General Catroux's Proclamation of 8 June 1941

After conferring with General Wavell and General de Gaulle, General Catroux issued a proclamation on the 8th of June, in the name of General de Gaulle, Chief of the Free French, to the inhabitants of Syria and the Lebanon:

"People of Syria and the Lebanon! At the moment when the forces of Free France, united to the forces of the British Empire, our ally, are entering your territory, I declare that I assume the powers, responsibilities, and duties of the representative of "La France au Levant." I do this in the name of Free France, which identifies herself with the traditional and real France, and in the name of her Chief, General de Gaulle. In this capacity I come to put an end to the mandatory regime and to proclaim you free and independent.

"You will therefore be henceforward sovereign and independent peoples, and you will be able either to form yourselves into separate States or to unite into a single State. In either event, your independent and sovereign status will be guaranteed by a Treaty in which our mutual relations will be defined. This treaty will be negotiated as soon as possible between your representatives and myself. Pending its conclusion, our mutual position will be one of close unity in pursuit of a common ideal and common aims.

Allies to Ensure Syrian Independence.

"People of Syria and the Lebanon, you will see from this declaration that if the Free French and British forces cross your frontier, it is not to take away your liberty, it is to ensure it. It is to drive out of Syria the forces of Hitler. It is to prevent the Levant from becoming an enemy base directed against the British and against ourselves.

"We who are fighting for the liberty of the people cannot allow the enemy to submerge your country step by step, obtain control of your persons and your belongings, and turn you into slaves. We cannot allow the populations which France has promised to defend to be thrown into the hands of the most wanton and pitiless master that history has known. We cannot allow the age-long interests of France in the Levant
The Blockade Will be Lifted.

"People of Syria and the Lebanon! If, in answer to our appeal, you rally to us, you should know that the British Government, in agreement with Free France, has promised to grant you all the advantages enjoyed by the free countries which are associated with them. Thus the blockade will be lifted and you will enter into immediate relations with the sterling bloc, which will open up the widest possibilities to your imports and exports. You will be able to buy and sell freely with all the free countries.

"People of Syria and the Lebanon! A great hour in your history has sounded. France declares you independent by the voice of her sons who are fighting for her life and for the liberty of the world."
Sir Miles Lampson's Declaration of 8 June 1941

This call to arms from General Catroux was followed by a declaration of support from Sir Miles Lampson, British Ambassador in Cairo, on behalf of the British Government:

"General Catroux, on behalf of General de Gaulle, Chief of the Free French, has issued a declaration to the inhabitants of Syria and Lebanon before advancing with the object of expelling the Germans. In this he declares the liberty and independence of Syria and Lebanon. He undertakes to negotiate a treaty to ensure these objects.

"I am authorized by his Majesty's Government in the United Kingdom to declare that they support and associate themselves with the assurance of independence given by General Catroux on behalf of General de Gaulle to Syria and Lebanon.

"I am also authorized to give you the assurance that should you support and join the Allies, his Majesty's Government in the United Kingdom offers you all the advantages enjoyed by free countries who are associated with them. The blockade will be lifted and you may enter into immediate relations with the sterling bloc, which will give you enormous, besides immediate, advantages from the point of view of your exports and imports. You will be able to sell your products and to buy freely in all free countries."
Les Accords Franco-Britanniques sur le Levant

Texte Officiel

Le ministère des affaires étrangères a communiqué le texte des accords franco-britanniques sur le Levant, signés à Londres, le 13 décembre (1945):

Accord No. 1

Les experts militaires français et britanniques se réuniront à Beyrouth le 21 décembre 1945 pour arrêter les modalités d’un programme d’évacuation échelonnée, avec regroupement corrélatif des forces.

L’un des objets de la discussion sera de fixer une date très prochaine à laquelle commencera cette évacuation.

Il est entendu que l’évacuation de la Syrie se fera "parti passu", de telle sorte qu’elle sera achevée en même temps pour les forces françaises et pour les forces britanniques.

Le programme d’évacuation sera établi de telle sorte qu’il assurera le maintien au Levant d’éléments suffisants pour garantir la sécurité, jusqu’au moment où l’organisation des Nations unies aura à statuer sur le dispositif de la sécurité collective dans cette zone.

Jusqu’à ce que cette mise en place soit effectuée, le gouvernement français conservera des éléments regroupés au Liban.

Les gouvernements, français et britannique, feront part aux gouvernements libanais et syrien des clauses ci-dessus qui concernent les modalités de l’évacuation et inviteront lesdits gouvernements à désigner, les plus tôt possible, des représentants qualifiés pour discuter les dispositions à arrêter d’un commun accord en conséquence de ces déclarations.

La discussion portera également sur les mesures qui seraient à prendre pour faciliter aux gouvernements syrien et libanais l’exercice des missions de maintien de l’ordre qui leur incombent.

Accord No. 2

Le gouvernement provisoire de la République française
et le gouvernement de Sa Majesté dans le Royaume-Uni, ayant examiné la situation dans le Moyen-Orient, déclarent qu’ils sont animés de la même intention de faire ce qui dépend d’eux pour que soit assurée aux pays considerés et pour que soit respectée l’Indépendance qui leur a été promise.

Les deux gouvernements conviennent qu’il est de leur intérêt mutel de favoriser, en collaboration avec d’autres gouvernements, la prospérité économique des peuples de cette région dans la paix et la sécurité. Ils procéderont aux échanges d’information leur permettant d’éviter les divergences de politique qui seraient susceptibles de compromettre leurs intérêts mutuels.

Les deux gouvernements affirment leur intention de ne rien entreprendre pour se substituer aux intérêts qu’ils se reconnaissent mutuellement dans le Moyen-Orient, compte pleinement tenu du statut politique des pays en cause.

C’est dans cet esprit qu’ils examineront toute proposition qui serait soumise à l’organisation des Nations unies au sujet de la sécurité collective.
Lebanese Note to France of 9 January 1946

Le Liban, qui a contribué à l'effort commun de guerre en mettant, notamment, son territoire à la disposition des Troupes Alliées, a demandé à maintes reprises le retrait de ces Troupes après la Victoire sur les l'Axe.

Le principe de l'évacuation vient d'être décidé par les deux Puissances dont les Troupes stationnent encore en Syrie et au Liban, et une date très rapprochée a été envisagée pour sa mise à exécution ainsi qu'il est prévu dans l'Accord conclu par ces deux Puissances et qu'elles ont notifié au Gouvernement libanais le 13 Décembre 1945.

Le Gouvernement libanais n'eut pas manqué d'exprimer sa satisfaction de cette mesure si elle n'avait été conçue en des termes et subordonnés à des conditions qui ne concordent pas avec le principe établi.

C'est ainsi que, suivant l'Accord, des éléments de troupes étrangères se retireront du territoire syrien pour se regrouper au Liban, jusqu'au moment où l'Organisation des Nations Unies aura statué sur le dispositif de la sécurité collective.

Le Gouvernement libanais a immédiatement fait connaître au Ministre de Grande Bretagne et au représentant de la France au Liban, qu'étant tierce partie au regard de l'Accord, il ne pouvait (qu') en reconnaître les stipulations de nature à porter atteinte aux droits et aux intérêts du Liban.


Il ne peut laisser passer sans les relever, les termes "intérêts" et "responsabilités" mentionnés dans l'Accord et que rien ne saurait justifier.

Le Gouvernement libanais, gouvernement d'un pays indépendant et souverain, se déclare seul responsable du maintien de la sécurité sur son territoire. De même il assume seul et il entend assurer entièrement la protection des intérêts légitimes de tous les étrangers admis à séjourner au Liban.

Sous les réserves ausdites, le Gouvernement libanais prend note que le principe de l'évacuation de son territoire
est définitivement établi et accepté. Il en demande l'application intégrale et immédiate. Il renouvelle l'expression de sa volonté de coopération au maintien de la justice et de la sécurité internationale.

Beyrouth, le 9 janvier 1946
Translation of the letter to the Secretary-General from the Heads of the Lebanese and Syrian Delegations.

London, England
February 4, 1946

To Mr. Trygve Lie
Secretary-General
The United Nations

(Salutation omitted in document)

French and British troops are still being maintained in Syria and the Lebanon, although hostilities were ended many months ago.

The presence of these troops, which constitute a grave infringement of the sovereignty of two States members of the United Nations, may give rise to serious disputes. The past has shown that some of these troops have been a constant menace to peace and security in this region.

The Governments of Syria and the Lebanon expected that these foreign troops would be withdrawn immediately upon the cessation of hostilities with Germany and Japan, and as a result of the representations these Governments have made unceasingly to that end. But on 13 December 1945, they were notified of a Franco-British agreement, of which we reproduce the following extract:

"The program of evacuation will be drawn up in such a way that it will ensure the maintenance in the Levant of sufficient forces to guarantee security, until such time as the United Nations Organization has decided on the organization of collective security in this zone.

"Until these arrangements have been carried out, French Government will retain forces regrouped in the Lebanon.

This agreement, accordingly, makes the withdrawal of foreign troops subject to conditions which are inconsistent with the spirit and letter of the United Nations Charter.

Therefore, since the two Contracting Powers have themselves referred, in the aforesaid agreement, to the United
Nations, the Syrian and Lebanese delegations, acting on the instructions of their Governments, have the honour, in accordance with Article 34 of the Charter, to bring this dispute to the attention of the Security Council and to request it to adopt a decision recommending the total and simultaneous evacuation of the foreign troops from the territories of Syria and the Lebanon.

They are ready to assist the Security Council by supplying it with all relevant information for the purpose.

(Signed)
H. Frangie
Head of the Lebanese Delegation

(Signed)
P. Khouri
Head of the Syrian Delegation
Letter from Sir Alexander Cadogan to the President of the Security Council of May 1, 1946.

Your Excellency,

On instructions from my Government I have the Honour to request you to bring the following to the attention of the Security Council.

On 16 February at the close of the Security Council’s discussion regarding the withdrawal of foreign troops from the Levant States, a vote was taken on the following resolution which was presented by the United States representative:

"The Security Council, taking note of statements made by the four parties and by other members of the Council, expresses its confidence that foreign troops in Syria and Lebanon will be withdrawn as soon as practicable and that negotiations to that end will be undertaken by the parties without delay; and requests the parties to inform it of the results of the negotiations."

Although the Council’s vote in favour of this resolution had no legal validity the United Kingdom representative undertook to give effect to the majority decision of the Council as expressed in it. Accordingly, His Majesty’s Government, who had likewise agreed to act in accordance with the majority opinion of the Council, sent a military delegation to Paris to agree on the necessary arrangements.

His Majesty’s Government in the United Kingdom now has the honour to inform the members of the Security Council that the following arrangements were then made for the withdrawal of British troops:

1. All British troops (were) to be withdrawn from Syria by 30 April. The withdrawal was actually carried out in advance of this date and was completed by 15 April.

2. The first thousand British troops (were) to be withdrawn from the Lebanon with a similar number of French troops by 31 March. This movement was carried out by the mentioned.
3. The remainder of British troops, except for a small liquidation party, (was) to be withdrawn from the Lebanon by 30 June.

4. This plan was duly communicated to the Syrian and Lebanese Governments, who have suggested no modifications.

I have the honour to be Your Excellency’s Obedient Servant,

(Signed)

A. Cadogan
Telegram from the Syrian Premier and Minister for Foreign Affairs to the Secretary-General of the 19 May 1946.

His Excellency the President of the Security Council
New York

At the 23rd sitting of the Security Council held at London on Saturday the 16 February 1946 for discussing the question of the withdrawal of foreign troops from the Syrian and Lebanese territories the United States representative presented to the Council the following resolution:

THE SECURITY COUNCIL TAKING NOTE OF STATEMENTS MADE BY THE FOUR PARTIES AND BY OTHER MEMBERS OF THE COUNCIL EXPRESSES ITS CONFIDENCE THAT FOREIGN TROOPS IN SYRIA AND THE LEBANON WILL BE WITHDRAWN AS SOON AS PRACTICABLE AND THAT NEGOTIATIONS TO THAT END WILL BE UNDERTAKEN BY PARTIES WITHOUT DELAY AND REQUESTS PARTIES TO INFORM IT OF THE RESULTS OF THE NEGOTIATIONS.

Although this resolution had no legal validity in view of paragraph 3 of the 27th Article of the charter it got the approval of the majority of the members of the Security Council among whom were the representatives of the United Kingdom and France who undertook to give effect to it.

The Syrian Government has the honour to inform the members of the Security Council that the evacuation of the foreign troops from the Syrian territory in compliance with the proposal of the delegate of the United States of America has been accomplished during the first two weeks of April 1946.

Premier and Minister of Foreign Affairs
Saadallah El Jabiri
Letter from Ambassador H. Bonnet to the President of the Security Council of May 3, 1946.

New York
30 April 1946

To His Excellency Hafez Pasha,
President of the Security Council,
Hunter College,
New York.

Sir,

I have the honour to send you herewith a communication from my Government relating to the results of negotiations regarding the withdrawal of French troops from Syria and the Lebanon.

I should be grateful if you would bring this document to the knowledge of the delegates to the Security Council.

I have the honour to remain, etc.

(Signed) H. Bonnet
At its meeting in London on 16 February 1946, when it considered the presence of foreign troops in Syria and the Lebanon, the Security Council was asked to vote on the following motion submitted by the United States delegate: "The Security Council takes note of the statements made by the four parties and by the other members of the Council; expresses its confidence that the foreign troops in Syria and the Lebanon will be withdrawn as soon as practicable, and that negotiations to that end will be undertaken by the parties without delay; and requests the parties to inform it of the results."

Although the vote taken on this motion did not of itself carry any legal force, the French Government immediately declared that it would abide by the decisions of the majority. In fulfillment of this undertaking it has the honour to bring to the knowledge of the members of the Security Council that the negotiations undertaken with the various parties concerned have resulted in an agreement, the terms of which are stated below:

(1) As regards Syria the French Government and the British Government have jointly made the necessary arrangements so that the evacuation of Syrian territory may be fully carried out by 30 April 1946.

(2) As regards the Lebanon there took place, in pursuance of conversations between French and British experts, conversations in Paris with the Lebanese Minister for Foreign Affairs, who accepted the invitation to Paris extended to him by the French Minister for Foreign Affairs at the end of the discussions in the Security Council, with a view to exploring with him the method most likely to result in an agreement between the two Governments in accordance with the notion of the Council.

In accordance with these conversations the French Government, by a note dated 19 March, informed the Lebanese Government that the time limits recommended by the military experts could be brought appreciably closer if the Lebanese Government for its part undertook to grant the French command in the Levant the full support of the public services and of the Lebanese Army for the transport, guarding, and embarkation of material. At the same time the French Government asked the Lebanese Government to agree to the setting up of a joint Franco-Lebanese military staff.
In the event of the Lebanese Government's agreeing to promise its full support in this connection the French Government stated that, for its part, it was ready to reduce the time limits previously contemplated in the following manner. The withdrawal of French troops as a whole from the Lebanon could be completed by 31 August 1946. From 31 August to 31 December 1946 the French Government would retain in the Lebanon only a group of thirty officers and approximately three hundred technicians in order to ensure control over and transport of material; the departure of these last mentioned elements would have to take place not later than 31 December. Lastly, in order to meet a wish expressed by the Lebanese Governments, the French Government stressed its desire to ensure the withdrawal of the bulk of fighting forces before 30 June 1946.

The Lebanese Minister for Foreign Affairs informed the French Government on 21 March that these proposals were acceptable to his Government. He undertook, further, to make available to the French command the full co-operation of public services and of the Lebanese army for the technical operations in connection with embarkation.

In pursuance of this agreement the French and Lebanese Ministers for Foreign Affairs exchanged letters on 23 March 1946, the text of which has been published in the press, noting the happy outcome of the negotiations recommended to the parties in the resolution proposed to the Security Council on 19 February.
Letter from the Minister of Lebanon in Washington, D. C. to the Secretary-General of June 20, 1946.

Legation of Lebanon
Washington, D. C.

12 June 1946

Mr. Secretary-General:

I have the honour to transmit to you herewith a letter from His Excellency the Minister of Foreign Affairs of Lebanon, together with the text of two letters exchanged between the Minister of Foreign Affairs of Lebanon and the Minister of Foreign Affairs of France.

I have the honour to be, etc.

(Signed) Dr. Charles Malik
Minister of Lebanon

Mr. Trygve Lie,
Secretary-General of the United Nations
Republic of Lebanon
Ministry of Foreign Affairs
Political Department

Beyrouth, 9 May 1946

Mr. Secretary-General:

Further to the communication addressed on 27 February 1946 to the General Secretariat of the United Nations by the Chairman of the Lebanese and Syrian delegations, and in accordance with the resolution proposed by the Delegate for the United States of America, to which the British and French Governments have adhered notwithstanding the veto of the Delegate for the Union of Socialist Soviet Republics, I have the honour to inform you that negotiations have been undertaken between Mr. Georges Bidault, French Foreign Minister, and myself with a view to determining the forms of evacuation of French troops from Lebanon.

Those negotiations have resulted in an agreement established by an exchange of letters dated 23 March 1946.

The Lebanese Government is satisfied with the outcome of the said negotiations and has decided to inform the Security Council thereof.

In these circumstances I have the honour to submit to you the text of the two letters exchanged and to request you to communicate them to the Security Council.

I have the honour to be, etc.

(Signed)
Hamid Frangie
Minister of Foreign Affairs

Mr. Trygve Lie,
Secretary-General of the United Nations
M. le Ministre,

I had the honour to inform you on 19 March that as a result of the conference of French and British military experts which took place in Paris from 2-6 March, the French Military Headquarters fixed 1 April 1947 as the date by which, in view of the limited facilities locally available to the French High Command in the Levant, the withdrawal of all the French troops stationed in Lebanon could be completed.

I informed you at the same time that it might be possible to shorten and modify this time-limit, if additional resources and facilities could be made available to the French High Command by the Lebanese Government.

It is for this reason that I asked you for the aid and co-operation of your Government under the conditions which we agreed upon, and I indicated to you at the same time the modifications which might in consequence be made in the evacuation plan.

On 21 March you were good enough to inform me that your Government had agreed to the proposals which I had made to you. It follows therefrom that:

A. The Lebanese Government undertakes to grant to the French High Command in the Levant the following assistance:

1. By the public services, the co-operation of the gendarmerie, of the police and of the administrative organs and the provision to the French High Command of such contingents of workers as the French Military authorities might need for the maintenance, trans-shipment and embarkation of material;
2. By the Lebanese army, the supply of necessary material, of a certain amount of labor, of specialized teams, and the provision, at the request of the French authorities, of all guard service that it might be asked for.

3. The attachment of Lebanese officers to a joint Franco-Lebanese Military staff for the purpose of aiding the two High Commands and keeping them informed on the progress of evacuation operations.

B. On the basis of the adherence of the Lebanese Government to the programme set forth in the three foregoing paragraphs, the French Government, for its own part, undertakes to adopt the following evacuation programme.

(a) subject to the provisions contained in paragraph (b) below, the withdrawal from Lebanon of the French troops as a whole shall be concluded on 31 August 1946, by which date all auxiliary units will have been dissolved;

(b) From 31 August 1946 to 31 December 1946, the French Government shall be empowered to maintain in Lebanon a group of 30 officers and about 300 technicians for the purpose of supervising control and transport of material. The departure of these latter units will be effected by 31 December at the latest.

C. In response to the wishes expressed by the Lebanese Government, the French Government expresses its desire to effect the withdrawal of the bulk of the Combatant troops by 31 June 1946. It will devolve upon the joint Franco-Lebanese staff to propose the French High Command, having regard to material conditions and to the progress of operations, appropriate measures for the implementation of such a programme.

I should be obliged to you if you would kindly confirm that the Lebanese Government agrees to the reciprocal obligations of our two Governments as set forth in the present letter.

I have the honour to be, etc.

(Signed) George Bidault
Minister of Foreign Affairs
M. le Ministre,

In your letter of today's date you were kind enough to state the following:

I had the honour to inform you on 19 March that as a result of the conference of French and British military experts which took place in Paris from 2-6 March, the French Military Headquarters fixed 1 April 1947 as the date by which, in view of the limited facilities locally available to the French High Command in the Levant, the withdrawal of all the French troops stationed in Lebanon could be completed.

I informed you at the same time that it might be possible to shorten and modify this time-limit, if additional resources and facilities could be made available to the French High Command by the Lebanese Government.

It is for this reason that I asked you for the aid and co-operation of your Government under the conditions which we agreed upon, and I indicated to you at the same time the modifications which might in consequence be made in the evacuation plan.

On 21 March you were good enough to inform me that your Government had agreed to the proposals which I had made to you. It follows there from that:

A. The Lebanese Government undertakes to grant to the French High Command in the Levant the following assistance:

1. by the public services, the co-operation of the gendarmerie, of the police and of the administrative organs and the provision to the French High Command of such contingents of workers as the French Military authorities might need for the maintenance, trans-shipment and embarkation of material;
2. by the Lebanese army, the supply of necessary material, of a certain amount of labor, of specialized teams, and the provision, at the request of the French authorities, of all guard services that it might be asked for.

3. the attachment of Lebanese officers to a joint Franco-Lebanese Military staff for the purpose of aiding the two High Commands and keeping them informed on the progress of evacuation operations.

B. In the basis of the adherence of the Lebanese Government to the programme set forth in the three foregoing paragraphs, the French Government, for its own part, undertakes to adopt the following evacuation programme.

(a) subject to the provisions contained in paragraph (b) below, the withdrawal from Lebanon of the French troops as a whole shall be concluded on 31 August 1946, by which date all auxiliary units will have been dissolved;

(b) from 31 August 1946 to 31 December 1946, the French Government shall be empowered to maintain in Lebanon a group of 30 officers and about 300 technicians for the purpose of supervising control and transport of material. The departure of these latter units will be effected by 31 December at the latest.

C. In response to the wishes expressed by the Lebanese Government, the French Government expresses its desire to effect the withdrawal of the bulk of the Combatant troops by 31 June 1946. It will devolve upon the joint Franco-Lebanese staff to propose the French High Command, having regard to material conditions and to the progress of operations, appropriate measures for the implementation of such a programme."

I have the honour to confirm to you the approval by the Lebanese Government of the reciprocal engagements undertaken by our two governments as set forth in the above letter.

I have the honour to be, etc.

(Signed) Hamid Frangie
Minister of Foreign Affairs