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THE SITUATION IN THE MIDDLE EAST

Letter dated 1 April 1971 from the Chargé d'affaires a.i. of the
Permanent Mission of Jordan to the United Nations addressed to
the Secretary-General

Upon instructions from my Government I have the honour to bring to Your Excellency's attention present and impending Israeli violations concerning religious, historical and cultural sites in Jerusalem.

The illegal excavations carried out by the Israeli authorities adjacent to the Southern and Western parts of the Wall of Haram Esh-Sharif are now seriously endangering Al Aqsa Mosque, the Moslem Museum and El-Fakhariyya Minaret.

Reports emanating from the area speak of Israeli attempts in the Knesset (Israeli parliament) to enact a law in order to confine holy Moslem religious places in Haram Esh-Sharif area to Al Aqsa and the Dome of the Rock mosques. Thus, the Plaza of Haram Esh-Sharif and other religious and cultural buildings which are held sacred by some 600 million Moslems all over the world will not be considered holy any more and would therefore be under the mercy of future illegal Israeli regulations and excavations.

Ever since 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 a tortuous one - from an avowed position of non-annexation to "administrative unity", then to "reunification" and finally to de facto "annexation", which was combined with a declaration "ensuring the welfare of the city and the happiness of its people"! However, Israeli destruction of private property and the violations of religious and cultural sites that ensued are hardly consistent with the Israeli promises.

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In the period following the illegal annexation, a great number of complaints were filed with the Israeli authorities by Moslem religious organizations and leaders pertaining to the transgression involving Moslem holy places. In August 1967, the Chief Rabbi of the Israeli army, Shlomo Goren, and associates conducted prayers in the area of Haram Esh-Sharif near Al Aqsa Mosque. According to the Israeli paper Haaretz of 8 August 1967, he declared his determination to keep conducting such prayers in different places of Al Haram Esh-Sharif Plaza. The Chief Rabbi further declared his determination to build a synagogue there.

On 6 January 1971, a group of Jewish leaders conducted prayers in the Haram Esh-Sharif area, as reported in the Israeli paper Maariv of 8 January 1971. The prayers were lead by a former Chief Rabbi of South Africa, now a member of the municipal council of Jerusalem, as well as other rabbis and professors from the universities of Jerusalem and Tel Aviv.

The premeditated burning of the holy Al Aqsa Mosque on 21 August 1969 is a grim reminder of what awaits these holy shrines under Israeli military occupation. The circumstances that lead to such premeditated action blends with the outlook and pronouncements of Israeli zealots and religious academicians who pursue messianic goals.

The Israeli policy to change the character of Jerusalem at the expense of the Christian and Moslem communities prompted an editorial in the Vatican City newspaper, L'Osservatore Romano of 22/23 March, which referred to these persistent Israeli policies against the Christians and Moslems in the following terms: "their existence and development is threatened by a policy which seems to aim at slow suffocation".

As early as 22 August 1967, the Moslem religious leaders in the West Bank of Jordan anticipated Israeli designs and issued a fatwa (religious decree). The fatwa restated an already established historical and religious fact by declaring that the whole Haram Esh-Sharif area and whatever is built on it is sacred to Moslems. This same fatwa was endorsed by the Fourth and Fifth Islamic Conferences for Religious Research held in Cairo in 1968 and 1970, respectively.

The excavations and the impending legislation are in direct violation of The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, particularly article 5, which stipulates that:

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"Any High Contracting Party in occupation of the whole or part of the territory of another High Contracting Party shall as far as possible support the competent national authorities of the occupied country in safeguarding and preserving its cultural property." 1/

The Executive Board of UNESCO, on 10 October 1969, by a vote of 26 to none adopted resolution 4.3.1 concerning illegal excavations in Jerusalem, which called upon Israel "to preserve scrupulously all the sites, buildings and other cultural properties, especially in the old city of Jerusalem" and "to desist from any archaeological excavations, the transfer of such properties and any change of their features or their cultural and historical character."

However, those excavations persisted with intensity. The attached map depicts the different stages of excavations endangering religious and cultural property. Israeli contemplated plans would, if permitted, be of more far-reaching consequences.

Security Council resolution 267 (1969) of 3 July 1969 deplored Israel's disregard for previous United Nations resolutions, censured in the strongest terms all measures taken to change the status of the City of Jerusalem, considered such measures illegal and determined that "in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter".

Israel failed to comply with the above-mentioned resolution. It continues to follow a defiant policy vis-à-vis the provisions of the international law and conventions governing its obligations as an occupying power. Israeli designs on the Holy Places can only create more anguish and revulsion on the part of Moslems all over the world.

In view of the gravity of this matter, I appeal to Your Excellency to anticipate these sinister Israeli designs on the sanctity of the Holy Places and their surroundings.

I have the honour to request that this letter and the attached map be circulated as official documents of the Security Council and General Assembly.

(Signed) Anton A. NABER
Chargé d'affaires, a.i.

1/ United Nations, Treaty Series, volume 249 (1956), No. 3511.

