

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1211
16 March 1976

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Thirty-second session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE TERRITORIES
OCCUPIED AS A RESULT OF HOSTILITIES IN THE MIDDLE EAST

Letter dated 5 March 1976 from the representatives of Egypt, Jordan,
the Libyan Arab Republic, the Syrian Arab Republic, the Palestine
Liberation Organization and the League of Arab States addressed to
the Chairman of the Commission on Human Rights.

We have the honour to enclose herewith information on the recent grave Israeli violations in the occupied Arab territories.

We would like to request that the attached information, which was circulated as an official document of the Security Council on 1 March 1976,^{1/} upon the request of the Palestine Liberation Organization, be circulated under agenda item 4 entitled "Questions of the violation of human rights in the territories occupied as a result of hostilities in the Middle East".

(Signed)

Nabil Elaraby
Representative of the Arab
Republic of Egypt

Waleed Sadi
Representative of the Hashemite
Kingdom of Jordan

Youssef Arebi
Representative of the Libyan
Arab Republic

Dia Allah El-Fattah
Representative of the Syrian
Arab Republic

Daoud Barakat
Representative of the Palestine
Liberation Organization

Mahmoud Fahmy
Representative of the League
of Arab States

^{1/} See S/12000.

Attachment

Israeli grave violations in occupied Arab territories

On Wednesday, 28 January 1976, a judge appointed by the racist Zionist forces of occupation to preside over a Jerusalem magistrate court ruled that "Jews have the right to pray" in the sacred Al-Haram Al-Sharif. In her statement, Judge Ruth Or is reported to have said: "If I hadn't heard this with my own ears, I wouldn't have believed it - i.e., that the ban on Jews praying on Temple Mount exists only since the Israel government controls it. Since the site is holy to members of the two religions, the Ministry for Religious Affairs, in order to prevent disturbances, should have drawn up regulations clarifying who has the right of prayer, where and when."

According to Jewish Halacha (religious) law, Jews are forbidden from setting foot on the sacred sanctuary until the Messiah's return heralds the rebuilding of the Temple.

The magistrate exonerated the culprits who had earlier defied the ban.

In the wake of the magistrate's ruling, racist Zionist groups of Jewish faith have announced their plans to organize "pray-ins" in the Mosque.

The issue at hand is not an issue over prayer in a particular spot in Jerusalem. It is a political measure aiming at changing the status of Jerusalem. It is in pursuance of the persistent racist Zionist policy to eliminate the vestiges of Christian and Moslem heritage in occupied Palestine.

The ruling of the magistrate court is a violation of several Security Council resolutions, including resolution 252 (1968), operative paragraph 2 of which "considers that all legislative and administrative measures and actions taken by Israel ... which tend to change the legal status of Jerusalem are invalid and cannot change that status".

Taking into consideration the Jewish Halacha and the centuries-old Moslem religious tradition, the ruling of the racist Zionist magistrate Ruth Or constitutes an act of profanation and desecration of the sacred site of Al-Haram Al-Sharif.

According to Moslem religious concepts and traditions, the entire area of Al-Haram Al-Sharif is one sacred entity. It is the third holiest Mosque in Islam. Moslems consider the linkage between Al-Israa' and the Mosque as a divine act. This sanctuary is considered a common property of all Moslems, all over the world.

In its resolution 271 (1969), the Security Council determined that execrable acts of desecration and profanation of the holy Al-Aqsa Mosque emphasize the immediate necessity of Israel's desisting from acting in violation of Security Council resolutions and rescinding forthwith all measures and actions taken by it to alter the status of Jerusalem.

The magistrate's ruling is designed to alter the status of Jerusalem. It carries more weight and authority than any administrative attempts to continue to enforce the ban on Jewish religious services on the site of the sacred sanctuary of Al-Haram Al-Sharif.

The Jewish Telegraphic Agency reported in its Daily News Bulletin of 11 February 1976 that the Israeli Government "has already appealed the magistrate's decision to a higher court". No move has been made to secure an injunction from a superior court. The culprits have been acquitted and the chief of the racist Zionist police, Shlomo Hilel, did not seek a stay of execution pending the decision of a higher court. The procedure of an appeal is lengthy, but in the meantime Jewish groups, according to the Jerusalem Post Weekly Overseas Edition of 3 February 1976, were planning "pray-ins" in the Mosque.

The magistrate's ruling sparked a wave of violent demonstrations in most major West Bank towns and in East Jerusalem. On 17 February 1976 the Jewish Telegraphic Agency reported violent demonstrations - near riots - over the Temple Mount area to protest the decision of the Jerusalem magistrate. The JTA reported that the forces of occupation imposed a ban on residents of Ramallah, Nablus, Jenin and Tulkarm, prohibiting them from visiting Jordan or receiving visitors from Jordan. The JTA reported also that Israeli police prevented attempts to organize demonstrations in Jenin and Tulkarm, that the disturbances began in East Jerusalem, and that scores of Palestinians were arrested. On 12 February 1976 the JTA reported the arrest of 26 Arab students; on 10 February, it reported the arrest of two dozen Arab high school students after they threw stones at police during a day of demonstration and a general strike.

The Jerusalem Arabic language daily Al Fajr has been reporting these daily demonstrations, mass arrests, beating of students, violations of schools and the use of tear gas bombs and armoured tanks against these demonstrations. American television stations have shown scenes of bloody confrontation between students and helmeted policemen.

The confrontation reached a climax on 22 February when, as a result of Nazi-like interrogation and torture at the hands of Major Shlomo Aharon, the Zionist intelligence officer in charge, four Palestinians died in the Nablus gaol.

Two other Palestinians were killed in an indiscriminate attack by planes, artillery and tanks on the villages of Hiwara and Burqa. This attack was followed by mass arrests of the residents of these villages and the imposition on them of arbitrary curfews.

Demonstrations and strikes continue in Jenin, Tulkarm and Jerusalem. Confrontation will inevitably lead to an increase in the severity of the oppressive methods which will lead to a situation threatening peace in the area.
