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SPECIAL POLITICAL COMMITTEE  
13th meeting  
held on  
Monday, 26 October 1981  
at 10.30 a.m.  
New York

SUMMARY RECORD OF THE 13th MEETING

Chairman: Mr. IRUMBA (Uganda)

CONTENTS

AGENDA ITEM 64: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES  
AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES

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The meeting was called to order at 11 a.m.

AGENDA ITEM 64: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (A/SPC/36/L.3)

1. Mr. BENCHEKROUN (Morocco), introducing draft resolution A/SPC/36/L.3 on behalf of the Moslem and Arab delegations, said that the excavations undertaken by the Israeli occupation authorities around the Holy Places of Islam in Jerusalem were being conducted on the false pretext that they were archaeological excavations. In addition to the sponsors of the draft resolution, many other delegations also wished to join in the wave of universal protest, since they regarded the Israeli action as a crime against humanity.
2. He thanked the Committee for its readiness to deal with the question as a matter of urgency. Even the representative of Israel had not really tried to oppose the consensus, since it was no longer possible to defend the indefensible. The representative of Israel, who had - it was reported - lived for long among Arab and Moslem families, could not be insensitive to world concern about the purpose and aim of those excavations. As a distinguished Arabist, he could not be insensitive to the irreparable losses which might result from the actions of his Government. Having himself originally come from an Arab and Moslem country, the representative of Israel must have retained something of that country's respect for history.
3. Fortunately, there still existed in Jerusalem a monument for which the Jews of the world had the greatest respect. The Wailing Wall was a silent witness to the moving and turbulent history of the region; and the world in general and the Moselm world in particular had always regarded it with the respect that was due to it. It had suffered no damage during the centuries of the Arab Moslem presence in the Holy Land. Even in certain times which had been considered as the darkest in the history of the region, the Jewish Holy Places in Jerusalem had suffered no depredations at the hands of man; and it had not occurred to anyone to desecrate the monument held sacred by the Jewish people.
4. The Government of Israel was not displaying the same spirit of tolerance with regard to the monuments of Islam. Israel's leaders, having failed to eliminate the Palestinian people in order to replace them by the greatest possible number of Jews, were now engaged in an attack on the Holy Places in the hope that their disappearance would lead to the disappearance of all civilizations other than Jewish civilization from the area. If that plan were to succeed, certain mass media, with their unconditional adulation of Israel, would undoubtedly try to convince the public that Judaism had always predominated in Palestine and that neither Christianity nor Islam had ever inhabited the land of Palestine.
5. In the popular imagination, the love of money had always been a dominant characteristic of Jews. Arabs and Moslems could testify to the falsity of such an assertion; the spontaneous and benevolent contributions of the Jewish mind to science and literature had always enriched society. The manner in which the Israeli Government was now acting was therefore more than aberrant. While most modern societies

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(Mr. Benchekroun, Morocco)

attempted with all the means at their disposal to find historical sites and prestigious monuments to attract tourists and earn revenue, Israel was seeking to create a tabula rasa and to start out from zero. Hatred for the Arabs had prevailed over the profit motive. The purely commercial spirit which Europeans and Americans had always blithely attributed to the Jews should have acted as a powerful motive for the preservation of the monuments in question. Another occupation Power would have acted quite differently, pending a final political solution. Franco, in spite of all the criticisms made of him, had recognized the value of the treasures left by a civilization and a religion which his own civilization and religion had fought to the death. He had been a Fascist and Mr. Begin was no less so; but, whereas Franco had been the product of the country where he lived, Begin and his acolytes were only imported products.

6. The occupation authorities in Jerusalem were seeking to remove everything which might give the lie to their mendacious assertions. The Moslem monuments in Jerusalem were witnesses of the past and of the present, and the future also belonged to them. Fortunately for Jewish honour, many Jewish intellectuals throughout the world had joined in the Arab countries' protest and were increasingly concerned at the arrogance and blindness of the Mafia which had taken over Israel.

7. The draft resolution before the Committee reflected the deep concern of the world conscience at the serious threat to those Holy Places. The crime now being prepared on various false pretexts was more heinous than any crime previously committed by the clique in power in Tel Aviv. Responsibility for the incalculable consequences of that crime would rest solely with the Israelis. The most sacred values of hundreds of millions of human beings could not with impunity be trifled with. Only the immediate cessation of the excavations could put the conscience of the world at rest.

8. His Majesty King Hassan II, who was at present presiding over the Al Quds Committee of the Organization of the Islamic Conference, was making constant efforts to prevent an irreparable situation. The highest authorities of the Christian world, eminent personalities of the Jewish world and prominent members of the intellectual world had come to the defence of those Holy Places which formed part henceforward of the common heritage of mankind.

9. The Committee had already demonstrated, by the virtual unanimity with which it had decided upon the urgency of the question, that it would not shirk its responsibility. A consensus would make it clear to Israel beyond doubt that the provocation had lasted long enough and must cease. Pending a just and lasting political solution, respect for the Holy Places was a sacred duty. By a display of determination and firmness, the General Assembly would make it clear to the Israeli firebrands and the illuminati of Tel Aviv that there were limits beyond which they could not go. No one would like to see eternal shame descend upon the population of Israel.

10. Mr. RAMIN (Israel) said that the draft resolution contained in document A/SPC/36/L.3 was yet another manifestation of the conduct of several Arab delegations, whose paramount goal was the defamation of Israel. Their conduct could only be regarded as an attempt to fan the flames of religious incitement for the purpose of waging political warfare against his country.

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(Mr. Ramin, Israel)

11. The representative of Jordan had recently made accusations - which he must have known to be groundless - regarding recent works which, according to his distorted version, might affect the Holy Places on the Temple Mount in Jerusalem. It would thus be proper to present the actual facts.
12. The access leading from the Western Wall to the Temple Mount was an ancient passage which had been blocked and used as a water system during the Ottoman period. It had been described in the report of a British archaeologist who had surveyed the area 114 years previously. Seepage of water from the system through the masonry of the Western Wall had led the Israeli authorities to open the Ottoman blockage in order to pump out the water and begin cleaning the passage. The access had since been reblocked and restored to the status quo ante and there were no further plans to reopen it. The entire work had been done with the full co-operation of the Moslem Waqf authorities, who had subsequently constructed a second thick wall in the passage itself underneath the Temple Mount.
13. The allegations made by the representative of Jordan were therefore obviously at variance with the facts. The Jordanian version would no doubt be seen for what it was yet another extraordinary example of how little compunction the representative of Jordan had about injecting religious hatred into the Arab-Israeli conflict and abusing religious sentiment for his own partisan purposes. That representative had displayed a reckless disregard not only of the facts, but also of the possible consequences of his ill-considered statements.
14. The draft resolution under consideration had nothing to do with the realities on the ground. It was ridiculous to claim, as operative paragraph 2 sought to do, that scientific excavations constituted a serious obstruction to peace in the Middle East and a threat to international peace and security. It was actually such draft resolutions which obstructed the road to peace. It was equally ridiculous to claim that structures on the Temple Mount were in danger of collapse. The call for a possible meeting of the Security Council to consider those matters was also aimed at the harrassment of Israel.
15. The procedure leading to the present discussion was also relevant to the Committee's consideration of the draft resolution. At an earlier stage, the Committee had set up a time-table for its work, according to which agenda item 64 was to be taken up on 16 November. The report of the Special Committee under item 64 was not yet available, and it was not yet known what information it contained regarding the matters which had been raised in the Committee. All of those considerations had been disregarded, and a draft resolution had been presented which was replete with biased allegations, distortions and wild accusations against Israel.
16. For all those reasons, his delegation totally rejected the draft resolution and would vote against it.
17. Mr. BLANCO (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, observed that for many years now the Special Political Committee had been investigating the abuses perpetrated by Israeli forces in the occupied Arab territories and the

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(Mr. Blanco, Cuba)

occupying authorities' actions to alter the demographic and cultural configuration of those territories with a view to their ultimate annexation. However, the situation with regard to the excavations under Al-Haram Al-Sharif was exceptionally serious and, in view of its possible short-term consequences, demanded urgent consideration.

18. The excavations and transformations of the landscape and the historical, cultural and religious sites of Jerusalem, which was militarily occupied by Israel and which Israel had unilaterally declared to be its capital, constituted possibly one of the worst acts of aggression and provocation perpetrated by an invader against its victim in the whole history of mankind. Throughout the many wars and occupations that had occurred in the course of history, even the most barbarous of aggressors had shown respect for the culture and history of the peoples they had subjugated. The latest action by the Israeli authorities in Jerusalem not only violated international law and threatened international peace and security but was also manifest proof of the monumental ignorance, insensitivity and racism of the Israeli authorities and their occupying forces.

19. The non-aligned countries were not seeking simply to defend a political principle and to denounce yet another Israeli crime against the Arabs under Israeli occupation. They wished rather to prevent the commission of a monstrous cultural crime - to prevent the forces of aggression and barbarism from destroying a substantial part of mankind's cultural heritage. It was to that same end that UNESCO had included the Old City of Jerusalem and its walls in the World Heritage list.

20. Israel's action was an aggression not only against Islam but also against all intelligent and sensitive people - be they Moslem, Catholic, Jew or atheist - who were horrified and outraged by such vandalism. Had not the whole world been horrified at the way in which the Nazis had profaned Jewish culture and its symbols in the same way that they had persecuted the Jews? How could a people, who justified its actions by saying that they were necessary to prevent another holocaust, itself resort to the same methods as its former executioners?

21. The draft resolution contained in document A/SPC/36/L.3 was not replete with rhetoric or unacceptable demands. It simply called for action to prevent a crime. The ideas it contained were already set forth in the communiqué addressed to the General Assembly at its current session by the Ministers for Foreign Affairs and Heads of Delegation of Non-Aligned Countries. The draft resolution would help to remedy the situation without requiring recourse to the Security Council. However, should Israeli arrogance prevail over cultural considerations and reason, such violations of international law and of Security Council resolutions 465 (1980) and 478 (1980) must be examined by the Security Council, since they represented a provocation which threatened international peace and security.

22. Mr. NUSEIBEH (Jordan) said that the book by Rabbi Meir Kahana entitled They Must Go provided a background to the grave problem under discussion. Rabbi Kahana had asserted that the only salvation for a totally Jewish Israel in the whole of Palestine was for the Arabs to be given the options of non-citizenship, of leaving willingly with compensation or of being forcibly expelled without compensation. With regard to the

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(Mr. Nuseibeh, Jordan)

question whether the Arabs could be convinced to leave, Rabbi Kahana had asserted that the Jews would not come to the Arabs to request, argue or convince and that the only answer for Jews and Arabs in Israel was separation. He had referred to the national demographic growth of the Palestinian Arabs as a cancerous growth to be removed with surgical precision.

23. Such statements ran counter to the most cherished values on which the United Nations was founded. The Rabbi and his like belonged to the Dark Ages. His plan constituted pre-emptive genocide aimed at thwarting the laws of nature and of God, which were oriented towards the affirmation of life. The Rabbi had asserted that the great Arab weapon in the battle against Jewish Israel was fertility and demographic growth. He did not represent a fringe. The same views were also held by the less sanguinary members of the Israeli leadership, as was proved by the history of the Palestinian people over three decades. The unspeakable crimes committed in 1947-1948 by notorious terrorists such as Begin, who was implicated in the Deir Yassin massacre, had forced most of the Palestinian people to leave their homeland. It was ironical that Mr. Begin was now received with honour and was one of the few Prime Ministers to have received the Nobel Prize for Peace.

24. Such policies represented the mainstream of Zionist thought, which was systematically bent on the total obliteration of the Palestinian people, Moslem and Christian alike, in order to transform the Holy Land into a purely Jewish entity. That policy of obliteration could not be confined to human beings, but had to extend to monuments and historical and religious sites in order to erase any non-Jewish existence from the consciousness of history. If Palestinian-Arab Christians and Moslems were expelled from Jerusalem and from their homeland, little would remain there of Christianity and Islam. Their monuments, such as the Holy Sanctuary of the Al-Haram Al-Sharif area, would not even have the status of museums. The Zionists were bent on supplanting one of the most magnificent, most creative and oldest cultural achievements in the world today. Countless artisans, representing the Islamic, Arab, Byzantine and indigenous Palestinian genius, had spent measureless periods of time in the embellishment and perfection of those structures. The collapse of the Al-Aqsa Mosque and the Dome of the Rock would constitute one of the most heinous crimes in the history of humanity. It would be a mortal offence to every believer throughout the Islamic world for which the area had been ordained as the original focal point of worship and as its third holiest sanctuary. It was an integral part of their religious faith sanctified by the Koran, and a focal point of their historical legacy.

25. He drew the Committee's attention to document A/36/489-S/14684 which had been circulated as an official document of the General Assembly at the request of his delegation, and particularly to the chronology contained in annex I, section II, and to the information contained in the communication from the Mayor of Jerusalem reproduced in annex IV. The Islamic Higher Council in Jerusalem, which had been systematically monitoring the excavations, had issued a statement on 1 September 1981 expressing its greatest concern and warning that continuation would place the Al-Aqsa Mosque and the Dome of the Rock in imminent danger of collapse. It was ironical that, after the partially successful act of arson against the Al-Aqsa Mosque in 1969, the continuous excavations beneath it and the collapse of a part of the Mosque, the Israelis had found no Jewish antiquities but large numbers of ruins and artefacts from Arab and

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(Mr. Nuseibeh, Jordan)

other civilizations. The Israelis were determined to destroy that sacred and historic heritage, regardless of the consequences and without regard for international law, the centuries-old status quo and repeated resolutions of the United Nations.

26. Early in 1980 an attempt had been made by a group of Israeli fanatics, which had included soldiers, to blow up the Al-Aqsa Mosque. The explosives, which had been placed 50 metres from the Mosque, were to have been detonated by remote control on a Friday when large numbers of worshipers would have been at prayer.

27. His Government firmly believed that the Israeli conspiracy to destroy the Al-Aqsa Mosque and the Dome of the Rock was still continuing, notwithstanding the conflicting statements made by Israeli officials on the current excavations. All Zionist leaders were in agreement on the Judaization of Jerusalem, the destruction of the Holy Sanctuary, the gradual removal of the people and the exploitation of religious bigotry to serve their political objectives and impose a racist and Fascist fait accompli.

28. It would have been normal to request the United Nations to send a commission to investigate the situation on the spot. However, Israel had for years withheld recognition of the United Nations, of its Charter and of its jurisdiction, and had not had the elementary courtesy to allow entry to United Nations committees. The question was whether the United Nations should continue to recognize and seat an entity which refused to recognize it. UNESCO had done all it could to safeguard the inviolability, integrity and indivisibility of the world heritage represented by the Al-Haram Al-Sharif area in Jerusalem, and could do little more. The time had come for all mankind, as represented in the General Assembly, to shoulder its responsibilities and act decisively and without equivocation.

29. Mrs. IKRAMULLAH (Pakistan) said that she assumed that the representative of Israel had been speaking facetiously when he had asked why the Committee had not waited for the report on Israeli practices in the occupied territories before it discussed item 64. Members of the Committee were alarmed at the latest events affecting Al-Haram Al-Sharif, because of the Israeli's Government past record with regard to the preservation of Jerusalem's holy sites. On 24 August 1969, the Israelis had tried to burn down the Al-Aqsa Mosque; and it was only through the efforts of Moslems living in its vicinity that the fire had eventually been extinguished, and then only after considerable damage had been done. That event had aroused great concern among 900 million Moslems the world over, since Al-Aqsa was the first Qibla and the third Haram of the Moslem world. Since 1969, explosives had frequently been found on the site of the Mosque and persistent excavations had weakened its foundations to such a point that, if they continued, the entire Mosque might collapse.

30. The Israeli Government was attempting to destroy all vestiges of Moslem culture, history and religion in the occupied territories. Even persons sympathetic to Israel had deplored Israeli vandalism of Al-Quds and the way in which the Old City had been surrounded by new high-rise buildings which constituted an aesthetic and religious offence to the Moslem community. Israel's action violated the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and had been condemned by the Non-Aligned Movement, the Islamic Conference and UNESCO, and also in numerous resolutions of the Security Council and the General Assembly. The whole world was

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(Mrs. Ikramullah, Pakistan)

alarmed at the latest developments. Indeed, UNESCO, which had included the Old City and its walls in the World Heritage list, had now placed them in the list of items of the World Heritage that were in danger.

31. Throughout Jerusalem and the West Bank, the Arab population was treated appallingly and the Arabs, being a proud race, would not tolerate that situation much longer. Since the solution of the Palestinian question would determine how other such problems were solved in future, the international community must act with honesty and justice. In particular, she appealed to the United States Government not to wash its hands of the situation and of its possible consequences.

32. Mr. HAMDI (Saudi Arabia) observed that Zionist action in Jerusalem, particularly with regard to the holy sites, posed a serious threat. The Palestinian people had experienced an inhuman tragedy, and had been scattered from their homeland for the past 30 years, as a result of the action of the great Powers. Palestinians had committed no crime, but the countries of both Western and Eastern Europe had wanted to be rid of the Jews and had therefore let them establish an independent State. Thus, the wishes of the great Powers and of the Jews had coincided in the creation of the Zionist entity at Palestine's expense.

33. The Zionist entity's latest aggression in Jerusalem, aimed at destroying the Moslem Holy Places and building a Jewish temple in their place, was the latest and perhaps most serious Zionist action to date. In 1969, the Zionist authorities had attempted to burn down Al-Aqsa Mosque and had blown up thousands of Arab homes ostensibly in order to uncover the Western Wall. In reality, however, there was a Zionist plan to destroy Al-Aqsa and to replace it by a Jewish temple. The Zionist authorities had then commenced their excavations under Al-Haram Al-Sharif, in violation of the Geneva Convention of 1949 and of Security Council and General Assembly resolutions condemning Zionist aggression and action. The Zionist imperialists had not ceased their action and the great Powers which continued to afford them military and economic assistance showed no shame at Zionist actions.

34. Jerusalem, and Al-Aqsa in particular, occupied a very special place in the hearts of Moslems the world over; and that was why they had constantly opposed the occupation of Jerusalem and had demanded that the Zionist authorities should cease their attempts to alter the configuration of Moslem and Christian holy sites. The Zionist entity had continued its defiance, however, and had destroyed holy sites. The walls of Al-Aqsa were now badly cracked and could collapse any day.

35. There were Israelis who opposed the excavations on the grounds that they were violating the sanctity of Jewish tombs. That was a highly racist viewpoint, since there had been no Zionist protests when tractors had destroyed Islamic tombs in order to build the Jerusalem Hilton.

36. Al-Aqsa was not only a spiritual heritage but also a heritage of universal civilization. His country was therefore greatly concerned at developments in the Arab city of Jerusalem; and, like all Arab countries and the Islamic Conference, urged the United Nations and the Secretary-General to try to put an end to the excavations and

(Mr. Hamdi, Saudi Arabia)

to protect Al-Aqsa and the Dome of the Rock. It would like the Secretary-General to report in detail on that situation to the thirty-seventh session of the General Assembly. If anything happened to Al-Aqsa, the Arab peoples would be greatly distressed and it would be tragic if their distress then led to retaliation against Jewish Holy Places.

37. Mr. TERZI (Observer, Palestine Liberation Organization) recalled that it was almost 5,000 years since the Canaanites, ancestors of the Palestinians, had fortified their town known as Orsalem, named after a Canaanite god. That had been 1,000 years before Abraham had brought his son Isaac to sacrifice on Mt. Moriah, and 2,000 years before David had conquered the city of Jerusalem. The Holy Scriptures and the Psalms amply reflected the love, respect and reverence felt for Jerusalem in ancient times, while Jesus Christ had predicted that the time would come when Jerusalem's enemies would cast a trench about it and "compass it round on every side".

38. The enemies of Jerusalem had not cast a trench but a wall, a barrier of high-rise fortifications, around the Holy City of Jerusalem. In their 1967 conquest of Jerusalem, the Zionists had razed an entire sector of the Holy City to the ground. In the process, scores of synagogues in the Old City had been demolished and the Zionists had tried to blame the Arabs for their demolition. That had been only the first step, however; what could not be demolished would now be made to collapse.

39. Under the guise of science, the Zionist Israelis were shaking the foundations of Al-Haram Al-Sharif, the Al-Aqsa Mosque and the sacred Dome of the Rock. In so doing, they were planning to demolish not only an architectural monument but also a symbol of the values, faith and religion of hundreds of millions of people. The ideology behind that policy of destruction had been clearly revealed by the founder of Zionism, Theodore Herzl, when he had said that, if Jerusalem ever belonged to the Zionists, he would begin by cleaning it up and clearing out everything that was not sacred. Since, to Herzl, Christianity was not sacred, the Christian Holy Places had been clearly marked for destruction. As for the Jews of Jerusalem, Herzl had referred to them as "niggling Oriental protesters".

40. The word "excavations" was just another word for destruction. The alarming news for Jerusalem was that "excavations" were now under way to locate the City of David. Thousands of century-old tombs were being dug up, although everyone already knew the history of Jerusalem and there was no way of ascertaining whose tombs the bodies belonged to. The Zionist aim in the course of those excavations was that Palestinian housing in Jerusalem would collapse, and Palestinians would thus be forced to abandon their homeland.

41. The General Assembly had demanded that Israel should withdraw completely and unconditionally from Jerusalem, while the Security Council had called on Israel to cease all excavations or transformations of the Old City of Jerusalem. Pope Paul VI, for his part, had said that those who lived near the Holy Places shared daily the sufferings of Christ and, if they were to leave, no Christian warmth would remain. The international community must take action to prevent a catastrophe - the collapse of the Al-Aqsa Mosque and the Dome of the Rock, whose destruction would shake the world and provoke a massive reaction by hundreds of millions of believers. In that sense,

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(Mr. Terzi, Observer, PLO)

Israel's defiance and contempt did constitute a threat to international peace and security.

42. Mr. AL-ZAHAWI (Iraq) observed that the ancient Islamic shrines in Al-Haram Al-Sharif were not only a target of the Zionist plan for the annexation of Jerusalem and the whole of Palestine, but also the focal point of the Zionist drive to Judaize Jerusalem. If Jerusalem was the heart and soul of Palestine, so Al-Haram Al-Sharif was the heart of Jerusalem. The Zionists coveted the Holy Sanctuary as the site of the third temple destroyed by the Romans in 70 A.D. They planned to rebuild that temple; and the Dome of the Rock and the Al-Aqsa Mosque stood in their way.

43. In a lecture given at Haifa in April 1969, Moshe Dayan had observed that Jews had come to Palestine to establish a Jewish State. Jewish villages had been built in the place of Arab villages; and the Arab villages - and the geography books which recorded their existence - were no more. There was not one place in Israel that did not have a former Arab population. What Dayan had not said was that thousands of mosques and holy sites had been demolished along with the Arab villages.

44. In April 1972, in The Guardian of London, an article by David Hirst had described how the Zionists were pursuing the Zionist destiny in eastern Jerusalem by the classic Zionist method, staking their claim by the accumulation of faits accomplis and obliterating by sheer physical presence the rival Arab claim which was based on the abstract legality of immemorial possession of the land.

45. According to the same source, the Western Wall in the Old City had been built over the third Jewish temple destroyed by the Emperor Hadrian, but also over Moslem remains. In 1930, an international commission had ruled that those remains were Moslem property to which the Jews had only limited rights. In 1967, when Moshe Dayan had taken over the Wall, he had said that he would respect the Moslems' rights. Four days later, however, bulldozers had demolished 135 houses and two mosques in the vicinity of the Wall. Excavations to the south of the Western Wall had since opened cracks in historical buildings and forced their Arab occupants to evacuate them. Now, a new crisis had arisen. By digging north into Arab ground to excavate the third temple, the Zionists had caused further cracks in other buildings and further Arab evacuations. The Zionists had said that they would not stop until all the walls of the third temple were uncovered.

46. With regard to the burning of Al-Aqsa Mosque in 1969, he reminded delegations of Security Council resolution 271 (1969). The Security Council's failure to carry out the warning in operative paragraph 6 of that resolution had only encouraged the Zionists in their desecration of Jerusalem. It should also be recalled that, on 25 September 1971, United States Ambassador George Bush had told the Security Council that, in the United States view, that part of Jerusalem which was occupied by Israel was subject to international law governing the obligations of the occupying Power. Ambassador Bush had expressed regret at Israel's violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of its obligations as the occupying Power; and he had noted the legitimate concern of many countries at changes in the configuration of Jerusalem. The United States Government had, he said, raised that issue frequently with the Israeli Government but the latter's response had been disappointing.

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(Mr. Al-Zahawi, Iraq)

47. At their meeting on 3 October 1981 in New York, the Foreign Ministers of Islamic countries had issued a declaration which, inter alia, stressed that the Islamic world was threatened by continued Zionist occupation of Arab and Palestinian lands and Zionist aggression in those territories, especially Jerusalem where Al-Aqsa was being destroyed, and by Israel's continued aggression against Lebanon and Palestinian refugee camps and its June 1981 attack on Iraqi nuclear facilities. They had urged that the United Nations should take definite action to confront the issue and establish a follow-up committee to that end.

48. He also wished to draw the Committee's attention to the resolutions of the Twelfth Islamic Conference of Foreign Ministers held at Baghdad from 1 to 6 June 1981, which were reproduced in document A/36/421. In conclusion he urged all members of the Committee to vote for draft resolution A/SPC/36/L.3.

49. Mr SARRE (Senegal) said that the question under consideration was a matter of great concern to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which hoped that the Israeli authorities would quickly put an end to the archaeological excavations which were endangering the mosques and other Holy Places in Jerusalem. As Chairman of that Committee, he had recently expressed to the Secretary-General and the President of the Security Council the Committee's profound concern at such actions. Though the Israeli authorities had denied that such actions were taking place, it had been proven that the excavations were continuing in secret. The international community should take all necessary steps to put an end to any practices endangering the religious sites in Jerusalem, which were part of the common heritage of mankind. In that regard, he expressed his satisfaction with the decision taken by the World Heritage Committee to include the Old City of Jerusalem and its walls on the World Heritage list.

50. The political aspects of that question were obvious. The excavations could serve only to aggravate tension in the Middle East, resulting from Israeli occupation of Arab territories. Lastly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People felt that the adoption of draft resolution A/SPC/36/L.3, and scrupulous and complete compliance with it, would help to restore the cultural, historical and religious character of the Holy Places in Jerusalem.

51. Mr. GILMAN (United States of America), speaking in explanation of vote before the vote, said that his Government strongly objected, on both procedural and substantive grounds, to draft resolution A/SPC/36/L.3. His delegation saw no compelling reason for considering that draft resolution, especially as the Committee had not yet received the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Arab Occupied Territories, which was to be considered in the following month. The report submitted by the Special Representative of the Director-General of UNESCO to the Executive Board of UNESCO on the question of excavations in Jerusalem found no damage to the holy sites, as alleged by the sponsors of the draft resolution. If the sponsors had evidence to supplement or contradict that report, they should submit it to UNESCO, which was the proper form for considering that question.

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(Mr. Gilman, United States)

52. With regard to recent excavations and related activities in the vicinity of the Temple Mount, there seemed to be no cause for sudden alarm since the necessary repair work had been carried out in full co-operation with the Moslem Waqf authorities in restoring the site to its original condition. The entire operation had been completed six weeks previously.

53. His Government was wholly committed to preserving the integrity of the holy sites in Jerusalem and to ensuring that those sites were accessible to all believers. It, therefore, deplored the gratuitous introduction of inflammatory charges and exaggerated language in the draft resolution under consideration. The genuine threats to peace in that volatile region were numerous and varied. Therefore, the Committee and the United Nations in general should do nothing which diverted attention from the grave matters affecting peace and security and - simply to gain a transient political advantage - exacerbated tension in the area. For those reasons, his delegation would vote against draft resolution A/SPC/36/L.3.

54. The CHAIRMAN announced that Afghanistan, Angola, Bangladesh, Chad, Comoros, Cuba, Cyprus, Egypt, Gambia, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Iran, Madagascar, Malaysia, Maldives, Mali, Nicaragua, Niger, Pakistan, Senegal, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Upper Volta, and Yugoslavia had joined the sponsors of draft resolution A/SPC/36/L.3.

55. At the request of the representative of Iraq, a recorded vote was taken by roll call on draft resolution A/SPC/36/L.3.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland.

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56. Draft resolution A/SPC/36/L.3 was adopted by 101 votes to 2, with 23 abstentions.
57. Mr. FUENTES (Spain), speaking in explanation of vote, said that although his delegation had voted for the draft resolution, it would have preferred a wording in operative paragraphs 2 and 4 which did not refer to questions within the competence of the Security Council.
58. Mr. HUMFREY (United Kingdom), speaking on behalf of the Ten member States of the European Economic Community, said that the Ten fully recognized the special importance of Jerusalem for all parties concerned and continued to stress that they would not accept any unilateral initiative to change the status of that city. They had also continued to make clear their firm view that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to all the territories occupied by Israel since 1967.
59. Although there were elements in the draft resolution with which the Ten agreed, certain formulations in the text - which had been submitted at relatively short notice - caused difficulty. That comment applied particularly to the language used in operative paragraph 2. The Ten, therefore, had decided to abstain in the vote on the draft resolution.
60. Mr. LOISELLE (Canada) said that his delegation sincerely regretted that the sponsors had submitted the draft resolution with such haste. In view of the gravity of the issue and the seriousness of the claims made, he would have wished to have more time to examine the evidence which the sponsors might have of the the damage caused by the excavations in Jerusalem. The lack of time had prevented his delegation from coming to an unqualified conclusion on the allegations contained in the resolution.
61. With regard to the substance of the draft resolution, he stressed his Government's deep respect for the Holy Places of Jerusalem, which were the heritage of all mankind. He agreed with the need expressed in the draft resolution to protect and preserve their unique spiritual and religious character. That was a need which Israel itself had recognized and to which it was dedicated. The Canadian delegation was concerned at the uncompromising and unsubstantiated language of the draft resolution, which was not conducive to promoting the understanding necessary to achieve a satisfactory resolution of the problem. He would have preferred further proof of the claim that the excavations and transformations of the landscape and the historical, cultural and religious sites of Jerusalem constituted a flagrant violation of the principles of international law and the relevant provisions of the Geneva Convention of 1949. Furthermore, without the benefit of time and expertise, it was difficult to subscribe to the allegation made in operative paragraph 3 that the structures of the Moslem Holy Sanctuary of Al-Haram Al-Sharif were in danger of collapse. Lastly, his delegation had serious reservations about the link made in operative paragraph 2 between excavations carried out in Jerusalem and the threat to international peace and security.
62. Mr. HARASHIMA (Japan) recalled that General Assembly 35/122 A reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem.

(Mr. Harashima, Japan)

63. However, Japan had abstained in the vote because some paragraphs of the draft resolution contained certain concepts which his delegation could not accept.

64. Ms. MAKALAINEN (Finland) said that her Government considered that the settlement policy of Israel in the occupied territories and similar measures undertaken by the Israeli Government constituted a major obstacle to the achievement of a comprehensive, just and lasting peace in the Middle East. Furthermore, any unilateral action designed to change the status of Jerusalem was universally considered illegal, and had been declared to be so both by the General Assembly and by the Security Council. Israel's actions were in basic contradiction with its obligation to withdraw from the occupied territories in accordance with Security Council resolution 242 (1967). Implementation of the legitimate rights of the Palestinian people was another essential element for a comprehensive settlement.

65. Nevertheless, Finland had abstained in the vote because it felt that some of the far-reaching conclusions expressed regarding the effects of the archaeological excavations currently taking place did not correspond to the actual situation.

66. Mr. STEPHANOU (Greece) reiterated the position of his Government, which deplored the illegal invasion and occupation of Arab territories, the failure to comply with the Charter, and any changes made by the occupying Power in the occupied territories. His delegation had abstained in the vote for the same reasons as those given by the representative of the United Kingdom, particularly with regard to the language of operative paragraph 2.

67. Mr. RAMIN (Israel) said that it was regrettable that the representative of Japan and Saudi Arabia as well as a number of other speakers had not refrained from using religion as a pretext for incitement during the debate. The claim that the excavations and transformations in progress seriously endangered the historical, cultural and religious sites of Jerusalem was a plain fabrication. His Government conducted archaeological excavations for scientific and cultural purposes, and did so with utmost care and attention. Lastly, he expressed regret that the United Nations had become a forum in which religion was used as a pretext for provoking ill will. No one would benefit from such ignoble conduct.

68. Mr. NUSELBEH (Jordan), speaking in exercise of the right of reply, called upon Israel, and other countries which had stated that the claims made in the draft resolution were not substantiated, to allow the Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to verify those claims. That would never happen, however, because Israel and its supporters always defied the will of the world community.

69. Mr. RAMIN (Israel), speaking in exercise of the right of reply, said that it was typical of the delegation of Jordan to spread confusion. There was no connexion at all between the topic under discussion and the Committee to Investigate Israeli Practices in the Occupied Territories. The reasons for his Government's opposition to that Committee were well known. Furthermore, any visitor could go to Israel, inspect the sites in question and see that they were not in the least endangered.

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70. Mr. SHAMMA (Jordan), speaking in exercise of the right of reply, said that rather than invite visitors, the representative of Israel should permit the Committee in question to determine what Israel was doing in the occupied territories, particularly in the Holy Places, and to report on its findings. The Government of Israel was not co-operating in that regard because it had a lot to hide. The process of desecrating and destroying the Holy Places of the Islamic world was continuing.

The meeting rose at 1.15 p.m.