

UNITED NATIONS



SECURITY COUNCIL

OFFICIAL RECORDS JAN 26 1988

DISSEMINATION

THIRTY-FIFTH YEAR

2239th MEETING: 27 JUNE 1980

NEW YORK

CONTENTS

| | <i>Page</i> |
|---|-------------|
| Provisional agenda (S/Agenda/2239) | 1 |
| Adoption of the agenda | 1 |
| The situation in the Middle East: Letter dated 28 May 1980 from the Acting Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/13966) | 1 |

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.

2239th MEETING

Held in New York on Friday, 27 June 1980, at 3.30 p.m.

President: Mr. Ole ÅLGÅRD (Norway).

Present: The representatives of the following States: Bangladesh, China, France, German Democratic Republic, Jamaica, Mexico, Niger, Norway, Philippines, Portugal, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

Provisional agenda (S/Agenda/2239)

1. Adoption of the agenda
2. The situation in the Middle East:
Letter dated 28 May 1980 from the Acting Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/13966)

The meeting was called to order at 4 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:

Letter dated 28 May 1980 from the Acting Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/13966)

1. The PRESIDENT: In accordance with previous decisions [2233rd to 2236th and 2238th meetings], I invite the representatives of Israel and Pakistan to take a place at the Council table, I invite the representatives of Bahrain, Cuba, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Qatar, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Turkey, the United Arab Emirates, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber, and I invite the representative of the Palestine Liberation Organization to take a place at the Council table.

At the invitation of the President, Mr. Blum (Israel) and Mr. Naik (Pakistan) took places at the Council table, Mr. Al-Saffar (Bahrain), Mr. Roa Kouri (Cuba), Mr. Elaraby (Egypt), Mr. Suwondo (Indonesia), Mr. Al-Ali (Iraq), Mr. Nuseibeh (Jordan), Mr. Bishara (Kuwait), Mr. Tuéni (Lebanon), Mr. Halim (Malaysia), Mr. Kane (Mauritania), Mr. Laraki (Morocco),

Mr. Jamal (Qatar), Mr. Zowawi (Saudi Arabia), Mr. Djigo (Senegal), Mr. A. M. Adan (Somalia), Mr. Abdalla (Sudan), Mr. Mansouri (Syrian Arab Republic), Mr. Eralp (Turkey), Mr. Humaidan (United Arab Emirates), Mr. Alaini (Yemen), and Mr. Mujezinović (Yugoslavia) took the places reserved for them at the side of the Council chamber and Mr. Terzi (Palestine Liberation Organization) took a place at the Council table.

2. Mr. YANGO (Philippines): Just recently, on 1 March 1980, the Security Council met on an issue of great importance to international peace and security and adopted resolution 465 (1980) which, *inter alia*, called upon Israel to withdraw from territories on the West Bank of the Jordan, including Jerusalem, which were occupied in 1967. That resolution remains unimplemented. Other resolutions along the same lines, of both the Council and the General Assembly, remain unimplemented. Those are the reasons why we have met again. We have to continue to be seized of this issue until a solution emerges and a just and comprehensive peace throughout the Middle East has been attained.

3. But there is another reason why we have to meet at this time on an urgent basis. The region remains tense; occasional acts of violence make life precarious in the occupied territories, in southern Lebanon and other parts of the Middle East. Recent events point to an escalation of threats to life, property and the peace of the area. Not only does retaliation follow upon retaliation, but fresh causes are being added to the dispute. The most recent of these, as everyone now knows, is the threat of final unilateral action on the part of Israel to make permanent through an act of Parliament the status of Jerusalem as the capital of Israel, "reunifying" both the western and eastern parts, including the Holy Places, into a single entity under Israeli rule and jurisdiction.

4. Because such a final unilateral act would serve no purpose, but would only further aggravate an already complex situation and make a solution much harder to achieve, my delegation agrees as to the urgency of this meeting. But we also feel that we should seize this occasion to move farther along the road towards the ultimate solution to this problem, and not merely content ourselves with stopgap measures. We believe strongly that a basis already exists for such a solution, a basis for a just, comprehensive and lasting peace in the Middle East. It is one which the prescient

Members of this international body, long before the present problem developed to such complex proportions, put forward in General Assembly resolution 181 (II), which is the first of the many resolutions that have been left unfulfilled. To our mind, there is no doubt that history would have been different and we would not be agonizing over the question of war and peace in the Middle East today, had that resolution been given full force and effect after its passage.

5. In our statements on two previous occasions in the Council, one on the question of the occupied Arab territories and the other on the question of the exercise by the Palestinian people of their inalienable rights, we stated that the issue of peace in the Middle East could not be settled unless the question of Palestine and the occupied territories was settled first. For we have here a fateful sequence of events that cannot be avoided. The problem of Jerusalem, with which we are presently seized, is an essential and integral element of that question. It is my delegation's belief that we have first to settle this issue before we can proceed to the other elements of this complex equation. Jerusalem is primary; but it also touches a raw nerve in the international community, for it is a focal point of concern for most of mankind.

6. His Holiness Pope John Paul II was moved to speak about the centrality of this issue when he addressed the General Assembly last year and said:

"I also hope for a special statute that, under international guarantees—as my predecessor Paul VI indicated—would respect the particular nature of Jerusalem, a heritage sacred to the veneration of millions of believers of the three great monotheistic religions, Judaism, Christianity and Islam."¹

In speaking those words, the Pope spoke not only for Roman Catholics, but for the untold millions of this planet's population as well as for those whose lives have been touched in one way or another—and they constitute the vast majority of the peoples of the world—by those three great religions. The Association of South-East Asian Nations, to which my country belongs, is made up of representatives of at least two of those religions—Muslims and Christians.

7. For more than 2,000 years Jerusalem has occupied a special place in the hearts and minds of peoples of these faiths. Its name in Arabic means Holy City. To Christians, Jerusalem is the city of the Fathers of the Church; Jerusalem and nearby sites such as Nazareth and Bethlehem are where Jesus Christ was born, lived and did much of his work among mankind. The Jews also attach a special significance to it as a holy site. For these reasons, and because its status has been in dispute since partition, my delegation is fully convinced that Jerusalem and the Holy Places therein should retain a special status in the international community, as the Pope has said, and as the international consensus would have it. Jerusalem truly belongs to

all mankind. No one should ever be denied access to it and the Holy Places therein. There should never be any wrangling, much less fighting, over it for such would be a contradiction to its holy character. Let all mankind therefore see to it that Jerusalem and its Holy Places be for ever preserved as a common heritage of all and as a holy shrine for peoples of all faiths.

8. What is this special status with international guarantees that is desired for Jerusalem? At this point, I wish to refer to the special international régime for the City of Jerusalem, as envisaged in General Assembly resolution 181 (II) of 1947. In part III of the resolution, it is stated that

"The City of Jerusalem shall be established as a *corpus separatum* under a special international régime and shall be administered by the United Nations."

The same resolution stipulates that

"The City of Jerusalem shall be demilitarized; its neutrality shall be declared and preserved."

In paragraphs 7 and 8 of its resolution 194 (III) of 1948, the General Assembly resolved

"that the Holy Places—including Nazareth—religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice"

and

"that, in view of its association with three world religions, the Jerusalem area . . . should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control".

Furthermore, the Assembly instructed the Conciliation Commission for Palestine:

"to present to the fourth regular session of the General Assembly detailed proposals for a permanent international régime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area".

9. As far as my delegation is concerned, the status of Jerusalem is as stipulated in the original plan of partition and nothing, in our view, since then has changed that status.

10. It is relevant, in that connection, to draw attention to the conclusions of the study entitled *The Status of Jerusalem* prepared for, and under the guidance of, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which, *inter alia*, concluded on page 26 that:

"The resolutions of the General Assembly and Security Council in relation to Jerusalem following the occupation of the entire city of Jerusalem by Israel in June 1967 also maintained this original principle of internationalization. Further, they required Israel to withdraw from territories occupied during the conflict, and to rescind all measures taken, as well as to refrain from taking further measures, to alter the status of Jerusalem. Thus, it would appear that the United Nations since 1947 has maintained the principle that the legal status of Jerusalem is that of a *corpus separatum* under an international régime."

11. This concept of an international régime for Jerusalem was clearly elaborated upon by the Rapporteur of the Committee, the representative of Malta, in his statement before the Council yesterday [2236th meeting]—a concept which, according to him, the United Nations has maintained since 1947 as the true legal status of Jerusalem. The representative of Cuba, speaking as Chairman of the non-aligned movement [2235th meeting], likewise referred to an international régime for Jerusalem in the context of the United Nations. Mention of such an international régime was also made in the statements of the representatives of Jordan and Turkey [2234th and 2236th meetings].

12. Everyone recalls that in the years subsequent to 1967 all actions which had the intent of changing that status of Jerusalem were declared invalid in various resolutions, namely, General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) and Security Council resolutions 252 (1968), 267 (1969), 271 (1969), 298 (1971) and 465 (1980). It is our belief that any unilateral action to change the status and character of Jerusalem without the participation of all the parties concerned and without the general approval of the international community cannot contribute positively to a just, comprehensive and lasting peace in the Middle East.

13. Once again we have before us the opportunity to make a fateful choice between issues of peace and war in this troubled region. We are fortunate that in this instance we have before us also the product of the wisdom of our worthy predecessors in this world forum, which can evidently be a path to peace and a satisfactory solution to the complex problems in the region. My delegation shares the anxiety of many that, at this juncture, as the entire world stands poised on the edge of this choice, many parties agitated by the cycles of violence that daily sweep over the region will ignore that path. Let them not forget that a temporary gain for them may lead to a permanent loss for all humanity.

14. Mr. CHOU Nan (China) (*interpretation from Chinese*): Last May the Eleventh Islamic Conference of Foreign Ministers, held in the capital of Pakistan, adopted a resolution² calling for an immediate meeting of the Security Council to consider the question of Jerusalem. That decision was right and timely. The Chinese delegation fully supports that initiative.

15. As is known to all, the General Assembly and the Security Council have adopted resolutions on many occasions condemning Israel for its illegal act of establishing settlements on the occupied Palestinian and other Arab territories and demanding an end to all Israeli acts to change the legal status, physical character and demographic structure of the occupied Arab territories, including Jerusalem.

16. However, the Israeli authorities for a long time have turned a deaf ear to the unanimous condemnation by world opinion and acted in complete defiance of the relevant resolutions of the General Assembly and the Security Council. In particular, the Begin Administration has intensified its efforts to expropriate the private land of the Arabs in the above-mentioned areas, expand the Jewish settlements, control and monopolize the water resources, interfere in the religious activities of the Arab people, vandalize precious Muslim historical relics, wilfully arrest and expel Arab inhabitants and even deport and assassinate Palestinian leaders. Recently, in disregard of the norms of international law and the strong opposition of the Arabs and all justice-upholding countries and peoples of the world, the Knesset has taken unilateral and arbitrary action to initiate the legislative process of making Jerusalem the permanent capital of Israel. A few days ago Begin made a new provocation by brazenly announcing the moving of the Israeli authorities' office to Jerusalem. In our view, the above-mentioned actions taken by Israel to change the status and character of Jerusalem are completely illegal and null and void. These actions should not be granted recognition.

17. Jerusalem is the sacred place of three major religions of the world and it is only natural that people of all these religions should have free access to it for pilgrimage. We fully understand and sympathize with the sentiments of the Islamic countries and peoples towards Jerusalem. We are opposed to any Israeli action to change the status of Jerusalem unilaterally.

18. The question of Jerusalem is an important component of the whole Middle East issue. We have always held that any solution to the Middle East question should embody the following three aspects: first, Israel must withdraw from all the Arab territory occupied since 1967, including Jerusalem; secondly, the national rights of the Palestinian people must be restored, including the right to return to their homeland, the right to self-determination and to establish their own State; thirdly, the solution to the Middle East question must be comprehensive and just.

19. Such are our explicit views and position of principle on the related issues.

20. The Chinese Government and people strongly condemn the Israeli authorities for their crime of aggression, expansion and annexation and firmly support the Palestinian and other Arab peoples in their just struggle to regain their national rights and recover

their lost territories. We maintain that the Council must strongly condemn Israel for all its unlawful acts to change the legal status, physical character and demographic structure of the occupied Arab territories and for its unilateral and arbitrary act to change the status and character of Jerusalem. The Council should declare in explicit terms that the above-mentioned measures taken by Israel are completely illegal and null and void and that they should be rescinded. The Council should also demand Israel's withdrawal from all the occupied Arab territories, including Jerusalem. Should the Israeli authorities continue to defy the relevant resolutions of the United Nations, the Council should consider the adoption of more effective measures against Israel.

21. Mr. MUÑOZ LEDO (Mexico) (*interpretation from Spanish*): We are living through some exceptional days in the Council. The two issues that for decades have been predominant on its agenda—the Middle East and southern Africa—have reached such a point of seriousness and such a juncture that we can now say that we have a double emergency.

22. The recurrence of these two issues make them both symptomatic and symbolic. They both reveal a pernicious imbalance between the obduracy of those responsible for the conflicts, on the one hand, and the lack of effective co-operation among those who might make it possible for the decisions of the international community to be carried through, on the other. They exemplify the barriers within which action by the United Nations is to be confined.

23. The issue we are discussing today is of particular importance. Just as the question of Palestine is the key to the problem of the Middle East, the fate of Jerusalem is the key to the problem of Palestine. By confronting such issues without ambiguity we can find the thread that will lead us to a genuine joint solution. We shall be at the beginning of the end of a long-drawn-out problem.

24. Almost every day starts with news of an escalation of decisions which make a negotiated and peaceful settlement in the Middle East even more difficult. What is the purpose? It seems to be to make use of a year of uncertainty in order to impose a *fait accompli* on the centres of world power. For that reason, now is the right time to define the role which the Organization should play in making decisions that fall within its purview.

25. The energies we devote to the discussion of those issues are not superfluous. They are translated into important conceptual advances which give form to the political will of the international community and which preclude solutions that are not adapted to the principles of the Organization or the substance of our resolutions.

26. To the measures taken by Israel since 1967 to change the physical character and the demographic

composition of Jerusalem must now be added the intention of unilaterally imposing a new status on the city. In this way an essential principle of the international legal order would be doubly violated, a principle to which Mexico attaches particular value: conquest must not engender any right. The security of a country or a region cannot be founded on domination. Conversely, there is no surer way of compromising peace than by tolerating the dangerous precedent of one nation imposing its will on another or on others in violation of the legal order.

27. Nor can the deep historical significance of Jerusalem, where three great faiths and the traditions of innumerable peoples converge, be a pretext for an unjust solution which would carry with it the usurpation of national rights. Respect for the values which Jerusalem embodies presupposes a climate of peace, which no military occupation can engender.

28. The immediate problem which we face is an illegal occupation, which must end. But the long-term solution requires a new approach which will lead to coexistence. The creation of the State of Israel was made possible thanks to the long sacrifices endured by the Jewish people in affirming its existence as a nation. These forces must be transformed into a clear understanding of the sacrifices now suffered by the Palestinian people so as also to achieve its independence through the establishment of a national State.

29. The deepest significance of the tragedy of the Middle East lies in the fact that two vigorous nationalisms are clashing within the same historical and geographical framework. One has already achieved its essential objectives: the Israeli. The other is struggling to gain them: the Palestinian. Hence, the international community supports the claims of the latter and, in order to establish harmony, is seeking to curb the excesses of the former.

30. Both peoples have the same ethnic origin and have shared the same cultural heritage. For centuries they coexisted in various parts of the ancient world. Tradition and mutual interest militate in favour of close co-operation between the two nationalities. Once dialogue can be established on an equal footing, the problem of Jerusalem can be resolved to the satisfaction of both parties and of the international community if, instead of differences being exacerbated, occupation is ended and gives way to an imaginative, forward-looking policy.

31. Strictly speaking, the problem is not that of choosing between a unified Jerusalem and a divided Jerusalem. The city is unified today in fact, but because of a conquest, which can engender no right whatsoever. If what we want is to unify the city, this must be done with respect to all sovereignties, so that Palestinians and Israelis, Christians, Jews and Muslims may live together in freedom and with mutual recognition of their national rights, their traditions and

their religious beliefs. It is the peoples, far more than the physical remains, that are the repositories of a historical heritage. To safeguard Jerusalem is, to a large extent, to promote harmony among the communities which inhabit it through just solutions and within a stable and lasting political framework. If the idea of according international status to Jerusalem proves to be impossible to realize, we can think for the future—once national rights are re-established—about new formulas of understanding. But for the present, our endeavours must be focused on the return to legality by putting an end to an arbitrary occupation.

32. My delegation has been in favour of adopting a forceful draft resolution, so that we may implement the legal measures considered necessary for halting and defusing the repeated flouting of the will of the international community. We wish further to state our deep concern about the persistence of this problem, which seems increasingly to be the linchpin of an acute and deplorable conflict and which requires greater firmness in our resolutions as well as a clearer vision of the future.

33. Mr. KAISER (Bangladesh): Mr. President, it is a pleasure to see you presiding over the deliberations of the Council. It well befits you to be in charge of this crucial meeting of the Council, both because of your personal qualities—endowed as you are with a rare combination of wide experience and statesmanship—and because of your position as the representative of Norway, with which my country has the closest relations, a country whose commitment to the cause of peace and international understanding is acknowledged by all. And our personal friendship, Mr. President, spans a period of a decade, and I am beholden to you, as are other friends of yours, for our shared moments of trying to uphold values which we cherish.

34. I should also like to express my sincerest appreciation to my brother, Ambassador Idé Oumarou of the Niger, for the excellent way in which he conducted the proceedings of the Council during the month of May.

35. “ ‘He who comes seeking equity must come with clean hands’ ” [2234th meeting, para. 115]: this is how the representative of Israel tried to justify Israel’s latest phase of expansionism and aggrandizement. The absurdity of this statement is only borne out by the universal condemnation with which the Israeli action on Al-Quds has been greeted. Incidentally, the beautiful name “Al-Quds Al-Sharif” has a lone objector reading sinister meanings into it, while it signifies “Holy of Holies” to about a billion people.

36. The representative of Israel did not stop at that; he arrogated to himself the task of lecturing the Council. He found it appropriate to sound a note of warning. This warning sounded, to say the least, ironic and sinister, considering Israel’s record of violence and

intransigence and its constant contemptuous disregard for international law and all the unanimous judgements of the Council. Any unilateral measures to alter the status of Jerusalem and any attempt or measure designed to hide the nefarious acts of Israel must be firmly rejected and condemned by the Council.

37. I have stated before—and it is a matter of record and known to everyone—that a long list of resolutions has been adopted by the Security Council and the General Assembly on the status of Al-Quds Al-Sharif and on Arab territories acquired by force by Israel. The people of the world, whose opinion is reflected in the pronouncements of the Council and of the General Assembly, have been unanimous in upholding the very just and fundamental principle of not allowing the aggressor to swallow the land and territories he occupies. This is the recurring theme in all the resolutions.

38. There has been complete unanimity in the world community, except for one of its members, with regard to the preservation of Al-Quds Al-Sharif—the city of peace and the spiritual centre of three monotheistic faiths of the world. It is a sad commentary that, in spite of all the numerous resolutions of the Security Council, the General Assembly and other competent international bodies, the situation in Jerusalem and the occupied territories is rapidly deteriorating. The latest act of Israel is not an isolated incident; it seems to be part of a premeditated, systematic and deliberate policy in total defiance of the collective opinion of the civilized world on the building of new settlements, expropriation of lands, demolition of houses, expulsion of inhabitants and the letting loose of a reign of terror in an area which Israel is bound to protect and to vacate in accordance with the terms of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³ and the universal code of human conduct. This invidious ethos of Israeli intransigence has another aspect. The original residents of Al-Quds Al-Sharif have, through the process of what is euphemistically known as demographic decomposition, been gradually reduced to a minority. Israel has been systematically taking measures in pursuit of a policy totally incompatible with its obligations under the Charter and the Geneva Convention.

39. Our memories are not short. We have heard in the Council the plea against tyranny so movingly stated by the Mayor of Halhul, a son of the soil who is denied entry to his own home. Israeli actions have moved the world to condemn—and some in milder words to deplore—their nefarious designs, but with no effect. The Bangladesh delegation in no uncertain terms condemns the Israeli actions, and it will do so again and again until the wrongs are righted and will keep on demanding that Israel be compelled by the Council to obey its mandate.

40. The present series of meetings of the Council is being held in response to a request of the Eleventh

Islamic Conference of Foreign Ministers "to examine the dangerous situation arising from the latest decision by the Israeli authorities . . . to annex and declare Al-Quds Al-Sharif as the capital of Israel". [S/13966.] The 39 States members of the Islamic Conference have called for these meetings of the Council to consider the serious and dangerous implications of the above-mentioned Israeli moves and their consequences on the endeavours for achieving a comprehensive, just and lasting peace in the Middle East, in accordance with the relevant resolutions of the United Nations.

41. The introduction of the bill in the Knesset declaring Al-Quds Al-Sharif as the eternal capital of Israel, which is said to have been referred to a Select Committee, and the recent announcement of Mr. Begin have added a new dimension. That is not only a provocative action on the part of Israel but is also totally unacceptable and untenable by all canons of international law.

42. The Government of Bangladesh has viewed this with great concern. In complete solidarity with our Arab and Palestine brothers and all our other brothers who hold Al-Quds Al-Sharif sacred, we are firmly of the view that the Israeli action is not only illegal and *ultra vires* but also further proof of the contemptuous disregard with which the Israeli rulers look upon world opinion.

43. The Holy City of Al-Quds Al-Sharif occupies a special place not only for the whole Islamic *Ummah*; its history has been intertwined with that of mankind. It embraces the spiritual and intellectual contributions of three great monotheistic religions of the world representing the largest segment of mankind. It has from time immemorial remained a witness to the permanent edifice of coexistence, peace, love and tolerance. Let us strive to end this period of horror and nightmare and decisively ensure the historical accessibility of pilgrims from all over the world to the Holy City and its shrines. The Zionist entity must be compelled to refrain from further desecration and despoliation of the Holy Places and of Palestine, thereby helping to usher in an era of peace in the region and the world.

44. In his statement on the opening day of this debate [2233rd meeting], the Foreign Minister of Pakistan rightly touched on the concern of the Islamic countries on the question of Al-Quds Al-Sharif. This is the latest effort of the Islamic community in the quest for justice and peace in the Holy Land. Since the Rabat Conference of 1969, the heads of State or Government of the Islamic countries who assembled to consider the dangerous situation arising from the desecration of the Al-Aqsa Mosque declared that the status of Al-Quds Al-Sharif should be restored without any further delay. The Lahore Summit of the Islamic Conference in 1974 also underlined in unmistakable terms the paramount importance of the immediate removal of Israeli aggression from Al-Quds Al-Sharif

as the *sine qua non* for a lasting peace in the Middle East, nay the whole world. As a member of the Jerusalem Committee from its very inception, Bangladesh has reiterated time and again that under no circumstances can the *Ummah* and the civilized world accept the creeping annexation of Al-Quds Al-Sharif by the forces of Israel or by the maintenance of the *status quo*.

45. We have noted with satisfaction the recent overt pronouncement of the European Council with regard to Al-Quds Al-Sharif, which states:

"The Nine recognize the special importance of the role played by the question of Jerusalem for all the parties concerned. The Nine stress that they will not accept any unilateral initiative designed to change the status of Jerusalem and that any agreement on the City's status should guarantee freedom of access of everyone to the Holy Places." [S/14009, para. 8.]

46. The international community itself has, through the General Assembly and the Security Council, time and again called upon Israel to rescind all measures taken by it to change the special personality of Jerusalem and to refrain from taking any further action in that regard. In this connection, I should like to draw attention to Council resolutions 242 (1967), 252 (1968), 267 (1969), 271 (1969) and 298 (1971). All those resolutions reaffirmed in clear terms the principle of the inadmissibility of acquisition of territory by force and, thereby, that all actions, administrative as well as legislative, taken by Israel to alter the status of Al-Quds Al-Sharif were invalid. In its resolution 465 (1980), which was adopted unanimously, the Council reaffirmed this position regarding the occupied Arab territories, including Jerusalem.

47. It is in this context of the repeated violation of resolutions of the Council that the recently concluded Islamic Conference of Foreign Ministers has called upon the Council to declare null and void all such actions taken by Israel. In case Israel continues its policy of defiance of the Council's resolutions, all efforts must be made, in conformity with the relevant provisions of the Charter, so as to compel compliance with the resolutions.

48. The edifice of world civilization rests on certain fundamental values. We cannot be oblivious of the fragile peace built upon the debris of the destruction of the First World War; that peace was achieved without the injection of the element of justice for all the parties concerned. To be durable, peace must be conceived in the context of justice and fair play. We cannot allow Israel to persist in its policy of occupation and annexation, which is now posing the gravest danger to international peace and security. As recently as a few days ago Pope John Paul II stated that the resolution of the question of Jerusalem is pivotal to a just settlement in the Middle East and he also underscored the gravity of the situation.

49. The vision that was demonstrated by the leaders at the Yalta Conference in order to maintain peace in the post-Second World War era and that lent credibility to the Charter of the United Nations and to its principles and purposes is not lost on us in the Council. It is time, therefore, that the Council in its wisdom brings to bear upon Israel its moral force so as to ensure the immediate vacation of Israeli aggression with regard to Al-Quds Al-Sharif so that a durable peace can be achieved in the Middle East, a peace that can be sustained, a peace that will be meaningful not only for the Islamic world, but also for the whole world.

50. In conclusion, on the very first day of the debate, the representative of Israel in his statement said:

"A dangerous dimension has been injected here into our discussions. We have heard in this meeting, right from its beginning, the shrill voice of hatred, incitement and fanaticism. As the representative of a people which throughout the ages has been the traditional victim and target of this despicable phenomenon, I feel in duty bound to caution against succumbing here to an evil that has brought so much misery not only in the past, but even in our own time. Members of the Council need not be reminded of the most recent manifestations of this evil and of its implications for all of us." [2233rd meeting, para. 98.]

In this regard, I should like to take members back to a historical event of more than 1,000 years ago. The Second Caliph of Islam, Hazrat Omar, of blessed memory, on entering the grounds of Al-Quds Al-Sharif at the head of a conquering Muslim army, was invited to say his prayers in the shrine. He respectfully declined the invitation explaining that by offering the prayer in the premises he would set a bad precedent, encouraging his followers to claim the shrine as their own. The recent decision of the Islamic Conference to bring this matter to the Council is based on that noble example, in the spirit of seeking justice and practising tolerance and in the quest for a peaceful solution of this explosive issue.

51. Engraved in bold letters on the wall of the Union of American Hebrew Congregation, at East Sixty-fifth Street and Fifth Avenue, New York, are wonderful exhortations and words of wisdom: "Do justice, love mercy, walk humbly with thy God". I do not have to go into the significance of those wonderful words providing the code of human conduct, for tolerance and for eternal peace. Let it be practised in deeds.

52. Nemesis has invariably followed injustice and intolerance. Let us avoid it while there is time; let it not engulf the guilty and the innocent alike.

53. Mr. FUTSCHER PEREIRA (Portugal): Throughout history, almost every city in the world has at one time or another been the object of conflicts between

peoples of different origins, races or creeds. Few places like Jerusalem have, however, raised such violent passions among so many people and for so long a time. For centuries and centuries, men have come from distant lands to fight and die for the Holy Places of this city. They were not seeking riches, they were not fighting to extend the territory that would allow their own people to live and to survive, nor to preserve the land of their ancestors. They were fighting for their religious convictions, for the preservation of the material foundations of their faith, and they were ready to sacrifice, in accordance with their beliefs, an ephemeral life on earth to more eternal values. Such is for Jews, Christians and Muslims alike the symbolic strength of the Holy Places situated in the City of Jerusalem.

54. This unique spiritual dimension of Jerusalem must never be ignored by those who exert control and authority over that city. Those who choose to ignore it will only set afire new passions, thus leading to more violence and intolerance. Thus we cannot but express our clear disapproval of the legislative steps recently initiated in the Knesset unilaterally to alter the character and status of the City of Jerusalem.

55. Neither can we silence our dismay at seeing that the Israeli authorities have apparently turned a deaf ear to the wise, tolerant and conciliatory words we heard not that long ago in this very building about the problems of Jerusalem from His Holiness John Paul II.

56. In the view of the Portuguese Government, any attempt by the Israeli authorities unilaterally to define the status of Jerusalem will be illegal in the face of international law and contrary to the spirit of tolerance that must preside over the relations between the three religions for which Jerusalem is a Holy Place. Likewise, any attempt to impose control over that city by force, ignoring the feelings of the three religious communities that live there and venerate its shrines, will only be illusory and will contain the seeds of new violence that sooner or later will turn against those who initiated the process.

57. A peaceful and adequate solution of the question of Jerusalem can therefore be found only if the historic and religious pluralism of that city is recognized and taken into account, for Jerusalem is a sacred place not only for those who live in it, but for all those, numbering almost 1.5 billion people, who follow the creeds of the three great monotheistic religions. Respect for the religious dimension of the city implies a search for a special statute that, under international guarantees, will define equal rights for the three religions, assure free access for all to the places of worship and safeguard the promotion of their spiritual and cultural endeavours. Such a solution must be found in accordance with the three religions, and Israel should therefore avoid creating any situation that will block the way to a negotiated settlement.

58. On the other hand, Israel must abide by the relevant provisions of international law, namely, the fourth Geneva Convention of 1949,³ as far as the exertion of its civilian authority over East Jerusalem is concerned. The political future of that part of the city cannot be determined by the Israeli occupying authorities. As in the case of other Arab lands occupied by Israel since 1967, only through negotiations and respect for the right of self-determination of the Palestinian people can the future of East Jerusalem be shaped. That is why any attempt to hinder such an outcome, by creating an irreversible situation for Jerusalem, will only compromise the possibility of achieving a durable and just peace in the whole of the Middle East.

59. We therefore hope that good sense will prevail and that the legislative process initiated in the Knesset will not lead to a regrettable conclusion. In this respect, we must refer to the recent announcement made by the Israeli Government to the effect that the office of the Prime Minister and the conference room of the Israeli cabinet will shortly be moved to East Jerusalem. I regret to say that, in the view of my delegation, such a decision, if implemented, would be a useless provocation not only to the Arab world and to the people of East Jerusalem but also to the whole international community.

60. But we must not respond to such provocations. The mission of the Council is to guarantee international peace and security. We must therefore avoid assuming as our own the passions of those who are parties to the controversy we are called to deal with. That would only lead us to rigid positions that would stall our capacity to trigger any process of negotiation able to lead to a solution acceptable to all. Such a solution will be reached only if we are able to recognize and understand the legitimate anxieties and aspirations of all the parties involved and if, with patience and an open mind, we try to help them bridge their differences and overcome their mutual lack of confidence and their hostility.

61. As we stated almost a year ago, when we presented the report of the Security Council Commission established under resolution 446 (1979), the Portuguese delegation firmly believes that only by following such a course will it be possible to

“make the Holy City a unique meeting place and a place of peace, a point of departure for all to unite in a determination to give it a status that will guarantee and encourage fruitful and fraternal dialogue between men, peoples and religions” [2156th meeting, para. 20].

62. The PRESIDENT: The next speaker is the representative of Bahrain. I invite him to take a place at the Council table and to make a statement.

63. Mr. AL-SAFFAR (Bahrain): Mr. President, on behalf of my delegation, I should like to thank you and

the other members of the Security Council for allowing me to participate in the discussion of the question of Jerusalem. We are delighted to see you, Mr. President, presiding over the meetings of the Council on this highly sensitive issue. We are confident that under your skilful guidance the deliberations of the Council will be fruitful.

64. Almost nine years ago, in September 1971, the Council last convened to consider the persistence of the Israeli authorities in changing the status and character of the Holy City of Jerusalem. Today the Council is meeting to discuss the latest Israeli aggressive measure: the annexation of Jerusalem. Passing a new law to transfer the Prime Minister's office as well as the Israeli Cabinet conference room to East Jerusalem is one of the most provocative plans to Judaize the Holy City. The intended plan is indeed a challenge not only to the Muslim world but to the Christians as well. The disfiguration of the Holy City and the changing of its unique character have indeed stirred indignation throughout the Muslim world.

65. We are faced today, as we have always been, with a very dangerous and alarming situation. Israel is declaring its plans to annex the Holy City of Jerusalem, thus defying the will of the international community and ignoring United Nations resolutions and the principles of international law. In fact, Israel has always adopted a negative attitude towards the decisions of the United Nations, whether in relation to Jerusalem or to the rest of the occupied Arab territories.

66. The newly declared plan is not new to the Council. Since 1967 Israel has declared that Jerusalem has been liberated from Arab conquest and will never be divided again. The reaction of the world community to that declaration has been well defined in several resolutions of the Council. The Council has demanded that the Israeli Government, as the occupying Power, desist from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Arab territories occupied since 1967, including the Holy City of Jerusalem. The opposition of the United Nations to the Israeli designs is in fact based on a generally recognized principle of international law: the inadmissibility of acquiring territory through war.

67. The Zionist Government often refers to the religious and spiritual attachment of the Jewish people to Jerusalem. Does that mean that the other faiths, Islam and Christianity, have no attachment to their holy places? Does it also legitimize the Israeli occupation, annexation and aggression?

68. If the Jews have an historical association with Jerusalem, others also have historical and religious ties with the Holy City. It is a part of their religious belief also. Jerusalem remains for ever in the hearts of the Muslim peoples all over the world. The Arabs

have preserved the historical, cultural and legal status of Jerusalem for many centuries. Jerusalem was accessible to all religions, including Judaism. Today Jerusalem is an exclusive place to the Jews only.

69. The establishment of colonies in the occupied Arab territories has always been the strategic objective and policy of the Israeli Government—first by the Labour Government until 1977, and subsequently by the Government of Menachem Begin, who pledged to do all he could to Judaize the Arab territories occupied since 1967.

70. The annexation and the change of the legal status, geographical nature and demographic composition of the City of Jerusalem by the occupying Power is irrefutable evidence of the expansionist policy of Israel towards the occupied Arab territories. As a result of that policy, the Israeli authorities resorted to demolishing houses and historical sites of great cultural value to the Arabs. They also confiscated privately owned Arab properties, and expelled the Arab inhabitants from their land. And, in certain cases, they obliterated entire quarters, as in the case of the Harat Elmaghreb quarter, which was transformed into a parking lot.

71. The expansionist policy of Israel in the Arab territories has also led to violence against the Palestinian population, the last of which was the crime committed against the lives of the Palestinian Mayors.

72. The Zionist hatred for the Arabs and their contempt for Islamic culture and heritage have been the basic policy of Israel since its inception. Fanaticism does not pay. Certain of my colleagues who have spoken in this debate warned that the designs and the aggressive policy of the Israeli authorities in occupied Jerusalem will have repercussions all over the Islamic world, for Muslim peoples will never remain silent *vis-à-vis* this grave and dangerous situation.

73. As I mentioned before, the annexation of Jerusalem was not a secret. The announcement of the unification of Jerusalem is considered irrevocable by the Government of Menachem Begin. According to our information, even at Camp David, the Israeli negotiators refused to discuss the status of Jerusalem. The Americans have failed to persuade the Israeli negotiating team to include Jerusalem in the agenda of Camp David and, for that reason and many other reasons, the Camp David accords have been rejected by the Arab peoples.

74. In keeping with the provisions of the Charter and the principles of international law, both the Security Council and the General Assembly have adopted a series of resolutions condemning the Israeli illegal actions in Jerusalem, the first of which were General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) and the last was Council resolution 298 (1971). These resolutions were all adopted by overwhelming major-

ities, including the United States, which has always considered the annexation of Jerusalem illegal.

75. The Security Council should shoulder its responsibility by implementing its resolution 298 (1971). It should take all the necessary measures in order to ensure the preservation of the status of Jerusalem. The Council should call upon Israel to respond to the world community and abandon its designs in the Holy City and to rescind all illegal measures in all parts of the occupied Arab territories.

76. It is also imperative for the Council to call on Member States not to co-operate with the Israeli authorities in realizing their expansionist designs in Jerusalem and to urge those Members which have accepted the transformation of Jerusalem into the capital of Israel to reconsider their position.

77. If Israel persists in its designs to change the demographic and cultural character of the Holy City, the world community should expect grave and tragic consequences.

78. As a matter of fact, since the inception of the State of Israel, the Israeli objectives were the seizure and occupation of all Palestine, which they claimed as their Promised Land. Therefore, Israel wants the land without its people, and at the same time it claims interest in peace in Palestine and coexistence in peace with its neighbours. Peace cannot be founded upon continued violence and hatred perpetrated against an unarmed population living captive in its own homeland.

79. In our view, peace can only be established on justice, which is the recognition of the rights of the Palestinian people to self-determination. This is a fundamental element for establishing a lasting peace in the Middle East. As long as Israel and its allies and supporters deny the Palestinian people its inalienable rights, the situation will remain dangerous and explosive. The latest Israeli actions towards the City of Jerusalem will increase the already tense situation in the occupied territories and a violent reaction in the Islamic world cannot be ruled out.

80. The PRESIDENT: The next speaker is the representative of the Sudan. I invite him to take a place at the Council table and to make his statement.

81. Mr. ABDALLA (Sudan): Mr. President, allow me at the outset to express my delegation's sincere appreciation and satisfaction at seeing you guiding the deliberations of the Council for the current month. The issues under consideration are of a serious nature and have serious consequences for world peace and security, including the present issue of Jerusalem. We are confident that you will undoubtedly enable the Council to conclude the task before it in a satisfactory manner.

82. I also take this opportunity to extend to you, and through you to the other members of the Coun-

cil, my delegation's gratitude for allowing me to participate in an issue of vital concern to my Government and people. Our participation in the debate on this important question stems from many basic considerations.

83. As a predominantly Muslim country with a considerable number of Christians of almost all denominations, the Sudan has always been deeply concerned over the fate of Jerusalem and the holy shrine of Al-Quds Al-Sharif, the precincts of which are blessed by God in his Holy Books.

84. For centuries and in a very exemplary and just manner, the Palestinian Arabs had guarded the Holy Places for all believers, whether Muslims, Christians or Jews, until 1948 when Jerusalem was conquered by Zionists who used untold cruel and barbaric means to expel both Muslims and Christians, and seized a large portion of the Holy City. Once more, and seemingly unsatisfied with what they had taken in 1948 by force and sheer aggression, the Zionists were again to conquer and expand. In June 1967, they completed their usurpation of the entire Holy City and declared it their capital. It might be of much relevance in this respect to reiterate what was so ably stated by the distinguished representative of the Palestine Liberation Organization before the Council three days ago [2233rd meeting] when he said that the history of Palestine throughout the ages clearly draws a distinction between the pilgrims who came to pray and the conquerors who came to usurp.

85. The Council is meeting upon a request made on behalf of 39 member States of the Organization of the Islamic Conference, which represents approximately one third of mankind, to examine a serious and most dangerous situation resulting from the Israeli move to consolidate its illegal annexation of the Holy City of Jerusalem. The Council is now sitting in judgement on a State Member of the United Nations charged with wanton aggression and total defiance of numerous resolutions adopted by the General Assembly and, indeed, by this very Council on the status of the Holy City of Jerusalem.

86. Moreover, the latest Israeli move constitutes a flagrant violation of the Geneva Conventions and international law governing military occupation, under which Israel, like all other States, has clear obligations and responsibilities. In this context, it is perhaps worthwhile to mention the significance of the conclusions drawn by the Committee on the Exercise of the Inalienable Rights of the Palestinian People in its recent publication *The Status of Jerusalem* when it stated on page 26 that

"Israel's rejection of these resolutions which have declared its actions and legislation in Jerusalem invalid, in no way deprives the resolutions of their own validity."

87. We are not dealing with questions of political expediency. We are dealing here with the Charter and practice of the United Nations, Members of which have pledged themselves against all forms of aggression and other breaches of the peace. It is worth noting the well-known legal principle that by an illegal act no legal result can be produced and no right can be acquired.

88. A long time ago, the Secretary-General set the seal on this question when he stated that

"The United Nations cannot condone a change of the *status juris* resulting from military action contrary to the provisions of the Charter. The Organization must, therefore, maintain that the *status juris* existing prior to such military action be re-established by a withdrawal of troops and by the relinquishment or nullification of rights asserted in territories covered by the military action and depending upon it."

89. The thrust of those basic principles of the Charter and practice of the United Nations is the fact that Jerusalem, under the occupation of the Zionist entity, is not the Israeli capital, nor should it be. Moreover, the latest Israeli move is yet another ample proof of the Zionist aggressive acts and their expansionist intentions. Such a defiant policy of aggression and expansion aims at making radical geographic, demographic and historical transformations in the character and status not only of the Holy City of Jerusalem, but also in the occupied Arab territories as a whole.

90. In order to forbid this obliteration, the Security Council and the General Assembly have on a number of occasions affirmed the basic principles and practice of the Charter and declared Israeli measures and actions, both legislative and administrative, to be totally invalid. Israel was condemned or censured in those resolutions, the most recent of which is resolution 465 (1980), adopted by the Council only three months ago. Outside this body, the international community has voiced its condemnation of Israel.

91. The agony and sufferings of the Palestinian people under Zionist occupation have now become a matter of great concern to the entire world community. For us in the Sudan, it has been our firm belief that the Israeli practices in the Arab occupied land, including Jerusalem, and particularly Israel's systematic and relentless pursuance of the policy of establishing new settlements not only jeopardizes the character and status of Jerusalem and the entire occupied Arab lands, but also impairs any attempts at reaching a peaceful, just and lasting settlement of the whole issue of the Middle East.

92. Such a conviction is of course now shared by an overwhelming majority of Member States and is supported by wide-reaching international opinion. As far

back as 28 July 1975, for instance, *The Washington Post* reported:

"With more than 50 settlements already established and with the process of colonization accelerating through the occupied territories, many Israelis are not easily aware of the inconsistency between what their Government is saying and what it is doing about reaching a political settlement with the Arabs. Lord Caradon, who visited Israel last month to explore the possibilities of such an agreement, has called these 50 settlements '50 signposts to destruction'".

The newspaper went on to say:

"These are also 50 classic examples of the way the State of Israel has been constructed; but if the objective is to ensure the survival of the State itself, the Israelis will sooner or later have to abandon these outposts beyond their borders—even if it means reversing the course of Zionist history."

93. Arab Jerusalem is now surrounded by high-rise residential colonies constructed with a view to forming an effective barrier between thousands of Palestinians inhabiting the Holy City and the rest of the territories in the West Bank. Israel's naked objective in such a policy of expansion and annexation is that Arab Jerusalem be turned into a ghetto and that links with the West Bank and Jordan be accordingly severed, thus achieving the sinister ultimate design through the final expulsion of the remaining Arabs of turning the Holy City of great religions into the capital of the Zionist entity.

94. The international community is now aware of the dimension and magnitude of the Palestinian tragedy and demands that an end be put to it before the world is engulfed in a dangerous confrontation.

95. In this respect, my Government and, more particularly, my President, Mr. Gaafar Mohamed Nimeiri, who has maintained close contacts with the Holy See over the issue of Jerusalem, note with appreciation the recent statement made by His Holiness Pope John Paul II, when he reaffirmed that the resolution of the question of Jerusalem was essential for the attainment of a just peace in Palestine. It goes without saying that as long as the Palestinian problem remains unsolved, the Middle East region will remain a hotbed of tension.

96. Also in this respect, it is the consistent position of my Government that the Palestinian question is the very substance of the Middle Eastern conflict and that any solution to this question must and should take this aspect into consideration. The Palestinian people must exercise their inalienable and legitimate rights to establish their independent State on their own land. The PLO must be recognized as the sole legitimate representative of the Palestinian people.

97. In conclusion, it is my delegation's considered opinion that the Council is called upon today more than ever before to shoulder the responsibilities entrusted to it by the peoples of the United Nations. Such responsibilities were so eloquently identified by Mr. Agha Shahi, the Minister for Foreign Affairs of Pakistan, in his statement before the Council on 24 June [*ibid.*]. My delegation fully subscribes to the letter and spirit of his appeal and to the appeals made by other delegates to the Council to take the necessary actions and measures. We do so because we are confident that the situation in the Middle East as a whole, and in the occupied Palestinian and Arab lands in particular, is extremely dangerous and does not leave room or time for inaction. The question under consideration by the Council raises one of the fundamental principles for which the United Nations stands. In respect and realization of such basic principles there should be no compromise.

98. The PRESIDENT: The next speaker is the representative of Somalia. I invite him to take a place at the Council table and to make his statement.

99. Mr. A. M. ADAN (Somalia): I thank you, Mr. President, and the other members of the Council for having accepted my request to participate in this debate on the problem of the violation by Israel of the status of the Holy City of Jerusalem. Permit me, therefore, to congratulate you, first of all, on your assumption of the presidency of the Council for this month. You have already earned the gratitude of all of us for the statesmanlike manner in which you have guided the work of the Council during your presidency and for your dedication to the cause of peace.

100. In addressing the Council, my delegation has nothing to add to all that has been so eloquently said by the Foreign Minister of Pakistan in his capacity as Chairman of the Islamic Conference of Foreign Ministers [*ibid.*] and by other speakers who have preceded me. Those speakers have dealt with the problem of the Holy City of Jerusalem in its entirety. They have put forward conclusive evidence to disprove Israel's claim to Jerusalem as its historical capital, making it quite clear that neither was the city founded by the Jews of biblical times, as is often falsely asserted, nor was the presence of biblical Israelites in Jerusalem continuous or even the presence of longest duration. It is an historical fact that Jerusalem was founded by the Canaanites, the forefathers of the Palestinians, whose presence in the city has been continuous throughout its entire existence of 38 centuries, and that the city was in Arab and Muslim hands for more than 12 centuries, as against 5 centuries of Jewish occupation. Previous speakers have also dealt adequately with Israel's spurious legal claim to Jerusalem as its capital city, as the successor of a Jewish kingdom which lapsed 25 centuries ago, and with the inhabitants of which the Jews of today, in any case, have no historical or racial links.

101. Previous speakers have also traced the tragedy which has befallen the Holy City of Jerusalem and its Arab peoples since the occupation and annexation of its modern and old parts by Israel in 1948 and 1967 respectively. Not only has its status of *corpus separatum*, established under General Assembly resolution 181 (II) of 1947, been destroyed by Israel as the occupying Power but numerous illegal actions and atrocities have been committed against the Palestinian people. Their human rights have been repeatedly and consistently violated; their homes have been pillaged and confiscated; their leaders have been deported and physically attacked; their historical sites, including the Maghrebi quarter in the Old City, have been wantonly destroyed to give way to such mundane irrelevancies as a car park; their religious rights have been continuously interfered with; the Holy Places have been desecrated; and last but not least, the centuries-old Arab character of the city has been progressively altered and the sovereignty of the Palestinian people over Jerusalem has been denied them.

102. All this and more has been heard by the Council over the past few days from speakers who are eminently more qualified and knowledgeable than I in the historical and legal background of Jerusalem, as well as the tragic circumstances that have been the lot of the Palestinian inhabitants of that city—beginning with the infamous Balfour Declaration of 1917, through the unauthorized partition of Palestine by the United Nations in 1947, to the illegal occupation of the Holy City by the followers of zionism whose only claim to the city rests on the untenable pretext that 25 long centuries ago a Jewish Kingdom existed in Jerusalem.

103. If I am making a statement, therefore, it is not because of the paucity of facts on the history, ancient and modern, of Jerusalem or the lack of conviction on the part of the previous speakers. Were that the case there would be no need for me to speak, for I possess neither the knowledge nor the wisdom to make out a more convincing case than they have already done on the tragic matter before us. I am speaking because, as the representative of an Islamic country to which Jerusalem is sacred, I find it impossible not to add my voice to those of my brothers in Islam who have already spoken with the deepest anger and emotion at Israel's recent moves to perpetuate its illegal annexation of Al-Quds Al-Sharif and to turn it into its capital by the introduction of a fundamental law to that effect in the Knesset. As if that were not enough to convince the world of his nefarious intentions, Prime Minister Menachem Begin has overtaken even the process of legislation by announcing the moving of his offices to the Old City, thus throwing down the gauntlet to challenge the international community and the Muslim world and also the Council which is currently seized with the problem.

104. In the circumstances, one may indeed wonder whether it is at all useful for the Security Council and the General Assembly to continue to adopt unending

resolutions condemning Israel and calling upon it to desist from its illegal activities, in the full knowledge that adopting resolutions represents no more than a mere exercise in futility. I say that not for the sake of rhetoric, for it is clear that each resolution adopted gives fresh impetus to Israel to take yet another step towards the consolidation of its illegal grip on Jerusalem in particular and on Palestine in general, in utter disregard of the inalienable rights of the Palestinian people. Has the time not come to look for more effective means to persuade Israel to heed the remonstrations of the international community?

105. It is a matter for regret that the Council cannot act effectively against Israel so long as Israel enjoys the unconditional support of one super-Power and so long as the other super-Power continues to pay lip-service to the realization of the legitimate rights of the Palestinian people.

106. The problem of Palestine is essentially a colonial problem and as such is no different from the colonial situation existing in South Africa and in Namibia. In Palestine, as in Namibia and South Africa, the indigenous populations are being held in bondage while alien usurpers justify their domination on the principle of self-determination, thus making a mockery of a sacred principle which is enshrined in the Charter. But peace in the Middle East is impossible without the full realization of the rights of the Palestinian people—as has been rightly recognized recently by the nations of Western Europe—in the same way that the attainment of peace in southern Africa is impossible without the full realization of the rights of the African peoples of Namibia and Azania. Indeed, peace and stability will continue to elude mankind so long as imperialism and colonialism, of whatever colour or creed, continue to be the order of the day on our planet.

107. At all events, the increasing momentum of the struggle of oppressed peoples against colonial and racist domination is only too evident for all to see. Only last April Zimbabwe attained independence from a minority racist régime and has since joined the comity of free nations, when not so long ago Ian Smith had refused to foresee that happening even in a thousand years. The tide of history is running strongly against the forces of imperialism, colonialism, hegemonism and oppression and with the forces of justice, liberation and freedom.

108. The Government of Israel would therefore do well to move its people—who by their own free choice have made their home in the midst of the Arab nation—with the tide of history. It should remember that even five long centuries of Jewish occupation of Jerusalem in ancient times failed to destroy the inalienable rights of the people of Palestine and that despite current attempts by Israel to destroy those rights, the Palestinian people shall in the end be victorious.

109. Finally, the Security Council, as the United Nations organ responsible for international peace and

security, cannot abandon its obligation to take such measures under the Charter, including sanctions if necessary, as would bring to an end Israeli occupation and annexation of Arab territories, including Jerusalem. Any resolution whose provisions did not contain such effective measures would add nothing to the numerous resolutions adopted over the past 30 years by the General Assembly and by the Council. Therefore, the Council should act in a manner commensurate with the dangerous developments which are unfolding before our very eyes in order to avert yet another tragic war in the Middle East with grave consequences for international peace and security.

110. The PRESIDENT: The next speaker is the representative of the United Arab Emirates. I invite him to take a place at the Council table and to make his statement.

111. Mr. HUMAIDAN (United Arab Emirates): I wish at the outset to express my appreciation to the members of the Council for affording me the opportunity to participate in the consideration of the situation in Jerusalem, which is of the greatest importance to my Government and people.

112. May I also express to you, Mr. President, my warmest congratulations on your assumption of the Presidency of the Council for this month. I wish also to express my admiration for the wisdom, integrity and leadership which you have shown in steering the meetings of the Council during this month.

113. The Council has been convened in accordance with the decision taken by the Eleventh Islamic Conference of Foreign Ministers held at Islamabad in May 1980. The purpose of the meeting is the consideration of the dangerous situation arising from the latest Israeli proposed legislation purporting to annex and declare Al-Quds the capital of Israel. The Muslim countries expect the Security Council to declare the Israeli legislation null and void and, in the case of Israeli persistence in its unlawful endeavour, to impose sanctions against Israel in accordance with Chapter VII of the Charter of the United Nations. The United Arab Emirates, as a member of the Islamic Conference, participated in the making of that decision and fully adheres to it.

114. The Council is fully aware of the fact that the decisions of the Islamic Conference were not confined to one matter, namely the convening of the Council. The Conference dealt with other matters pertaining to the relationship of Muslim States members of the Conference with other countries that support Israel in its sinister design of annexing Jerusalem or encourage Israel in its colonial and aggressive policies against the Palestinian people. We in the United Arab Emirates adhere to those points in their totality and consider them indivisible.

115. In considering the issue of Jerusalem, we should not lose sight of certain salient facts and factors which underline the character and status of Jerusalem. My Government attaches great importance to them. Our policy on the problem of Jerusalem is motivated by and based upon them.

116. The first is the fact that Jerusalem is the capital of Palestine, the main crystallization of Palestinian expectations and aspirations and the central issue in the exercise by the Palestinian people of their rights. Palestine without Jerusalem is like a body without its soul or heart.

117. The second is the fact that Jerusalem is an Arab city, inasmuch as Palestine is an Arab country, an integral part of the Arab nation. It has maintained its Arab character throughout time. Israel's claim to the Judaization of the city is spurious and cannot be sustained by history. We for our part cannot envisage an Arab nation without Palestine, just as we cannot envisage a Palestine without Jerusalem, the heart and soul of that country.

118. The third fact is the great religious and spiritual attachment binding Muslims to Jerusalem. No Muslim will ever accept the obliteration of its historical and religious character. Muslims have always held Jerusalem as a trust for all who venerate it. The Muslims' belief in and veneration of the two other religions confer on them a unique role in preserving the sanctity of Jerusalem for all religions.

119. The fourth fact is the universal spiritual heritage and significance of Jerusalem to all religions. Its status cannot and should not be altered by Israel. The declaration of Venice by the heads of State and Government of the European Community [S/14009] reaffirmed the universal consensus by stating that they will not accept any unilateral initiative designed to change the status of Jerusalem.

120. The fifth fact is the rejection by the world community of Israeli policies and practices affecting the character and status of Jerusalem. Such rejection was reflected in the many decisions adopted by the various organs of the United Nations and by governmental regional organizations, non-governmental organizations—both regional and international, churches, political parties and so on.

121. In view of the international consensus on preserving the historical and religious character and the status of Jerusalem, and in the face of Israeli defiance of this consensus, the least that may be expected of the Council is the adoption of effective measures aimed at the halting of Israel's sinister designs on Jerusalem. Mere pronouncements of concern—whether described as deep or grave—will not be up to these expectations. We therefore urge the Council to adopt measures against Israel in accordance with Chapter VII of the Charter. Whoever obstructs such action on the part of

the Council will bear the gravest responsibility before history and before the conscience of mankind.

122. In paragraph 4 of the decision taken at the Eleventh Islamic Conference of Foreign Ministers, the Conference decided

“to confirm the commitment of all the Islamic States to sever all relations with any State that supports the decision of the Israeli enemy to annex Al-Quds Al-Sharif and consider it its capital, or that recognizes it, or contributes to its implementation, or moves its embassy to Al-Quds”.²

My Government will be guided by these rules and guidelines in its relations and its interaction with any State in the world.

123. The PRESIDENT: The next speaker is the representative of Lebanon. I invite him to take a place at the Council table and to make his statement.

124. Mr. TUÉNI (Lebanon): A debate on the subject of the Holy City, whatever the specific issue at stake, is necessarily a debate of extraordinary importance. Its impact—whoever its sponsors, whatever the speeches, drafts and resolutions—is bound to have a unique historical dimension. Hence, the emphasis, and I dare say the prayer, by many of us here that we should all remember that Jerusalem cannot be dealt with in exclusively human terms, that it cannot and should not be looked upon as a bone of contention between nations and between policies, and that its future cannot be subjected to territorial or strategic imperatives, no matter how vital they may be.

125. We have heard Jerusalem called “the eternal capital of Israel”, and told that it was so by divine right. This *Civitas Dei* is indeed the eternal capital, but it is the eternal capital of all, not of one, a universal capital if ever there was one, and it is so by faith and not by conquest. For if Jerusalem is worth warring over, does it not also deserve, as no other city does, the peace of the Lord among nations of all faiths?

126. Where else, in what city past or present, can man, whatever his religion or nationality, come so close to reaching for God? This, we believe, is what prompted His Holiness Pope John Paul II to speak of Jerusalem again, last Saturday, during President Carter's visit to Rome, in words that were surely meant to be heard and understood within the context of the international community's present concern about developments relating to the character and the fate of the Holy City. The choice of the occasion could hardly have been accidental; it was probably meant to accent the special role of the United States in the making of peace in the Middle East, and the particular responsibility of the President of the United States with regard to the question of Jerusalem.

127. That the Holy Father, for whom we have infinite gratitude, should have spoken of Lebanon while

speaking of Jerusalem, that he should have stressed the necessity of restoring peace in our victim country while seeking a solution to the whole Palestine question, is no less significant and, I dare say, no less logical. Indeed, the issues are intertwined here, organically as well as historically, with Jerusalem in a central position that cannot be overlooked or denied. So spellbound by the Holy City are both the Lebanese and the Palestinians that neither can envisage a solution to their national problems should the world allow Jerusalem to become alien to their destiny.

128. No country more than Lebanon can claim to understand, and hope to convey to the world today, the true message of Jerusalem. For we are, by our very tragedy, the witnesses to the fulfilment of the Book of Revelations; we believe that what was written in that Book has found in Jerusalem its historical manifestation. As Arab Christians, we remain, and shall remain for ever, a perpetual testimony to the 2,000 years during which our history had become the one miraculous encounter between the human and the divine. Having then chosen to recognize Jesus of Nazareth as the Messiah, we cannot now be expected to abandon the City of God thus belatedly following a new Barabbas.

129. Having said all this, allow me to emphasize that the Council is meeting in response to a very specific demand. It is of paramount importance for us all that this debate should remain in focus and that the United Nations should not be prevented—as it has been so often in the past—from exercising a very special responsibility: that of preventing Israel, as an occupying Power, from unilaterally and illegally altering the historical, cultural, demographic and geographical character of Jerusalem. And let no one here tell us that freedom of worship is, or will be, guaranteed. To us, Jerusalem is not, and never can be, considered a temple of stones. It was, is and should remain the living congregation of believers, a continuing human presence, physical as well as moral, representing before God and history the uninterrupted communion with the Holy Land from one generation to another until the end of ages.

130. Many of us in the United Nations and in the Council would probably have wanted another debate, one which would have examined in this, the only global framework, and in a spirit of love and in the interest of peace on earth, the ultimate status of Jerusalem. But conditions are such that we must be content at present with pre-empting the irreparable in the face of immeasurable danger. The action of the Council should therefore be viewed as one of containment.

131. Yet it is to be hoped that even limited action on an issue of infinite importance can become the beginning of a real process of peace, one in which the true message of Jerusalem will be heard. Has not the Palestinian representative, in his plea for peace, spoken with pride of our heritage, upheld by our ancestors,

which brought together in tolerance and communion the cultures of Judaism, Christianity and Islam?

132. Let us all be very clear on this at least: the Holy City should not and cannot be allowed to become a ghetto. Obsessions of security cannot project their physical expressions in the one city in the world which no war should imperil or sacrifice. Jerusalem shall not become Massada.

133. In the true spirit of Jerusalem, let us abolish the walls of hatred, fear and suspicion. For there, in Jerusalem, should be nurtured the message of joy, charity and love rather than the seeds of discord, cynicism and terror, which can only produce further wailings and sufferings.

134. Let the Council impose, with unchallengeable authority, a beginning of confidence that the United Nations indeed has the capability to restore the rights of man and the law of nations in precisely the one city where God has called for the abolition of frontiers between nations and men.

The meeting rose at 6 p.m.

NOTES

¹ Official Records of the General Assembly, Thirty-fourth Session, Plenary Meetings, 17th meeting, para. 24.

² A/35/419-S/14129, annex I, resolution No. 4/11-P.

³ United Nations, Treaty Series, vol. 95, No. 973, p. 287.

كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم - استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة ، قسم البيع في نيويورك أو في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу : Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a : Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
