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PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES

Letter dated 12 May 1980 from the Permanent Representative of Jordan
to the United Nations addressed to the Secretary-General

I have the honour to request that the attached statement pertaining to the deportation by the Israeli military occupation authorities of the Mayor of Hebron, Mr. Fahd Khawasmi, the Mayor of Halhul, Mr. Mohammad Milhim, and His Eminence, Sheikh Rajab Tamimi, the Moslem Shari'a, Judge of Al-Khalil (Hebron), from their city and homeland, be brought to your august attention, upon instructions from my Government.

The act of deportation, brutally and humiliatingly carried out across the Lebanese borders, is in flagrant violation of international law and the fourth Geneva Convention of 1949. 1/

Inasmuch as the three personages are citizens of the occupied West Bank of Jordan, the Government of Jordan takes a most serious view of this latest Israeli act of aggression and lawlessness. It should be stressed that the Constitution of Jordan specifically prohibits deportation of any citizen from his country or his forcible transfer from one location to another. This is provided for in article 9, paragraphs (i) and (ii), and article 10 of the Constitution of Jordan which read as follows:

"9. (i) No Jordanian shall be exiled from the territory of the Kingdom;

"(ii) No Jordanian shall be prevented from residing at any place, or be compelled to reside in any specified place, except in the circumstances prescribed by law.

"10. Dwelling houses shall be inviolable and shall not be entered except in circumstances prescribed by law."

* A/35/50.

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

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This refutes the allegation made by the representative of Israel at the Security Council that deportation was permissible under the Jordanian law.

The two Mayors and the Judge of Al-Khalil (Hebron) attempted yesterday to cross the King Hussein Bridge across the River Jordan into the West Bank but were forcibly turned back, thus defying Security Council resolution 468 (1980) of 8 May 1980.

I should be grateful if the attached statement, which explains the circumstances and motivations of the Israeli illegal deportation, could be circulated as an official document of the General Assembly under item 51 of the preliminary list.

(Signed) Hazem NUSEIBEH
Ambassador
Permanent Representative

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ANNEX

Statement dated 9 May 1980 by the Permanent Representative of
Jordan to the United Nations regarding the deportation of the
Mayors of Hebron and Halhul

It is hardly a week ago since the Security Council had concluded, inconclusively to our profound sadness, a lengthy debate on the long-standing and seemingly endless usurpation of Palestinian national and individual rights, compounded by over 13 years of Israeli occupation of Jerusalem, the West Bank, the Gaza Strip, the Golan Heights and, as yet, notwithstanding a perfect peace, unpaid instalments of large chunks of the Sinai Peninsula.

During the last day of the debate I had given a statement on 30 April 1980, describing the Israeli tightening of the screws and the intensification of the acts of despicable oppression, cold-blooded provocations and humiliations, terrorism, hooliganism, vandalism and murders by a two-tier armed gang, namely, the occupation forces, acting in collusion with the so-called Zionist militant zealots - Gush Emunim and their like. They have been going berserk and making life the intolerable situation, the big prison, which our peoples in the occupied territories have had to endure for 13 long years. I have stated that these Nazi Zionists have turned the hallowed soil of occupied Palestine into Orwell's "Animal Farm". They have created an impossible situation and almost paralysed the lives of the brutalized inhabitants.

This is not really a complaint as it is a further exposure of a movement, an ideology and a people, whom Newsweek, normally under the thumb of the Zionists, in a debate on the holocaust had stated: "Holocaustomania threatens to become a secular surrogate for Jewish religious identity and experience."

What the magazine could have added is that the fear which it had expressed about its threatening nature had long been ingrained in Zionist ideology and unabashedly practised against an unarmed Palestinian people in the occupied territories and, in exile.

What the world, unfortunately, has not yet sufficiently realized, because of a semi-monopoly of mass communications, is that Israel's policy, which relentlessly and indiscriminately is devouring the remnants of the Palestinian homeland, does not stem from haphazard motives or the alleged concern for security. One can never achieve security, let alone normalcy, by grabbing the land, water, home and means of livelihood of his neighbour. To the contrary, it intensifies insecurity and perpetuates enmity for generations to come. Only the other day, Agriculture Minister Sharoon told settlers that the occupation had decided to confiscate an additional 120,000 dunums of land. The area may be the equal of an American millionaire's ranch; but it is the marginal survival for a farming family where the average ownership is 20 dunums of land. Silwad Village, while under curfew a week ago, emerged to find that 500 dunums have been fenced-off and seized. Universities, colleges and schools are more often than not, closed down than operational.

In short, the victims of occupation are living in an atmosphere of perpetual danger to life, property and even the pursuit of work - and let us forget the pursuit of happiness - for that rings hollow in everyone's ear.

The world, as the exiled Mayor of Al-Khalil, Mr. Fahd Khawasmi declared in Beirut a couple of days ago, and quite rightly so, has turned a deaf ear to the Palestinian rights.

The real cause of this continuing tragedy is Israel's refusal to withdraw from the occupied territories and the now openly declared claims of the Zionists that the whole of Jerusalem, the West Bank and the Gaza Strip are Jewish lands, and these malicious and expansionist claims are being implemented on the ground by systematic colonization which has run amuck and has exceeded 35 per cent of the territories. It is simultaneously engaged in terrorizing the Palestinian inhabitants by all possible means to induce them to leave, for what Zionist ideology seeks is land without people, to exist exclusively but not to coexist with the lawful inhabitants of the land. This goes to the very heart of Zionist dogma and the structure of the Israeli State. Zionism is Zionism, as Gertrude Stein has emphasized. The ideological expansionism inherent to the Zionist State is far more dangerous than the geographic expansionism called for in the name of security. How right he is as we witness the Zionist hatemongers unfold in full fury their creed of racism, hate and oppression. The Arabs had to be shown "this is Jewish land", declared one of those hooligans, adding, according to a New York Times dispatch, "whenever an Arab sticks his head up, cut it off".

Another Zionist declared "that the only good Arab is a dead one".

The representative of the Zionist entity in occupation of Palestine, circulated a letter dated 4 May 1980 pertaining to the events in Al-Khalil (Hebron). He recalled that in 1929 the existence of the millenia-old Jewish community of Al-Khalil was brought temporarily to a close, as a result of a brutal pogrom staged by the forerunners of the Palestine Liberation Organization.

What the Israeli Ambassador overlooked to recall is that the tiny millenia-Jewish presence in Al-Khalil was a proof of the Arab deep reverence and protection afforded by the Arabs themselves to the adherents of another faith. That was before the scourge of Nazi Zionism showed its ugly face. But even in modern historical perspective the Israeli representative described that unfortunate event out of context, and did not mention that it was a direct consequence of Zionist armed gangs, which had inflamed and triggered the events by attacking the Arab-owned Western Wall of the Holy Sanctuary in Jerusalem, in violation of a long-established status quo. An international commission, headed by a former Swedish Foreign Minister, proved this fact conclusively. And besides, the events of Hebron were a part and parcel of a widespread rebellion in which Arabs and Jews alike lost their lives.

I challenge Ambassador Blum to cite just one incident of a pogrom in Hebron of Jews or elsewhere over the past 1,400 years of continuous Palestinian Arab rule.

Is it not most telling that the 1929 rioting which had resulted in death and injury to Arabs and Jews alike, throughout Palestine, was inflamed and ignited by the Zionist armed onslaught upon the most sacred site in Jerusalem and not at any time before in 1,400 years of history? Indeed, it was the Arabs throughout history who afforded refuge to Jews whenever and wherever they suffered persecution. Is it not equally telling that the recent episode in al-Khalil which Ambassador Blum describes in his letter of 4 May 1980, came in the wake of the most intolerable provocations, particularly by the illicit Kiryat Arba' colony of armed gangs, assaults, murders, poisonous defoliations and, above all, the conversion of more than a millenia-old Holy Sanctuary al-Haram al-Ibrahimi as-Shareef from a mosque to a synagogue, even though the Muslims and not the Jews had built, venerated and prayed at this mosque for over 1,000 years?

Indeed, one of those Jewish soldiers killed in the inhabitants' resistance attack turned out to have served as a sharp-shooter in the U.S. Army in the Vietnam war and had engaged in similar feats of human hunting against the unarmed inhabitants of Hebron.

The Israeli General Matt, the over-all military co-ordinator of the fiendish occupation, conceded publicly that the Mayors of Hebron and Halhul as well as Sheikh Rajab Bayyoud al-Tamimi had had nothing to do with the shooting of the Israeli intruders who forcibly persisted in imposing their presence and their assaults against the inhabitants of al-Khalil.

Is the Security Council and the international community to put the Fourth Geneva Convention in abeyance pending the ubiquitous American elections? Are all international laws and conventions to be suspended to please a vociferous group amongst the community of nations by a super-Power country?

Even if the deportation had not taken place in an occupied territory, is there no consideration for the habeas corpus and the due processes of law in a country which prides itself on strict respect for the rule of law?

All the countries of the world have spoken out and voted against any violation of international law, here at the Security Council and elsewhere, regardless of any extraneous considerations. This is the only way to trust in the efficacy and solemnity of international conventions, solemnly entered into by Member States of the United Nations.

Large areas of the occupied territories are imprisoned under curfew. The Palestinians are being shot at, rocks are being thrown into their defenceless homes. Institutions of learning are paralysed. Lands are being confiscated right and left. And three prominent innocent personages have been blind-folded, forced into a helicopter, insulted and humiliated during their deportation journey.

The Security Council cannot possibly fail to discern the glaring difference between right and wrong, nor ignore the sanctity of international law as solemnly expressed in the Geneva Convention of 1949 pertaining to occupied territories.

Any party which fails to honour it is either an accessory after the crime or that its freedom of will is gravely constrained if not subdued, either of which pose grave concern to a world in search for the rule of law and justice.

If the Israeli occupation has any case against the deported leaders, it can bring them to trial as the Mayor of Al-Khalil stated. If the occupation authorities are able to apprehend the resistant youths, they can also try them as they have tried tens of thousands of mostly innocent girls and boys, many of whom still languish in notorious gaols.

But for the Israelis to claim for themselves a privileged status above the law is totally unacceptable. Our people will not be cowed no matter what suffering they undergo. They will continue to hold the torch of freedom high and bright. Their desperation might erupt into open resistance against all odds. But no matter what the outcome, their redemption will be achieved if not in this generation then in the next. Our cause is too righteous to be trampled under; our threshold for endurance is without limits. My final remark is a word to the great American people: a prayer that the light of truth will, in due course, permeate and rekindle America's great traditions and founding legacy.
