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TWENTY-THIRD YEAR

1424th MEETING: 9 MAY 1968

NEW YORK

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FOURTEEN HUNDRED AND TWENTY-FOURTH MEETING

Held in New York on Thursday, 9 May 1968, at 4 p.m.

President: Lord CARADON

(United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: Algeria, Brazil, Canada, China, Denmark, Ethiopia, France, Hungary, India, Pakistan, Paraguay, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1424)

1. Adoption of the agenda.
2. The situation in the Middle East:
 - (a) Letter dated 25 April 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8560);
 - (b) Report of the Secretary-General under General Assembly resolution 2254 (ES-V) relating to Jerusalem (S/8146).

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:

- (a) Letter dated 25 April 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8560);
- (b) Report of the Secretary-General under General Assembly resolution 2254 (ES-V) relating to Jerusalem (S/8146)

1. The PRESIDENT: I call on the representative of Pakistan.
2. Mr. SHAHI (Pakistan): Before I speak on a point of order which I wish to raise and which concerns the tone and level of debate in the Security Council, and even the authority of this primary organ, I should like to rectify an inadvertent omission that I made at our 1422nd meeting on 6 May. This was all the more regrettable because it was the omission of the spontaneous expression of my delegation's sincere sentiments. These sentiments relate to you, Mr. President, and to your distinguished predecessor in office, to both of whom I wish to pay a respectful tribute.
3. Ambassador Yakov Malik presided over the deliberations of the Security Council with the authority and mastery of all aspects of the work of the Council which we

have come to associate with him over the years. I should like to convey to him the appreciation of my delegation for the firm, impartial and wise guidance that he gave to all of us last month when he presided over the Security Council.

4. You, Mr. President, bring to the conduct of our business all the arts and skills of politics and diplomacy, combined with great devotion to principle. Our proceedings have been enlivened by your elegant wit and graceful humour. Our resolutions bear the impress of your high statesmanship. Your weight and influence have always been cast on the side of that which unites us, despite what sometimes regrettably divides us. We look forward to working under your leadership with complete confidence in your outstanding ability, sureness of judgement and generosity of spirit.

5. I am sure that I will have the occasion later this month to convey my delegation's respectful regard for Mr. Goldberg, the representative of the United States.

6. I now come to my point of order. During our meetings from March until now on the Middle East question, we have witnessed a situation which is unprecedented in the history of the Security Council. It has never happened before in the Council that a party to a dispute under consideration which is invited under Article 32 of the Charter to participate in the discussion relating to the dispute has proceeded to question the composition of the Security Council by challenging the legality or propriety of the election of its non-permanent members or disputing the qualifications of its members, permanent and non-permanent, to express their views on matters before the Council.

7. We regret that this has been happening now. There have been a number of occasions during our present and recent debates on the Middle East when the representative of Israel has questioned the qualifications of several members of the Council to speak on the matter under discussion.

8. Now, Mr. President, I am quite conscious that, as you very rightly said at our 1422nd meeting, "Certainly in this Council it is our custom to allow wide latitude in debate". I would be the last to question the right, and perhaps indeed the duty, of the Israeli or any other representative to answer in detail each argument which he finds unacceptable. He can be as vehement as he finds necessary for the presentation of his case, or even for his own satisfaction. We also realize that sometimes, unfortunately, *ad hominem* arguments intrude into a debate. Even this is perhaps not entirely avoidable. But it is one thing to give a non-member of the Security Council the opportunity for the fullest participation without vote in a discussion; it is quite

another for that party to use the opportunity for attempts to bring the Council into discredit and thus to undermine the very basis of our debates.

9. The basis of our debates and of the decision-making process in this Council is the mutual trust and confidence of the members of the Council. All our Governments have their individual foreign policies and national interests, and it is true that these sometimes create a divergence of views. But transcending that divergence there is the certainty that on matters affecting international peace and security we are all equally anxious to promote the application of the principles of the Charter of the United Nations.

10. When a party comes to the Security Council and attacks the qualification of a member of the Council, what does it try to do except to sow distrust and dissension among members and to make the pronouncements or proposals of that member State, however objectively conceived on the merits of the case as seen by that member, suspect in the eyes of the others? If such attempts are encouraged, the result will be an erosion of the very basis of our working together in a common search for peace.

11. On his first appearance here at the 1401st meeting of the Security Council, the representative of Israel chose to admonish the Council to rise above what he called the Council's "disabilities" resulting from the inclusion in it of States that do not recognize, or have no diplomatic relations with, Israel.

12. Now, we have the formulation of a strange doctrine. The doctrine is that the force and juridical value of the resolutions of the Security Council are to be determined not by the Council's competence under the Charter, but by the qualifications, as judged by Israel, of the members who sponsor or vote for those resolutions.

13. Members of the Security Council are either permanent or elected by a two-thirds majority of the General Assembly. If, as the Israeli representative said the other day at our 1422nd meeting, Israel considers it a legitimate right to question the credibility or qualifications of any member represented here and taking the floor and also to challenge the validity of the election of non-permanent members, why should this supposed right be denied to other States which have reason to be dissatisfied with an election to the Council or with the decisions of the Council? If Israel can claim this right, so can others. It is not necessary for me to name them. They will also say that the resolutions of the Council have no force because the Council includes members that have no diplomatic relations with them. The election of the non-permanent members would become impeachable in their judgement. Would not the authority of the Council thus be impaired?

14. I would therefore submit that no remark by any party appearing before the Council under Articles 31 or 32 of the Charter will be in order if it challenges the validity of the election of a non-permanent member and the right of any member to speak on the matter on the Council's agenda, and that if such a remark is made and its nature pointed out by a member of the Council it should be officially expunged from the record.

15. Let me make it clear that what I have said does not apply to any remark or statement made by a member of the Council regarding the credentials of representatives or the validity of representation of Member States in the Council.

16. I am sure that my suggestion will not restrict any legitimate right or circumscribe the scope of the arguments that an invited party may wish to advance in defence of its position or in response to arguments raised by members of the Council in the discussion relating to matters before it.

17. Before I conclude, Mr. President, I must say how gratified my delegation was that at the 1422nd meeting you gave and upheld the ruling that "we should take special care to confine what is said in this debate to the subject on which we are called". You thus barred any reference to the internal affairs of Member States which are unrelated to the agenda. My delegation hopes that we shall proceed with our debates in strict respect for and accord with your ruling, which alone can ensure coherence and dignity in our deliberations.

18. The PRESIDENT: I call on the representative of the United States on a point of order.

19. Mr. GOLDBERG (United States of America): I have listened, as I always do, with close attention to the comments made by the representative of Pakistan, our colleague and friend, Ambassador Shahi. I should like to make the following observation in this connexion.

20. It has been the invariable practice in this Council to permit free expressions of view both by Council members and by representatives of delegations invited to address the Council. In fact, in discussions on substantive matters the rules of procedure make no distinction between members and non-members; and this is clear from rule 37 of the provisional rules of procedure.

21. While I agree, of course, with Mr. Shahi and with all members of the Council that it is important for speakers to direct their comments to the questions before the Council—and we hope that all speakers will do so—it has been the tradition in the Council to permit a wide expression of views and to allow those addressing the Council to make the statements which they deem pertinent, without interruption and without being subject to points of order.

22. In my view, rights of reply are the appropriate place to take issue with the substance, the relevance or indeed the propriety of a previous speaker's comments.

23. Statements about the United States which, in the view of my delegation, are not appropriate to this Council have been made in the past by non-members as well as by members. When necessary, I have exercised my right of reply, and I have not interrupted and do not intend to interrupt other speakers in the midst of their remarks or to challenge their right to say what is on their minds.

24. I do not believe we should seek to apply more stringent guidelines to one speaker, member or non-member, than we have applied in the past to any other. The

entire philosophy and practice of the Council is here involved, and indeed its impartiality.

25. As a judge—if I may be permitted to say so—I have had occasion to hear remarks directed at my court, its composition and its impartiality. It has been my experience in that capacity that the best way to deal with such remarks, whether in a courtroom or in this Council, is by the objectiveness of the decision that is made and not by a denial of free speech to anyone.

26. The PRESIDENT: I call on the representative of Pakistan.

27. Mr. SHAHI (Pakistan): In an intervention on a point of order, I should like to make it clear that I am entirely in favour of free speech, unrestricted free speech, on the substance of the problem. The point that I raised was limited to the question of whether a party, a non-member of the Council, appearing before the Council is entitled to challenge the rights or the competence of a duly elected member of the Council or to question the election of a non-permanent member of the Council. I should like to make it clear that this is the point that I raised. Otherwise, I entirely agree with what our distinguished colleague Mr. Goldberg has said in regard to freedom of speech. I thought I should make that clear.

28. The PRESIDENT: I call on the representative of the United States.

29. Mr. GOLDBERG (United States): I have never had any doubt as to Ambassador Shahi's complete dedication to the cause of free speech, whether in this Council or outside the Council. I should like to point out, however, the very practical situation which we face and which necessitates that we embrace free speech even when it relates to the subjects that Ambassador Shahi has talked about. There is no change of venue from this Council. This is the Security Council. In the light of these circumstances, there is no appropriate way in which free speech can be honoured unless we honour it with all of its import. It is not, I am sure, to the liking of any member of the Council that the composition of the Council which has been determined in accordance with the rules of the United Nations be challenged or discussed; but nevertheless, this is something I think we must accept in order to safeguard the right of every sovereign nation Member of the United Nations to appear here and have its say. The right of reply is a very effective way to deal with statements that are made and that reflect in any way upon any member of the Council.

30. The PRESIDENT: I should like to express my very sincere gratitude to Ambassador Shahi for the over-generous comments which he was good enough to make about me, and then go on to say that the point of order which he raised and the comments made by the representative of the United States are important to all of us. There is no question of calling for a ruling from the President, but I am sure that we wish to reflect on what has been said, and it may be that on a subsequent occasion we shall wish to pursue the points that have been raised. At this stage, I will make only the very general reflection that there are two purposes we have to keep in mind in the Council. The first is that the President, on behalf of the Council and like all

members of the Council, has a duty to abide by the agenda which the Council itself has adopted; otherwise the approved agenda would have no meaning and no value. But, at the same time, I am sure that we would all join together, as I noticed the two distinguished and experienced ambassadors did this afternoon, in reaffirming that it is the clear duty of the Council and the President of the Council to endeavour to allow and to encourage free expression on a basis of absolute equality. That is a precious tradition which in this Council particularly we should be determined to preserve.

31. I will therefore proceed now from the comments that have so far been made to the business of the day.

32. I call on the representative of the Soviet Union on a point of order.

33. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): I should like to express my gratitude to the representative of Pakistan for his kind words about me. I reserve the right to express my views on the question he raised after I have studied the text of his statement in greater detail.

34. With regard to the comments made by the representative of the United States, I would make only one remark: namely, that the representative of Israel should not take advantage of a broad interpretation in order, in the future discussion of the item before us, to depart from the substance of the question under discussion and attempt to divert the attention of the members of the Council to matters which have nothing to do with Israel, the Security Council or the agenda of the Security Council. The fact that the representative of Pakistan has drawn our attention to this matter justifies its examination by the Security Council without any special ruling; the ruling given by you, Mr. President, at our last meeting is sufficient. It is undoubtedly something which must be borne in mind by anyone whom the Council is kind enough to invite to take part in its discussions of an agenda item.

35. The PRESIDENT: I call on the representative of Pakistan.

36. Mr. SHAHI (Pakistan): Mr. President, I have asked for the floor again just to thank you for the statement that you have made. I did not request a ruling. The object of my statement was to invite my colleagues in the Council to reflect upon what I have said. It is my devout hope that everyone concerned will observe the rules of procedure of the Security Council, in letter and in spirit, so that we can proceed to discuss the matters before us with the widest possible freedom and without the necessity of a ruling, and I hope that there will never be occasion for such a request.

37. The PRESIDENT: In accordance with the decision previously taken by the Council, I shall now invite the representatives of Jordan and Israel to take places at the Council table in order to participate, without the right to vote, in the discussion.

At the invitation of the President, Mr. M. H. El-Farra (Jordan) and Mr. Y. Tekoah (Israel) took places at the Council table.

38. The PRESIDENT: The Council will now continue its consideration of the question before it. The first speaker on my list is the representative of the United States.

39. Mr. GOLDBERG (United States of America): It may be helpful at this point in our debate to recall briefly the road towards peace that we in this Council have travelled together during this past difficult year, and then to look forward to see what the next step ought to be.

40. We all remember that although a cease-fire was achieved in a matter of days after the outbreak of fighting in June, it required over five months of debate and diplomacy before we were able to join together in a positive and united effort for peace. That effort was launched by the unanimous action of the Security Council in adopting resolution 242 (1967) of 22 November 1967. The resolution affirmed "... that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East ..." It set forth certain fundamental principles and provisions in that connexion, and it asked the Secretary-General to designate a Special Representative "... to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement ..." in accordance with those provisions and principles.

41. Our Secretary-General thereupon designated as Special Representative a very able and experienced diplomat, Mr. Gunnar Jarring. From that day to this, Mr. Jarring, with admirable skill, discretion and perseverance has developed and maintained his contacts with the States concerned in pursuance of the mandate given him in resolution 242 (1967).

42. The task given to the Special Representative is, of course, as we all know and appreciate, inherently very difficult, and it has not been made easier by the further incidents and actions of various kinds which have occurred between some of the parties and which have engaged the attention of this Council. As far as my country is concerned, we have sought at every turn to support the peace-making efforts of Mr. Jarring and to minimize any damage that those incidents and actions might cause to the hopes for his success. We have done so in the sincere belief that both our duty as a member of the Council and our interest in greater stability in the area require us to promote progress towards a just, equitable and lasting peace in the Middle East.

43. In that spirit we have made clear—not only in this Council but also directly to the Governments concerned—our strong opposition to all unilateral measures which might prejudice a future settlement and to all acts of renewed violence in the area, whatever form it takes or from whatever quarter it comes. All such measures and actions increase tension in the area.

44. It is in this context and perspective that I should like now to address myself to the particular problem of Jerusalem.

45. The position of the United States regarding Jerusalem is well known and has been frequently expressed. The United States does not accept or recognize unilateral

actions by any of the States in the area as altering the status of Jerusalem. My Government has publicly stated that such unilateral measures, including expropriation of land and legislative administrative action taken by the Government of Israel, cannot be considered as other than interim and provisional and cannot affect the present international status or the final and permanent status of Jerusalem.

46. As regards the military parade carried out by Israel in Jerusalem on 2 May, the attitude of the United States was made clear by our votes in this Council. We shared the concern which the Council expressed in its resolution of 27 April [250 (1968)] that the parade would aggravate tensions in the area. We therefore joined in the Council's unanimous adoption of that resolution, calling on Israel to refrain from holding the parade. And we again joined in the unanimous resolution of 2 May [251 (1968)], deeply deploring what had occurred—as indeed we have deplored publicly and in this Council any action which tends to aggravate tension in the area.

47. At this stage of our debate my delegation has given careful thought to the course which the Security Council should now follow. It is our considered view that we must not return to the unsuccessful approach of the past—that of attempting to deal separately with individual aspects of the Middle East problem, however important they may be in themselves. Rather, we must continue on the course we embarked on last November—that of seeking to promote an agreed, peaceful and accepted settlement embracing all the aspects of the complex and multifaceted Middle East problem comprehended in our resolution of 22 November [242 (1967)].

48. Accordingly, the United States, while agreeing that Jerusalem is a most important issue, does not believe that the problem of Jerusalem can realistically be solved apart from other aspects of the situation in the Middle East dealt with in the 22 November resolution. Neither do we believe that Jerusalem can be excluded from the scope of the 22 November resolution. Rather, we consider it basic to a peaceful settlement in conformity with the 22 November resolution that the solution of all aspects of the Middle East problem, including Jerusalem, must be achieved by an agreed and accepted peaceful settlement. In the achievement of such a settlement the parties themselves must necessarily be engaged. And such a settlement, if it is to achieve our stated goal—and I quote the language of the 22 November resolution—of "a just and lasting peace", must take into account the legitimate interests of all concerned. It is above all to the resolution of 22 November that we must return. That resolution is the lodestar that illuminates our journey towards peace. I now reaffirm once again that the United States continues to support Security Council resolution 242 (1967) of 22 November unreservedly, in its entirety, and in all its parts.

49. Indeed, in the view of the United States the time has come when the Security Council could make a most constructive contribution to progress towards peace by giving an explicit expression of its support for the Special Representative, Mr. Jarring, in his peace-making efforts. I strongly believe that such an expression of support from this Council is called for at this time.

50. On behalf of the United States, therefore, let me offer the suggestion that we promptly find a means to make clear this Council's continued, united will to promote the cause of peace in the Middle East by supporting Mr. Jarring's efforts in pursuance of his mandate under resolution 242 (1967). Specifically, we profoundly believe that the very best way for the Security Council to support resolution 242 (1967) is to call upon all the parties to refrain from any and all actions that might prejudice Mr. Jarring's efforts and to extend to the Secretary-General's representative full co-operation in carrying out this most difficult mission.

51. This is a time, as indeed it always is in the Council, for statesmanship by the Council, not for ignoring any of the problems at hand but for proceeding, in the best tradition of the Council, to do what we can in the interest of achieving a permanent peace in the area. We were united on 22 November; and in the unity of fifteen members of this Council, of varying views, of different ideologies, coming from all parts of the world, lies the greatest hope for peace and stability in the Middle East. We must preserve that unity, and we must preserve the common desire that, I am sure, is shared in this Council to take constructive action to see to it that the peace-making process which we initiated on 22 November is carried on, and carried on in such a manner that the goal we all fervently hope and pray for will be achieved.

52. Mr. BOYE (Senegal) (*translated from French*): Before stating the opinion of my Government on the particular item before us, Mr. President, I should like to wish you all success in the performance of your duties. The Senegalese delegation will always be happy to collaborate closely with you in the interests of the international community and in order to make our work yield results.

53. I should also like to express my admiration for your predecessor for the competence, wisdom and skill with which he presided over our meetings last month. My delegation has pleasure in congratulating the representative of a great and friendly country, which has excellent relations with my own. I believe that in the course of this month I shall also have the occasion to express my admiration for Ambassador Goldberg.

54. I now turn to the problem on which we have been focusing our attention for some days. My delegation has of course had an opportunity of expressing its views on the annexation of the old city of Jerusalem when we discussed the military parade of 2 May, which, notwithstanding the Council's unanimous resolution, took place in the circumstances and with the equipment we all know of. It was a matter of deep regret to my Government that Israel did not respect that resolution, which was intended to reduce tension in the Middle East and facilitate the task of the Secretary-General's Special Representative. The parade did take place and we have all read the press reports. The article in *The New York Times*, which strongly condemned the parade censured by the Council is a typical example.

55. I should like to make my country's position on this matter absolutely clear. To begin with, Senegal has always respected and always will respect United Nations resolutions, as it formally undertook to do when it became a

Member. Consequently, it respects General Assembly resolution 181 (II) of 29 November 1947 which created a Jewish and an Arab State in Palestine and placed the administration of Jerusalem under international control. It cannot therefore be said that we have anything against the Jewish people. The Jew, the Arab and the Negro have suffered throughout history. These three great peoples, which have been described by Mr. Senghor, the Senegalese Head of State, as a "trilogy of suffering", have been the victims of persecutions which should have brought them together and taught them to live peacefully side by side. But in the present state of affairs, we must, with the same clarity, state our opinion on the problem of the Middle East in general and on that of Jerusalem in particular.

56. We have cultural, ethnic and moral ties with the Arab people. But the Israeli-Arab problem is neither ethnic nor religious, rather, it is a political problem. We also have special geographical, historical and political ties with the Arab people. It should be remembered that out of 100 million Arabs, 80 million live in Africa and belong to the Organization of African Unity. Nor should it be forgotten that it is the Arabs who are troubled today.

57. That is why we support our Arab brothers in their quest for a just peace under the auspices of the United Nations. Senegal is totally opposed to war and violence as a means of resolving disputes between nations. This position was already taken by the Senegalese deputies to the French Parliament in 1956 when they voted against the Suez expedition.

58. Equally, we believe that since the State of Israel was created by the United Nations, the negotiations should take place under the auspices of the United Nations. Consequently, we have high hopes for the mission of Mr. Jarring, the Special Representative of the Secretary-General. My Government also wishes to make it clear that military occupation, and particularly the annexation of another country's territory, is totally unacceptable. The negotiations should therefore aim at restoring the *status quo* and, above all, at ensuring respect for United Nations decisions. This would require the withdrawal of Israel troops to their original lines.

59. It is not our intention to go over past history, although we could have done so on the basis of documents that we believe to be authentic. We think it more realistic to consider recent history and examine the events that have taken place.

60. Immediately after the so-called six days' war, the Israel authorities adopted far-reaching measures for extending Israel sovereignty over parts of the city which were not under their control prior to June 1967. Evidence of this is contained in the report of the Secretary-General's Special Representative [*see S/8146 of 12 September 1967*], submitted in pursuance of General Assembly resolution 2254 (ES-V). According to his report, the Israel authorities have passed legislation and adopted regulations for the purpose of incorporating into the State of Israel the old city of Jerusalem and certain neighbouring areas previously under the control of Jordan. We are aware of all the provisions of the act of 27 June 1967, relating to the legal and administrative organization of the State of Israel and

amending the Ordinance on communes. The effect of all those provisions was the gradual annexation of the entire city of Jerusalem and an increase in the total municipal area controlled by the Israelis to more than 100 square kilometres.

61. The saddest circumstance, however, and one which often tends to be forgotten, is the plight of the unfortunate Palestinians who, after the annexation of their native land, trooped away hungry and wretched, to swell the already numerous ranks of refugees scattered in camps in the United Arab Republic, Jordan, Lebanon and Syria. The Government of Senegal is familiar with the special problem of refugees because of the freedom fighters of Guinea (Bissau), who are being maltreated and tortured by the Salazar Government.

62. It is for this reason and on the basis of the principle of self-determination of peoples and their right to govern themselves on their native soil that the Government of Senegal cannot remain indifferent to the fate of the Palestinian refugees. We know and appreciate the work of the United Nations Relief and Works Agency for Palestine Refugees, but we believe that those who, twenty years ago, were responsible for creating the present situation in the Middle East should show far greater concern for the fate of the Palestinian refugees. Since the occupation of Jerusalem more than 10,000 persons have left the homes where they had always lived peacefully and in perfect harmony.

63. No one should have the right to challenge the status of the Holy City. Convinced of this truth, my delegation makes a pressing appeal to Israel to facilitate Mr. Jarring's mission and to all men of goodwill to have the courage to find a just and lasting solution to this drama which is partially rending the world, so that the trilogy of suffering may be appeased on a continent where the brotherhood of former times will be recreated.

64. The PRESIDENT: I give the floor to the representative of Jordan.

65. Mr. EL-FARRA (Jordan): I have listened very carefully to the statement made by the representative of the United States and I feel that certain points raised in that statement require clarification. I am sorry if I did not present my case clearly. We are only human and sometimes perhaps we make mistakes. If I did not make my case clear, I beg the Council's indulgence.

66. The representative of the United States said that Jerusalem was the most important issue. While agreeing that Jerusalem is the most important issue, the United States does not believe that the problem of Jerusalem can realistically be solved apart from other aspects of the situation in the Middle East dealt with in the resolution of 22 November [242 (1967)].

67. Let me make it very clear to every member around this table that I am not bringing the question of Jerusalem before the Council for a solution; nor am I bringing any aspect of the situation in the Middle East at this stage before the Council. The Security Council adopted resolution 242 (1967), calling for certain steps to be taken. One of them is the complete withdrawal of Israeli armed forces from territories occupied last June. Jerusalem is part and

parcel of the territories, and withdrawal is a condition that must be fulfilled before any other aspect can be examined or any other step taken. This is not the question I am bringing before the Council. I am bringing before the Council a complaint calling for the taking of certain steps, certain interim measures if you will, to stop the continued violation of General Assembly resolutions 2253 (ES-V) and 2254 (ES-V)—to stop Israeli actions altering the status of Jerusalem, actions which, if permitted to continue, will make future consideration and future implementation of the resolutions difficult. That is my complaint. The problem of Jerusalem as such is not before the Council now. Jerusalem is part and parcel of the territories now occupied illegally by the Israeli authorities. In my complaint I made that very clear. I said that the Assembly adopted two resolutions with 99 votes in favour. In spite of that, the Israelis continue to violate the resolutions. They continue to bulldoze Arab property. They continue to expropriate lands owned by the Arab people in Jerusalem. They continue to destroy mosques in the Maghrabi quarter. The other day Mr. Tekoah made a statement that no mosque had been destroyed. The Council has the report of the tribunal and the map attached to the report [*see S/8427 and Add.1 of 23 February 1968*]. It is clear from the map that there was a mosque there, which does not exist any more. That is the finding of the *ad hoc* tribunal. These continued violations of the Council's resolutions, the continued bulldozing of Arab property and land, the continued legislation aiming at annexation, the continued acts committed by Israel to bring about a complete annexation of Jerusalem: these are the matters before the Council. I have not come before the Council to seek a solution with regard to any aspect of the situation in the Middle East. I am here before the Council to beg it to make the Israelis abide by the two resolutions of the General Assembly. I am here before the Council to request this interim measure.

68. The question before the Council is therefore a very simple one. Does the Security Council, the highest organ of the United Nations, want the bulldozing to continue or does it want human rights to be protected—the individual rights of the people who won the land and the property? Either bulldozing or human rights—this is the choice before the Council. I think the Council should help the man in the area by adopting a measure—an interim measure—requesting the Israelis to stop their violations. Any attempt to inject the idea that I am bringing another question for substantive discussion and solution is a diversion, because that is not the question before the Council. I have repeatedly said this before. I regret if I did not make this point clear and hope that I am making it clear now, particularly to the United States. I am requesting an interim measure to follow up the two resolutions adopted in the Assembly with 99 votes in favour. What is wrong with adopting another resolution now condemning the continued contemptuous behaviour of Israel, requesting the implementation of the resolutions, fixing a time for such implementation and requesting that within that time an answer be given to the Security Council? These are important steps which will not only help Jordan but also help the Council to maintain its dignity and prestige as a body to which the small Powers in the United Nations can appeal.

69. I should like to emphasize the fact that no incidents but those of Jerusalem, no action but that with regard to

Jerusalem, no complaint but that of Jordan are before the Council. This fact is perfectly clear and does not call for further clarification.

70. My delegation appeals to the Council not to delay this question any further. This is an urgent question. It calls for every member of the Council faithful to the values of the Charter and to the responsibility entrusted to every member to take and endorse effective action which would help not only Jordan but also the man in the area working to bring peace to the land of peace. It would also help the Security Council to prove that it is the hope of every small Member of the United Nations.

71. The PRESIDENT: I call on the representative of Israel.

72. Mr. TEKOAH (Israel): Thank you, Mr. President, for granting me the right of reply and I ask your indulgence and that of the members of the Security Council if I preface my reply with a brief observation.

73. I can fully understand the predicament in which the representative of Pakistan and his Government find themselves. Indeed, it is not simple to claim certain prerogatives and considerations for one's self and then deny them to others. The representative of Pakistan stated at the Security Council meeting of 20 September 1965:

"I must say at the very outset that it is not the policy of my Government to join issue with any individual member of the Security Council. As a Member of the United Nations, and as a party to a dispute that has tragically persisted for eighteen years and remains unresolved on the agenda of the Council, my Government, I believe, has a right to expect at least two things from anyone who participates in the judgement-making processes of this Council.

"First, he must be objective enough not to cast reflexion upon, far less to question, the basis, the *raison d'être*, of the statehood of a Member State. Second, he must not in any manner denigrate the value of those decisions of the Council itself which govern the consideration of an issue and which have been repeatedly affirmed over a number of years." [See 1242nd meeting, paras. 8 and 9.]

74. I believe that there have been sufficient decisions of the Council and the General Assembly recognizing Israel's right to existence and to peace. Pakistan is a country which openly denies Israel's right to exist and actively supports continued warfare against Israel. On behalf of my delegation I cannot but question whether countries in standing violation of the United Nations Charter or countries preaching in this very Council the destruction of a Member State should have the right to advise us on the character and level of the Security Council's debate or on decorum. For centuries Jews have been killed with due decorum and efficiency. For nineteen years Arab States have been waging a war of aggression against Israel with all due propriety and decorum. It is not an international obligation nor our intention to allow States which pursue their belligerent and malevolent designs against Israel and its people to set rules of decorum or propriety in debate which would facilitate

their campaign of hate and denial of Israel's basic rights as a Member State of the United Nations.

75. At previous meetings I have analysed the situation prevailing in Jerusalem at present and the reaction to the situation by heads of churches, leaders of local communities and foreign observers, as well as the attitude of the people themselves. I emphasized in particular that the people are the city. The welfare of Jerusalem and its future cannot depend on questionable claims and allegations born in the passion of debating contests. Jerusalem is the life of its people—200,000 Jews, 60,000 Arabs and 5,000 of other nationalities. These people have been innocent victims of international conflict for nineteen years. Their hope lies in never returning again to the grim past.

76. The past—the nightmare of barbed wire and mine-fields, of bombardment, of sniping from the old city walls, of the desecration of Holy Places and the prevention of free access to them, the past of hate and hostility is best illustrated in the poster which I bring before the Security Council, a caricature circulated in Jerusalem under Jordanian rule and published in the Jordanian daily newspaper *Al-Manar* on 28 January 1965. It shows a Jew, the Star of David on his clothes and fear in his eyes, kneeling under the guillotine's axe ready for the slaughter. The Arabic caption under the caricature reads: "No words needed".

77. The past is symbolized by the text book, one of many similar ones, used in the second year of high school in the sector of Jerusalem occupied by Jordan. In this text book, entitled *Arab Society*, we read: "You Arab boys and girls must cling to the slogan 'Israel must disappear for ever'".

78. That was the past—dark and sanguinary.

79. The present is characterized by the following description by Sister Stephanie Stueber, which appeared in the Jesuit publication *America* of 3 February 1968:

"Throngs of Jewish pilgrims, old and young, of Muslim pilgrims, of Christian pilgrims, were going to their own holy places, and to each other's holy places—places that some had been barred from for twenty years and some had never seen. Jews were seeking out their fathers' and grandfathers' tombs in the desecrated cemetery lying beyond the Golden Gate in the eastern part of Jerusalem.

"Arab and Jew intermingled in the Old City. Colourful in their oriental dress, Arab families strolled through modern Jerusalem, bought squash from Israeli store-keepers, peered into shop windows, enjoyed the parks and wide streets, smiled back at the joy of happy, carefree children."

80. The present is a venture in coexistence. In today's Jerusalem, as I pointed out at the 1422nd Security Council meeting of 6 May 1968, Jews and Arabs live together, build together and dream together the dream of peace. Not only do all Arab institutions continue to function normally, but united endeavours, undertakings in which Jews and Arabs join hands together for the common good, are beginning to develop.

81. The present is not characterized by the atmosphere of malevolence and alienation that Arab spokesmen have tried

to create here. The present is characterized by meetings between Jewish and Arab school children, by the participation of forty Arab students in the municipal youth orchestra, by tours of Israel organized for hundreds of Arab school pupils and adults. The present is marked by Jewish-Arab symposia held regularly with the participation of Arab leaders, including former ministers in the Jordanian cabinet, high government officials, journalists and scholars. These symposia are attended by hundreds of citizens, Arabs and Jews alike. Hundreds of Arabs and Jews are studying each other's language in specially conducted courses. Joint Jewish-Arab sports events are held regularly.

82. For the first time, eastern Jerusalem has Arab theatrical activities. Arab theatre ensembles from Israel have begun their performances in the city, while a local Arab theatre group has been organized and is preparing to appear shortly on stage. The municipality is constructing a special theatre hall in east Jerusalem. The world-renowned Khaleliah Library, one of the best in the Arab world, which has been closed for the last decade because the Jordanians were not interested in opening it, is about to be reactivated. The Moslem Museum adjacent to the Al Aqsa Mosque, which remained bolted and neglected for years, has already been reopened. Negotiations are under way to reopen the Palestine Ethnological Museum, abandoned and closed during the Jordanian occupation.

83. Old friends, long-time Jewish and Arab residents of Jerusalem, have found each other again after nineteen years of separation. There are reunions again of Arabs and Jews in Israeli homes in Jerusalem and elsewhere in Israel. Jews once more visit Arab families in the eastern part of the city.

84. This is the situation which Jordan, in the name of belligerency and destruction and desecration, wishes to undermine here. Jordan does not speak for Jerusalem's happiness. Jordan does not speak on behalf of the city's population, or even on behalf of the 20 per cent which is Arab. Jordan speaks only in the name of those forces which are not yet ready for peace and understanding with Israel. It is, however, peace and understanding that our peoples desire. It is peace and understanding that we must be helped to find.

85. The Arab Mayor of Nazareth, addressing the Arab Governments on 5 April 1968, said:

"The Arab States have tried war and brought upon themselves ruin and destruction. Let them now try peace. Let them put aside the deceptive dreams of destroying Israel and come to the peace table."

86. It is in the spirit of this brotherly appeal by Mr. Mussa Khatili, Mayor of Nazareth, that we too appeal to the Government of Jordan and other Arab Governments: for the good of the Arab and Israeli nations let us join together in a concerted, dedicated effort to attain peace at last, so that our peoples shall know war no more.

87. Mr. SHAHI (Pakistan): I wish to reply briefly to the representative of Israel. The Pakistan Government does not consider itself in any predicament. Its record, its policies and its views are clear and unequivocal. I reject his charge that Pakistan has called for continued warfare with Israel or the destruction of a Member State.

88. Our attitude towards Israel is based on the 1947 resolution of the General Assembly [181 (II)], and if Israel chooses to expand by force we do not think that we are automatically compelled to accord it recognition in disregard of international obligations. The concept of recognition is very clear in international law. It is not in accordance with international law that a Member State of the United Nations should be able to demand and compel recognition by the very fact of membership. We know that there are several Member States in the United Nations which have not extended diplomatic recognition to other Member States, and we do not think that membership of this Organization automatically entitles a State to diplomatic recognition, which is governed by the rules of international law. All sovereign Governments exercise their independent judgement on the question of recognition.

89. I do not wish to prescribe rules of decorum to the representative of Israel. That is a matter for the Members of the Council and the United Nations to judge for themselves.

90. The representative of Israel quoted from a previous statement made by Pakistan in the Security Council, presumably in 1965. It is noticeable that even as a non-member of the Council Pakistan stated that it does not join issue with any individual member of the Council.

91. We have stated two conditions. First, members must be objective, and second, they must uphold the Council's resolutions. Israel's statehood, it is obvious from the history of the case, has certain conditions and circumstances attached to it which make it a *sui generis* case.

92. I do not wish to prolong the debate further. I believe that what I have said is sufficient for the occasion.

93. The PRESIDENT: I call on the representative of Jordan.

94. Mr. EL-FARRA (Jordan): I would just like to say that Mr. Tekoah spoke about everything but the resolutions. He spoke about every aspect of life—at least as he pictures it—in Jerusalem, but he did not say a single word about the implementation of the two resolutions or about the continued expropriation of Arab lands, or about the continued bulldozing of Arab property, or about the continued violation of the two General Assembly resolutions [2253 (ES-V) and 2254 (ES-V)].

95. I am sure that by now the issue is very clear: a clear-cut violation of two Assembly resolutions is involved. Urgent action is required to stop these Israeli acts. I do not think it would serve any fruitful purpose for the Council to indulge in the consideration of questions that are not before it. This afternoon both the representative of the United States and the Israeli spokesman have referred to matters that are not before the Council.

96. I have not at this time brought the question of Jerusalem before the Council for an over-all solution. I am requesting the Council to adopt an urgent measure. The Council has taken a decision about withdrawal. I am not asking the Council to reconsider its decision. That decision is final; it is there; it must be implemented. But to lay the groundwork for implementation, the Council has to take action to stop what is going on. To inject foreign matter into every meeting, to try to divert attention from the

subject under discussion, is quite out of place in the Council.

97. I should now like to make a short observation. Mr. Tekoah keeps fabricating statements. Every time we hear of a new incident, a new picture is painted for the Council. At the last meeting he said: "... contrary to what we heard at the last meeting, there were no mosques among the Maghrabi houses." [1423rd meeting, para. 50.] That is false, as we can see from the report of the *ad hoc* tribunal, formed by your Government, Mr. President, with the approval of the League of Nations, which visited the Maghrabi quarter. It had a plan, designated as "Plan at A-A", which appears in document S/8427/Add.1 of 23 February 1968. On that plan the Maghrabi quarter and the mosque can be seen in the lower right-hand corner. That mosque does not exist today. It was bulldozed by the Israelis. Out of respect for the Council, I can find no words to describe their action. That mosque, I repeat, does not exist today in the Maghrabi quarter. Yet Mr. Tekoah comes here to say that the mosque never existed, in spite of this clear-cut evidence, this document, this finding by the tribunal.

98. The other mosque I mentioned was built after 1930 and does not appear on this plan. It too has disappeared today; it was bulldozed after the occupation of Jerusalem, which is 100 per cent Arab, not 20 per cent Arab. It too was bulldozed; it does not appear in the Maghrabi quarter.

99. Finally, I will not answer any of these new assertions about a new way of life in Jerusalem—happy, beautiful, and the like: I leave it to the Council to make its own evaluation, because I have answered these assertions time and time again. I have, however, one thing to say, namely that it will not be the first or the second or the third or the fourth distortion of facts by Mr. Tekoah before this Council. Nor will it be the first forgery that the Council has witnessed coming from Zionism. I had the opportunity to put before you the "Lavon affair", where signatures of the Minister for Defence of Israel were forged in order to issue a request to two Zionists belonging to a terrorist gang in Cairo, Moshe Marzook and Samuel Azzar by name. They operated in Cairo. They destroyed American libraries and American installations in order to upset friendly relations between what was then Egypt and the United States of America.

100. Those are the facts. For your information, also, let me read out just one quotation, and then I shall conclude. I want Mr. Tekoah to hear this quotation; it is from the *Jewish Newsletter* of 6 March 1961 and describes the whole situation. It says:

"On 12 September 1960 Israeli Courts were busy trying forgery cases. The former Ambassador to Austria had forged documents against Amos Ben-Gurion—and got a fifteen-year sentence."

101. Shall I continue? I think that will be enough, and I conclude my statement.

102. The PRESIDENT: I call on the representative of Israel.

103. Mr. TEKOA (Israel): I have noted that the representative of Jordan has admitted that there are no mosques

marked inside the Maghrabi quarter on the chart before him. As I stated at the last meeting, there are in fact none. The representative of Jordan referred to a mosque in the corner of the Maghrabi quarter, marked on the chart submitted by him to the Security Council. This mosque has not been touched by anyone, except perhaps in the imagination of the Jordanian representative himself. It stands where it has always stood, and the Jordanian representative is welcome to visit it.

104. The PRESIDENT: I call on the representative of Jordan.

105. Mr. EL-FARRA (Jordan): The statement of the representative of Israel does not rebut the evidence. The Maghrabi quarter is there. I did not make the statement that the two mosques I am referring to do not exist any longer before I had made 100 per cent sure—not 99 per cent, but 100 per cent. There is an attempt to distort the facts. I say that one of the two mosques is shown on the plan, but it does not exist any longer, it was bulldozed. Nor does the other mosque, which was built by the Grand Mufti of Jerusalem after 1930, after this map was made, exist now in the Maghrabi quarter. Both mosques have disappeared; they were bulldozed by the Israeli people. Therefore, I do not think it is at all convincing that Mr. Tekoah come here and state: "This is not true." I am referring to facts, and I stand by them. Let us have the Mixed Armistice Commission send its observers. The Council was very anxious to have observers stay in certain parts of the area. Let us have observers go to Jerusalem, where their mandate lies, and let them see what is going on. Let them report not only on this crime, for this is only one of many. Let us send the observers in accordance with your Armistice Agreement and the Security Council mandate. Let us have the machinery function in Jerusalem. Reference was made in the Secretary-General's report—and we are grateful to him for this—to observers with reference to the parade. This is a reminder. Let us have the observers go there and witness what goes on. Perhaps the presence of the United Nations in the City of the Prince of Peace would make the Israelis discontinue their arrogance and their continual violations and defiances, which are not mentioned here by the Israelis but are completely evaded.

106. Mr. TEKOA (Israel): I apologize to you, Mr. President, and to members of the Council. I have no desire to prolong this debate. I hope, however, that the representative of Jordan will understand that I am not entirely ready to accept his qualifications for discussing matters of fact and geography. The other day he submitted a letter to the President of the Council in which he indicated that the Jordan River flowed out of the Dead Sea. As far as we know, the Jordan River has since the time of its creation been flowing into the Dead Sea.

107. The PRESIDENT: I have no other speakers on my list for today. We therefore have to consider plans for our future work, with the purpose of bringing this debate to an urgent conclusion. After referring the matter to members, I wish to say that consultations will proceed without interruption or delay, and I ask all members to be ready to meet in full Council tomorrow afternoon at 3.30, subject to prior confirmation of that time.

The meeting rose at 6 p.m.

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