

**Explanation of by the Permanent Representative after the vote on Resolution
1559 on 2 September 2004**

Mr. President,

Pakistan has abstained on resolution 1559 just adopted by 9 votes in the Security Council. We have done so for the following reasons:

- i) The resolution is not consistent with the Security Council's functions and responsibilities. Article 39 of the Charter stipulates that the Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression and thereafter shall make recommendation for an action. In this case, there is no evidence of any urgent threat to peace and security that has been established by the draft resolution. There has been no complaint from the concerned parties that the resolution purports to uphold. On the contrary, Lebanon has conveyed its opposition to consider its internal matter in the Security Council.
- ii) The resolution addresses the wrong threat. If there is a threat to Lebanon, it is well known. It does not arise from Syria. OP-2 of the resolution refers to the presence of foreign forces in Lebanon. We construe that OP-2 as it is worded constitutes a reference to those foreign forces which entered Lebanon uninvited and by the use of force.
- iii) The resolution goes beyond the mandate and authority of the Security Council. Article 24 (2) of the Charter states that the Security Council shall act in accordance with the purposes and principles of the United Nations. Article 2 (vii) states a fundamental purpose of the Security Council. It states, "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the members to submit such matters to settlement under the present Charter". Thus PP-6 and OP-5 constitute interference in the international matters of Lebanon. It set an unacceptable precedent. Since it is impossible for the Security Council to determine when and whether constitutional rule of any country (in this case Lebanon) were devised without foreign interference or influence. The resolution is also unimplementable. The Security Council cannot enforce changes in the national constitutions and rules of sovereign States.
- iv) We have acted on this resolution under item "The Situation in the Middle East". The Security Council must also address the real security in the Middle East arising from the occupation of Lebanon and Arab territories. We trust, we shall not be deflected or diverted by the resolution the Security Council has adopted.