

GENERAL
ASSEMBLY



Distr.
RESTRICTED

A/AC.25/AR.80
9 November 1954

ORIGINAL: ENGLISH

UNITED NATIONS CONCILIATION COMMISSION
FOR PALESTINE

Letter dated 8 November 1954 addressed to the Secretary-General of the United Nations by the Chairman of the Delegations of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen, and transmitted by the Secretary-General to the Conciliation Commission for Palestine

Excellency,

We, the Chairman of the Delegations of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen to the ninth regular session of the General Assembly, have the honour to inform you of the following:

The Arab Delegations have learned with deep concern and regret of the decision of the Governments of the United States of America and of the United Kingdom to instruct their newly appointed Ambassadors to Israel to present their letters of credence to the President of Israel in Jerusalem and not in Tel-Aviv.

We wish to call your attention to the fact that Jerusalem is a city, holy to Christians, Jews and Moslems alike, which the United Nations had decided by General Assembly resolution 181 (II) of 29 November 1947, that it "shall be established as a corpus separatum under a special international regime and shall be administered by the United Nations." It will be recalled that the Trusteeship Council was to be designated as the Administering Authority on behalf of the United Nations.

On 11 December 1948 the General Assembly, by resolution 194 (III) reiterated its determination to place the Jerusalem area under effective United Nations control and instructed the United Nations Conciliation Commission for Palestine to present to the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem.

On 9 December 1949 the General Assembly, by its resolution 303 (IV), restated its intention to place Jerusalem under a permanent international regime and confirmed specifically the provisions of its previous resolution (181 (II)) regarding the establishment of Jerusalem as a corpus separatum under a special international regime administered by the United Nations. The General Assembly also requested the Trusteeship Council to complete the preparation of the Statute of Jerusalem and to proceed immediately with its implementation. Furthermore, the General Assembly directed the Trusteeship Council not to "allow any actions taken by any interested Government or Governments to divert it from adopting and implementing the Statute of Jerusalem" and called upon the States concerned to make formal undertakings "that they will approach these matters with good will and be guided by the terms" of the resolution.

Meanwhile, the Trusteeship Council, having learned of the "removal to Jerusalem of certain ministries and central departments of the Government of Israel", expressed its concern (in resolution 114 (S-2) of 20 December 1949) over such actions and considered that they ignored and were incompatible with the provisions of paragraph II of General Assembly resolution 303 (IV) of 9 December 1949. Moreover, the Trusteeship Council was "of the opinion that the action of the Government of Israel is likely to render more difficult the implementation of the Statute of Jerusalem with which the Council is entrusted by the General Assembly resolution of 9 December 1949." Finally, the Council requested its President to invite the Government of Israel "to revoke these measures and to abstain from any action liable to hinder the implementation of the General Assembly resolution of 9 December 1949." Subsequently, on 4 April 1950, the Trusteeship Council approved the Statute of the City of Jerusalem.

In this connexion, we wish to recall the meeting which the Permanent Representatives of the above-mentioned Arab States held with Your Excellency on 16 July 1953 during which they submitted to you, on behalf of their Governments, identical letters protesting against the decision of the Government of Israel to transfer its Ministry of Foreign Affairs to Jerusalem. In reply to this letter, the Conciliation Commission recalled, inter alia, that it had addressed, on 30 March 1949, a letter to the Prime Minister of Israel "pointing out that such a measure would be incompatible with paragraph 8 of the General Assembly resolution of 11 December 1948 which resolved that the Jerusalem area should

be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control."

In the light of the unequivocal and oft-repeated stand taken by the United Nations with respect to Jerusalem we, the Chairmen of the above-designated Delegations to the General Assembly, consider the decision of the Governments of the United States of America and of the United Kingdom to have their ambassadors present their credentials in Jerusalem to be in flagrant violation of the decisions of the international community embodied in the resolutions of the General Assembly and the Trusteeship Council.

For, it must not be forgotten that Israel possesses no right or sovereignty over Jerusalem and that the presence of Israeli Ministries and Departments in Jerusalem constitutes a defiance of the will of the civilized world. The decision of the Governments of the United States of America and of the United Kingdom, therefore, constitutes a flagrant breach of the United Nations resolutions on Jerusalem and can have no other effect but to encourage the Israeli authorities in their defiant and illegal attitude and their utter disregard of the resolutions of the United Nations. Finally, this decision on the part of the two Governments concerned is bound to impair the authority and prestige of the United Nations and its Organs and will contribute to the aggravation of the state of tension which exists in the Near East.

In view of the fact that, according to the jurisprudence of the United Nations, Jerusalem is under the direct responsibility of the United Nations and that therefore no nation has or can have sovereignty over its territory, we request Your Excellency to ensure, as a matter of urgency and by virtue of your high position and the heavy responsibilities which devolve upon you by the Charter, that no act be committed which would impair this jurisprudence or in any way affect the international status of Jerusalem. We also request Your Excellency to be kind enough to circulate this letter to all the Members of the United Nations and to bring it to the attention of the Conciliation Commission for Palestine for action.

Accept, Excellency, the assurances of our highest consideration.

Omar Loutfi

Chairman of the Delegation
of Egypt

Asad Al-Faqih

Chairman of the Delegation
of Saudi Arabia

Mohamed Fadil Al Jamali

Chairman of the Delegation
of Iraq

Ahmed Shukairi

Chairman of the Delegation
of Syria

Khalil Takieddine

Chairman of the Delegation
of Lebanon

Abdurrahman A. Abcu-Taleb

Chairman of the Delegation
of Yemen

His Excellency,
The Secretary-General
United Nations, New York