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Item 77 of the preliminary list*
**REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE POPULATION OF THE OCCUPIED
TERRITORIES****SECURITY COUNCIL**
Forty-third year

Letter dated 2 May 1988 from the Permanent Representative of Jordan
to the United Nations addressed to the Secretary-General

I refer to the letter dated 19 April 1988 which was addressed to you by the Chargé d'affaires of Israel to the United Nations, as circulated in document A/43/317-S/19803 of 19 April 1988, and wish to make the following points:

1. The letter states that the photographs displayed in my letter to you, as contained in document A/43/213-S/19608 and Corr.1 of 11 March 1988 were "fabricated".

It is perhaps obvious that simply to describe those photographs as fabricated, without the provision of any evidence, is unacceptable. Indeed, it serves to confirm the authenticity of the photographs, which were originally provided as material evidence of the event which we are considering. To challenge their authenticity in this way is illogical, as such a challenge requires supporting scientific evidence.

2. If the Mission of the Israeli occupation authorities is serious in what it says - which we doubt - then Israel, which has consistently refused international missions and United Nations fact-finding teams permission to enter the occupied territories in order to perform their investigative duties, could on this occasion agree to the dispatch of a special international commission with the task of

* A/43/50.

investigating and acquainting itself in the field with the consequences and evidence of the attack by its military forces and their firing of gas and smoke grenades inside the Al-Aqsa Mosque and the Dome of the Rock on 15 January 1988, at a time when the two mosques and their courtyards were filled with thousands of worshippers who had not yet finished their prayers.

Furthermore, the dispatch of heavily armed soldiers in such large numbers to the precincts of the Haram al-Qudsi al-Sharif and their entry into the Al-Aqsa Mosque constitute a blatant desecration of the Holy Places and an act of provocation and incitement to the feelings of Muslims. It should be mentioned that the local and international press confirmed the Israeli occupation forces' attack and assault on the crowds of worshippers inside the Al-Aqsa Mosque and the Dome of the Rock and that local and international television showed clear scenes of that unjustified attack, which, as reported by correspondents of news agencies who were present in Jerusalem at the time, was not preceded by any act of provocation.

3. It is perhaps an insult to the intelligence of distinguished delegates when Israel bases its denial of the attack by its police against His Eminence the President of the Supreme Islamic Commission, the Mufti of Jerusalem, on statements made by its Chief of Police alone, since the police work in tandem with the occupation forces which were, unfortunately, responsible for the attack. Israel claimed that it had inquired about the incident from its Chief of Police and that the Chief of Police had said that none of his men had touched His Eminence the Mufti. The investigation was therefore taken no further.

4. The Israeli occupation authorities' annexation of Arab Jerusalem and their imposition of Israeli law there represent in themselves a dangerous and flagrant act of aggression against the rights and feelings of Muslims. They are also incompatible with international law, particularly with the Hague Convention of 1907 and the fourth Geneva Convention of 1949, since both those Conventions prohibit any addition or amendment to laws which were in force before occupation, or annexation of a part of the territory of a State which has been occupied. The United Nations General Assembly and the Security Council have also confirmed the illegality and invalidity of Israel's annexation of Jerusalem and alteration of its legal status, particularly in General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967 and in Security Council resolutions 252 (1968), 267 (1969), 271 (1969), 465 (1980), 476 (1980) and 478 (1980).

With regard to the Israeli letter's claim that laws have been enacted to protect the Holy Places, it is not sufficient simply to enact such laws. What is crucial is to apply the laws and to adhere to them in practice by protecting the Holy Places from any desecration, violation or defilement, whereas Israeli practices show that exactly the reverse is occurring. We have evidence of the deliberate attempt to burn down the Al-Aqsa Mosque on 21 August 1969 and of the conduct of Israeli excavations around the Mosque from 1967 onwards, with the intention of causing its walls to crack. There have also been repeated attempts to force entry into the Al-Aqsa Mosque for the purpose of saying prayers there, the most infamous incident being that in which 16 members of the Israeli Knesset entered it on 8 January 1986. There was also an armed raid and an attempt to blow up the Al-Aqsa Mosque, in accordance with a plan drawn up by Rabbi Meir Kahane

which he began to implement in 1980. A cache of explosives had been previously discovered inside the Haram, on 11 May 1980.

5. The Israeli letter contained an accusation to the effect that Jordan had desecrated cemeteries and Jewish places of worship. In setting out the facts below, we affirm that these are provided simply for the record and not because we attach any importance to those false accusations:

(a) If the author of the letter really means what he says, the remark refers to a Jewish cemetery and a synagogue located in the Old City of Jerusalem. There is indeed a Jewish cemetery which occupies a plot on land belonging to Islamic charitable institutions. The plot was rented out for a period of 100 years for use as a Jewish cemetery. However, the Israeli forces established themselves there, turned the plot into a military base and began to use it for intensive shelling of quarters in the Old City of Jerusalem, in an attempt to occupy those quarters in late 1947 and early 1948. When Arab Jerusalem came under Jordanian administration, the Jerusalem municipality took steps to repair and maintain the cemetery.

(b) The truth of the second reference is that, a few months before the end of the British mandate, Jewish leaders assembled some 1,000 soldiers in the Jewish quarter of the Old City, in the hope of using it as a springboard for action at the appropriate time. Armed Jews actually established themselves inside the synagogue of the quarter and began to shell quarters in the Old City of Jerusalem.

They continued to desecrate the synagogue and to use it for the shelling of quarters in the city of Jerusalem, despite warnings. The Jordanian forces were eventually obliged to eject the soldiers and their arms from the synagogue.

Thus, it was the Israelis who desecrated both the synagogue and the cemetery, by failing to respect their sanctity and using them as military bases from which to shell civilian quarters of Jerusalem. We do not see any reason to make further mention of the Christian churches, mosques and Muslim cemeteries which Israel has desecrated, destroyed or converted into public parks, as in the case of the Mamallah cemetery in Jerusalem.

(c) It is well known that Jewish religious sites are considered holy by Muslims, in accordance with the doctrine and teachings of Islam. Any desecration of Jewish or Christian religious sites constitutes a desecration of Islamic religious sites and is a violation of Muslim doctrine.

6. The Israeli letter mentioned so-called freedom of access to places of worship and Israel's provision of free access to the Holy Places for individuals of all faiths. The facts are as follows:

(a) Israel's occupation in 1967 of the West Bank - which contains many of the Islamic and Christian Holy Places - and particularly its occupation and annexation of Arab Jerusalem - which is the location of the Haram al-Qudsi al-Sharif, the Church of the Holy Sepulchre and other sites which are sacred to those two revealed religions - has caused millions of Arab Christians and approximately a billion Arab and non-Arab Muslims to be denied access to their Holy Places.

(b) It must be recalled that the Arab Governments of Egypt, Jordan, Syria and Lebanon responded on 15 November 1949 to the call of the United Nations Conciliation Commission by issuing a statement on that date in which they undertook to guarantee freedom of access to the Holy Places and religious buildings and sites located in territory which fell or might in the future fall under their control in the context of any political settlement of the question of Palestine. However, the Israelis refused to issue such a statement or to make any commitment at that time. This indicates their underlying intentions, which were revealed by Israel's occupation and annexation of Jerusalem in 1967, and demonstrates why they refused to make such a commitment at the time.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 77 of the preliminary list, and of the Security Council.

(Signed) Abdullah SALAH
Ambassador
Permanent Representative
