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Item 31 of the preliminary list*
QUESTION OF PALESTINE

Report of the Secretary-General

1. On 10 December 1981, the General Assembly, at its thirty-sixth session, adopted resolution 36/120 E entitled "Question of Palestine", the operative part of which reads as follows:

"The General Assembly,

...

"1. Determines once again that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, are null and void and must be rescinded forthwith;

"2. Affirms that such actions constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East, and a threat to international peace and security;

"3. Reaffirms its resolution not to recognize that "Basic Law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all States, specialized agencies and other international organizations to comply with the present resolution and other relevant resolutions and urges them not to conduct any business which is not in conformity with the provisions of the present resolution and the other relevant resolutions;

* A/37/50/Rev.1.

"4. Demands that Israel should fully comply with all the resolutions of the United Nations relevant to the historic character of the Holy City of Jerusalem, in particular Security Council resolutions 476 (1980) and 478 (1980);

"5. Requests the Secretary-General to report on the implementation of those resolutions within six months."

2. The present report is submitted in pursuance of paragraph 5 of the above resolution.

3. On 22 February 1982, the Secretary-General addressed a note verbale to the Permanent Representative of Israel. In it, the Secretary-General drew the attention of the Permanent Representative to the operative paragraphs of General Assembly resolution 36/120 E and, in view of his reporting responsibility, requested the Permanent Representative to inform him, if possible by 15 May 1982, of any action which the Government of Israel had taken or envisaged to take in regard to the implementation of the resolution.

4. On 24 May 1982, the Permanent Representative of Israel addressed a note verbale to the Secretary-General, the substantive part of which is reproduced below:

"The Permanent Representative of Israel wishes to draw to the attention of the Secretary-General the position of the Government of Israel on Jerusalem, as set out by the Permanent Representative of Israel in his statement before the General Assembly on 2 December 1981 (A/36/PV.81), which, inter alia, reads as follows:

"United Jerusalem is and will remain the eternal capital of Israel and of the Jewish people. It epitomizes the restoration of our national sovereignty in our homeland, the Land of Israel. At the same time, the Government of Israel has ever been conscious of the fact that Jerusalem is also of deep meaning and concern to other faiths, to Christians and Moslems, as well as Jews. Israel is deeply and reverently mindful of the city's manifold spiritual heritage, of its Holy Places, of its historical treasures and of its rich cultural legacy. Israel has given ample evidence of this profound regard for Jerusalem, as anyone who has visited the united city since 1967 well knows."

5. It will be recalled that, in paragraph 4 of General Assembly resolution 36/120 E, reference was made to Security Council resolution 478 (1980) of 20 August 1980. In that resolution, the Security Council had, inter alia, called upon "those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City". In letters dated 17 May 1982 (S/15109) and 1 June 1982 (A/37/262), the Chargé d'Affaires of the Permanent Mission of Costa Rica transmitted to the Secretary-General a message from the Minister for Foreign Affairs and Public Worship of Costa Rica informing the Secretary-General of his Government's decision, on 9 May 1982, to transfer its Embassy to Jerusalem. Communications regarding the decision of the Government of Costa Rica were thereafter addressed to the Secretary-General and to the President of the Security Council by the Permanent Representative of Iraq, current Chairman of the Islamic Conference (A/37/239-S/15114), and the Permanent Representative of Jordan (S/15091 and A/37/231-S/15093).