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REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES AFFECTING
THE HUMAN RIGHTS OF THE POPULATION OF THE
OCCUPIED TERRITORIES

Report of the Secretary-General

1. The present report is submitted in pursuance of paragraph 5 of General Assembly resolution 36/15 of 28 October 1981 concerning recent developments in connexion with excavations in eastern Jerusalem.
2. On 31 October 1981, the Secretary-General addressed the following note to the Permanent Representative of Israel:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to the General Assembly resolution 36/15 which was adopted by the Assembly on 28 October 1981, the operative part of which reads as follows:

'The General Assembly,

...

'1. Determines that the excavations and transformations of the landscape and the historical, cultural and religious sites of Jerusalem constitute a flagrant violation of the principles of international law and the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

'2. Decides that such violations by Israel constitute a serious obstruction to achieving a comprehensive and just peace in the Middle East as well as a threat to international peace and security;

'3. Demands that Israel desist forthwith from all excavations and transformations of the historical, cultural and religious sites of Jerusalem, particularly beneath and around the Moslem Holy Sanctuary of Al-Haram Al-Sharif (Al Masjid Al Aqsa and the Sacred Dome of the Rock), the structures of which are in danger of collapse;

'4. Requests the Security Council to consider this situation in case Israel fails to comply immediately with the present resolution;

'5. Requests the Secretary-General to report to the General Assembly and the Security Council no later than 23 November 1981 on the implementation of the present resolution.'

"In view of the reporting responsibility entrusted to him under paragraph 5 of the above-mentioned resolution, the Secretary-General would be grateful if the Permanent Representative of Israel would inform him, as a matter of urgency and preferably by 17 November 1981, of the action which his Government has taken or envisages to take in regard to the implementation of the resolution."

3. The Secretary-General also brought the resolution to the attention of the Security Council with particular reference to the request addressed to the Council by the General Assembly (S/14755).

4. On 16 November 1981, the Permanent Representative of Israel addressed to the Secretary-General the following reply:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reference to the latter's note of 31 October 1981 regarding General Assembly resolution 36/15, has the honour, on instructions of his Government, to state:

"The facts relating to the cleaning of the passage leading from the Western Wall to the Temple Mount in Jerusalem were accurately described in the letter of 24 September 1981 from the Permanent Representative of Israel to the Secretary-General (A/36/555-S/14708), as well as in the statements made by the representative of Israel on the Special Political Committee and the plenary of the General Assembly on 26 and 28 October 1981 respectively.

"The Government of Israel regards as preposterous determinations of a wholly political nature such as those contained in the above-mentioned resolution to the effect that the Mosques on the Temple Mount have been or are in danger of collapse. There has not been and there is not any such danger to these Mosques. Thus, the specious conclusions and the untenable demands contained in the resolution are absolutely groundless.

/...

"Preservation of the cultural and historical heritage of Jerusalem, respect for the spiritual values and religious sentiments connected with the city and the development of its physical aspects are of paramount importance to the Government of Israel, as has been amply demonstrated over the years.

"Israel rejects the repeated attempts at the United Nations to exploit the name of Jerusalem in order to fan the flames of religious hatred and sectarian violence. Israel will continue undeterred with its efforts to advance the cause of peace in the Middle East."
