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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

FIFTEEN HUNDRED AND SEVENTY-NINTH MEETING

Held in New York on Thursday, 16 September 1971, at 11 a.m.

President: Mr. Toru NAKAGAWA (Japan).

Present: The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syrian Arab Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1579)

1. Adoption of the agenda.
2. The situation in the Middle East:
Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/10313).

Adoption of the agenda

1. The PRESIDENT: If I hear no objection, I shall take it that the agenda is adopted.
2. I call on the representative of the Syrian Arab Republic.
3. Mr. TOMEH (Syrian Arab Republic): I wish to speak on a point of order. The Security Council has adopted three resolutions on the question of Jerusalem: resolutions 252 (1968), 267 (1969) and 271 (1969). In each of those three resolutions, the last operative paragraph reads:

"Requests the Secretary-General to report to the Security Council on the implementation of the present resolution."

4. Since the adoption of those resolutions and, in fact, since the adoption by the General Assembly of its resolutions of 4 and 14 July 1967, the Secretary-General has submitted a total of eight reports, which are contained in documents S/8052 of 10 July 1967, S/8146 of 12 September 1967, S/9149 of 11 April 1969, S/9149/Add.1 of 30 June 1969, S/9537 of 5 December 1969, S/10124 of 18 February 1971, S/10124/Add.1 of 20 April 1971 and S/10124/Add.2 of 20 August 1971.
5. My proposal is to divide item 2 of the provisional agenda into two sections as follows:

"The situation in the Middle East:

"(a) Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations

addressed to the President of the Security Council (S/10313);

"(b) Reports of the Secretary-General."

In sub-paragraph (b) the document numbers of the reports could be enumerated or a foot-note could be added listing those document numbers.

6. Mr. FARAH (Somalia): I should like to support the proposal made by the representative of the Syrian Arab Republic. The letter from the Permanent Representative of Jordan speaks about the action being taken by the Israeli Government to change the status of East Jerusalem. The reports from the Secretary-General which were called for by this Council relate entirely to that particular question. It would then seem quite appropriate that in listing this item on our agenda today we should also list all those very important and valuable reports which have been submitted by the Secretary-General in accordance with the request of the Security Council.

7. The PRESIDENT: If there is no objection, we shall amend the agenda as proposed by the representative of the Syrian Arab Republic.

The agenda as amended was adopted.

The situation in the Middle East:

(a) Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/10313);

(b) Reports of the Secretary-General (S/8052, S/8146, S/9149 and Add.1, S/9537, S/10124 and Add.1 and 2)

8. The PRESIDENT: The representatives of Jordan, Egypt and Israel have addressed letters to me [S/10314, S/10317, S/10319] in which they request to be invited to participate in the discussion of this question before the Council, without the right to vote.

9. In accordance with the provisional rules of procedure and the usual practice of the Security Council, I propose, if there is no objection, to invite those three representatives to take places at the Security Council table to participate in the Council's discussion without the right to vote.

At the invitation of the President, Mr. B. Toukan (Jordan), Mr. M. H. El-Zayyat (Egypt) and Mr. Y. Tekoah (Israel) took places at the Security Council table.

10. The PRESIDENT: The Security Council will now proceed with the consideration of the question before it.

11. The Permanent Representative of Jordan, in his letter to me dated 13 September 1971 [S/10313], asked for an urgent meeting of the Security Council "to consider Israel's illegal measures in Jerusalem in defiance of Security Council resolutions 252 (1968), 267 (1969) and 271 (1969)."

12. In the light of the consultations I have had with the members of the Council, and taking into account the contents of the letter of the Permanent Representative of Jordan, I should like to appeal to the members of the Council, as well as to the representatives of non-members of the Council who are going to participate in the discussion, to confine their remarks to the matter raised in the above-mentioned letter and to the reports of the Secretary-General which have been included in the agenda.

13. The first name on my list of speakers for this meeting is that of the representative of Jordan. I now call on him.

14. Mr. TOUKAN (Jordan): Mr. President, on behalf of my country and my delegation, I should like to express to you and to the members of the Council our appreciation for convening this meeting so promptly.

15. Once again the Security Council has been summoned to discuss the situation in Jerusalem and to forestall the developments there that are fraught with danger. This situation has been created by the persistent Israeli violations of the General Assembly and the Security Council resolutions pertaining to Jerusalem and by the adamant Israeli designs to annex new areas around Jerusalem. The dangers to peace inherent in the present Israeli policy of intransigence and oblique expansionism are self-evident, and they require immediate affirmative action to halt them.

16. At the outset I should like to assure the Council that I shall limit my statement to the question of Jerusalem, the subject of my Government's complaint.

17. My delegation and indeed my Government are extremely perturbed by the worsening situation in Jerusalem as a result of the Israeli persistence in the implementation of measures that are clearly designed to change the status and character of the Holy City, in utter disregard of the repeated General Assembly and Security Council resolutions. These new facts that are being daily created in annexed Jerusalem are designed both to exacerbate the situation and to prevent the conclusion of a just and peaceful settlement, in the hope that the cease-fire lines will ultimately become the new borders of the expanded Zionist Empire.

18. Cognizant of the peace efforts of the United Nations, my Government refrained from coming to the Security Council for more than two years, in spite of the repeated Israeli violations in the Holy City. However, our genuine desire to create an atmosphere conducive to peace was construed by the Israelis as surrender and default on our part, whereupon their authorities moved at full speed not only to consolidate their annexation but to extend it to

new areas around Jerusalem and once again face the world with another fait accompli and to add to an explosive situation already replete with dangers.

19. I regret to say that the passiveness of the Security Council in implementing its resolutions only helped whet Israel's appetite for further annexation in its systematic and determined policy of Judaizing the Holy City and its environs.

20. Israel is now contemplating new legislation to extend the borders of Jerusalem to new Arab areas. It envisions the annexation of 3 more Arab towns and 27 Arab villages, over and above what were already unilaterally and illegally annexed in June 1967. This new legislation was submitted in the form of a bill to the Israeli Knesset on 22 February 1971. According to this bill:

"The area of Eretz-Israel in the supplement attached to this act, is the area of Jerusalem, the capital of Israel, and the law, jurisdiction and administration of the state of Israel will apply to it."

The explanation attached to the bill declares that:

"these new areas, namely the 3 Arab towns and 27 villages and the lands surrounding them, constitute an integral part of Jerusalem and . . . any attempt to divide between them and the other parts of Jerusalem will cause the stifling of the city's natural growth and development."

Therefore the bill proposes annulling the order defining the areas and the supplement attached thereto, issued on 28 June 1967, which, according to the bill, "places United Jerusalem in narrow and unnatural boundaries."

21. Incidentally, the sponsor of this bill, Mr. Shmuel Tamir, a member of the Israeli Knesset, works on behalf of a political group in Israel called "Free Centre", which previously worked to establish an "Israel-South Africa League".

22. The Arab cities and villages which the new bill proposes annexing are the following: Bethlehem, Beit Jala, Beit Sahur, Umm Tuba, Sawahrah, Izaria, Sur Bahir, Sharafat, Beit Safafa, Battir El-Khadr, Abu Dis, Bethany, Ettur, Isawiya, Anata, Sharqa, Shufat, Hizma, Beit Hanina, Ar Ram, Bir Nabala, Al Jib, Nabi Samwil, Beit Iksa, Beit Surik, Beit Anan, Rafat, El Jadirah, Futnah and Al Qubeibah.

23. My delegation is ready to provide the members of the Security Council with copies of the bill and the map attached to it upon request.

24. It is worth noting that all the towns and villages marked for annexation according to this plan are purely Arab, with a population numbering over 100,000. I wonder what the justification for annexation will be this time. Would it be the introduction of "running water" or the "planting of trees"? Or "cleaning" the area, as Mrs. Meir once said in order to justify the annexation of Arab Jerusalem: "The city was dirty until we cleaned it up"! Or

to extend the area "for intermingling and union", as Mr. Eban explained in June 1967?

25. In this connexion I might remind this body that the Israeli Foreign Minister, Mr. Eban, agreed as early as 1950 that the United Nations resolution for internationalizing Jerusalem [*General Assembly resolution 303 (IV)*], if implemented, would deprive 110,000 Jews of their right to belong to Israel and that therefore such action on the part of the United Nations would be morally incorrect, politically unwise and a violation of United Nations principles. I refer to the memorandum on the question of Jerusalem submitted to the Trusteeship Council of the United Nations, seventh session, at Lake Success in 1950.¹ This line of argument could be equally applied to the case of more than 100,000 Arabs of Jerusalem and the surroundings who by Israeli measures and schemes are deprived of their freedom to belong to the Jordan community.

26. Israeli propaganda will not fool anyone, least of all the members of this body. A sober examination of the Israeli annexation will reveal that the overriding considerations are to be found in the territorial, military, strategic, political, touristic and economic benefits that will accrue to Israel through facing the world with a fait accompli. Those are the real reasons for the annexation, clear as daylight in spite of the Israeli "oecumenical" smoke screen.

27. Furthermore, reports emanating from the occupied territories speak of other Israeli attempts in the Knesset, the Israeli Parliament, to enact a law to confine holy Moslem religious places in Haram Esh-Sherif area to Al Aqsa and the Dome of the Rock mosques. Thus, the whole plaza of Haram Esh-Sherif and other religious and cultural buildings which constitute part of it and which are held sacred by over 700 million Moslems will no longer be considered holy any more and therefore will be at the mercy of future illegal Israeli regulations and excavations.

28. The chronicle of the tragedy of Jerusalem under Israeli occupation has been the subject of previous debates; hence, there is no need for me to dwell on it in detail. It is enough to point out at this stage that all Israeli legislative and administrative measures in the Holy City are in utter disregard of article 49 of the fourth Geneva Convention of 1949, to which Israel is a party and which stipulates:

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive."²

It is also contrary to article 12 of the International Covenant on Civil and Political Rights [*General Assembly resolution 2200 A (XXI)*].

29. Whole Arab quarters—private houses, public buildings and even homes and properties of religious endowments (Waqf)—were demolished or emptied and their inhabitants

evicted. The Magharbah and other Arab quarters are examples of this. May I add in this connexion that every stone and every building in the City conveys a chapter in our national history and is a symbol of our cultural heritage.

30. Those illegal acts are in direct violation of article 53 of the fourth Geneva Convention of 1949, which stipulates that:

"Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities or to social or cooperative organizations is prohibited, except where such destruction is rendered absolutely necessary by military operations."³

31. They are also in violation of article 56 of The Hague Convention of 1907, which prohibits the seizure or destruction of public or private property, municipal property, and institutions dedicated to religion, charity, education, the arts and sciences. According to that article, "even... State property, shall be treated as private property".⁴

32. After its occupation of the Arab sector of Jerusalem, Israel did not lose any time in annexing that sector to its jurisdiction. The so-called administrative and legislative measures to "unify the city" shocked the feelings of hundreds of millions of Moslems and Christians all over the world; it even shocked the conscience of quite a number of enlightened Jews. As a result the General Assembly dealt with the situation during its fifth emergency special session. At that session the General Assembly adopted resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, which considered the measures taken by Israel to change the status of Jerusalem invalid and called upon Israel to rescind them and to desist from taking any action which would alter the status of the Holy City. Instead of complying with those resolutions, which in essence constituted a deploration by 100 States Members of the United Nations, Israel proceeded to tighten its grip on the City.

33. The Secretary-General, acting under the provisions of the above-mentioned resolutions, sent his Personal Representative, Ambassador Thalmann, to obtain information on the situation. The report submitted by Ambassador Thalmann noted the changing landscape in Jerusalem and "the debris of levelled houses". The houses that were then levelled by dynamite and bulldozers included 135 houses of the Magharbah Quarter and two mosques. The report submitted by the Secretary-General on 12 September 1967 in document S/8146 indicated in paragraph 35 that "the Israel authorities stated unequivocally that the process of integration was irreversible and not negotiable."

34. The failure of the Israeli authorities to comply with the General Assembly resolutions eventually led to the consideration of the situation by the Security Council and the adoption of resolution 252 (1968) of 21 May 1968,

¹ *Official Records of the General Assembly, Fifth Session, Supplement No. 9*, p. 29.

² United Nations, *Treaty Series*, vol. 75 (1950), No. 973, p. 318.

³ *Ibid.*, p. 322.

⁴ *The Report to the Hague Conferences of 1899 and 1907* (Oxford, Clarendon Press, 1917), p. 520.

which deplored Israel's failure to comply with the General Assembly resolutions. It reaffirmed that the "acquisition of territory by military conquest is inadmissible" and urgently called upon Israel to rescind all measures already taken and to desist forthwith from taking any further action which would tend to change the status of Jerusalem. Israel's response to that resolution was a declaration by its leaders that they would "ignore" it.

35. In his report of 11 April 1969 to the Security Council on the implementation of its resolution [S/9149], the Secretary-General included Israel's note verbale of 25 March 1969, which can only be described as contemptuous of the Organization and of world public opinion. Instead of desisting, Israel enacted the so-called Legal and Administrative Matters (Regulation) Law, which seeks further to consolidate Israel's annexation of the Old City and to extend its annexation to a sizable portion of the Arab areas surrounding Jerusalem. In the meantime, Israel's arbitrary arrests, detentions, torture and demolition in the Arab sector of Jerusalem continue unabated—I refer members to my delegation's letters contained in documents S/9001 of 11 February 1969, S/9007 of 13 February 1969 and S/9197 of 8 May 1969. In view of those violations we were obliged to request the Security Council to convene urgently to consider the continued Israeli defiance of its resolution 252 (1968).

36. On 3 July 1969 the Security Council adopted resolution 267 (1969) by a unanimous vote. That resolution deplored Israel's failure to show any regard for General Assembly and Security Council resolutions; it censured in the strongest terms all measures taken to change the status of the City of Jerusalem; it determined "that, in the event of a negative response or no response from Israel, the Security Council [should] reconvene without delay to consider what further action should be taken in [that] matter" and it requested "Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of [that] resolution".

37. It took Israel almost five months from the adoption of resolution 267 (1969) to respond to the Secretary-General's repeated requests for information necessary to submit the report concerning the implementation of that resolution. Not until the Secretary-General had set a deadline in his third note, of 21 November 1969, did Mr. Eban find it appropriate to respond. The Israeli response avoided the whole issue under consideration and instead blamed Jordan for "the division of Jerusalem"; in other words, Mr. Eban blamed Jordan for standing in the way of the Israeli forces and their occupation of the whole City of Jerusalem in 1948, notwithstanding the fact that the major part of West Jerusalem is owned and was inhabited by the Arabs.

38. It is worth noting that on the eve of hostilities in 1948 Jewish ownership in the sub-district of Jerusalem was only 2 per cent. Its Mayor was Arab and the majority of the City Council was Arab as well, taking into consideration that both the Mayor and the City Council were elected by the inhabitants and not appointed by the administration. Then Mr. Eban drew a rosy picture of the benevolent Israeli occupation, which would leave Amman, Damascus, Beirut,

Cairo and the rest of the Arab capitals envious and eagerly waiting to be "liberated" by the Israeli army. Khalil Gibran the world-famous Lebanese poet once said: "Some people fight with greater fury to justify their wrongs than they do to justify their rights." Those words seem to have been written in anticipation of the Israeli response, which can only be described as contemptuous of the world Organization.

39. In the interim between the adoption of resolution 267 (1969) and the Israeli response to it occurred the arson to the Holy Al Aqsa Mosque in Jerusalem on 21 August 1969. That attempt to set fire to Al Aqsa Mosque, one of the holiest places in Islam, created unparalleled indignation and world-wide revulsion. The issue was referred to the Security Council by as many as 25 States Members of the United Nations. On 15 September 1969 the Security Council adopted resolution 271 (1969), which expressed grief at the extensive damage caused by arson to the Holy Al Aqsa Mosque under the military occupation of Israel, and called upon Israel "scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation...". It condemned the failure of Israel to comply with the previous resolutions on Jerusalem and called upon it to implement them. It further requested the Secretary-General "to follow closely the implementation of the . . . resolution and to report thereon to the Security Council at the earliest possible date."

40. From that date—15 September 1969—until now the Secretary-General has been unable to obtain the information he was seeking from the Israeli authorities to discharge the reporting responsibility conferred upon him by the above-mentioned General Assembly and Security Council resolutions.

41. The Israeli authorities still decline to supply the Secretary-General, in spite of his repeated requests, with any details or satisfactory information on the "master plan", which envisages, *inter alia*, development affecting the premises of the "Government House", belonging to the United Nations. The exchange of communications between the Secretary-General and the Permanent Representative of Israel on the subject are embodied in the Secretary-General's reports contained in documents S/10124 of 18 February 1971, S/10124/Add.1 of 20 April 1971 and S/10124/Add.2 of 20 August 1971.

42. The so-called "master plan" for "greater Jerusalem", according to *The New York Times* of 16 February 1971, envisages the construction of up to 35,000 units capable of accommodating 122,000 new Israeli residents—almost half of Jerusalem's present population—in the territories that were "seized from Jordan in the six-day war of 1967". That entails the construction of four suburbs on confiscated private and public Arab land and property as follows: 1,700 housing units in Nabi Samuel; 3,000 near the villages of Sur Bahir and Al Mukabbir and 12,000 between Beit Safafa and Sharafat.

43. Already, and as a prelude to the "master plan", the Israeli authorities have confiscated 11,680 dunums of Arab lands by an order issued in the Israeli Official Gazette No. 1656, dated 30 August 1970. That area is already

covered with Jewish houses. *Haaretz* of 19 February 1971 reported that 30 new Israeli industrial projects are to be set up on confiscated Arab lands near Jerusalem Airport and that the zone is planned to absorb 100 new Israeli industrial projects. Moreover, the Hebrew University in Jerusalem is planning two building projects on the Mount of Olives to accommodate 13,500 and 18,000 students, respectively, according to *Haaretz* of 9 March 1971.

44. That is the plan which the Israeli authorities were hesitant to convey to the Secretary-General, notwithstanding his repeated requests, in their attempt to buy time to complete the plan and confront the world with a fait accompli. That is the plan that resulted in bulldozing parts of the premises of Government House, the headquarters of UNTSO, situated in "no-man's land" in Jerusalem.

45. The aim of the plan was spelled out by Mr. Sharef, Israel's Minister of Housing, as reported by *The New York Times* on 16 February 1971: "to settle new immigrants as quickly as possible in order to keep Jerusalem a Jewish city."

46. It is worth noting that Jerusalem's "master plan" was drawn up in 1964. According to an article by Ada Louise Huxtable published in *The New York Times* on 12 June 1969:

"The planning team had clear instructions to take into account the possibility of ultimate reunification and to make provisions for interconnection and integration of the two sectors. The plan was in the last stages of preparation at the time of the six-day war."

47. This same fact was confirmed by a commentary that appeared in *Lamerchav* on 24 June 1969:

"In 1964 the City Council of Israeli Jerusalem had approved a zoning map which included the Arab sector of the city—even before the occupation and annexation of Arab Jerusalem. Now, Israel is making plans for the whole area extending from Bethlehem to Ramallah."

48. This is another piece of concrete proof that the June 1967 *blitzkrieg* and the subsequent annexation of Jerusalem were planned long in advance and were in essence an act of fulfilment.

49. Zionist designs on Jerusalem date back to the establishment of the Zionist movement. Zionist organizations have made no secret of their resolve to take over Jerusalem and to transform it into a Jewish community. Since the June 1967 aggression the Israeli road to Arab Jerusalem and its Christian and Moslem holy places has been elusive—from an avowed position of non-annexation to administrative unity, then to reunification and, finally, to *de facto* annexation. Consequently the announcement of the "master plan" did not come as a surprise to my Government, which anticipated it and warned against it without avail. However, the announcement of the plan, with its chauvinistic political implications, created an uproar both inside and outside Israel, particularly when Mr. Sharef, the Israeli Minister of Housing, declared: "We are moved by national and not urban considerations".

50. The Israeli "master plan" has been widely attacked and criticized by well-known international personalities and official circles. The *Jewish Telegraphic Agency Daily News Bulletin*, Vol. XXXVIII, No. 51, of 16 March 1971, on page 3 reported the appeal of the British historian Arnold Toynbee to the Christian world "to intervene against pre-emptive actions by the Israeli Government that 'not only threaten the beauty and character of [East Jerusalem] but must seriously jeopardize the chances of achieving a lasting peace in the Middle East'".

51. The most recent official criticism of the Israeli "master plan" in Jerusalem came from the Government of the United States of America. On 9 June 1971 a State Department spokesman declared:

"On the general question of constructing housing and other permanent civilian facilities in the occupied zone, including Jerusalem, our policy is to call for strict observance of the Fourth Geneva Convention of 1949, to which Israel is a party. This Convention prohibits an occupying Power from transferring parts of its own population into occupied territory. We interpret this to include undertaking construction of permanent facilities which have the intent of facilitating transfer of Israeli population into the occupied territories.

"On a broader policy basis, we continue to be opposed to actions by Israel in the occupied territories which could prejudice the prospects of a peace settlement".

52. Opposition to the plan in Israel itself was not confined to the aesthetic urban aspects of the plan or to investment for profit by remote speculators. *The New York Times*, in its issue of 16 February 1967, reported that:

"Five young Israeli architects of the Ministry of Housing who recently joined the ranks of the critics were summarily dismissed yesterday by Mr. Sharef, who accused them of talking with forked tongues. The architects, who initially worked on the projects, wrote a letter to Mayor Kollek on February 3 stating that they had suffered a crisis of conscience and urged him to oppose the plan".

53. The Old City of Jerusalem was not spared the ordeal of Israeli confiscation and evacuation of Christian and Moslem Arabs under the guise of development. On 5 January 1971 *Haaretz* reported that:

"A special unit worked within the Old City; its task is to evacuate Arab inhabitants. Up till now there are 2,500 families left and all efforts are being made to evacuate them. Lately, fifty Arab shops and groceries were closed down and 3,000 Arabs were evacuated".

54. Jewish families have been moving to take the place of the evicted Arabs once the houses have been renovated. The *Middle East Review* in February 1970 reported that:

"Permanent annexation has become very real to Arabs no matter how its prospect is shrugged off by Israelis. In December Deputy Prime Minister Allon told the Knesset that all of East Jerusalem was open for Jewish settlement

"3. To set up three Jewish belts in the City—one around the enclosure of the Mosque, another around the Walls of the Old City, and the third around the whole of Jerusalem, the purpose being entire isolation of Arab Jerusalem, thus creating a *de facto* status, which might facilitate their final seizure of the Holy City."

68. The second document is an editorial entitled "Jerusalem and Peace," which appeared in the Vatican paper, *L'Osservatore Romano* on 22-23 March 1971. After describing the Israeli measures to transform the occupation of East Jerusalem into annexation under the formula of unification the paper states:

"This determination to acquire the Arab sector as well for its own sovereignty has manifested itself ever since in measures of a legislative, fiscal and urban nature which are impressing on Jerusalem an ever more special character at the expense of the non-Jewish population—Moslems and Christians—who are compelled for reasons of urban expansion to live in ever increasingly restricted spaces and finally to look elsewhere for a future they feel they no longer can find in their homeland's environment.

"As has already been the case regarding the project for the internationalization of the City, the resolutions of the Security Council and of the General Assembly of the United Nations forbidding alteration of the 'status' of Jerusalem and ordering the annulment of all measures taken against it also came to nothing. Nevertheless, they remain to testify that a very grave state of affairs is forming against the law and which has the logic of a fait accompli. Reference to expropriation measures is sufficient to give an idea of the radical manner with which a physiognomy is impressed on the City that greatly differs from its historical and religious character and its universal vocation.

"In January 1968, 300 hectares (approximately 660 acres) of land were expropriated in the Mount Scopus region and most of it is already covered with Hebrew homes.

"In August 1970, another 1,200 hectares (2,640 acres) were expropriated in the Arab sector of Jerusalem and on the outskirts of the town for the carrying out of the 'Greater Jerusalem' plan. There was another project in the air for the old part of Jerusalem. Here 6,000 Arabs would have to leave and various buildings would be expropriated.

"We are bound to feel deep apprehension at changes of such gravity. In Israel itself these plans have met with justified criticism and not only from the exclusively urban point of view.

"The Jerusalem Press has actually traced a link between the Government's haste in preparing and implementing these plans with the peace undertaking promoted by American Secretary of State Rogers and without disguising the resulting intention of affirming in deeds Israel's sovereignty over the entire City. These intentions have been confirmed authoritatively by the Israeli Minister for construction who expressly stated that it was 'a plan with Hebrew aims'.

"On 21 February the Hebrew Municipal Council of Jerusalem approved, despite the open opposition of technicians and architects, the plans prepared by the construction ministry for housing in the suburbs. This means that there will be a real belt of buildings on the hills around the Holy City consisting of 20,000 homes destined to house 75,000 Jews. Unfortunately, these are not peace projects and cannot leave indifferent those who really work for definitive peace in the Middle East. These, together with other plans—to which the press is beginning to refer—confirm the necessity of an international petition in order to guarantee truly the peculiar character of the city and the rights of minority communities."

69. His Holiness Pope Paul VI on many occasions expressed his deep concern over the measures taken in Jerusalem that would change its status and character. The *Jewish Chronicle* of London reported on page 36 of its issue of 16 April 1971 the Pope's words on Jerusalem:

"Today we must look with affectionate solicitude towards the Christian communities in the Holy Land, already tested so much in the course of history.

"These brothers of ours who live where Jesus lived and who, around the Holy Places, are the successors of the ancient first church, which gave origin to all other churches... continue to need more than ever our spiritual, moral and material support.

"The help of the Christian world which has never failed our brothers in Jerusalem is not needed only to maintain the material buildings which recall the great mysteries of the redemption, but also to support the religious and social institutions."

70. Speaking earlier to the College of Cardinals at the Vatican on 15 December 1969, His Holiness sounded the alarm at the continued departure of Christians from the Israeli occupied areas. His Holiness expressed his concern at the diminution of the Christian population in the Holy Land, and voiced the fear that the beautiful and majestic churches which recall the events of the life of Christ might some day be found emptied of the living presence of worshippers.

71. On 14 July 1967, right after the Israeli annexation of Jerusalem, the Executive Committee of the National Council of Churches in the United States adopted a resolution to protest the annexation by declaring that the Council could not "condone by silence territorial expansion by force".

72. The plight of Christian Arabs under Israeli occupation has been the subject of many appeals, protests and complaints by Christian leaders everywhere, starting with the Oriental bishops and patriarchs from the area, including the Milkite Archbishop of Galilee, and ending with the Archbishop of the Orthodox Church in North America. All of them accused Israeli authorities of forcing Arabs, particularly Christian Arabs, to leave Jerusalem.

73. The truth of the matter is that the number of Christians in Jerusalem since the Israeli occupation had

declined to less than half. This estimate is substantiated by the figures that were presented in the testimony of Dr. James Kritzeck and Reverend Joseph Ryan, on Jerusalem, to the United States House of Representatives Committee on Foreign Affairs, Sub-Committee on the Near East, 28 July 1971. In their testimony they declared that:

"The conditions created in Jerusalem and the annexed territories have produced results and a trend which are particularly uncheering and unfavourable to Christians, as well as to Moslems. To speak only for ourselves, we were approximately 25,000 in Jerusalem alone at the time of the creation of the State of Israel. We are fewer than 10,000 now, in a city that has grown—depending upon where you want to stop it—to between 200,000 and 300,000 and intends, according to the Minister of Housing, Mr. Zev Sharef, to expand to 400,000 very soon."

74. The fears that were expressed by the King-Crane Commission pertaining to the Jews becoming the guardians of the Holy Places or the custodians of the Holy Land have now become realities. As early as 1919 the Commission voiced the following judgement, which appeared on page 351 of a book written by Professor H. N. Howard, and titled *The King-Crane Commission*.⁵

"There is a further consideration that cannot justly be ignored, if the world is to look forward to Palestine becoming a definitely Jewish State, however gradually that may take place. That consideration grows out of the fact that Palestine is the Holy Land for Jews, Christians and Moslems alike. Millions of Christians and Moslems all over the world are quite as much concerned as the Jews with conditions in Palestine, especially with those conditions in Palestine, especially with those conditions which touch upon religious feeling and rights. The relations in these matters in Palestine are most delicate and difficult. With the best possible intentions, it may be doubted whether the Jews could possibly seem, to either Christians or Moslems, proper guardians of the Holy Places, or custodians of the Holy Land as a whole. The reason is this: the places which are most sacred to Christians—those having to do with Jesus—and which are also sacred to Moslems, are not only not sacred to Moslems, are not only not sacred to Jews, but abhorrent to them. It is simply impossible, under these circumstances, for Moslems and Christians to feel satisfied to have these places in Jewish hands, or under the custody of Jews. There are still other places about which Moslems must have the same feeling. In fact, from this point of view, the Moslems, just because the sacred places of all three religions are sacred to them, have made, very naturally, much more satisfactory custodians of the Holy Places than the Jews could be. It must be believed that the precise meaning, in this respect, of the complete Jewish occupation of Palestine has not been fully sensed by those who urge the extreme Zionist programme. For it would intensify, with a certainty-like fate, the anti-Jewish feeling both in Palestine and in all other portions of the world which look to Palestine as 'the Holy Land'."

⁵ Beirut, Khayats, 1963.

75. Allow me, at this stage to set the record straight by reiterating my Government's stand vis-à-vis Jerusalem as it was outlined in His Majesty King Hussein's message to Pope Paul VI, the Archbishop of Canterbury, the Greek Patriarch Athinagoras and the Maronite Cardinal Ma'ushi:

"I am particularly concerned here about the status of Arab Jerusalem. Since its occupation we have pointed out that it is important that nothing should be done which could affect its character or harm its position or the rights of the believers in God, the followers of the great religions, especially the Muslims and Christians and all that they have built there throughout history . . .

"We have devoted all our attention to the problem of the Holy City. We have repeatedly protested to the United Nations, to international forums and to friendly quarters. We have conveyed to the Israeli State our total indignation at the acts of the Israeli occupation forces in the city against the rights of all of us and their measures and laws aimed at Judaizing the Holy City and annexing the occupied part of it to the Israeli State . . .

"The Holy City is being subjected to rapid and comprehensive Judaization. Large areas of Arab land surrounding the city have been taken. Construction of big housing estates is incessantly increasing, and indeed is being doubled. Pressure is being exerted on institutions in the occupied city to carry out the orders of the occupation authorities. Its Christian and Muslim inhabitants will soon be choked if this continues and our holy shrines will become tourist attractions at the expense of their spiritual character.

"I am fully confident that you are aware that peace will not and cannot be achieved in this area and in the world unless Jerusalem is rescued from this blatant and shameful tampering with the rights of all of us there and unless these rights are protected. On our part, we—Muslims and Christians—would die rather than allow history to say that we gave up even one iota of Christian and Muslim rights in the Holy City, and the rights of all mankind. We implore you to speak out about what is happening in Jerusalem before it is too late. We want you to say it to the millions in this wide world so that they learn the truth and know your view on what is happening and what must be done before God, history and the peoples. As for myself, I will continue my contacts with all believers and with world Governments and peoples to do my duty.

"As for peace, Jerusalem, in our view, is the gem of peace. Peace will not be achieved except by protecting all our rights there and by completely ending the occupation of places holy to all believers in God and to safeguard their rights to their holy shrines and to allow them to use those rights."

76. No matter how Israel tries to justify its illegal measures in the Holy City the objective observer viewing the Israeli annexationist measures in Jerusalem cannot help noting the following violations.

77. First, they constitute a renunciation of the Israeli commitments under the Armistice Agreement of which Israel is a signatory.

declined to less than half. This estimate is substantiated by the figures that were presented in the testimony of Dr. James Kritzeck and Reverend Joseph Ryan, on Jerusalem, to the United States House of Representatives Committee on Foreign Affairs, Sub-Committee on the Near East, 28 July 1971. In their testimony they declared that:

"The conditions created in Jerusalem and the annexed territories have produced results and a trend which are particularly uncheering and unfavourable to Christians, as well as to Moslems. To speak only for ourselves, we were approximately 25,000 in Jerusalem alone at the time of the creation of the State of Israel. We are fewer than 10,000 now, in a city that has grown—depending upon where you want to stop it—to between 200,000 and 300,000 and intends, according to the Minister of Housing, Mr. Zev Sharef, to expand to 400,000 very soon."

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77. First, they constitute a renunciation of the Israeli commitments under the Armistice Agreement of which Israel is a signatory.

78. Second, they are a breach of the cease-fire Agreement which implied that troop movements must be halted and any attempt to gain legal and geographical advantages from the current situation must be deplored.

79. Third, they are contrary to contemporary international law and practice which does not recognize the right of conquest or the right of the conqueror to acquire territory as a result of his conquest.

80. Fourth, they are in contradiction of the principles of the United Nations Charter which reaffirmed the established principle that acquisition of territory by military conquest is inadmissible.

81. Fifth, they are in violation of General Assembly and Security Council resolutions pertaining to Jerusalem, particularly General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) and Security Council resolutions 252 (1968), 267 (1969) and 271 (1969).

82. Sixth, they are in violation of The Hague Convention of 1907 and the Geneva Conventions of 1949 and international law and practice governing military occupation, the 1954 Convention and Protocol for the Protection of Cultural Property in the Event of Armed Conflict,⁶ the Universal Declaration of Human Rights of 1948 and the

⁶ United Nations, *Treaty Series*, vol. 249 (1956), No. 3511.

International Covenant on Civil and Political Rights [*General Assembly resolution 2200 A (XXI)*].

83. Seventh, they undermine the sovereignty and territorial integrity of an independent and sovereign Member State of the United Nations.

84. In the history of this Organization no other State has ever defied the authority of the United Nations and destroyed its reputation as much as and for so long as Israel. Israel has never respected United Nations resolutions; consequently, the enforcement of these resolutions cannot depend on the Israelis' goodwill or consent.

85. If Israel is left unchecked to violate United Nations resolutions and international conventions, then the very foundation of this international community will be destroyed together with our hopes and aspirations for establishing world peace and order.

86. My delegation believes that the only course left for the Security Council is to invoke whatever sanctions it deems fit under Chapter VII of the charter to ensure respect for its decisions and to prevent a *fait accompli* in Jerusalem from interfering with a just solution which must ultimately be reached.

The meeting rose at 12.50 p.m.

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