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NOTE

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FIFTEEN HUNDRED AND EIGHTY-SECOND MEETING

Held in New York on Saturday, 25 September 1971, at 5 p.m.

President: Mr. Toru NAKAGAWA (Japan).

Present: The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syrian Arab Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1582)

1. Adoption of the agenda.
2. The situation in the Middle East:
 - (a) Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/10313);
 - (b) Reports of the Secretary-General (S/8052, S/8146, S/9149 and Add.1, S/9537 and S/10124 and Add.1 and 2).

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:

- (a) Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/10313);
- (b) Reports of the Secretary-General (S/8052, S/8146, S/9149 and Add.1, S/9537 and S/10124 and Add.1 and 2)

1. The PRESIDENT: In accordance with the Council's previous decision [1579th meeting] I shall, with the consent of the Council, invite the representatives of Jordan, Egypt and Israel to take places at the Security Council table in order to participate in the discussion without the right to vote.

At the invitation of the President, Mr. B. Toukan (Jordan), Mr. M. H. El-Zayyat (Egypt) and, later, Mr. Y. Tekoah (Israel) took places at the Security Council table.

2. The PRESIDENT: I shall next invite the representatives of Lebanon, Mali, Morocco, Saudi Arabia and Tunisia to take the places reserved for them at the side of the Council chamber in order to participate in the discussion without the right to vote, on the understanding that they will be

invited to take places at the Council table when it is their turn to speak.

At the invitation of the President, Mr. E. Ghorra (Lebanon), Mr. S. Traore (Mali), Mr. M. M. Zentar (Morocco), Mr. J. M. Baroody (Saudi Arabia) and Mr. R. Driss (Tunisia) took the places reserved for them in the Council chamber.

3. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): This is not the first time that the Security Council, on the initiative of the Arab States, is considering the question of the arbitrary measures taken by the Israeli occupation authorities in the Arab city of Jerusalem. In the more than four years that have elapsed since the beginning of Israel's aggression in the Middle East and the capture of the Arab city of Jerusalem by Israeli troops, the Security Council and the General Assembly have considered this question several times and have adopted decisions strongly condemning Israel for its attempts to annex or appropriate that city. In these decisions, the United Nations has unreservedly called upon Israel to desist from any actions designed to alter the status and the Arab character of that city.

4. This clear and well-defined position adopted by the Security Council and the General Assembly on the question of Jerusalem is fully in accord with the principles of the Charter of the United Nations, the rules of international law and the modern sense of justice of the peoples. This position of the United Nations is based on the solid foundation of the generally recognized principle of international law that the acquisition of territory by the use of force or by war is inadmissible. This principle is the basis of Security Council resolution 242 (1967) of 22 November 1967 concerning a peaceful political settlement in the Middle East, which was adopted by the Council in connexion with Israel's aggression against the Arab countries.

5. This principle was subsequently confirmed by the General Assembly at its twenty-fifth anniversary session in its resolution on the situation in the Middle East [resolution 2628 (XXV)], in the Declaration on the Strengthening of International Security [resolution 2734 (XXV)] and in a number of other documents adopted by the Assembly at that session.

6. The defiant and negative attitude of Israel towards the decisions of the United Nations on the question of Jerusalem and the situation in the Middle East clearly reveals the expansionist and predatory character of the aggressive policy of the ruling circles in Tel Aviv towards the whole Arab world.

7. The question of Jerusalem is only part of the general question of the dangerous international crisis in the Middle East which has arisen as a result of Israel's aggression against the Arab countries. However, even when considered from this standpoint alone, it becomes graphically clear that Israel is continuing to pursue a policy of seizing and appropriating Arab territories, ousting Arabs from their lands and, in the last resort, blocking and impeding the achievement of the peaceful political settlement in the Middle East envisaged by the Security Council in its famous resolution 242 (1967).

8. The facts and the evidence presented to the Council by the representatives of Jordan, Egypt, Syria and other Arab States and the official information contained in the numerous reports by the Secretary-General on the situation in Jerusalem testify irrefutably to the fact that Israel, in disregard and in defiance of the decisions of the United Nations and in blatant violation of the generally recognized rules of international law, is pursuing a policy of pillage and arbitrary rule, of violence and mockery with regard to the Arab population in the Arab part of Jerusalem which they have occupied and in the other Arab territories which they have seized. The Israeli occupation authorities are striving to drive the Arabs out of Jerusalem in order to change the national composition of that city and the other occupied Arab lands, to Israelize Jerusalem and the Arab lands and to alter their status by force.

9. The facts show that the Israeli leaders have officially adopted a policy aimed at annexing Arab Jerusalem to the Israeli part of that city and to this end they are taking any measures they can to bind this illegally seized Arab city to Israel's economy and way of life. They do not show the least sign of wishing to settle the question of the withdrawal of Israeli troops from that foreign city and from all the Arab territories occupied by Israel. On the contrary, Israel is working to put down roots and consolidate its position in Arab Jerusalem, to surround it with a ring of Jewish housing constructed on Arab land, and to swallow up that city to serve the ends of Zionist expansion.

10. The representative of Jordan has informed the Security Council of the nefarious plans of the Israeli Zionists to extend the boundaries of the city of Jerusalem artificially. He has rightly pointed out that Israel wishes to take over Jerusalem, not on the grounds of any cultural or historical considerations, but mainly for military and strategic considerations and in the interests of the economic exploitation of that city for the sake of enriching Israel's capitalist monopolies.

11. The Security Council cannot ignore the official data presented by the representative of Jordan which show that the plans for the seizure and Israelization of Arab Jerusalem were formulated and prepared by those in Israel who covet foreign lands long before Israel began its aggressive war against the Arab States in 1967. This was a kind of Israeli "Barbarossa" plan to seize Jerusalem. The implementation of these plans to recarve and enslave the territory of other countries was, as has now been established by documents, one of the criminal military and political aims of Israel's aggression in June 1967.

12. The Arab countries and other Asian and African States, as well as a number of international organizations,

expressing profound indignation and strong condemnation, have repeatedly drawn attention to the facts, to the arbitrary measures taken by the Israeli occupiers in Jerusalem and to their blatant and cruel violation of human rights and to their insults to the human dignity of the Arab population. From the documents now available to the Security Council and from the facts adduced by the Arab representatives, it is apparent that the Israeli occupation authorities are systematically destroying and razing to the ground Arab dwellings in the city of Jerusalem. On those deliberately and illegally ravaged lands, they are building housing for their Jewish settlers. In the central part of the city, these vandals of the second half of the twentieth century are outraging the national and religious feelings of the Arabs and their human dignity by barbarously destroying and annihilating the most precious and unique monuments of Arab culture. The aim is clear. This is racism. To spit and trample upon the culture of another people, to raze to the ground the most precious monuments of that culture, to impose one's own way of life on that people by force, these are Hitlerite tactics. These internationally criminal acts by Israel are a gross violation of The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict.¹

13. Another criminal form the arbitrary and illegal measures of the occupiers in Jerusalem take is plunder through the forced alienation and appropriation of the land and property of the Arabs. Despite the resolutions of the Security Council and the General Assembly, which have declared all such measures illegal and invalid and which have resolutely called upon Israel to rescind all measures and refrain from any action designed to alter the status of Arab Jerusalem, Israel is stubbornly and on an ever increasing scale continuing forcible seizure and illegal appropriation, in other words its piratical plundering of that Arab city.

14. Matters have reached a stage where the Israeli occupiers have begun to seize even the premises and property of the United Nations in Jerusalem. We all know of the exchange of correspondence between the Secretary-General and the Israeli Government of which an account is given in the reports of the Secretary-General. This documentary evidence shows that the Secretary-General has tried in vain to have the United Nations property in Jerusalem which was seized by the Israeli occupiers returned to the Organization.

15. In order to implement its predatory plans, Israel is systematically carrying out measures designed to alter the ethnic and demographic composition of the occupied part of Jerusalem. By means of intimidation and terror and the forcible immigration and mass deportation of the Arabs, the occupiers are endeavouring to clear space for Jewish settlers in Arab Jerusalem and in other parts of occupied Arab Palestine. Such illegal actions by the occupiers in the territories they have seized are a gross violation of the Geneva Conventions of 1949. Such acts by occupying forces were also strongly and unreservedly condemned in the Charter of the International Military Tribunal. The representative of Israel has tried in vain here to represent

¹ United Nations, *Treaty Series*, vol. 249 (1956), No. 3511.

the arbitrary measures and use of force by the Israeli occupiers in Jerusalem as a kind of blessing. It is absolutely clear to the Security Council that they are not in any way a blessing but the most abominable and shameful evil.

16. Israel's annexationist acts are now on such a wide scale that even in the United States press, which is sympathetic to Israel, reports have appeared from time to time unmasking the Israeli aggressors. Not long ago, the *Washington Post* noted that the plans of the Israeli authorities to settle 52,000 Jewish settlers in Arab Jerusalem were illegal under international law.

17. United States journalists have also been forced to recognize that the illegal displacement of the population of Arab Jerusalem by Israel is only "the tip of the iceberg" represented by Israel's far-ranging plans to appropriate foreign lands in the occupied territories of the Arab States.

18. The same annexationist policy is being pursued by Israel everywhere in the Arab territories which it occupies.

19. The ultimate aim behind this policy of terror, violence and conquest is to force the Palestinian Arabs to resign themselves to the occupiers, to submit to their domination and to grow accustomed to the idea that Israel holds sway over the Arab lands.

20. All these expansionist acts together with Israel's insolent refusal to withdraw its troops from the occupied Arab territories, to achieve a settlement and to normalize the situation in the Middle East on the basis of Security Council resolution 242 (1967) cannot fail to arouse the most profound indignation and condemnation. This policy of Israel was strongly condemned by the General Assembly at its twenty-fifth anniversary session. Quite recently the Assembly of Heads of State and Government of the Organization of African Unity, in a special resolution on the situation in the Middle East adopted at its eighth session, expressed its serious concern over the continued Israeli occupation of the territories of three Arab States and emphasized the principle, enshrined in the Charter of the United Nations and reiterated by the Security Council and the General Assembly, that the territory of a State should not be the object of occupation or acquisition by another State as a result of the threat or use of force. The resolution adopted by that Assembly contains a firm demand for the immediate withdrawal of Israeli armed forces from all the occupied Arab territories to the lines of 5 June 1967 and for the implementation of Security Council resolution 242 (1967). That is the voice and the demand of the whole of Africa, calling for the withdrawal of the Israeli occupiers from the Arab territories they have seized.

21. The situation which has been created in Jerusalem as a result of Israel's aggression and policy of international banditry is aggravating the already serious and dangerous situation in the Middle East. Israel's actions in Jerusalem are aimed at frustrating the achievement of the political settlement in the Middle East called for by the Security Council in its resolution 242 (1967).

22. The conflict in the Middle East is still unsettled and critical. Tension has not abated. Israel is showing no desire

to evacuate the illegally occupied Arab lands and unless it does so, as everyone now knows, a peaceful settlement in the Middle East is impossible. Israel is impeding the implementation of Security Council resolution 242 (1967) and sabotaging the Jarring Mission and its initiative of 8 February² on the key questions relating to a settlement in the Middle East—the withdrawal of troops and conditions for peace.

23. At the same time, Israel is in fact consolidating its position in the occupied Arab lands and the Israeli leaders are openly making statements of an expansionist nature. We have only to read the recent statement by Dayan.

24. In fact, in Tel Aviv they are seeking not to achieve a just and lasting peace in the Middle East, but to consolidate their conquests, counting on the fact that with the passage of time Israel will be able to maintain its hold for a long time over the Arab lands it has seized.

25. There is no doubt that at the current session the General Assembly will draw the necessary conclusions from this and, following the example of the twenty-fifth session of the Assembly, will make an effective contribution towards restraining the Israeli aggressors and achieving a peaceful settlement in the Middle East.

26. In these circumstances, and in conformity with the United Nations Charter, it is the duty of the Security Council to condemn Israel strongly for the annexationist policy it is pursuing in Jerusalem, to call for the immediate cessation of its arbitrary measures and expansionist policy and to compel the ruling circles in Tel Aviv to carry out the resolutions of the Security Council, to withdraw their troops from all the occupied Arab lands including Arab Jerusalem, and to bring about a peaceful political settlement in the Middle East on the basis of Security Council resolution 242 (1967).

27. As we have been reminded here in the Security Council by the representatives of Egypt, Jordan and the Syrian Arab Republic, the Security Council, in its previous resolutions, after having condemned Israel for its attempts to annex Arab Jerusalem, decided that if Israel maintained its negative attitude towards those resolutions, the Council would consider what further measures to adopt to restrain the aggressor.

28. In view of Israel's stubborn refusal to submit to the decisions of the United Nations and to respect the principles and purposes of the Charter of this Organization as well as the elementary rules of international law, the Security Council, as the representative of Egypt has rightly pointed out, is faced with the need to consider what further measures it should take.

29. The Security Council bears the responsibility for the implementation of the resolutions on Jerusalem which it has adopted. Any new decision which the Council adopts should take into account not only its principal role and

² See *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971*, document S/10403, annex I.

responsibility within the United Nations system for the maintenance of international peace and security, but also its specific responsibility with regard to the question of Jerusalem. In the circumstances, it is particularly obvious and important that a new decision by the Council should not weaken this responsibility or the decisions previously adopted by the Council. A new decision by the Council must confront Israel with the determination of the Security Council to have its resolutions implemented and to compel Israel to submit to the decisions of the Council.

30. In this connexion, we support the request of the Arab countries that a special mission be sent to Jerusalem. This must be a mission of the Security Council.

31. The Soviet delegation considers that the request of the Arab representatives that the Security Council should take measures under Chapter VII of the United Nations Charter to eliminate the consequences of Israel's aggression in the Middle East is fully justified.

32. The Soviet Union, for its part, is ready to participate in the implementation of such measures if a decision to that effect is adopted by the Security Council.

33. It is the duty of the Security Council to compel the presumptuous Israeli aggressors to respect the principles of the United Nations Charter and the decisions of the United Nations aimed at strengthening international security and universal peace.

34. Mr. LONGERSTAEY (Belgium) (*interpretation from French*): Once again the Council is seized of the question of Jerusalem. Indeed, on 13 September the Permanent Representative of Jordan asked for the urgent convening of the Security Council [S/10313] in order "to consider Israel's illegal measures . . . in defiance of Security Council resolutions 252 (1968), 267 (1969) and 271 (1969)."

35. Answering the appeal which you made, Mr. President, at the beginning of our meetings, my delegation will take care in its statement to deal only with the legal and political aspects and consequences of the implementation of the large new building programme, the measures of expropriation or confiscation and the population transfers effected by the Government of Israel or the municipal authorities of Jerusalem. Indeed, my Government shares the view of those who believe that it would be premature at this time in our Council to touch upon the question of the Middle East from the viewpoint of its global settlement as from that of a particular aspect of it. There is no doubt that the major mistake would be to isolate one of the factors of this complex problem and grant it any primacy.

36. Indeed, at a time when, despite often contradictory conceptions of national interests, the chances to reach a negotiated solution—or even a preliminary interim arrangement—remain a reality, thanks not only to the skill and perseverance of wise diplomats and statesmen but also and even first of all to the will for peace affirmed by the enlightened leaders of the countries concerned, political wisdom dictates that we not compromise an already difficult negotiation through debates which are likely to arouse sterile passions. Therefore, the Belgian Government

continues to believe that secret and quiet diplomacy, on the legal basis of Security Council resolution 242 (1967), is the most adequate instrument to fulfil the aspirations for a lasting peace for tens of millions of inhabitants in this area.

37. But we cannot remain indifferent to the frustrations and sufferings with which they are confronted. Since June 1967 my Government at every opportunity has expressed its solicitude for the oppressed or harassed civilian populations victims of the war and the occupation. We have also many times expressed our constant concern to see respect for humanitarian conventions, especially the Fourth Geneva Convention of 12 August 1949, which, in section III, contains an actual code of behaviour for the occupying Power towards persons and properties in the territories which have fallen under its authority.

38. Among the parties to the conflict Israel has been since 1968 the only Power occupying "enemy" territories and is therefore in a position to apply the provisions of that Convention. We cannot but mention our regret to see that, despite the reiterated requests of the International Committee of the Red Cross, to which article 10 grants the right of initiative, Israel persists in refusing to apply integrally this Convention, which it signed and ratified in April 1951. It is true, however, that the Israeli Government allows the International Committee of the Red Cross to continue its humanitarian activities on a pragmatic basis. Further, co-operation between the Israeli authorities and that Committee in the field of the treatment of civilian internees, the regrouping of families, the delivery of food-stuffs and assistance continues in the interest of the persons concerned.

39. However, my Government noted with regret that the same did not apply to articles of the Convention relating to the right of residence and the integrity of civilian properties in occupied territory. The annual or monthly reports of the International Committee of the Red Cross regularly speak of "several destructions of houses and the expulsion of persons, in contravention of the Fourth Convention". Generally speaking, the Committee, in a most impartial manner, took note of many cases of expropriation in the Arab city of Jerusalem as well as on the outskirts of that city, of various transfers of inhabitants and of the destruction of villages or whole quarters, such as those of Qalquilya and Tulkarem.

40. These violations by the Israeli authorities of articles 33, 49 and 53 of the fourth Geneva Convention have also been recognized by the Security Council in the three resolutions devoted to the problem of Jerusalem.

41. The representative of Israel justified the action of his Government or of the municipal authorities by imperative considerations of security, hygiene, urban migration, or demographic expansion. Further, he spoke of indemnities which allegedly were granted to the former owners in certain cases.

42. No matter what humanitarian or administrative considerations are invoked by Israel to justify its policy, it is none the less true that the measures taken were unilateral measures contrary to the spirit and the letter of interna-

tional conventions. They incontrovertibly create, during a military occupation, an irreversible situation, and my Government will never cease to oppose that and to deny that such measures have any validity. In the same order of ideas, Belgium rejects any attempt of unilateral acquisition of territory by force. In conformity with its historic tradition, Belgium remains faithful to the principles enshrined in the Charter of the United Nations, more especially in Article 2, paragraph 4, which enjoins Member States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

43. These principles were solemnly reaffirmed a year ago on the occasion of the celebration of the twenty-fifth anniversary of our Organization. In paragraph 5 of the Declaration on the Strengthening of International Security [*General Assembly resolution 2734 (XXV)*]—a document in the drafting of which my delegation took a very active part—the Assembly reaffirmed this obligation among others. In the same text—in paragraph 17—the Assembly:

“*Urges Member States to reaffirm their will to respect fully their obligations under international law in accordance with the relevant provisions of the Charter . . .*”.

These principles were further expanded in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [*General Assembly resolution 2625 (XXV), annex*]. It is in the respect for treaties and international agreements that the main basis must be found for the building up of harmonious relations among States.

44. We express the wish that at the end of our work on this subject the Council will succeed unanimously in agreeing on a draft resolution which would invite the Government of Israel to abrogate all legislative and administrative measures and renounce all actions aimed at transforming the status and the character of the city of Jerusalem, and to put an end to the transfers of populations.

45. Finally, we ask the Secretary-General to draft a factual report on the implementation of the subsequent resolutions of the Council containing specific details about the way in which legislative and administrative measures taken by Israel are in violation of previous resolutions of the Security Council and the convention on the law of war.

46. My Government has good relations with Israel. It therefore believes that it is its duty to appeal to the Israel authorities to fulfil as rigorously as possible the obligations it freely contracted by adhering to the Charter of the United Nations and by signing the fourth Geneva Convention. When it becomes more far-sighted with time, history will be grateful to those who, despite all difficulties, will have laid the foundations for a lasting peace.

47. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): As has already been stated today, this is not the first time the Security Council has been called upon to

examine the question of Jerusalem. The Jordanian complaint which is the subject of our meeting today is the logical consequence of the last resolution which we adopted unanimously on 3 July 1969 [267 (1969)], and which itself was preceded by the resolution of 21 May 1968 [252 (1968)] and by recommendations of the General Assembly. The provisions of those resolutions, so clearly expressed by our Organization, however, have unfortunately remained a dead letter, and today, in the light of that non-compliance with the almost unanimous will of the United Nations, we are once again constrained to take up the question.

48. We all know how heavy the very name Jerusalem is with history and passions, of attachments and intransigence, all equally legitimate in their very contradictions. We are also aware of the difficulty of isolating the specific request of Jordan from the over-all problem of peace in the Middle East. However, we believe that in the present situation, and without pre-judging the general debate which may in due course prove necessary here or elsewhere, it is our duty to comply with your appeal, Mr. President, and limit ourselves solely to examining the complaint before us. Objectively we shall endeavour very briefly to recall the facts and legal regulations which we must respect even more scrupulously.

49. Following the six-day war, as soon as the Israeli army had occupied the Jordanian sector of Jerusalem on 27 June 1967, the Israeli Parliament adopted a law stipulating that the laws, jurisdiction and administration of the State of Israel would apply to every region that would be designated by ordinance. The next day, 28 June, the Government handed down an ordinance according to which the Jordanian sector of the city and the neighbouring area—approximately 100 square kilometres—would constitute a region to which Israeli legislation would be applicable.

50. For his part, the Israeli Minister of the Interior on that same day issued another ordinance which merged the Arab municipality of Jerusalem and the neighbouring territories with the Israeli municipality.

51. The following year, on 14 August 1968, the Knesset adopted a new law on regulations concerning legal and administrative questions, the effects of which on Jerusalem led the Jordanian Government to submit a new complaint to our Council.

52. Even before those legislative provisions had been adopted, the Israeli Government, as early as 11 June 1967, had had 135 houses demolished and had evicted 660 inhabitants from the Mograbeh Quarter in order to create an open area of access to the Wall of the Temple.

53. Subsequently, the Israeli Government proceeded with numerous expropriations of land belonging to Arab owners, notably on 30 August 1970, when nearly 1,200 hectares of land were expropriated, according to the Israeli Official Journal, No. 1656, of 30 August 1970.

54. Lastly, and more recently, the Israeli Minister of Housing undertook the accelerated construction around Jerusalem of a ring of apartment houses including 35,000

dwelling units intended for future immigrants. That took place despite the objections—purely aesthetic, moreover—of an international group of architects who had been designated by the Mayor of Jerusalem. Thus it was that land belonging to the United Nations was converted, in January 1971, into construction sites, despite the protests of the Secretary-General, who on 18 February had submitted a report on this matter [S/10124], followed by two complementary reports, dated 20 April [S/10124/Add.1] and 20 August 1971 [S/1024/Add.2].

55. Those facts show that the Israeli Government is pursuing a policy designed to integrate the Arab city totally and permanently within an administratively unified Jerusalem. No one can contest the fact that such measures might soon lead to an irreversible situation.

56. Aware of such a danger, the General Assembly, as soon as the June 1967 conflict had ceased, adopted, on 4 July and 14 July 1967, resolutions 2253 (ES-V) and 2254 (ES-V), the first of which called upon Israel:

“... to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem”.

Those resolutions were adopted by a very large majority of the Assembly, without any opposition.

57. In its turn, the Security Council, referring to those two resolutions, adopted on 21 May 1968 resolution 252 (1968) which states that:

“all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status”.

It requested, in addition, that Israel rescind all measures already taken and that it “desist forthwith from taking any further action which tends to change the status of Jerusalem”.

58. Subsequently, on 3 July 1969, the Council adopted resolution 267 (1969), which “*Censures* in the strongest terms all measures taken to change the status of the City of Jerusalem”, and confirms that those measures “are invalid and cannot change that status”. After having requested it immediately to rescind those measures, the Council requested Israel “... to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of the present resolution”. In case of a negative response, or in the absence of a reply from Israel, our Council was to meet without delay to plan whatever other measures might be taken.

59. We are obliged to observe that none of those resolutions, none of those injunctions, has been acted upon. Israel is simply continuing to implement legislative measures, with no regard for the will of the international community.

60. There seems to be no doubt that this policy of annexation is in formal contradiction to United Nations resolutions and constitutes a violation of the rules of

international law, as well as of the Charter. Thus, as we were just reminded, the Geneva Convention of 12 August 1949, relative to the protection of civilian persons in time of war, stipulates, in its Section III concerning occupied territories, that the occupying Power cannot infringe the legitimate rights of the people.

61. Indeed, the Israeli authorities have several times assured us that they would take the necessary measures to protect the Holy Places and ensure free access thereto. That does not, however, justify the integration of a territory occupied by war, or precipitate measures of annexation. What seems serious to us in this policy of faits accomplis is not only that it violates United Nations resolutions as well as international law, but that it increases the resentments of the parties concerned, aggravates the tension in the Middle East, and jeopardizes the chances for a peaceful settlement which, in the interests of Israel as well as of the Arab States, the international community has indefatigably endeavoured to achieve.

62. Jerusalem—Yerushalyim in ancient Hebrew—means, it is said, “City of peace”. It is also the city of prayer, the city of threefold prayer: the city of the Holy Sepulchre, of Zoubbet el Sakra, of the Wailing Wall.

63. This unique character, this universal character, must be preserved. No unilateral action can or should alter it. Surely Israel, better than anyone else, should understand this Moslem, Christian and Judaic vocation of the city. Then this holy city, which has lived through so many ruins and upheavals and for which for centuries so much blood has been shed, will fulfil its destiny of spiritual work by sealing the reconciliation of divided human brothers.

64. The draft resolution, carefully drafted in moderate terms, which, despite its flaws, we shall support, is primarily an appeal. We trust that it will not fall on deaf ears.

65. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): A few days ago, in a memorable statement which will doubtless figure in the annals of the United Nations among those statements of our Secretary-General, U Thant, that are most important and informative, he said:

“the United Nations will not become the effective instrument its founders intended it to be until its Members abide by its rules and give real attention to its decisions and resolutions. This is especially true in the most complex and difficult situations, such as the Middle East problem, where the failure to reach a solution is not so much the failure of the United Nations to take decisions as the failure of its Members to abide by those decisions.”

66. Those prophetic words reflect exactly the reality of the situation and have the additional value that they warn us very seriously regarding the future.

67. It is true: the history of the United Nations on the question of Jerusalem is the history of a long series of resolutions that have not been complied with, beginning with that one which set forth the partitioning of Palestine

itself, the creation of the State of Israel and the constitution of the Holy City and its neighbouring area as a *corpus separatum* under the administration of the international Organization.

68. From the outbreak of hostilities in 1948, which led to the occupation by Jordan of the major portion of the Old City and of the new city by Israel, to the events that gave rise to the present meeting, the majority of the resolutions of the General Assembly and of the Security Council have not been complied with.

69. I do not believe it is necessary here to list the ample background that has been accumulated in the course of years and which is far too well known to all. However, I will point out that in all cases there has been a constant characteristic, namely that the specific, if not unique, situation of Jerusalem has always been recognized as well as the need to preserve it from any effort to undermine or change it.

70. There can also be no doubt that today there is a perfectly justified concern in vast areas of the world over what is taking place in Jerusalem. No one can argue, objectively, that that concern is always due to antagonism towards Israel or a predisposition against the State of Israel. Jerusalem has as much importance for Christians, Moslems and Jews as to justify fully the attention of the United Nations and of the highest authorities of those beliefs with regard to what might take place there in the present and in the future. It cannot validly be contended that interest in this problem is exclusively the monopoly of the countries neighbouring the region or that preservation of its status is the responsibility of only its present occupier.

71. On 14 March 1971 His Holiness Pope Paul VI stated:

"Speaking specifically of the situation in the Middle East, which might require much greater elaboration, we feel that we must protect a very serious duty and right, not merely on our own behalf but on behalf of all Christianity. We refer to the recognition of the specific requirements of the Holy Places in Palestine, of the continued residence of Christians in that unhappy land and of the status of Jerusalem, where none can deny the special convergence of a multitude of historic and religious rites."

A short time later, on 24 June this year, the Holy Father stated:

"Then there is the question of Jerusalem. We believe, I repeat, that it is in the interest of all and therefore is a duty that that city, enjoying as it does a unique and mystic destiny, be protected by a special statute, guaranteed by a legal international instrument, so that in this way it can become, instead of an object of implacable controversies and endless disputes, a place of concord, peace and faith. With this end in view and in a spirit of respect and friendship, we are carrying out a task of persuasion."

72. The statements I have just quoted, which I presume no one will imply are born of political designs, express a concern that many of us share.

73. We know that Jerusalem constitutes one facet of the over-all conflict in the Middle East and we know that we cannot achieve a final solution on the question until we come to a total settlement of the basic problems besetting the region. We understand also the great value and interest that Israel attaches to the city of Jerusalem which is so important to the Jewish people and the Jewish religion.

74. There can be no doubt whatsoever that at least to the same extent that same value and interest are the heritage of Christians and Moslems. For this reason we are convinced that sooner or later, clearly and internationally, the status of Jerusalem will have to be defined, taking into account adequately and integrally that convergence of historic and religious interests and rights to which the Pope referred.

75. Until that takes place we must not innovate in Jerusalem. And this not only to preserve the status and the character of the City, but, what is even more important perhaps, in order that political and religious passions shall not continue to be exacerbated and make even more difficult the achievement of a negotiated solution.

76. It was with that end in view that resolutions 2253 (ES-V) and 2254 (ES-V) were adopted by the General Assembly at its fifth emergency special session and that resolutions 252 (1968), 267 (1969) and 271 (1969) were adopted by the Security Council. Pursuant to all these, he who is at present in *de facto* possession of Jerusalem by military occupation is under the imperative obligation not to transform nor change the City in such a way as to alter that status and confront the United Nations with faits accomplis.

77. In the case of the grievous question of the Middle East, the position of the Argentine Republic has been and continues to be impartial and constructive. My country enjoys friendly relations with all the countries that are parties to the present conflict. We are therefore guided by only one objective: to contribute by our unstinted efforts to the establishment of just and lasting peace in the region, based on the law, on the purposes and principles of the Charter and on the acceptance and mutual fulfilment of the obligations incumbent upon the parties pursuant to resolution 242 (1967) of the Security Council. We trust that this way of approaching this question will not be termed a lack of equity on our part.

78. With the authority that this position gives us, having shown it constantly and invariably in all the debates that have taken place on the Middle East, we repeat our conviction that Israel, without hesitation, must adjust its conduct to the requirements of the aforementioned resolutions and that the Security Council should once again and with full clarity reaffirm its previous statements regarding Jerusalem.

79. Mr. KUJAGA (Poland): The Polish delegation has studied attentively the documents submitted to the Council on the subject now under consideration, that is, the question of the illegal measures carried out by Israel in Jerusalem. My delegation has also studied the statements made in the Council in the debate up to now, in particular, the statements of delegations of friendly Arab States

directly interested in the problem in so many respects, be they military, political, juridical or religious.

80. We have also taken note of your appeal, Mr. President, to limit observations to the subject under consideration. My delegation intends to heed that appeal. In doing so, however, we want to underline that the developments concerning Jerusalem are, in our opinion, and I am sure in the opinion of many other delegations, but a part of the Israeli over-all aggressive policy of military occupation of territories seized as a result of aggression, of attempts aimed at consolidating such illegal occupation through a policy based on the concept of force by producing *faits accomplis*. Being a subject of this policy, Jerusalem is at the same time one of the typical examples of it.

81. I agree with many of my colleagues that our debate on this problem must be put in its proper context, its proper juridical and political framework. Basic to it is and must be the concept of the non-admissibility of acquisition of territory by military conquest, by use of force in contravention of the Charter of the United Nations. This is a fundamental concept of international law enshrined in the Charter. Its validity in the present circumstances has been strongly reaffirmed in one of the main documents adopted by the commemorative session of the General Assembly last year: the Declaration on the Strengthening of International Security [resolution 2734 (XXV)]. That it is of immediate relevance to the case of the Middle East is self-evident. Hence the first premise in our approach to the problem under discussion.

82. A second consideration in our viewing of the problem stems from the numerous resolutions of the Security Council as well as of the General Assembly concerning Jerusalem—resolutions, which, in our opinion, are only a logical application of the principle of non-admissibility of military conquest of foreign territory to the case in point. Hence the condemnation of all measures taken by Israel with a view to imposing its sovereignty in occupied Jerusalem, to changing the status of the city of Jerusalem. Hence the categorical statement that all legislative and administrative measures and actions by Israel which purport to alter the status of Jerusalem are invalid and cannot change that status, and the equally categorical demand that they be rescinded forthwith. Hence the decision to keep the situation under a review and not to allow any further steps to be taken by Israel in pursuance of its expansionist goals.

83. In any consideration of the problem of Jerusalem the spiritual aspect inherent in that situation cannot be overlooked. For Jerusalem is of special significance to the religious communities of the world. It has a particular position as a historic centre of cultural and spiritual values. The strength of the feelings expressed in the debate to date is a testimony to this. So is the deep concern manifested by the international community, by the highest representatives of religious circles as well as by cultural organizations, UNESCO being in the forefront.

84. Neither can we overlook the fact, so forcefully exposed in our debate already, of the illegal acts by Israeli authorities against the premises of the United Nations in Jerusalem. These extreme acts, as was recalled by Ambassa-

dor Tomeh of the Syrian Arab Republic are putting the United Nations itself in the position of the complaining party.

85. It can therefore be said that in the chain of aggressive acts committed by Israel against Arab countries, the attempts at formally annexing Jerusalem, at—as it was pointed out in the debate—Israelizing the city, create a particularly sensitive situation.

86. This being the framework and the political and legal stand of the United Nations and of the world community our duty today is to assess the acts of Israel against this background and to adopt the measures necessary to redress the situation obtaining in Jerusalem, as a minimum immediate step in the context of a general solution of the situation in the Middle East based on resolution 242 (1967) of the Security Council.

87. The facts of the situation in Jerusalem are well known. They have been presented once again in the lucid statements of Arab delegations in our Council. They are the subject of numerous reports of organs of the United Nations and of the specialized agencies. Repeating them would not add anything to the debate. One cannot, however, fail to see the consistency in the illegality of Israeli acts in Jerusalem, as well as in other occupied Arab territories.

88. From the outset the Israeli authorities made it clear that the process of annexation of Jerusalem was to be irrevocable and not negotiable. The statement of policy has been consistently applied in practice in two directions: first, through the creation of *faits accomplis* in the City of Jerusalem; and second, through the simultaneous rejection and ignoring of all United Nations decisions and protests by international opinion.

89. The Israeli actions in Jerusalem, as shown in the documents before the Council, reveal a persistence and a thoroughness in the implementation of that statement of policy from a position of force, from a position of military occupation. The main line of that policy is directed at a radical change of the structure of the population of Jerusalem by means of expulsion of the Arab population, destruction of Arab houses and property and confiscation of land. That is, of course, the concept of the use of force in its purest form.

90. A second line consists of intimidation of the Arab population based on economic pressure as a means to obtain the same objective.

91. The third line of Israeli action seems to consist in measures aimed at the eventual eradication of all forms of Arab cultural and religious presence. In this Israeli *lebensraum* practice there would be room for new Jewish immigrants and for master plans of development of quarters for a constant stream of Jewish newcomers.

92. Those and many other measures of the Israeli authorities find their ultimate expression in juridical and administrative acts and regulations whose sum total amounts to nothing else than a policy of practical annexation of Jerusalem.

93. As I said at the beginning, it is not my intention to dwell on those aspects of the problem, especially since they have been so thoroughly covered by other delegations. However, the meaning of those acts, their illegality and, consequently, the necessity of putting an end to them are—and here I agree completely with the representative of the Arab Republic of Egypt—what matter essentially. For what we face is one aspect of the over-all policy of Israel, a policy of using force, as well as military means and political support which it receives from its allies, in order to continue and consolidate its territorial conquests with a view to making them, if possible and as far as possible, permanent, through the tactics of *faits accomplis*; while at the same time hampering and undermining all attempts at a peaceful settlement of the problem of the Middle East in accordance with Security Council resolution 242 (1967).

94. In studying this fundamental problem I have been impressed by the elaboration made by Ambassador El-Zayyat of the “further actions” which the Security Council must take in the face of Israel’s avowed contempt for and utter disregard of its resolution. The Polish delegation, too, declares itself in favour not only of a reaffirmation of the decisions contained in Security Council resolutions 252 (1968) and 267 (1969), but also of the adoption of all measures necessary to ensure the implementation of those resolutions and of the principles which, at the beginning of my intervention, I called the political and juridical framework of the problem now under consideration.

95. Mr. VINCI (Italy): The complaint brought before the Security Council by the Jordanian Government is on a subject which, for well-known historical reasons and because of more recent events, gives rise to strong emotions much beyond its geographical area every time it is taken up. The debate which has taken place in the course of three meetings in this chamber and has resounded loudly outside testifies to this simple truth.

96. That is why I do not think my delegation could add anything to the knowledge of the Council by dwelling on the historical background and a number of measures carried out in the occupied section of Jerusalem which can have some bearing on the future status of the City. Everything that could be said has been said in those meetings and repeated today. I would rather turn to what can be done by the Council at this stage. For our part, we are confident that once again the Security Council will reaffirm, in clear terms and by unanimous vote, that the status of Jerusalem should be preserved. This will show, above all, how wide and deep is the international concern for any action taken in Jerusalem without regard to the special position which the City enjoys in the world community.

97. On several occasions in this Organization Italy has stressed the unique international standing of a City sacred to three of the world’s largest and oldest religions. In the aftermath of the June war, Mr. Moro, the then Prime Minister of Italy, speaking on the Middle East from the rostrum of the General Assembly, on 21 June 1967, said:

“There are, moreover, questions which affect the more general interests of the international community.... A similar problem exists with regard to the Holy Places,

which have long awaited a special status that will guarantee free access to them. Jerusalem should not be a cause of division but a centre of high spiritual value that can promote reconciliation.”³

At that time Italy supported fully—and continues to support—General Assembly resolution 2254 (ES-V). That position has ever since been consistently maintained by Italy and reflects also the traditional attachment of the Italian people to the Holy City.

98. In the past the United Nations has adopted resolutions which provide principles and guidelines for the protection of the international interests that surround Jerusalem. This Council, in particular, has adopted various decisions to this effect and, furthermore, has laid down in one of its resolutions the principles in accordance with which a general settlement has to be attained to bring lasting peace to the Middle East.

99. The Italian Government is firmly convinced that such a resolution is constructive and well balanced and contains all the essential elements for a just and lasting peace. In fact, having emphasized the inadmissibility of the acquisition of territory by war, it affirms the withdrawal of Israeli armed forces from territories occupied in the recent conflict, the termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of all States in the area and their right to live in peace within secure and recognized boundaries. Italy is more than ever convinced that all efforts should be directed towards the full implementation of Security Council resolution 242 (1967) through the instrumentalities provided by it.

100. Accordingly, we think that the future of Jerusalem should be determined, in accordance with the pertinent resolutions of the United Nations, through the special machinery provided for by the Security Council, and it should not, therefore, be predetermined through unilateral acts such as those which have been voiced in this chamber and cited with so many details that it would be redundant for me to go over them.

101. In order to spare the time of the Council I shall confine myself to noting, as all previous speakers have done, and as undoubtedly those who follow will do, that these actions and measures, carried out in the section of Jerusalem occupied by Israel in the course of the June war, are inconsistent with the provisions of international law governing rights and obligations of an occupying Power. In particular, in our opinion, the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War is fully applicable to the occupied sections of the city of Jerusalem.

102. The Italian Government considers that these actions and measures are not only contrary to international law, but also politically harmful. My Government has on several occasions expressed its concern in this respect to the Government of Israel since they create new causes of

³ *Official Records of the General Assembly, Fifth Emergency Special Session, Plenary Meetings, 1530th meeting, para. 134.*

tension in the Middle East. My delegation cannot fail to reiterate this concern, as well as its disapproval of unilateral measures which, being at odds with international law, are distressing for any nation like mine, which upholds the strict respect of the law.

103. Mr. FARAH (Somalia): My delegation has listened with great attention to the debate that has taken place so far on the question of Israel's occupation of East Jerusalem, and on the developments that have followed that illegal act. The point that has emerged clearly is that Israel has not yet answered the charges that have been brought against it. In considering matters such as Jordan's submission on the question of Israel's illegal occupation of East Jerusalem, the Security Council, of necessity, takes on some of the characteristics of a court of law. It has to consider the charges that have been made and the evidence to support those charges, and if the Council is to carry out its proper function and not abrogate its authority, it must take whatever action is necessary to preserve international law and international order.

104. The Council has a firm basis for its proceedings and judgements. This basis is applied by the principles of international law, implicit and explicit in the Charter, by the resolutions of the General Assembly and the Security Council, which uphold the principles of the Charter, and it is also supplied by the statutes and precedents that arise from those covenants on the conduct of international affairs to which the majority of the world community subscribes.

105. The Council has heard irrefutable evidence to support the charge that Israel has carried out actions which defy the principles of the Charter, defy the General Assembly and the Security Council, and contravene some of the major covenants on the conduct of international affairs. These charges are not new. They began to be made in 1967 and have continued ever since and they are supported by a body of evidence that has steadily increased since that time. All of the charges that can be made against Israel on the question of the status of Jerusalem stem from that country's denial of a principle of international law reaffirmed by the Charter, the principle which states the inadmissibility of the acquisition of territory by conquest. Israel's denial of that principle is clearly illustrated by its purported annexation of East Jerusalem in 1967 and by its extension of the purported annexation to areas beyond the City.

106. These annexations are also contraventions of The Hague regulations which limit the rights of an occupying Power to that of administration alone. Another of The Hague regulations states that the administration of the occupying Power should follow as closely as possible that which existed before the occupation of the territory. The repeal of a great many of the laws in force in East Jerusalem when it was under Jordanian rule, and the replacement by Israeli laws and measures was therefore another violation of this international covenant. Changes in the currency of the territory, in taxation, in the conduct of education, and in the laws governing the disposal of property, were some of the obvious illegalities carried out by Israel as an occupying Power.

107. The most flagrant violation in Jerusalem of the international laws governing the administration of occupied territory have been the expropriations of Arab-owned lands, the expulsion of Arabs from their homes, and the destruction of their property. This has been done in spite of the fact that Israel is a signatory of the Geneva Convention of 1949 which prohibits such action. The illegality of these actions is increased by the motive behind their enforcement. Article 49 of The Hague regulations prohibits the occupying Power from transferring part of its own civilian population into the occupied territory. It is clear that Israeli nationals are being brought in to displace Arab residents of East Jerusalem.

108. Israel's transgressions against the Geneva Convention of 1949 are particularly ironic since the provisions of that Convention were adopted in large part as a result of the treatment of Jews under the Nazi régime immediately before and during World War II. The conditions of Israel's occupation of Arab lands in general, and of Jerusalem in particular, provide the first opportunity for measuring the performance of an occupying Power against the standards set by that Convention. Obviously, Israel's performance is one that is completely unacceptable to the world community.

109. Much of the evidence of the truth of these charges lies in officially announced policies and promulgations of the Israeli Government. The annexation of the old city is no secret. It was approved by the Knesset. There have been frequent pronouncements by Israeli leaders that the unification of Jerusalem is irrevocable and that as far as they are concerned, the question of a return to the *status quo ante* is non-negotiable. In fact, this was the tenor of the official Israeli response to the Secretary-General's request that Israel comply with the Security Council resolution of 1968 [252 (1968)].

110. The numerous violations of the normal provisions of occupation have been carried out through laws and proclamations whose existence can be easily verified and whose results have been widely reported in the international press. In response to Israel's illegal actions in Jerusalem, the General Assembly and the Security Council have adopted a series of resolutions, the first being General Assembly resolution 2253 (ES-V) of 4 July 1967, and the last Security Council resolution being resolution 267 (1969). These resolutions were all adopted by overwhelming majorities. They have often been quoted and I do not need to describe them all here. The consensus of international opinion on the status of Jerusalem is best summed up by the last-mentioned resolution, resolution 267 (1969), which, among other things, reaffirmed that the acquisition of territory by military conquest is inadmissible; it deplored the failure of Israel to show any regard for past resolutions on the subject of Jerusalem, confirmed that all legislative and administrative measures and actions taken by Israel, which purporting to alter the status of Jerusalem, including expropriation of land and properties thereon, are invalid and cannot change that status; and urgently called on Israel to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect.

111. The judgement and will of the United Nations has never been more clearly expressed or unanimously supported. Israel's responses to these charges have always followed the same pattern. Its representatives avoid the central issue, which is that of illegal annexation and illegal occupation, and dwell on the emotional reasons for Israel's desire to unify Jerusalem. Well, as the representative of Saudi Arabia has pointed out, other religious groups also have emotional reasons for their concern over the future of the Holy City. Moslems and Christians can also claim a stake in Jerusalem on the grounds of ancient history, of religion and of sentiment. That was recognized by the adoption of Security Council resolution 271 (1969), which arose out of the burning of the Holy Al Aqsa Mosque. That resolution, among other things, recognized "that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act may seriously endanger international peace and security". It called upon Israel "scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation . . .".

112. Now, while it would be unfortunate if such claims were to have no sway in international affairs they certainly cannot be the sole basis for international arrangements. The claims of religion and sentiment must operate within the framework of the legal and political rights of peoples and States—in other words, within the framework of the system of international law which the United Nations upholds.

113. Israel's refusal to operate within that framework and its disregard of United Nations resolutions have grown increasingly arrogant since 1967. While the Israelis claim they have accepted the principles of Security Council resolution 242 (1967) and agreed—initially, at any rate—to co-operate with the Jarring Mission established under the terms of that resolution, they were at the same time undermining the possibility of a peaceful settlement by their actions in Jerusalem.

114. It will be recalled that in document S/10070 of 4 January 1971 the representatives of Egypt and Jordan gave the Secretary-General examples of Israel's policy of absorbing Arab territory in violation of United Nations resolutions and appealed to the international community to take steps to put an end to the violations.

115. On 23 February 1971 they again protested Israel's building plans for areas around Jerusalem seized from Jordan in 1967, pointing out that the projects could serve military purposes and perpetuate the Israeli occupation.

116. The facts of Israeli illegal actions in East Jerusalem are not open to question. They have been widely reported by the international press and proudly admitted by the Israeli authorities themselves. Reporting on this question on 12 January 1971, *The New York Times*, which can hardly be described as a pro-Arab source, referred to a controversy within Israel itself over the attempt "to put a purely Israeli stamp on a region that has long been claimed by Jews, Arabs and Christians". *The New York Times* went on to say that the critical judgement in Israel had been that the Government was aiming to make the Israeli presence so

strong that any return of conquered territory around Jerusalem in the context of a negotiated peace settlement would be a practical impossibility.

117. Apparently there was a group within the Jerusalem City Council and some generalized public opinion in Israel that was concerned that the master plan of the Israeli Ministry of Housing not only would destroy the unique character of the city but would seriously threaten the cause of peace. On 15 February 1971 the Israeli Minister of Housing put an end to the controversy by announcing bluntly the political goal of the housing plan—namely to settle new immigrants as quickly as possible in order to keep Jerusalem Jewish. The Mayor and City Council of Jerusalem immediately abandoned their opposition to the plan, which they had formerly raised on aesthetic grounds. Mayor Kollek announced that foreign interference in the form of protests by U Thant and the United States State Department—which incidentally termed the plan "unacceptable"—would actually speed up the process of building blocks of flats in annexed East Jerusalem.

118. If any further evidence were needed to illustrate Israel's intransigence on the question of Jerusalem and its defiance of the United Nations it would be its cavalier treatment of the Secretary-General when he requested information on the housing plan for Jerusalem in general and on the bulldozing operations within the grounds of the headquarters of the United Nations Truce Supervision Organization. The Secretary-General's requests for information either have been ignored or have received unsatisfactory replies that skirted the central issue.

119. Differing versions have appeared in the international press of the provisions and revised provisions of the master plan of the Israeli Ministry of Housing for the construction of new housing for Israelis on confiscated Arab land in East Jerusalem. The Israeli representative claims that no such plan exists. Will he also deny that between 20,000 and 35,000 units are planned for the three areas of Nebi Samwil, Government House and Sharaf, capable of housing well over 100,000 new settlers?

120. In February 1971 the *Manchester Guardian* reported that bulldozing was in progress at the Government House site, and on 1 April *The New York Times* reported the eviction of Arab families and the demolition of houses in the Arab village of Nebi Samwil so that construction could be started. Are those reports complete fabrications on the part of newspapers with an international reputation? The fact that this expropriation of land and this planning and execution of building projects is being carried out unilaterally and without consultation with or support from the Arab community has been noted not only by the international press but also by the Supreme Moslem Council of Jerusalem, the panel of international architects convened by the Jerusalem City Council, foreign observers and church groups in Jerusalem.

121. The political and legal issues in all this are clear. In occupied Jerusalem, as in Hebron, the Golan Heights, Sinai and other areas of occupied Arab territory the Israelis are following their classic policy of expropriation followed by colonization, of "creating facts" in complete disregard of humanitarian principles or principles of international law.

122. There is another matter involved in the developments taking place in East Jerusalem. Israel's actions are symptomatic of a disturbing approach to the entire question of the future of the Holy City, that focus and centre of the faith of millions of people in the world. That approach is clearly to make Israeli national interest the sole determining factor of the administration of the city. The aesthetic debate over the architectural details of the master housing plan for Jerusalem was one symptom of an attitude that can only be described as insensitive and chauvinistic. The Israeli Ministry of Housing made it quite clear at a Press conference in February 1971 that the question of preserving the historic landscape of Jerusalem is secondary to that of Jewish immigration to the city. In view of that attitude it is difficult to understand the surprise and chagrin of the Israeli Government last March over a leading article in the *Osservatore Romano* complaining that Jerusalem was being Judaized.

123. Speaking for himself and for the Government, the Israeli Minister of Housing also said, in the context of criticism of the plans for housing Jerusalem immigrants, "I can see no reason why Jerusalem must claim preferential status". It is a chilling thought that the preservation of the unique character of that sacred city should continue to be at the mercy of those who cannot see why Jerusalem, more than any other area, must not become a tasteless, overcrowded, urban monstrosity.

124. Various points of view have been expressed over the years about the eventual status of Jerusalem. There is support, particularly from some religious denominations, for the proposal that Jerusalem should have a special international status, a view that has been debated in the United Nations from time to time since 1949. The legal position now, however, is that there must be a return to the *status quo* before the war of 1967 so that the final disposition of the question of Jerusalem can be arrived at within the context of an over-all Middle East settlement. That disposition certainly cannot be made unilaterally. In attempting to enforce a unilateral settlement on the question of Jerusalem the Israeli Government has openly and deliberately embarked upon a policy which closes the door to peace in the Middle East. It contravenes international law, frustrates a unanimous resolution of the Security Council and frustrates the clearly expressed will of the international community.

125. Israel's policy towards Jerusalem is also a betrayal of an historic trust. In these circumstances it seems to my delegation that the Security Council must not only call on Israel to comply with its resolutions on Jerusalem, but it must also indicate in no uncertain terms the steps it will take to enforce its authority should Israel once more reject the rule of law and turn its back on peace in the Middle East. Calling on Israel to comply with United Nations resolutions is a necessary formality, but a formality none the less. It has been done many times before with no success and we have had clear notice from the statements of the representative of Israel that his Government intends to continue on its defiant course. The question whether Israel is to be allowed to continue to flout the authority of the Security Council with impunity is one that can no longer be ignored.

126. In these circumstances my delegation wishes to introduce draft resolution S/10337 which takes cognizance of the main issues of the question and attempts to chart a course of action for this Council which if followed would take the United Nations one step forward in meeting its responsibilities.

127. The preambular paragraphs of the draft resolution are factual. They recall the various resolutions of the General Assembly and of the Security Council which relate to the question and which express not only the universal concern of the international community on Israeli measures for changing the status of the Israeli-occupied section of Jerusalem, but also the demand to Israel to rescind the measures it has taken to give expression to its illegal actions. The preambular paragraphs reaffirm a cardinal principle of this Organization, that the acquisition of territory by military conquest is inadmissible. Not only is it proper that the Security Council should reaffirm such an important principle, but it should also urgently consider steps that should be taken to obtain respect for that principle if international anarchy is not to be encouraged.

128. The operative paragraphs are self-explanatory. Paragraph 1 reaffirms Security Council resolutions 252 (1968) and 267 (1969). Significantly, the latter resolution, which went further than any of the other resolutions on this question in expressing the consensus of international opinion on the illegality of Israel's occupation of East Jerusalem and of its policy towards East Jerusalem was adopted unanimously.

129. Paragraph 2 deplores the failure of Israel to respect the resolutions of the General Assembly and of the Security Council concerning Israeli measures and actions purporting to affect the status of the City of Jerusalem.

130. Since it is important to impress upon Israel the illegality of its actions, paragraph 3 has been inserted to make clear to all that the Security Council confirms that all legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status. From the evidence that has been accumulated since the adoption of the last Security Council resolution on this matter, it is an incontrovertible fact that Israel has not complied with any of the calls made upon it to desist from measures designed to change the status and character of East Jerusalem. Acknowledging this regrettable fact, operative paragraph 4 of the draft resolution will call once again on Israel to take no—and I repeat "no"—further steps which may purport to change the status of the City.

131. Finally, paragraph 5:

"Requests the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, including a representative or a mission, to report to the Security Council as appropriate and in any event within sixty days on the implementation of this resolution".

This provision is necessary for there is an impression abroad that while the Security Council frequently calls upon States to abide by their obligations under the Charter and in conformity with its decisions, the Council is not disposed towards following up its decisions by concrete action in the case of a negative response. It is the hope of my delegation that should the Secretary-General after the lapse of 60 days report negatively on the implementation of this draft resolution, it will be for this Council to consider appropriate measures to secure compliance with its decision.

132. In another situation involving the illegal occupation of a territory by a Member State, namely, South Africa, the International Court of Justice, in a striking majority opinion, has stated that Member States of this Organization are under the obligation to refrain from lending any support or any form of assistance to that country while it continues in illegal occupation of Namibia. Since there are no differences within this Council on the illegality of Israel's presence in East Jerusalem and the measures it has taken to change the status and character of that city, there would be justification to apply similar sanctions against Israel if it refuses to conduct itself on the Jerusalem question in accordance with its obligations under the Charter, the norms established by international law and the decisions of this Council.

133. The draft resolution which my delegation has submitted has been drawn up after careful consultation with some delegations. Some delegations may consider that it does not go far enough. But acknowledging the varying extent to which each delegation is prepared to go at this stage, the draft provisions represent the maximum which my delegation believes can be achieved in order for the Council to maintain unanimity of action and unanimity of purpose on this very important and delicate question.

134. Mr. TOMEH (Syrian Arab Republic): The world watches as Jerusalem is raped. Zionist plans to establish an Israeli fait accompli in the Holy City are looked on with horror by Moslem, Christian and Jew—indeed, by all honest and law-abiding citizens of the world regardless of their religion.

135. But it seems that very little can be done to stop Israel turning Jerusalem into a Zionist showpiece and carnival. As we deliberate here today, Israel, in utter disregard of law, is carrying on its work in the Holy City of Jerusalem. Yet, of all cities of the world, Jerusalem has a special meaning and should be approached in a special way.

136. All the speakers who have preceded me have described what Israel is doing in contravention of Security Council and General Assembly resolutions and of international law. But despite the usual orchestration of Israeli Zionist propaganda the Holy City is sullen and indeed sad, very sad, as on the day of the crucifixion. There is more than a little evidence that its Arab Christian population, because of subtle pressures, is diminishing, and that its Arab Moslem population trembles, knowing that it cannot ever be first-class citizens as aggression is consolidated by a State in which the criteria for full nationality are based upon another religious identification. It is small wonder, therefore, that the item of Jerusalem is again inscribed on our agenda.

137. As in past debates on the same item, the arguments are geared to population counts, to political unity, to economics, to some sophisticated and some not so sophisticated formulas for establishing State sovereignty on the one hand, while acknowledging the need to create conditions of transcending spiritual universalism for all the great religions, on the other hand. The words of the Old Testament cynic intrude upon this new debate. Surely, "There is nothing new under the sun". What can be said that is new? And if something new is said what new hope is there that it will lift the fate of Jerusalem out of the historic niggling over the letter of the law and produce a situation in which this body will be able to establish the equity which alone can make Jerusalem a city of peace?

138. We may find, as we should, that the newer Israeli-Zionist aggressions deserve still another rebuke, another rebuke against the aggressor and the exploiter. But history eloquently testifies that a rebuke, like past rebukes, will not save the city, because little of the spirit which makes the city holy will transcend the quibbles over language designed to narrow the interpretation of the letter of the law, unfortunately leaving loop-holes to the advantage of the aggressor.

139. We know, I think, where to turn for a formula for the salvation of this unique city. Perhaps to the Old Testament, to the New Testament, to the Holy Koran—to the sacraments of our common spiritual heritage, all of which are so inextricably linked to Jerusalem.

140. It takes no theologian to know what a Jeremiah, a Jesus, a Mohammed would say if any one of them—or all three of them—were a member of this deliberative body. They would thunder in oral indignation to find the money changers in the temple of Jerusalem. Their voices are voices along with those of other great law-makers of mankind to which this man-made instrument struggling for peace should listen. For it is their voices echoing down the ages in the hearts of hundreds of millions of the peoples of the world which give Jerusalem its sanctity. And I remind my colleagues that the United Nations is chartered to serve "the peoples" of the world.

141. I am as prepared as anyone to engage in the inevitable polemics, the semantics and the legal hair-splitting. However, what I am saying is that a tortured, bewildered and war-weary world expects better of us in all things and feels, instinctively at least, if not justifiably consciously, that when we confront the problem of Jerusalem we must do better. They expect us to drive the money changers from the temple. But we cannot do this until we first drive the pettiness, the hypocrisy and the worship of power from those who are power hungry. We can emancipate Jerusalem if we will it, and make it what the dreams and the aspirations of "the peoples" wish it to be. We can do this by listening to the spiritual giants and law-makers of the world who gave character to our separate ideologies and who, in doing so, gave Jerusalem a special meaning to the entire world. We can redeem Jerusalem through justice and righteousness, by rendering to God that which belongs to God and by staying the hands of the conquerors, the Caesars, whoever they are. That is what our Charter requires us to do and there is no place more fitting

to begin than with the city holy to Christians, Moslems and Jews.

142. What has been taking place and is still taking place in Jerusalem now is but a small part of what has been taking place and is taking place in all the occupied Arab territories. I should be remiss in my duty if as an Arab spokesman I did not once more place the problem in all its grave dimensions before this principal organ of the United Nations.

143. Only a few days ago, on 23 September, the *Jewish Telegraphic Agency* reported that Israel's population had topped 3 million. It stated the following:

"The Central Bureau of Statistics announced yesterday that Israel's population now stands at 3,062,000, of which 2,610,000 are listed as Jews and 452,000 as non-Jews. The latest figure represents a population increase of 67,000 Jews and 17,000 non-Jews since last year. According to the Bureau, 60 per cent of the Jewish population growth represented natural increase and 40 per cent immigration. The growth of the non-Jewish population was almost entirely by natural increase."

144. What about the city of Jerusalem? We listened during the debate at the last meeting to the figures given by the Israeli representative about the number of Jews, Arabs, Christians and Moslems in the Holy City. I have here the statistics from the survey of Palestine prepared by the Secretary of Information for Palestine of the Anglo-American Committee of Inquiry—a British-American body. They speak about the census of 1922 and 1931, when there were 56,346 Arabs and 34,431 Jews. At the same time they give the figures for the total settled population in Jerusalem for the end of 1944 when there were 140,532 Arabs and 100,200 Jews. Those are the figures of the Palestine Anglo-American Committee, and they are embodied in the *Palestine Yearbook* for 1947-1948.

145. According to the statistics given by Mr. Tekoah the number of Jews in 1970 was 215,000 while that of the Arabs, Christians and Moslems was 70,000. That shows the dimensions of the conquest to which we are witness and of which the Arabs alone are the victims.

146. We have listened to the representative of Somalia submitting a draft resolution. But my delegation believes that the Security Council should have started at the place where the issue was left after the adoption of resolution 267 (1969) on 3 July 1969. Members who have already addressed the Council have quoted paragraphs 6 and 7 of that resolution.

147. They read as follows:

"Requests Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of the present resolution;

"Determines that, in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter."

148. It is a well-established fact now that Israel gave no response at all. Its answer was negative; its violations continued unabated. On the other hand; the Secretary-General, in accordance with paragraph 8 of that resolution, has submitted since its adoption only six reports to the Security Council. A careful study of those six reports of the Secretary-General is enough to establish cause not only for the condemnation of Israel but also for the application of Chapter VII against Israel.

149. In my last statement to the Council [1581st meeting] I quoted from the Advisory Opinion of the International Court of Justice on Namibia,⁴ to which the representative of Somalia has already alluded. I dealt with the consequences of illegality. But there is a further step in the Advisory Opinion of the International Court of Justice, which, I believe, in its entirety constitutes a landmark not only in the troubled history of the former Mandated Territory of South West Africa but also in the evolution of international law, and more specifically in the subject of Jerusalem we are discussing.

150. The Security Council has so far adopted three resolutions; they are in addition to the two resolutions of the General Assembly. The Advisory Opinion, after having elaborated on the consequences of illegality, stated the following with regard to the duty to enforce Security Council resolutions. Paragraph 113 of the Advisory Opinion states:

"It has been contended that Article 25 of the Charter applies only to enforcement measures adopted under Chapter VII of the Charter. It is not possible to find in the Charter any support for this view. Article 25 is not confined to decisions in regard to enforcement action but applies to 'the decisions of the Security Council' adopted in accordance with the Charter. Moreover, that Article is placed, not in Chapter VII, but immediately after Article 24 in that part of the Charter which deals with the functions and powers of the Security Council. If Article 25 had reference solely to decisions of the Security Council concerning enforcement action under Articles 41 and 42 of the Charter, that is to say, if it were only such decisions which had binding effect, then Article 25 would be superfluous, since this effect is secured by Articles 48 and 49 of the Charter."

151. The speakers who have preceded me in this meeting have all expressed their opposition to Israel's violations of international law and to its utter disregard for the stipulations and provisions of the three Security Council resolutions. But how is that opposition to be translated into actuality? How are we to enforce upon Israel that opposition which we have been hearing in the Council here?

152. Although the United States has not participated in this debate, I should like to quote from the deliberations that took place in the Council on 1 July 1969, at the 1483rd meeting. The then Permanent Representative of the

⁴ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

United States, Ambassador Charles Yost, said the following:

"The United States considers that the part of Jerusalem that came under the control of Israel in the June 1967 war, like other areas occupied by Israel, is occupied territory and hence subject to the provisions of international law governing the rights and obligations of an occupying Power. Among the provisions of international law which bind Israel, as they would bind any occupier, are the provisions that the occupier has no right to make changes in laws or in administration other than those which are temporarily necessitated by his security interests, and that an occupier may not confiscate or destroy private property." [1483rd meeting, para. 97.]

153. In the light of all this, any new draft resolution should have embodied what has already been established in international law as the measures to be applied against Israel. In that connexion one should bear in mind Israel's obligation under the Charter of the United Nations and the principles of international law to put an end to its illegal administration in Jerusalem and to all legislative and administrative measures and actions taken by it in contravention of the aforementioned principles and resolutions. It should also be determined that Israel's unilateral annexation of Jerusalem brings international responsibility arising from the continuing violation of an international obligation.

154. Condemnation of the acts of Israel is a matter of fact, but there are too the duties of the members of the Security Council, Members of the United Nations. The Security Council should therefore call upon all Member States of the United Nations, in accordance with the Advisory Opinion of the International Court of Justice, to recognize the illegality and invalidity of Israel's actions in Jerusalem, and to refrain from giving any support or any form of assistance to Israel because of its illegal annexation and the other measures it has taken in Jerusalem.

155. The second consequence of that would be the application of sanctions; but, unfortunately, in spite of the pious statements of some Member States, and even of the Security Council, help is still being tendered to Israel, encouraging it in its annexationist and expansionist measures—and first and foremost by the Government of the United States of America.

156. My delegation would like to submit the following amendments to draft resolution S/10337 presented by the representative of Somalia. These amendments have already appeared; they will be distributed to members in document S/10338.

157. First, in the first line of paragraph 4, after the word "Israel", the following would be added: "to rescind all previous measures and actions and". The paragraph would then resume with the words "to take no further steps", and so on.

158. Second, in paragraph 5, "sixty" would be replaced by "thirty".

159. While I am on operative paragraph 5, there is a grammatical error in that paragraph which should be corrected. Paragraph 5 at present reads as follows:

"Requests the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, . . .".

The word "he" should be "they", because the Security Council is making the request of both the Secretary-General and the President of the Security Council. Therefore, the logical thing would be to consider them together, and say "as they may choose," and so on.

160. My third amendment is to add an operative paragraph 6, which would read as follows:

"Decides that the Security Council shall reconvene without delay to consider the report referred to in operative paragraph 5 and what further action should be taken under the Charter."

161. The rationale behind those amendments is the following. With regard to the first amendment—namely, to add the words "to rescind all previous measures and actions and"—those words are to be found not only in Security Council resolution 267 (1969) but actually in all resolutions on Jerusalem adopted by the Security Council and the General Assembly. With regard to the replacement, in operative paragraph 5, of the word "sixty" by "thirty", the General Assembly should be made aware of what the consequences of the requested mission and its report should be. The reason for the addition of operative paragraph 6 is that, in view of past experience, especially that to which I referred in connexion with resolution 267 (1969), it has become obligatory for the Council to meet after a report has been submitted to it.

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

163. Mr. BUSH (United States of America): I am not clear what the representative of Syria was proposing. Was he indeed proposing another amendment, which would simply change the word "he" to "they"? It is in good English as it is written, and its meaning is very clear. I raised a point of order because I was not clear about his proposal. Was he proposing an additional amendment to those in the document that we have been handed? As I say, the text certainly makes good sense as it is. I think the sponsor was well aware of the text being submitted in this form, and it is good English as written. It is not a grammatical error. I simply ask you, Mr. President, whether it is your understanding that we should add to this list what has been submitted to us as a fourth amendment.

164. The PRESIDENT: I was going to ask the same question of the representative of the Syrian Arab Republic: whether he is proposing a formal amendment—a fourth amendment.

165. Mr. TOMEH (Syrian Arab Republic): I suggested that "he" be replaced by "they" on the basis of its being a grammatical equivocation, because one could understand it either way. Therefore I propose it as an amendment.

166. The PRESIDENT: The next speaker on the list is the representative of Saudi Arabia. I invite him to take a place at the Council table and to make his statement.

167. Mr. BAROODY (Saudi Arabia): I should have preferred to make my statement after Mr. Tekoah's speech, but Mr. Tekoah and his delegation did not make an appearance until this late hour. The reason for their absence early this afternoon, I was told, might be that today is the Jewish Sabbath. Others said that Mr. Tekoah and his aides might come at 7.32 p.m.—the end, or at sundown. Indeed the Israeli delegation entered the Council Chamber at 7.34 p.m. It must have taken them two minutes to come from the entrance of the Headquarters building to the Council Chamber when they thought they could start work. I doubt whether Mr. Tekoah has turned so religious as to think that his presence in the Security Council on the Sabbath would be considered sacrilege. If that is the case, then the Council should never meet on a Friday or Sunday, which are days of rest for Moslems and Christians. I believe that we have met many times on a Sunday and sometimes worked until the early morning hours, regardless of whether it happened to be holy for Jew or Gentile. Let us be mindful of the fact that the monotheistic religions are not the exclusive religions of the world. I believe there are about 2,000 religions, and there are many adherents of different religions around the Council table. There are people with no religion whatsoever. If we are going to respect the religious days of every denomination, I dare say we had better close shop in the United Nations. Did the Zionists consider it sinful to wage war on Saturday during the six-day war in June 1967, or do they cease military operations on any Sabbath, for that matter? I suspect that Mr. Tekoah absented himself because to some extent he treats the decisions of the Council with contempt. His reaction in the past as far as General Assembly and Security Council decisions were concerned indeed was the height of cynicism.

168. It may be recalled that in my last statement [*1581st meeting*] I told the Council that I would dwell at some length on why Israel has chosen to make old Jerusalem the capital of world Jewry. Time and again I mentioned that from the very beginning political Zionists had used Judaism as a motivation for political and economic ends. We all owe a great deal, especially those adherents of monotheistic religions, to Judaism, to the prophets, who lived and thrived in our midst—but not in the Balkans. Those prophets were not descended, either by blood or by culture, from the Khazars, who really introduced this movement into the world in 1896, when Theodore Herzl published what I would call the rules and regulations—or call it the manifesto—of political Zionism.

169. After the occupation of the old part of that city, the Zionists tried to consolidate it with the part they had occupied after the creation of Israel by usurping Palestine. Jerusalem, they tell us, is indivisible and inviolable. That is a big claim. But who is violating the decisions of the Security Council and the many resolutions that have been adopted by the General Assembly? If indeed old Jerusalem was so holy to the Zionists they would not change its character. Only the other day Mr. Tekoah told us what the Zionists were doing in Jerusalem. They want to make it the

prototype of a modern city. Apartment houses with all conveniences are being erected and made available to favoured immigrants from abroad.

170. Jerusalem is being changed to suit their long-laid project of making the Holy City a magnet for all the Jews in the world. Hence they say Jerusalem is the capital of all Jewry. I mentioned in my last statement that we would like to know whether many loyal Jews in countries all over the world would declare themselves as Israelis or as nationals of their respective countries and consider the capitals of their respective countries as their own capitals. But I am not that hopeful that the Council will do something in that direction, to hold a plebiscite and find out from the Jews or resort to the Gallup poll—you have a Gallup poll here in Princeton—to find out how many American Jews would consider Washington as their capital and how many would say that Jerusalem is their capital.

171. Something very serious happened. Where is U Thant? I do not see him sitting in his seat. I wish he were here because this has a direct bearing on something that U Thant said yesterday during a very sumptuous banquet that was given at the Waldorf Astoria by an organization known as "In the U.N. we believe". I happened to be present. U Thant is an honourable man, but he must have been exasperated by the pressures that were brought to bear on him by the Zionists. Some of you may have heard what he said. Others, I am sure, did not take into account what he said. So why try to paraphrase what our illustrious Secretary-General said. Why not read excerpts from his speech that relate to this very question. Here it is. I got it this morning. I do not have to paraphrase any thing. He said:

"In many ways the Secretary-General's activities in the sphere of good offices may be compared to an iceberg, only a small portion is actually visible and a very substantial part remains submerged. Tonight I am illustrating this point with a purpose."

Our beloved Secretary-General continues:

"In the course of the last two years many requests and appeals from Soviet citizens of the Jewish faith wishing to leave the Soviet Union for Israel have been officially brought to my attention. I have received such appeals, individually or collectively, from some 800 persons, and have in all cases undertaken to do all within my power to help, while at the same time pointing out that in such matters the greatest discretion and lack of publicity are essential.

"Last month I was gratified to be informed officially that more than 400 out of 800 appellants on my list were now in Israel. At the same time appreciation was expressed for my efforts in this delicate matter. I very much hope that this favourable trend will continue."

172. I am not going to read selectively all that the Secretary-General said, but I have to quote another few lines from his speech to show you to what lengths political Zionism goes to attain its ends. And in retrospect I will read a few passages for the record about what they have done to

the host country of the United Nations, trying to blackmail or coerce or twist the arms of the officials of the Government of the United States. Thank God we have the Republicans in office, because all the ills came from the Democrats in so far as Palestine is concerned. I do not know, they may be just as bad. The Secretary-General goes on to say:

"In fact, my office has been receiving"—and mark those words, please—"a continuous flow of criticism and complaints, some of them violent to the point of irrationality, on this matter."

I do not know but that they may have threatened to kill the Secretary-General. How do we know?

"This tide of uninformed abuse comes from both individuals and organizations which accuse the United Nations"—meaning him, too,—“of indifference, apathy, impotence and worse. In all fairness to the United Nations, and indeed to all those with whom I have dealt on this question, which is a difficult one for all concerned, it therefore seemed to me necessary now to make a brief statement of the facts of the matter.”

173. What assurance do the Moslems of the world and the Arabs in particular have that those political Zionists will not continue their pressures, their arm-twisting, sometimes their blackmail, to attain their purpose? The Soviet Union has 3 million Soviet Jews. I doubt that they are disloyal to the Soviet Union. There are many distinguished Jews in the Soviet Union. But the Soviet Jews are human; they can be brainwashed by incessant propaganda. There are many loyal American Jews in the United States, but we have seen how, within 20 years, they roused them into a frenzy on behalf of Israel. What assurance do we have that this Jerusalem is not being prepared as a showcase of the modern Israeli State, setting aside the historic relics, bulldozing the cobblestones, each stone replete with history, so that they may have a showcase, they may have a modern capital to receive those Jews from abroad who like comfort and at the same time bask in the sun of what the Zionists try to tell them is their duty.

174. I have said that this is nothing new. In fairness to the Soviet Union I shall show you what they have done—and I was in this country dealing with the question, unfortunately for me and everybody concerned.

175. I knew Colonel Eddy. I think Ambassador Bush was too young to know him. He was one of the most dedicated public servants of the United States. I shall quote what he said about none other than George Wadsworth, who was one of my colleagues, the Deputy Permanent Representative during the days when Mr. Austin was the Permanent Representative of the United States to the United Nations. He was a Senator—Senator Austin—and is reputed to have asked: “Why do you Jews and Moslems not have the Christian spirit and come together and finish this question?” That shows he was a good man from Vermont. He thought the Christian spirit would enable them to come together and solve their problem. What “Christian spirit”, when they were cutting one another’s throats in Europe? The war was hardly over, in 1947, when he said that. May God rest his soul for being a good Christian.

176. Here is a quotation from Colonel Eddy:

“The spokesman for the group, George Wadsworth, presented orally an agreed statement in about twenty minutes. There was little discussion, and the President”—meaning President Truman; remember he was a Democrat—“asked few questions in the meeting whose Minutes have been carefully guarded by the Department of State. Finally, Mr. Truman summed up his position with the utmost candour”—and now I am quoting Mr. Truman, a former President of the United States—“I’m sorry, gentlemen, but I have to answer to hundreds of thousands who are anxious for the success of Zionism. I do not have hundreds of thousands of Arabs amongst my constituents.”⁵

Israel was therefore created to further the chances of a President for re-election.

177. But why quote only Colonel Eddy, whom I happened to know personally, a very honourable man who was there and heard what the President said? Why not quote Mr. David Horowitz? Who is Mr. David Horowitz? He was a member of the Jewish Agency Executive. He has said what was resorted to so as to create the State of Israel, or at least to lay the ground for the creation of the State of Israel by the partition of Palestine. I shall now quote Mr. Horowitz:

“The fighting spirit rose in us again. We met at the Agency offices and consulted on ways and means to turn the wheel of events once more. The struggle began again. The telephones rang madly. Cablegrams sped to all parts of the world. People were dragged from their beds at midnight and sent on peculiar errands. And, wonder of it all, not an influential Jew, Zionist or non-Zionist, refused to give us his assistance at any time. Everyone pulled his weight, little or great, in the despairing effort to balance the scales in our favour”⁶—

the scales of partition. See how Israel came into being? But that is not all, because Mr. Horowitz goes on to say:

“Explanations, cajolings, pressure, and use of pull—all these he operated with skill and success. He was glued to the telephone day and night, speaking with the capitals of the Latin American republics,”—

incidentally, Moshe Tox was doing this; he was in charge of the Zionist political work in Latin American countries; he was here on assignment to work on a few Latin American countries—“and his emissaries sped to every part of the continent.”⁷ I shall not mention any more names; I do not want to embarrass some colleagues who are here. But that was not all.

178. I was at Lake Success and I am reminded of what happened. I read this out for the record:

“However, the Philippine Ambassador in Washington phoned President Roxas informing him of the great

⁵ See Richard P. Stevens, *American Zionism and U.S. Foreign Policy 1942-1947* (New York, Pageant Press, 1962), p. 138.

⁶ *Ibid.*, p. 177.

⁷ *Ibid.*, p. 178.

pressures being exercised to change that country's vote. While not himself in favor of partition, Ambassador Elizalde reported that the United States seemed determined on partition and that it would be foolish to vote against it"⁸ —

because they would not receive aid. I could go on and on to show that there is nothing new. And the efforts are now snowballing. Those efforts, we are told by the Secretary-General, are efforts that may be like the lower part of an iceberg—hidden from us.

179. Only last night the Secretary-General slipped, I think, and gave away what was happening. He must be very embittered, because he has been the butt of a campaign in the Zionist press. They always remind him: "You said you are not going to serve again" a broken record in the Zionist press: "the Secretary-General has said time and again that he would not serve any longer: even if it were in the interest of the United Nations for him to stay on a little longer until the Organization finds a suitable successor".

180. Jerusalem is the symbol of Israel, a State created artificially, as I have shown, at the expense of the indigenous population of Palestine. They could not have been Arabs; they could not have been Moslems; they were the indigenous people of Palestine. And when Mr. Tekoah tried to prove his argument with figures I reminded him in my last intervention that in 1919 the Jewish population of Palestine had been less than 6 per cent. Mr. Wilson, a former President of the United States, was persuaded by none other than Judge Brandeis—a confirmed Zionist, a member of the Supreme Court of the United States. And on behalf of the Zionists that fellow Malcolm, originally an Armenian, persuaded Sir Percy Sykes of the United Kingdom to bring pressure to bear on the Cabinet during the First World War to make a promise to the Jews which was crystallized in the Balfour Declaration.

181. The price was that the Zionists in the United States would railroad the United States into the First World War. Mr. Wilson, if one reads the records, promised the people of the United States that he would keep them out of war. I am not talking about theory; the record stands. History speaks—and not Baroody claims. We Arabs are afraid that Jerusalem will become the symbol of a State that is set to exploit not only the Arab world economically but the whole Middle East, which is the gateway to the continent of Asia from the west. They have used their artists to attain their ends.

182. I was in Paris on 7 September, at Orly, and I saw the Zionist emblem, which is called the Star of David. If King David only knew what the political Zionists would do I think he would shed tears to see so much suffering prevailing now in the land of Palestine. I have before me the magazine *Le Nouvel Observateur*. It says: "*La Confession d'un Espion Israélien*". Then there is the following: "*Notre Epoque—Les Deux Violons de Shamir*". Shamir is a very proficient violinist. It goes on to say: "A sabra virtuoso says how one enters the Secret Service and how one gets out of it."⁹

⁸ *Ibid.*, pp. 180 and 181.

⁹ Quoted in French by the speaker.

183. We know, for our part, how Cohen, the spy—he has been almost canonized by the Zionists; they do not believe in saints anyway, but they have almost canonized him—operated in Syria. Now this gentleman, Igal Shamir, is a very proficient violinist. Even that Princess in Belgium, who is fond of music did not know that he was a spy and invited him to perform in Brussels. It is all here in this magazine. This is his interview. I am not going to burden the members of the Council with a long article. But for the benefit of those who still think that the Zionists, after all, should get what they want in Jerusalem, for the benefit of those friends of Israel, I think I must read how this gentleman was even spying on the Soviet Union. He performed in the Soviet Union. I do not know where you were, Mr. Malik. With your indulgence, Mr. President, I shall read something that is very relevant and clear: "A Soviet delegation arrived in France at the time of the *Salon du Bourget*. There was Gagarin, but primarily Ilyuchin, Tupolev and a third aeroplane construction engineer who, I think, was called Antonov."⁹ This is what is said by the spy musician.

"After the official reception in Paris, they were supposed to visit the Sud-Ouest aeroplane factories under the aegis of a great French plane constructor, whom I shall call Serval. I had already played for Serval because Mossad had very often arranged private concerts for me at the homes of Ministers or of important persons. I met him at Bourget, and I managed to convey to him the idea that the Soviets might be interested in hearing some concerts. I accompanied the Franco-Soviet group in all their travels including the visits to the plants and factories, and I was able to gather interesting information on the course of the negotiations. My report filled 40 pages."⁹

184. The alleged Soviet spies in London are child's play. Listen to what is happening here: "How did Mossad cover up the project?"⁹

185. I will not mention now the name of General de Gaulle because, really, it is not appropriate to see how he was being maligned. But I will mention here what is said by Mr. Igal Shamir:

"Is the collaboration between Mossad and the CIA permanent?"—he is asked. "Yes. Jordan, for example, the Zionist leader whom the Czechs liquidated in Prague. Jordan was at once a great agent of Mossad and a great agent also of the CIA. And I myself, in 1964, carried out a mission in the Soviet Union in order to contact clandestine Zionist organizations, and I had some very serious troubles. It was the Americans that saved my life. But I prefer not to speak of that."⁹

186. At the end of the interview, he says: "I would like the article to end with a comma and not a full-stop."⁹ The written comma means a pause, a short one.

187. What assurance do we Arabs have, with all those attempts, machinations and pressures? Everything is permissible nowadays. They say "All's fair in love and war". There is a war—to establish a domain, an empire, with Jerusalem as its capital, for the ingathering of the Jews from all over the world, Jews who would like to identify themselves with the countries of their birth or adoption.

188. Do you blame us Arabs for coming here and unfolding before you the reasons for our apprehension, our fear? Assurances will be given to us? By whom? By the great Powers? The great Powers do not want to have a confrontation on our account. Each pursues its own interests—legitimate or illegitimate; we shall not go into that because we shall then be digressing from the item before us.

189. I maintain that when some wealthy Zionists find out that the pressures in the Western democratic countries are great, that their capital is being taxed, they look to a virgin territory, the portal of Asia. "Why not establish ourselves in Israel and make it the headquarters for economic expansion?" That is why the Zionists do not want to accept an economic peace with the Arab States so that they can trade and flourish.

190. As I have said time and again, within thirty-two years—I witnessed it myself—they have made this city of Manhattan their own. Why should we not be apprehensive that they will exploit the whole of the Middle East, the whole of the Moslem world that starts in North Africa and ends in Afghanistan—Turkey, Iran, down the Sudan and the littoral of the Red Sea? Anyone would be afraid, and it is a legitimate fear.

191. The hour is late. I shall have an occasion to present more documents—documents not concocted by any propagandists but prepared by historians. I will adduce arguments based on facts to show that if the members of the Council, who are entrusted with questions of security, do not act the Zionists will not only treat us all with contempt but they will continue doing what they have been doing with impunity, because they have found that through their agents, through their bankers, through politicians in almost every country, they can influence votes, can bring pressure to bear, can keep us in subjugation. And we, the Arabs, are still alive. You cannot do away with 110 million of us. And one day if the Moslem world is roused—and it might be—there could be a holocaust in certain parts. That would be deplorable, and you, the members of the Security Council, would have to account to your consciences.

192. The PRESIDENT: I should now like to make a few observations on the subject under discussion in my capacity as the representative of JAPAN.

193. It is extremely disheartening to note that we are once again called upon to discuss this most difficult and complex problem of Jerusalem. The root of the question runs deeply into the long history of the Holy City, which is the spiritual cradle for the Jews, the Christians and the Moslems. We, the people of Japan, with our own strong spiritual tradition, have feelings of deep sympathy with the historical and cultural heritage of Jerusalem which should be shared and appreciated by all humanity without distinction as to race, language or religion. In this respect, the question of Jerusalem is unique indeed.

194. Security Council resolution 242 (1967) lucidly emphasizes in its second preambular paragraph the inadmissibility of the acquisition of territory by war, and this fundamental principle is applicable in the case of Jerusalem.

Therefore we join with those who have reiterated their call to Israel to rescind all legislative or administrative measures already taken and to desist from taking any further action which would alter the status of Jerusalem.

195. In that connexion we have taken note, with deep sympathy and understanding, of the Secretary-General's report of 18 February 1971 [S/10124], as also his subsequent follow-up reports dated 20 April [S/10124/Add.1] and 20 August [S/10124/Add.2] respectively on the status of Jerusalem and the problem of the United Nations premises in that city. It is deplorable that despite the repeated requests of the Secretary-General for detailed information relative to the so-called master plan there has so far been no satisfactory response from Israel.

196. We hope that the Secretary-General is correct in his understanding, mentioned in his latest report, that

"the Government of Israel, having already discontinued all construction and other work within the area of the United Nations premises at Government House as constituted on 5 June 1967, will refrain from reinitiating such construction and other work within the said area until the difference of opinion reflected in the 1967 exchange of letters has been satisfactorily resolved".

197. Furthermore, the Japanese delegation wishes to reaffirm a principle already established by a series of United Nations resolutions—namely, the desirability of establishing an international régime for the city of Jerusalem.

198. We cannot overstress the importance of a fair and unbiased approach to the Middle East question. In the view of the Japanese Government the Council should strongly oppose all unilateral measures that might alter or prejudice the status of Jerusalem. At the same time, we call upon the parties concerned to use self-restraint regarding any actions that may tend to have an adverse effect upon the achievement of a just and lasting peace in the area concerned.

199. In view of the prevailing circumstances we might well ask the Secretary-General, in consultation with the President of the Security Council, to designate a representative or a mission to look into the situation and report to the Council within a reasonably short time. What is most important in this regard is securing the maximum necessary co-operation from the parties concerned so that such an instrumentality as a representative or mission would be able to pursue its mandate effectively. For that reason my delegation will vote in favour of the draft resolution introduced by the representative of Somalia.

200. Speaking in my capacity as PRESIDENT the next name on the list of speakers is that of the representative of Israel, on whom I now call.

201. Mr. TEKOAH (Israel): I should appreciate it if it were recorded that today's meeting of the Security Council was called over my delegation's objections to convening a meeting after a lengthy interval in our debate on the Sabbath of Atonement and that the Israeli delegation absented itself from this meeting until the end of the Holy Day.

202. I have asked to speak to reply to some of the statements made by members of the Security Council. It would of course be impossible for me, and I do not intend, to react to all the wide-ranging dissertations and sometimes almost childish distortions on such subjects as Khazars, the Sabbath, the Secretary-General's views on Soviet Jewry, on spying and so on which previous speakers voiced without being called to order and without being interrupted by anyone. Neither will I stoop to reacting to the Syrian representative's cry to chase the money-lenders out of the temple. If there were any doubt concerning the true character of the charges put forward by Arab delegations against Israel, this Syrian battle-cry will dispel these doubts.

203. There is a land in which the Jewish minority, several million strong, is deprived of its national and individual rights. The Jews of that country are not permitted to lead Jewish lives. They are prevented from studying the history and language of their people. It is a crime for them to possess Hebrew language textbooks and some have even been jailed for it. Jewish organizations are prohibited and Jewish schools, theatres, newspapers and publishing houses are closed. Communication with Jewish communities abroad is curtailed. The right to reunite with their families and to join their people in the Jewish homeland is severely restricted. Yet the representative of that State professed concern for a situation in which an Arab minority in Jerusalem possesses all the rights that Jews in his country are denied, basks itself in the splendour of the Arab cultural and religious heritage, enjoys freedom of movement and communication and lives through a period of unprecedented progress and prosperity.

204. There is a capital city in the world with a Jewish minority of half a million. There is not a single Jewish school in it. In Jerusalem the Arab minority which numbers less than 70,000 has 53 Arab schools. The half-million Jews have one rabbi, one synagogue and two small houses of worship. The Moslems of Jerusalem have 36 mosques and 11 prayer rooms. In addition there are 54 Christian places of worship and sanctuaries. And therefore I would simply say to the representative of the Soviet Union that as long as the situation of Soviet Jewry remains as it is today, Soviet views . . .

205. The PRESIDENT: I call on the representative of the USSR on a point of order.

206. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): I strongly protest against the insolent and cynical attacks by the Israeli representative against the Soviet Union. We are considering here not the problem of the Soviet Union but the crimes committed by the Israeli aggressors on Arab territory, in Arab Jerusalem. In making such statements, the Israeli representative is defying you, Mr. President, and is showing a lack of respect for your appeal that we should limit ourselves to the problem under consideration, namely the question of Jerusalem.

207. I would ask you to call the Israeli representative to order.

208. The PRESIDENT: Please proceed.

209. Mr. TEKOAH (Israel): Had the Soviet representative allowed me to proceed with my statement he would have heard that although at present little value can be attached to Soviet observations concerning the rights of peoples and of individuals in other countries, as the situation of Soviet Jews improves the voice of the USSR on these matters will undoubtedly be heard with growing respect. Indeed, it is natural to expect that the permanent members of the Security Council not only live up to the tenets of the United Nations Charter to the same degree as other Member States, but serve by their behaviour as examples to others. And it is in this spirit that I should like to express the hope that the Soviet representative—and I am replying to his statements—will abandon his gratuitous abuse of Israel, the Jewish people and the Jewish people's national movement of liberation, Zionism. The Soviet Government knows truly what Zionism is. The present Minister for Foreign Affairs of the Soviet Union, Mr. Gromyko, stated in the Security Council on 21 May 1948:

"The USSR delegation cannot but express surprise at the position adopted by the Arab States in the Palestine question, and particularly at the fact that those States—or some of them, at least—have resorted to such action as sending their troops into Palestine and carrying out military operations aimed at the suppression of the national liberation movement in Palestine" [299th meeting, p. 7].

210. It does not augment the Soviet Union's repute if it heaps invective on the Jewish people's love of Jerusalem, of Zion, on its aspiration to freedom and equality with other nations. After all, this is what Zionism is. One cannot but express also the hope that the Soviet Union will eventually discard those patently untruthful clichés which we heard again today to which it invariably resorts on Middle East questions. The Soviet Union is fully aware who is the aggressor in the Middle East. It knows who started the war in 1948 and who has refused to terminate it until this day.

211. The fact that Arab aggression failed in 1948, that it was contained during the Armistice period and then effectively defeated in 1967 does not turn the Arab aggressor into a victim of aggression. What would the Soviet representative say if anyone were to suggest that until the Battle of Stalingrad Nazi Germany was the aggressor but that when Soviet forces succeeded in pushing the invading armies back and occupying part of Germany, it was the Soviet Union that became an aggressor?

212. The Soviet representative time and again, unfortunately, throws at us the profanity of such epithets, again reiterated today, as "Hitlerite" and "Nazi". In it he follows those backward Arab States which, having collaborated with or sympathized with Hitler, and continued his policy of oppression against Jews, now try to sling at others the mud with which they are covered. To apply to Jews the epithet "Hitlerite" is to insult the memory of 6 million Jews killed by the Nazis. To call Jews "Hitlerites" makes as much sense as to call Communists Nazis—and is certainly more despicable.

213. I am certain that when the Soviet Union frees itself of these blemishes, when it stops identifying itself blindly

with Arab aggression against Israel and supporting it in a manner which displays little regard for the Soviet Union's obligations and responsibilities under the Charter, it may be able to encourage peaceful agreement between the parties. As long as it persists in its present attitude, its role remains negative and even destructive.

214. For four months the Jordanian Government talked of raising the Jerusalem situation in the Security Council. For four months members of the Security Council tried to dissuade it from doing so. In fact it is clear to all that nothing has occurred in Jerusalem that warranted an urgent debate of the Council. It is clear that Jordan's internal and inter-Arab difficulties cannot justify an attempt to mobilize the Council in opposition to Jerusalem's happiness and progress. Our debate has demonstrated the veracity of these assumptions. The record of our discussion shows how Jerusalem has been restored to its natural state of unity and integrity, how its life and growth have since 1967 proceeded again on a normal course, how the sanctity of Jerusalem's Holy Places has been safeguarded and strengthened, how the rights of all its inhabitants are protected.

215. Indeed, the only event to mar this situation was an Arab assault last Sunday on Christian pilgrims in Via Dolorosa resulting in the death of an Arab girl and the wounding of five American tourists. It is to be observed that this attack on Jerusalem's peace and sacredness was carried out by a terror organization based in Lebanon, which used Lebanese media of information to confess responsibility for this criminal act. This is the same Lebanon which shed crocodile tears before the Security Council, alleging interest in the religious attributes of Jerusalem, while harbouring the machinery of terror warfare always on the ready to murder children and profane the holiness of a Sunday morning on Via Dolorosa, simply to score a point in the Security Council argument against Jerusalem.

216. One cannot but wonder whether, in lending support to Jordan's irresponsible complaint and to the equally irresponsible draft resolution before us, sufficient thought has been given to such foreseeable consequences.

217. Having listened to the statements made today by Members of the Council, one cannot but wonder also whether the true interests of Jerusalem and its population and the situation of the holy places are in fact the considerations which guide this debate to the extent that they deserve to do. If they did, how could one explain opposition to measures undertaken by Israel since 1967 to ensure progress, prosperity and peace in Jerusalem? The following description of Israel's measures appeared in the respected Paris daily *Le Figaro* on 15 September 1971:

"The Government of Israel is in a position to produce substantial testimony not only on the respect accorded by Israel to the universal character of this city and the scrupulous protection of holy sites safeguarded by law passed in 1967, but also as to the living conditions of the various communities, conditions which are tranquil and which, on the contrary, have contributed to the restoration of peace and security in Jerusalem.

"Since the reunification of Jerusalem four years ago, the Moslem population of the city has grown. This is not surprising, as one knows that the municipality has devoted great efforts to improve housing conditions in the eastern part of the city and that it has offered work to those who previously had known what unemployment meant.

"The Jordanian accusations, therefore, are even more extremist in that they tend to make one believe that before 1967 the eastern part of Jerusalem has known a normal situation. In fact, during the whole of the period of Jordanian administration, the Israelis were deprived of free access to their holy sites. It was made impossible for them to make use of their cemetery on the Mount of Olives in flagrant violation of article 8 of the Armistice Agreement. We saw their tombs desecrated and 34 of their synagogues out of 35 were destroyed."

218. *The Times* of London of 14 July 1971 echoes this evaluation of Israeli actions. It declared: "There is no doubt that most East Jerusalem people are better off under the Israelis". How can one justify then the suggestion that Israel should have refrained from taking the aforesaid measures? How can one vindicate the idea that Jerusalem should have been abandoned, abandoned in the state in which Israel found it on 7 June 1967—devastated and desecrated, stagnating in ruin, slum and squalor? Does anyone really believe that such an attitude can be accepted by enlightened public opinion? Does any one of the representatives at this table really feel that history's verdict on such a view can be anything but negative?

219. Those who cherish Jerusalem will readily recognize what love for Jerusalem means to the Jewish people and what labour of love Israel has infused into Jerusalem. The most reverend George Appleton, the Anglican archbishop of Jerusalem, declared in London on 10 June 1971:

"Let us gladly admit that the memory of the physical city and the symbolic Jerusalem have kept the Jewish faith alive not only in one lifetime span of the first exile, but through nearly 2000 years of the second exile. One cannot help feeling that Jerusalem means more to the Jew than it does to the Christian or the Moslem."

And then he continues:

"People readily appreciate Jerusalem is a living city and the development is inevitable, though it must be planned and controlled. It is good to note the beginning of building plans for Arab flats and houses both in Israeli Government schemes and in West Bank initiatives. May it increase rapidly."

220. Monsignor John M. Oesterreicher, Director of the Institute of Judeo Christian Studies at Seton Hall University, wrote in an article published in *The New York Times* on 26 May 1971:

"Last March, talking to the multitude in St. Peter's Square, Pope Paul spoke of 'the recognition of the extraordinary requirements of the holy places' is Israel and of a 'pluralism of historic and religious rights'.

converging in Jerusalem. He did not, as alleged, call for its internationalization. When one knows that his comments were elicited by an alarmist letter from three Jordanian bishops who envisioned an Israeli plot to oust Christian Arabs from the city and impede free access to the shrines, then the Pope's words appear rather low-keyed."

Monsignor Oesterreicher continues:

"At present dilapidated houses in the old Jewish quarter which Arabs took over under Jordanian rule are being rebuilt. The Arab inhabitants who had to vacate them were either fully compensated or moved to new quarters. Israel thus cares for its Arab population . . .".

221. The following declaration was issued on 17 June 1971 during an international conference of evangelical Christian leaders held in Jerusalem.

"We, the undersigned evangelical Christians committed to the integrity of Jerusalem the Holy City as the birthplace of our faith, want to commend the State of Israel for the scrupulous care with which it has protected Christian places and people. Taking note that throughout history Jerusalem has never been the capital of any people except for the Jewish people, we are struck by the fact that since the six-day war all people are free to worship in the place of their choice unlike the situation that obtained during the period 1948-1967. The unity of Jerusalem must be preserved at all costs."

222. Similarly attested are the respect, protection and immunities enjoyed by the religious interests of Islam. To the declarations brought by me before the Council in previous meetings I should like to add a statement of special significance and interest in this debate. The President of the All-Moslem Congress of Sierra Leone broadcast on 30 June 1967 the following message, after a visit to the Al Aqsa Mosque:

"From this Holy Place I declare frankly and with conviction that places holy and consecrated to Islam, the Mosques and the Chapels, are properly guarded and that there is no violation of them. The Gates of the El-Gazzar Mosque, as well as the Mosques of all towns and villages, are wide open and filled with worshippers who fulfil their religious obligations in complete freedom."

223. A Moslem visitor from the Asian continent was impressed in the same manner. Mr. Salih Ututalum, a Moslem Minister in the Philippines Government, stated in a radio broadcast on 5 June 1969:

"I have met with Arab leaders—those in the old Israeli territories and those in occupied territories—and have talked with them. I have discussed the Moslem communities with them concerning their status and living conditions—discussed in private and in public—and judging by their frank answers I feel that everything is well. I found all Holy Places in fine condition. I have been told that the Government even contributes to the upkeep and the safeguarding of the Holy Places."

224. If this is the situation in Jerusalem, if its population is better off now than ever before, if the universal religious

interests are more fully protected and respected, what remains then to serve as an explanation for the reservations voiced today regarding Israel's policies and actions in Jerusalem? Israel—it was stated by some—should refrain from changing the status of Jerusalem. Which status? The one of illegal and unnatural partition and mutilation of the city brought about by Jordan's invasion of 1948 in open defiance of the Charter and of United Nations resolutions? Since when does the United Nations Charter require, or even justify, the preservation of a situation brought about by the use of force—not in self-defence but in flagrant aggression?

225. References were made to resolutions calling on Israel to refrain from changing Jerusalem's status. Since when do political resolutions which reflect Israel's known parliamentary disadvantage in the United Nations votes supersede principles of international law, justice and morality?

226. References were also made to the Geneva Convention and other similar conventions which deal with the territory of one State occupied by another in armed conflict. Those references did not take into consideration one fundamental fact. There are no State boundaries. There have been no political boundaries between Israel and the Arab States—not because of Israel's fault. The Middle East has lived since 1948 in a state of continuing war and juridical chaos. The only lines separating Israel from the Arab States have been military lines—at first truce lines, then armistice lines, now cease-fire lines. The recognized boundaries are still to be agreed upon between the parties.

227. I have also heard reference to the status of Jerusalem coupled with allusions to General Assembly recommendations of 1948. Those recommendations, however, were trampled into dust by the Arab States. Besides, even those recommendations—had they been accepted and implemented—would have created only a temporary status for Jerusalem pending a referendum to ascertain the wishes of the city's population. Since 1948 the inhabitants of Jerusalem have expressed their wishes time and again, most recently in the municipal and national elections of 1969. In 1971 there is not the slightest doubt that the great majority of the inhabitants of Jerusalem long ago have established their inseparability from the State of Israel.

228. In conclusion I should like to recapitulate Israel's policy on Jerusalem as enunciated in a letter from Israel's Minister for Foreign Affairs to the Secretary-General which is contained in the Secretary-General's report of 10 July 1967 [S/8052]:

"The measures taken by [the Government of Israel] to secure the protection of the Holy Places a part of Israel's effort to ensure respect for universal interests in Jerusalem. It is evident from United Nations discussions and documents that the international interest in Jerusalem has always been understood to derive from the presence of the Holy Places. Israel does not doubt its own will and capacity to secure the respect of universal spiritual interests. It has forthwith ensured that the Holy Places of Judaism, Christianity and Islam be administered under the responsibility of the religions which hold them sacred. In addition, in a spirit of concern for historic and spiritual

traditions, [the Government of Israel] has taken steps with a view to reaching arrangements to ensure the universal character of the Holy Places. In pursuance of this objective, the Government of Israel has now embarked on a constructive and detailed dialogue with representatives of universal religious interests. If these explorations are as fruitful as we hope and expect, the universal character of the Holy Places will for the first time in recent decades find effective expression.

"The changes which have affected Jerusalem's life and destiny... may therefore be summarized as follows: where there was hostile separation, there is now harmonious civic union. Where there was a constant threat of violence, there is now peace. Where there was once an assertion of exclusive and unilateral control over the Holy Places, exercised in sacrilegious discrimination, there is now a willingness to work out arrangements with the world's religious bodies—Christian, Moslem and Jewish—which will ensure the universal religious character of the Holy Places."

229. The PRESIDENT: I call on the representative of Saudi Arabia, who wishes to speak in exercise of his right of reply.

230. Mr. BAROODY (Saudi Arabia): I should like to remind Mr. Tekoah of a few simple facts, without elaborating on them, because the hour is late and I think the Council has some more business to attend to in regard to the draft resolution that was submitted to it this afternoon.

231. The first fact: Zionism is an Eastern and Central European movement predicated on colonizing—nay, usurping—the whole of Palestine.

232. Secondly, the Sephardic Jews have become victims of political Zionism, in that they have been used as a vehicle for promoting that Western European movement alien to the indigenous people of the Middle East, including our own Oriental Jews.

233. Thirdly, from a minority of 6 per cent of Palestine's population in 1919, within 50 years—consummating their plans of immigration and political collusion—the Zionists succeeded in usurping the land of Palestine; and, unfortunately, all this has happened under the aegis of the United Nations, which set aside the principle of self-determination enshrined in the Charter.

234. Fourthly, the Zionists are a foreign element in the body politic and body social of the Middle East. That element has caused an abscess, which explains why the whole region is suffering from a fever which will continue as long as that element is the cause of the trouble.

235. Fifthly, the objectives of political Zionism to exert continuous and unflagging efforts for the ingathering—I repeat, for the ingathering—of millions of Jews have become clear. Hence, everybody in our part of the world knows that Zionism is an expansionist movement.

236. I am not going to rebut many of the arguments that Mr. Tekoah adduced today, in spite of the fact that he

beats around the bush and tries to evade the basic issue: that Zionism is an alien movement in our midst—a movement which is at the expense not only of the indigenous people of Palestine, but of the whole Arab world, so that they may be exploited, so that they may be enslaved, so that they may be a source of revenue for all those Jews who would like to settle in the area and who are consistently indoctrinated with the idea that it is God's will that they should go to Palestine.

237. I must also remind Mr. Tekoah that our fears are real, and not imagined; that our apprehensions are based on what has happened during the last half century. We witnessed the massacres that took place and the excesses—no doubt on both sides, on the part of Arabs and Jews—during the mandatory period. The Government of the United Kingdom, the Mandatory Power tried its best to mediate; it sent many commissions. Finally it gave up; it threw the whole question into the lap of the United Nations because the Second World War had made it almost bankrupt and it could not shoulder further expenses. That was a mistake, but we are not here to bemoan what happened in the past. We are faced with a colonial question at the expense not only of the indigenous people of Palestine, but of the whole Middle East.

238. Therefore, since we have stated time and again that our fears are real and that the fever is there and that the abscess is festering, it is up to the United Nations—and, in particular, to the Security Council—to do something drastic, lest the situation deteriorate even further.

239. I should like to remind Mr. Tekoah of the slaying of Count Bernadotte, of the shooting of Lord Moyne, of the blackmailing of many United Nations officials who had gone to see what was happening in the area. They even hanged British Tommies during the period between the two world wars. And Mr. Tekoah comes here and rationalizes all that has taken place on the premise that Jerusalem was divided because Jordan invaded it, and because for 2,000 years there had been an indigenous population which happened to be Arabized after the seventh century, but which still, ethnologically speaking, was the population of Palestine—the natives of Palestine, including Jews who may have been converted to Judaism.

240. When we repeat all those arguments to him, they seem to fall on deaf ears, but those are the facts. And let me remind him that that area has witnessed many invasions; and if history affords us any lessons, I think we should profit by the facts. I would not go back to before the time of Alexander the Great, but Alexander the Great took that area; then the Romans; after the Romans, the Byzantines; after the Byzantines the Crusaders; after the Crusaders the Turks and the Mongols; and after the Turks and the Mongols came the Mandatory Powers from Europe. And now, it seems, it is the turn of the Eastern Europeans who happen to be Jews to try and take the land by using a noble religion, Judaism, as a motivation for their political and economic ends.

241. That was by way of summing up the question before the Council proceeds to the vote. I am sure that this draft resolution before the Council will be adopted, but I beseech

you to pause. Are you going to adopt this draft resolution so that it may become another leaflet in the archives of the United Nations, or is the Security Council going to act in a drastic manner this time—and not merely say to Jordan: "What more could you expect us to do, other than giving you our vote?"

242. That is the crux of the question. Is the Council going to act, or will we let Mr. Tekoah laugh up his sleeve? And I am sure he would be justified in laughing up his sleeve, knowing very well that the various condemnations—22 or 23 of them—had meant nothing, had not changed his country's policy by an iota. I do not blame him if he sometimes treats the whole United Nations with contempt.

243. Mr. MAGENGE (Burundi) (*interpretation from French*): I should like to apologize on behalf of the leader of the delegation of Burundi, who has been called away to other pressing duties. If time had allowed, he would have preferred to reiterate the position of Burundi on the matter before the Council at present.

244. The position of my country which will dictate our vote flows from the latest position adopted by the Organization of African Unity. Once again my delegation would like to reiterate a view that has been repeatedly expressed in the past, inviting Israel to remain within the limits of the territory recognized to it legally and internationally. The occupation of territories acquired after a war cannot today be a guarantee for peace.

245. Additional reasons will lead us to vote in favour of the draft resolution in document S/10337. It is the very status of Jerusalem, which, apart from possessing its own sacred character, calls for respect from all parties and should also relieve it of the danger that anyone may fall into the temptation of appropriating it.

246. At a time when steps for peace are being taken everywhere, when glimmerings of a solution to the Middle East crisis appear on all the horizons, including that of Africa, surely it is imperative that the parties do nothing at the moment that might in any way contribute to making the situation in the region more dangerous.

247. The Holy Land and Jerusalem itself more than any other part of the world deserves to enjoy peace and collective protection. Jerusalem, the cradle of three religions, must be the place of pilgrimage of the adherents of all three religions.

248. The draft resolution and the amendments submitted confirm the collective feeling of the Council, namely, the need to protect the status of the Holy City, its inhabitants and its three religions on an equal footing and without excluding any. Quite justifiably, the draft resolution rejects any annexation by a neighbouring country—in this case Israel.

249. As far as my delegation is concerned, the responsibility of this Council lies in re-establishing an atmosphere conducive to prayer and meditation in the Holy City, and this calls for complete compliance with the views of the main officials of this Organization, namely, the Secretary-

General and the President of the Security Council, who are asked to devise ways of convincing the Israeli authorities to rescind their decisions whereby they are expropriating Jerusalem itself—an expropriation which may become irreversible, to the prejudice of all concerned.

250. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): I should merely like to say a word concerning the amendments that were submitted to us by the delegation of the Syrian Arab Republic. Our colleague, Mr. Tomeh, understands that we are aware of and touched by all he says and does. He knows how much we appreciate his knowledge of the problems, particularly those confronting us now, and his disciplined mind. I must say that the political and legal, as well as logical, reasons with which he justified his amendments and the explanations he gave us have succeeded in convincing us, and in this case we shall have no difficulty in supporting them.

251. However, today it is not a question of our pronouncing ourselves on a word or selecting one word rather than another. We know, unfortunately, that this problem may well come back to this Council, and it is even foreseen and provided for in the draft resolution, and each and every one of us can then take categorical positions.

252. Today we have a draft resolution, as I said earlier, that, with its imperfections, still seems to be a valid, but the amendments submitted by Syria may, either rightly or wrongly, disturb a number of delegations—not my own. Therefore the choice is open to us. I believe that unanimity on a resolution of this nature at the present time would be of positive value—unanimity that would be a unanimity of presence and not a unanimity caused by partial absence. I think that if the vote were not unanimous it would lose its effectiveness, just as this draft resolution draws its effectiveness from its very careful and moderate nature.

253. I would urge the delegation of Syria to consider the possibility of withdrawing its amendments. I think that, far from reducing the value of the vote, it would increase the value of it. We know this is a difficult problem. There is always a choice to make. We sincerely feel that it would be an act of political wisdom, and let me tell Mr. Tomeh that if he meets my appeal the French delegation will be extremely grateful to the Syrian delegation.

254. Mr. BUSH (United States of America): I certainly support the eloquent appeal just made by the Ambassador of France. Although the draft resolution submitted by our colleague from Somalia gives us some problems we had decided to vote for it. Ambassador Farah talked eloquently of unanimity of action and purpose and the same appeal has just been reiterated by our colleague from France. I think Ambassador Farah in his presentation read the mood of this Council. I think he read it well when he felt that his was a reasonable draft resolution which could get a consensus.

255. In the interest of trying to achieve unanimity I would join in asking our Syrian colleague not to insist on his amendments. If for some reason he felt that he could not accede to this request, we certainly would reserve the right to reassess our position regarding final passage of this draft

resolution. In the event that he did not feel that he could withdraw his amendments, we would certainly request a separate vote on each of them.

256. Mr. SAVAGE (Sierra Leone): The delegation of Sierra Leone will vote in favour of the draft resolution in document S/10337 because it is convinced, after listening carefully to the various speakers on the subject on the agenda, and after assessing the situation from the evidence available, that only a return to the pre-1967 *status quo* can bring peace and tranquillity to the Middle East and prevent it from being plunged into a religious war backed by massive racial overtones.

257. While accepting as inviolable the inadmissibility of the acquisition of territory by conquest, my Government has repeatedly called attention to the fact that lasting peace is altogether impossible unless there is a willingness on the part of the disputing countries to accept in their entirety the stipulations of Security Council resolution 242 (1967). But this unfortunately does not seem acceptable to Israel which, counting on its military power, rejects the political will to come to terms with its neighbours, to implement resolutions of both the General Assembly and the Security Council and to desist from adopting a posture of consummate arrogance like that to which we have been treated this evening.

258. We observe from the reports of the Secretary-General that important questions raised by him, relating to serious allegations that Israel was changing the face of Jerusalem, have gone unanswered. Meanwhile accusations continue to multiply that steps are being taken to Judaize that city and subject it progressively to a unified administration at the expense of the Arab population and their sacred places.

259. We wish to state without reservation that Jerusalem does not belong to one religious group of people only. Three of the major religions of man have their foundations in that Holy Place. Jews, Christians and Moslems look up to it as their spiritual home and rededicate themselves through frequent visits to its shrines. It is therefore essential that Arabs and Christians must have continued access to their various place of worship. But freedom of movement for religious worship as well as for other purposes cannot be possible if the international aspects of the City are altered and Jewish laws and culture imposed exclusively on it.

260. We do not want to see a continuation of such a policy. It should be swiftly put to an end. Unless this is done, and without delay, the dreadful result will be an intensification of hostility involving Moslems, Jews and Christians alike. For the preservation of international peace it is important that Israel should immediately desist from this Judaizing process and restore the Holy City of Jerusalem to its peaceful and sacred surroundings and above all to its sanctified charm.

261. For the record, my delegation would like to clarify a statement said to have been made by the President of the Moslem Congress of Sierra Leone during a visit to the State of Israel. Since my country boasts of free institutions, it does not hinder the movements of its nationals. The President of the Moslem Congress was beyond a shadow of

doubt talking for himself and not for the Government of Sierra Leone.

262. The PRESIDENT: I call on the representative of Egypt.

263. Mr. EL-ZAYYAT (Egypt): A renowned architect—I think he is Jewish—invited by the Israeli rulers to inspect their so-called master plan, called this master plan “collective hara-kiri”. Since the weapon in the hand of Israel is not aimed at itself but at the culture and heritage of people who have lived in Palestine for 1,971 years, I thought at first that this description of “hara-kiri” was not relevant. However, when I heard the enlightened spokesman of Israel, speaking in his colonial language about the backward Arabs and Arab countries—after hearing the representatives of the Union of Soviet Socialist Republics, Belgium, France, Italy, Poland, Somalia, Argentina, Japan, Burundi and Sierra Leone, not to mention the Syrian Arab Republic—I understood why the actions of Israel are indeed hara-kiri.

264. The battle which Israel is waging against the morality of the world and its Charter—coming here as a Member of the United Nations and saying that “This crooked majority of yours and of your Councils will never make us desist from anything we would like to do”—cannot but terminate in the victory of the morality of the world. Thus it is hara-kiri.

265. When I asked for the floor I wanted to say that the draft resolution, correctly described by the Ambassador of France as moderate and measured, is, in the opinion of our delegation—and this is why it is acceptable to our delegation in its present form—only a reaffirmation of Security Council resolution 267 (1969), giving more time to the rulers of Israel to abide by the principles of the Charter and by the Council’s resolutions; or to face the Council again—boldly as they do—and to hear from the Council what action it chooses to take.

266. That action cannot but be, in my humble opinion, a positive response to the five points put forward in my delegation’s first intervention in this Council, which the voices of the nations just heard in this Chamber have clearly and eloquently upheld.

267. I should like to reiterate that the only dignified response to the undignified defiance of Israel and its representatives is for this Council to determine that the Charter will be a living instrument in all its parts, especially its Chapter VII.

268. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): I intend to state the views of the Soviet delegation on the draft resolution introduced by the representative of Somalia.

269. But before I speak on the substance of the matter, I should like briefly to dwell on some points raised in the statement of the Israeli representative.

270. From his statement it is absolutely clear that he has forgotten nothing and learned nothing as a result of his

presence at the meetings of the Security Council where the question of Jerusalem is being considered. None of the members of the Security Council have justified Israel's position and actions and its aggressive expansionist acts in Jerusalem. Consequently, as a result of the Security Council's consideration of the question raised by the representative of Jordan, Israel has been the subject of international condemnation. Regardless of what kind of resolution will be adopted, it is clear that none of the members of the Security Council have come to the defence of Israel. And from that, Mr. Tekoah, you should draw a conclusion.

271. You have chosen, however, to attack only the Soviet delegation and to reply only to the statement by the Soviet representative. Why did you not refer to the statements of other representatives, too? Israel's policy has been condemned by the representative of Belgium who adduced splendid international legal arguments. That policy has been condemned by all the representatives who have spoken here. Why, therefore, is all the fire of your anger directed always against the Soviet statement? We have said the same things as others have said. No more and no less. We have referred to the Charter of the United Nations, we have referred to the Charter of the International Tribunal, we have referred to the decisions taken by the Assembly at its twenty-fifth session reaffirming the main principle of Security Council resolution 242 (1967), namely, that the acquisition of territory by force or by war is inadmissible. We have acted strictly on the basis of the Charter of the United Nations and in accordance with the provisions of that Charter.

272. The Israeli representative has once again mentioned Soviet Jews. Soviet Jews are not your affair, Mr. Tekoah. Don't poke your long nose into our Soviet garden. History shows that those who have poked their noses into our garden have lost them. As a former Ambassador of Israel to the Soviet Union you know that very well. You have defended Zionism. In this connexion you quoted the words of one of my predecessors here. Yes, those words were uttered. The statements which were made at that time were a reflection of the great humanitarian foreign policy of the Soviet Union and its people. We are internationalists, as all Communists are, internationalists. We are in favour of all peoples having the right to a self-determination and independence. At that time Israel was not an aggressor and we had one policy towards Israel. Now Israel is an aggressor; it has attacked the Arab States, seized the lands of other peoples and is attempting to appropriate them, including even Arab Jerusalem. We are internationalists and have given all our strength to the struggle for justice, equality, freedom, independence and friendship among peoples. It is for this reason that we strongly condemn the Israeli aggressors and stand on the side of the victims of aggression offering them all possible assistance and co-operation and defending their just cause in the United Nations. But Mr. Tekoah cannot understand this. Mr. Tekoah was indignant because we drew a parallel between Zionism and fascism. It is very simple. Both these ideologies are racist. Fascism taught that the Aryan race was a superior race, standing above all races, peoples and nations on the earth. Fascism considered that the ideal man was an Aryan with blue eyes and blond hair. I do not know

what external signs the Zionists have, but the racist essence of Zionism is the same. Fascism taught the supremacy of the Aryans and hatred for other peoples. And Zionism teaches the theory of the "chosen people". Is this not racism? In what way is Zionism different from fascism if the essence of its ideology is racism, hatred for other peoples and the concept of the chosen people, the people chosen by God. Where in the second half of the twentieth century does one hear anyone preach this preposterous, infamous, criminal theory of the supremacy of one race, one nation, one people over other peoples? Try to prove, from the rostrum of the United Nations that you are the chosen people and that the others are nothing. Nobody will support you however zealous you may be.

273. I can only regret that some political figures, including some in this city where we find ourselves, under the influence of and pressure from the Zionists, either for commercial or electoral considerations, trail along behind the Zionists and agree with them. But let that be on their conscience.

274. The Israeli representative referred to 6 million Jews killed by the fascists. We grieve over that. But the Israeli representative has forgotten that the Soviet Union lost 20 million Soviet people in mortal combat with fascist tyranny during the Second World War. If Hitler, who dreamed of being the ruler of the world, had conquered the whole universe, if he had captured the world, if we had not won, if there had been no Stalingrad, if there had been no battle of Kursk, if there had been no victory of the Soviet armed forces, no victory of the Soviet people who bore on their shoulders the whole weight of the Second World War and saved mankind, including the Jews of all countries of the world, from the plague of fascism, what would have been left of world civilization? You should be grateful to us, you should erect a monument to Soviet soldiers in the centre of your capital as a sign of gratitude for the fact that 20 million Soviet people, at the cost of their lives, saved the Jews of the whole world from destruction. And yet you slander the Soviet Union. This is a disgrace to the country, to Israel as a whole and to its representative to the United Nations.

275. Why do Israel and its representative need to slander us? To divert attention from the aggression in the Middle East, to obscure the situation, to conceal Israel's violation of the elementary rules of international law, and to conceal the fact that Israel is defying the United Nations, the General Assembly and the Security Council and is failing to implement the decisions of the United Nations on Jerusalem and on the Middle East in general. That is why they need to resort to slander. But you will not get very far with your slander. The just cause will triumph and today we are witnesses to the fact that no member of the Security Council who has spoken here, not even your closest friends, has taken your side, has come to your defence. Those are the facts, that is the reality. No slander against the Soviet Union, no infamous fabrications about the situation of Soviet Jews by you and by those who help you can conceal the crime of the Israeli aggressors, your aggression and everything that you are doing in the Arab lands, and your unwillingness to settle the Middle Eastern problem by peaceful political means and to withdraw Israel's occupa-

tion troops from the Arab territories. Without that there can be no solution to the problem of the Middle East.

276. That is the reality, those are the facts. I think that it is time for you, Mr. Tekoah, to stop speculating here on the question of Soviet Jews. Soviet Jews are full and equal Soviet citizens, many of them are Communists. They do not need synagogues, they need universities, theatres, clubs, but not synagogues.

277. I remember that the former Minister for Foreign Affairs of Israel, Mr. Sharett, who was born in Russia, once invited me to lunch in New York and appealed to me, as the representative of the Soviet Government, to allow all Soviet Jews—at that time I think there were about two million—to be sent to Israel. I said to him: “Mr. Sharett, we are friends, we value friendship, we want to be friends with all peoples of the world—that is at the very basis of the Soviet Union’s foreign policy. From time immemorial, the popular approach to a friend in our country has been to consider, before giving a souvenir or a gift to a friend, whether it will be good for him or bad. Why did you come to the United States? Quite simply, to collect \$500 million from the rich Jews in America. I can assure you that if our Soviet Jews go to Israel and two thirds of them are Communists and declare Israel a Soviet republic and ask to join the Soviet Union, your rich American Jewish friends will not give you one cent. I can assure you of that absolutely”. Sharett replied: “Yes, Mr. Ambassador, I never thought of the problem from that point of view”. I advised him to think about it. And he never reverted to the problem.

278. And I advise you, Mr. Tekoah, to think about it.

279. And now let us turn to the draft resolution. The Soviet delegation has already stated its position of principle with regard to the question under consideration and the illegal acts committed by Israel in Jerusalem. The arbitrary measures taken by the occupiers must undoubtedly be condemned. Nobody here has offered any justification for them. We consider that the draft resolution introduced by our distinguished colleague and friend, the representative of Somalia, is weak. But in view of the fact that the Arab delegations support it and consider it possible to adopt it, there will be no objection on our part to the adoption of the draft resolution, both the preamble and the operative part. We have, however, serious doubts concerning paragraph 5. The wording of that paragraph is not in keeping with the Charter and is not in keeping with the role which the Security Council is called upon to play in achieving a settlement of the Middle Eastern crisis, including the aspect of that crisis relating to Jerusalem. The wording of paragraph 5 of the draft resolution is so vague that it allows for too broad an interpretation. Moreover, that kind of broad interpretation would represent a departure from precedents already established in the Security Council’s work. A mission of this kind must be sent by the Security Council and must be composed of members of the Security Council. Paragraph 5 does not state this. We find this paragraph unacceptable and we shall act accordingly with regard to this paragraph when we come to the vote.

280. It seems to us, and we are convinced of this, that the amendments submitted by our distinguished colleague, the

Ambassador of the Syrian Arab Republic would improve this paragraph. Without those amendments, we shall have serious reservations regarding paragraph 5.

281. The PRESIDENT: I call on the representative of Israel who wishes to speak in exercise of the right of reply.

282. Mr. TEKOA (Israel): I shall be very brief indeed.

283. First of all, I should like to second the suggestion made here by the representative of Egypt that it is the responsibility of the Security Council and the United Nations as a whole to see to it that Charter principles are respected and implemented in the Middle East. Indeed, I should like to draw the Security Council’s attention to Egypt’s continuous policy of belligerency, Egypt’s continuous warfare, started in 1948 against Israel and still continuing today. I should like to draw the Security Council’s attention to a document signed by the Government of Egypt only a few weeks ago, on 20 August, in Damascus, that says clearly there will be no peace and no negotiations with Israel.

284. Indeed, it is high time for the United Nations to see to it that Egypt does abide by its international obligations emanating from the Charter of the United Nations.

285. As for the statement we have just heard from the representative of the Soviet Union, I can of course understand his concern and his regret that I singled out his words today for reaction. I should like to assure him that I regret having had to do so as much as he regrets having had to hear my statement in reply to his.

286. There were two reasons for my responding to his statement today. First, because the question of Soviet Jews, like any problem of human rights in any part of the world, is of concern to every State Member of the United Nations and to the United Nations as an organization. The representative of the Soviet Union expressed doubt whether the people of Israel would benefit by receiving the millions of our brethren in the Soviet Union who desire and speak loudly of their longing to join their families and their people in the Jewish State. I would suggest to the representative of the Soviet Union that he leave to Israel itself the decision whether it would be to Israel’s benefit to accept those millions of our brethren. I would assure him that we would welcome them, as we would welcome all our other brothers and sisters in all other parts of the world who wished to come and build with us a State of Israel after an interval of thousands of years of dispersion, exile and suffering.

287. The representative of the Soviet Union recalled conversations he had with the former Prime Minister and Minister for Foreign Affairs of Israel, the late Mr. Sharett. I too remember some conversations I had in Moscow, especially a very significant one at the time of the presentation of my credentials to the acting President of the Soviet Union, who happened to be a distinguished leader of the Armenian Soviet Socialist Republic. He opened the conversation by recalling to me how the history of the Armenian people and the history of the Jewish people have certain parallel lines, because both nations have

suffered through long ages discrimination, persecution, and absence of freedom and independence. "And now in the Soviet Union," he ended his exposé, "both the Armenian and the Jewish peoples live happily, free together." And I said, "I do agree with you, Mr. President, as far as the Armenian people is concerned. But, you see, there is one small difference between the Armenian people and the Jewish people. The national homeland of the Armenian people happens to be within the frontiers of the Soviet Union; the national homeland of the Jewish people happens to be outside the borders of the Soviet Union. And in exactly the same manner that the entire world recognizes the good and the right of the Armenian Soviet Republic and of the Soviet Union as a whole to call on Armenians all over the world to come back to their national homeland, to build together, to reconstruct the ruins left behind by foreign oppression and occupation, we Jews in the independent State of Israel have exactly the same right towards our brethren in other parts of the world, including the Soviet Union."

288. My second reason for singling out the statement made by the representative of the Soviet Union for reaction was a rather unfortunate one. And that was that out of all the statements heard today it was in his words that we heard a terminology that regrettably had some Stalinist echoes. It was only in his statement that I heard epithets like "Hitlerite", "vandals" and "barbarians". It was only in his statement that I heard invective and abuse about the national liberation movement of the Jewish people, Zionism.

289. And may I say to him, if he still does not know what Zionism is, that when Jews were exiled from their land as far back as the seventh century before the Christian era, when Jews sat by the rivers of Babylon and wept but also sought ways to go home, that was already Zionism, Mr. Malik. When, in a mass revolt against their exile, they returned and rebuilt the temple and re-established their State a few thousand years ago, that was already Zionism. When they were the last people in the Mediterranean basin to resist the forces of the Roman empire and to struggle for independence, that was Zionism. When, for centuries after the Roman conquest they refused to surrender and rebelled again and again against the invaders, that was Zionism. And when, uprooted from their land by the conquerors and dispersed by them all over the world, they continued to dream and strive to return to Israel, that was Zionism. When, during the long succession of foreign invaders, they tried repeatedly to regain sovereignty at least in part of their homeland, that was Zionism. And when they volunteered from Palestine and from all over the world to establish Jewish armies that fought on the side of the allies in the First World War and helped end Ottoman subjugation, that was Zionism. When they formed the Jewish brigade in the Second World War to fight Hitler while certain of Mr. Malik's present Arab allies supported him, that was Zionism. When Jews went to Nazi gas chambers with the name of Jerusalem on their lips, that was Zionism. When, in the forests of Russia and the Ukraine, Jewish partisans fought the Germans and sang of the land where palms were growing, that was Zionism. And when Jews fought British colonialism while the Arabs of Palestine and the neighbouring Arab States were being helped by it, that

was Zionism. Zionism is one of the world's oldest anti-imperialist movements. It aims at securing for the Jewish people the rights possessed by other nations. It harbours malice to none. It seeks co-operation and understanding with the Arab nations and with their national movements.

290. Therefore may I suggest to the representative of the Soviet Union if he wonders why I had to reply to him that he ponder and give some thought to what Zionism has been, to what Jewish history has been, and then perhaps he will understand the longings, the aspirations of Jewish people in the Soviet Union, of Jewish people everywhere, and the hopes of the State of Israel for peace and co-operation, for friendship and fraternity with their neighbours and with other countries large and small.

291. The PRESIDENT: I call on the representative of Egypt, who wishes to speak in exercise of his right of reply.

292. Mr. EL-ZAYYAT (Egypt): First of all, as regards the poor non-imperialist Zionists, I have here an *Agence France Presse* dispatch from Tel Aviv dated today speaking of yesterday, that touring the colonies—the word "colonies" is mine—the Prime Minister of Israel has arrived in the Syrian-occupied town of Kuncitra. Visiting the new "Israeli establishment" in the Golan Heights, Mrs. Meir is reported by *Agence France Presse* to have said that "no foreign pressure would ever make Israel leave Jerusalem or Sharm-el-Sheikh or the Golan Heights." If it does not leave the occupied territory of Egypt and of all other Arab countries there can be no peace. By asserting that Israel would never leave, Mrs. Meir, in her imperial tour, is asserting that she will never accept peace. In the same story it says that she went on to address whoever was listening to her, inviting the new Soviet Russian Jews to establish themselves in the Golan Heights. She said that she would like to have here "new Israeli establishments in this region which represents great strategic value for Israel".

293. So the Russian Jews, so pathetically invited to go to Israel, will find when they arrive that they are being brought there to be warfare material to build establishments, not in the part given to Israel by the 1947 resolution, not in the whole territory of Palestine which they invaded, occupied and try to colonize now, but in a neighbouring country which is not Palestine. They are going to be soldiers to stand guard, to occupy the land of Syria, the land of Egypt. That is what they are being asked to do and that is why they are asking to go back in answer to the longing of spiritual attachment to the land of Israel.

294. The PRESIDENT: I call on the representative of the Union of Soviet Socialist Republics, who wishes to speak in exercise of his right of reply.

295. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): I shall be very brief. First of all I should like to draw the attention of the Security Council to the fact that Israel, without any justification, claims to represent the Jews of the whole world, the Jews in all countries. This is an absurd claim and it is surprising that Israel's leaders cannot understand this. This claim has been categorically rejected not only by all States of the world and by international law, but also by the overwhelming

majority of Jews living outside Israel who are citizens of other countries.

296. What right does Israel have to speak on behalf of Soviet, Italian, French, English or American Jews—what right? Who gave Israel that right? It is unheard of. That is why we consider that such a claim represents expansionism, aggression, an infringement of the rights of other peoples and States, interference in the internal affairs of other countries which is forbidden under the United Nations Charter. No references by Mr. Tekoah to ancient history, to Sinai, to the Tablets of the Law, to the legacy of Moses, to the Bible, can conceal Israel's aggressive plans with regard to the territories of other peoples.

297. Mr. El-Zayyat cited concrete examples of why Israel needs foreign Jews including Soviet Jews. Soviet Jews live in the Soviet Union and enjoy all the rights of citizens of the Union of Soviet Socialist Republics. We have more than 100 nationalities: I am a Ukrainian and I represent the Soviet Union, my deputy is an Armenian and represents the Soviet Union and the senior Counsellor is a Russian. We work in a single friendly collective like a friendly family because we have been brought up to do so by our Party, our country and our people. We have an inherent profound respect for other nationalities, for all peoples. We have no racial differences or discrimination such as exist in many other countries.

298. Why do we all hate Zionism? Because of its racism, Mr. Tekoah. Because Zionism is a racist ideology, because Zionism has a single slogan, a single credo, that of the "chosen people", and for that reason we hate it and will fight with all the means at our disposal against Zionism and its expansionist aims.

299. You have called to mind the good times when we were friends, when we voted in favour of the people of Israel being given the right to self-determination and independence. We do not deny that. We are proud of it. But now we strongly condemn Israel as an aggressor, as a usurper, as a plunderer flouting the rights and interests of other peoples and defiling the sacred places, the unique cultural property of the deeply-rooted ancient Arab culture, monuments to the history of mankind. We categorically oppose this policy of Israel's, and nobody here in the Security Council is justifying you. You have satisfied yourselves of that, whether you like it or not. You have been unable to conceal the aggressive and racist character of Zionism by slandering the Soviet Union and by dragging in the non-existent question of the so-called situation of the Jews in the Soviet Union. There is no such question. The Jews in the Soviet Union enjoy exactly the same rights as any other Soviet citizen of whatever nationality.

300. You need cannon-fodder for your aggression against the Arabs. But we will never meet you half way in this. Do not expect any Soviet Jews for that purpose.

301. Even *The New York Times*, a newspaper which protects and defends you, recently published an article which described the situation of Soviet immigrants in Israel. First, it acknowledged that the Soviet Jewish immigrants were the most educated and cultured of the immigrants

arriving in Israel. We are proud of that fact. We Soviet people, we educated them, the Jews, we gave them higher education. The working people and peasants in the Soviet Union, by their own efforts and with their own minds, have raised the cultural level of the Jews. As a result, educated people came to you.

302. The second point in that article was that the Soviet Jews lead a secluded life in Israel. That is natural. They are accustomed to a free life in a free socialist country but in Israel they have come up against a different state of affairs in which they have had to join together in a narrow community, finding themselves in an alien environment.

303. Thirdly, the article quoted the example of a highly qualified furrier from Leningrad who emigrated to Israel. For a long period he was a docker in an Israeli port. A correspondent for an Israeli newspaper met him by chance and he described the disastrous situation of this furrier, a great specialist in furs—we understand that in Israel fur coats are not needed since it is very hot there, but nevertheless he was a highly qualified specialist and he had to work as a docker. Thanks to that story by the Israeli newspaper correspondent, he got a better job. But, as the American correspondent, the correspondent of *The New York Times*, writes, this highly qualified furrier, having got a better job, complains that he has to pay almost half of his salary for his apartment. In the Soviet Union he paid only 5 to 7 per cent of his salary for his apartment. Apartments are cheaper in our country for everybody, including Jews.

304. So in Israel things are not as good as you and your Zionist propagandists, who attract Jews from other countries with their racist ideology of the "chosen people", promise. Therefore there are few willing to go to your country. After hearing the explanation given to the Security Council by Mr. El-Zayyat, it is clear to all of us why you need our Jews—educated, well-qualified specialists, engineers, good officers, people who know how to work and to defend their homeland. It is to use them as cannon-fodder for aggression against neighbouring Arab countries. You will not succeed in getting them, no matter how much you slander us.

305. The PRESIDENT: I call on the representative of the Syrian Arab Republic, who wishes to speak in exercise of his right of reply.

306. Mr. TOMEH (Syrian Arab Republic): I have asked to speak in order to exercise my right of reply to Mr. Tekoah. There is one point on which I agree with Mr. Tekoah, and that is that the fundamental issue is really Zionism, because from a political ideology or a doctrine or a belief everything else emanates.

307. Mr. Tekoah in a very emotional manner elaborated on what Zionism is, putting a stop after the word Zionism. But Zionism has entered history, and we the Arabs have our own view of Zionism and we are entitled to give our assessment of Zionism.

308. Not long ago, on 26 August 1971, I addressed a letter to the Secretary-General, which appears in document S/10300. In that letter a statement is quoted which was

published by the Jewish Telegraphic Agency—part of the Government of Israel, but that part which operates here in the city of New York—stating that five more settlements would be established in the Golan Heights in the next two years, making the number of settlements in the Golan Heights thirteen. The number of Israelis settling in the Golan Heights was expected to reach 20,000 in a few years. That was after the Security Council had unanimously adopted resolution 237 (1967) and the General Assembly had adopted a resolution by over 100 votes in favour, with only Israel voting against, calling upon Israel to allow the return of all newly displaced persons. To us, that is Zionism.

309. At the last meeting of the Security Council, held on 17 September, I brought to the attention of the Council a statement on 20 August 1971 by Defence Minister Dayan, in which he said that "Israel must regard herself as the permanent régime in the occupied Arab territories, and must carry out necessary projects there without waiting for the day of peace since it may be very late in coming." I now challenge Mr. Tekoah to deny that statement, which was published by the Jewish Telegraphic Agency, the *Christian Science Monitor* and *The New York Times* of 21 August. To us, that is Zionism.

310. Mr. Tekoah is fond of making derogatory remarks about the Arabs. We heard him speak this time about Arab backwardness. I need not recall here the Arab contributions to history. However, I should like to emphasize one aspect of what Zionism is and how it appears to us. It is not only the score of villages destroyed; it is not only the geopolitical murder of a whole people, the Arab people of Palestine; it is not only the 1.5 million Arab refugees living in camps, in spite of all the resolutions of the United Nations giving them the right to return to their homeland, Palestine. It is something more. It is terrorism in its ugliest form directed not only against the Arabs now—when there are 13,000 to 14,000 prisoners rotting in Israeli gaols—but even against the Jews themselves. At the last meeting of the Council I quoted what the Jewish terrorists have done against Jews in order to further their aims. I quoted no less a man than Menachem Begin, who stated that in order to attract world attention to their own aims of expansion, they had exploded a bomb on a ship carrying Jewish immigrants. This is what he said:

"The bomb exploded and more than two hundred Jews were killed or drowned. The British authorities noted the fact that this was not an Irgun Zvai Leumi operation; it was the Haganah which had placed the bomb."¹⁰

He referred to those who had committed that act as Jewish terrorists. To us, that is Zionism. Mr. Tekoah, that is not only Zionism, but Zionist bestiality.

311. Mr. Tekoah is fond of saying time and again that in 1948 the Arabs committed aggression against Israel. I refer to a Jewish book called *Sefer Hapalmah*, the book of the Palmach. This is what Israel Galili told Haganah officers on 20 October 1947:

"Holding the *yishuvs*"—that is, the Israeli settlements—"gets us in control of all the areas which have been

¹⁰ Menachem Begin, *The Revolt, Story of the Irgun* (New York, Henry Shuman, 1951), p. 35.

occupied by our settlements, turning them into bases of expansion and occupation, when the high command will go on from defence to conquest of all the areas, those designated for the State, and beyond."

To us, that is Zionism.

312. In the same book, Yigal Allon wrote:

"The truth of the matter is that the war of independence did not start on the 15th of May 1948, with the Declaration of the State and the invasion of the Arab armies.

"One cannot even say that it began with the day the United Nations resolution of 29 November 1947 was announced. It is more correct to put the beginning of the war of independence as the date of arrival of the first refugee ship 'Dalin' after the Second World War in August 1945."

To us that is Zionism.

313. Zionism is predicated on the premise that the Arabs should not exist, that they should be dispossessed. The fact we are facing now is that Zionism has dispossessed the Arabs, is dispossessing the Arabs, and is expanding more and more. There is no other fact than that. The fact that we are discussing today the problem of Jerusalem and the expansion of Israel in one city only, Jerusalem, is another proof of what Zionism is.

314. Sir Colin CROWE (United Kingdom): I shall state the views of my delegation after the vote. In the meantime I should like to associate myself with the appeal of our French colleague to our Syrian colleague to withdraw his amendments in the interest of unanimity.

315. And may we please, Mr. President, move on to the vote? I have a feeling that the discussion has moved rather a long way from Jerusalem.

316. The PRESIDENT: In view of the lateness of the hour I should like to appeal to the members of the Council and to those who are participating in the debate to defer any exercise of the right of reply until the vote in order to facilitate our proceeding to the vote.

317. Mr. FARAH (Somalia): I should like to endorse the appeal which the representative of France has addressed to my dear friend and colleague the Ambassador of the Syrian Arab Republic to withdraw the amendments he has submitted to my draft resolution.

318. Like the French delegation, the Somalian delegation would have no difficulty in accepting the substance of those amendments. But our prime purpose is to ensure that the united front this Council has adopted hitherto towards this question should be maintained.

319. As I explained in my introductory statement the provisions of the draft resolution do not express the full range of actions which my Government would wish the Council to take in the matter. But my delegation has had to

take into account certain realities. This draft resolution was not conceived overnight; it represents weeks of patient and tireless efforts on the part of many delegations, including those of the Arab bloc; it represents a maximum degree of agreement among delegations on the action to be taken by the Security Council at this juncture. It does not satisfy my delegation; it does not satisfy the Arab countries which are directly affected by it. But it does mean a small step forward and it does make a commitment that the question will be considered further by the Council within the next two months, when discussions will be resumed in the light of the report to be submitted by the Secretary-General.

320. Members have no doubt taken note of the position of the representative of the United States on this draft resolution and on the amendments. He has made it clear that, while he would be in a position to support the draft resolution, the United States would have to reconsider its whole position should the Syrian amendments be pressed to a vote.

321. In those circumstances, and since no principles are being compromised and it is important that the Council maintain its unity of action on a delicate and pressing problem, I appeal to the representative of Syria not to press his amendments. We know that they have been submitted in good faith, with the object of clarifying and strengthening the commitment of the Security Council on this matter. I trust that he will respond favourably to my appeal so that the Security Council can proceed in unison along the road charted by resolution 267 (1969).

322. I agree with the observations of the representative of the Soviet Union in that the draft resolution I have submitted is relatively weak. But an even weaker draft resolution would be one which caused division in the Council. My delegation is conscious and appreciative of the position which the Soviet Union has taken on the Jerusalem question, a position which is identical to that taken by my Government. But this draft resolution has the agreement of the Arab countries with which both our Governments have close relations and which are directly affected by the problem.

323. While my delegation is appreciative of the observations which the representative of the Soviet Union has made on paragraph 5 of the draft resolution, it is our hope that he will vote in favour of the draft resolution as a whole.

324. Mr. VINCI (Italy): I wished to speak just to associate myself with the appeal made by the representative of France and supported by the representatives of the United Kingdom and Somalia.

325. I think that Ambassador Tomeh—whom I consider a very good friend—knows the esteem and the respect I have for his knowledge, for the way he deals with our affairs in this body and for whatever he does in the United Nations, which is a very serious, important and significant contribution to our work.

326. If I am associating myself with that appeal it is because I share completely all the reasons that were put

forward by Ambassador Kosciusko-Morizet as well as by Ambassador Farah. I think that at this stage there is much more at stake than scoring some single points on secondary parts of the draft resolution. We are convinced that at this stage the wisest course of action to take is to allow the Security Council to speak with one single voice to show that the international community is for once united and is taking a clear, joint position through this body.

327. I think those reasons are of overriding importance, and I would hope, like the previous speakers, that Ambassador Tomeh will heed our appeal.

328. Mr. TOMEH (Syrian Arab Republic): I have listened very carefully to the appeals made to me by the representatives of France, Italy and Somalia and others, and I appreciate the very constructive spirit in which they have approached the problem. In response to their appeal, I withdraw the second, third and fourth amendments which I had submitted. However, I should like a vote to be taken on the first amendment.

329. The PRESIDENT: Before the Council proceeds to the vote, I should like to have a clarification in connexion with certain remarks made by the representative of the Union of Soviet Socialist Republics on paragraph 5 of the draft resolution.

330. Does the Soviet representative wish to have a separate vote on that paragraph?

331. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): Yes, Mr. President.

332. The PRESIDENT: Before the Council proceeds to the vote, I wish to summarize the situation in respect of the draft resolution before us:

(a) The draft resolution submitted by Somalia is contained in document S/10337;

(b) The representative of the Syrian Arab Republic has proposed an amendment to that draft resolution. It appears as the first amendment in document A/10338/Rev.1;

(c) In addition, the representative of the Union of Soviet Socialist Republics has indicated that he wishes a separate vote on paragraph 5.

333. It is therefore my intention first to put to the vote the amendment proposed by the representative of Syria: then to put to a separate vote paragraph 5; and, finally, to put to the vote the draft resolution as a whole.

334. As there is no objection, I take it that the Council agrees to the suggested procedure and is ready to proceed to the vote.

335. I shall now put to the vote the first amendment proposed by the representative of the Syrian Arab Republic in document S/10338/Rev.1.

A vote was taken by show of hands.

In favour: Argentina, Belgium, Burundi, China, France, Italy, Japan, Poland, Sierra Leone, Somalia, Syrian Arab

Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

Against: None.

Abstaining: Nicaragua, United States of America.

The amendment was adopted by 13 votes to none, with 2 abstentions.

336. The PRESIDENT: I now turn to paragraph 5. A separate vote on this paragraph has been requested by the representative of the Union of Soviet Socialist Republics.

337. Rule 32 of the provisional rules of procedure of the Security Council provides that "Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects." Therefore, if I hear no objection from the sponsor of the draft resolution I shall put operative paragraph 5 to a separate vote.

338. There being no objection, the Council will now proceed to vote on paragraph 5 of draft resolution S/10337.

A vote was taken by show of hands.

In favour: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Sierra Leone, Somalia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: None.

Abstaining: Poland, Syrian Arab Republic, Union of Soviet Socialist Republics.

Paragraph 5 was adopted by 12 votes to none, with 3 abstentions.

339. The PRESIDENT: The Council will now proceed to vote on the draft resolution, as amended, as a whole.

A vote was taken by show of hands.

In favour: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: None.

Abstaining: Syrian Arab Republic.

Draft resolution S/10337, as amended, was adopted by 14 votes to none, with 1 abstention.¹¹

340. The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

341. Sir Colin CROWE (United Kingdom): My delegation had no hesitation in voting in favour of the draft resolution

¹¹ See resolution 298 (1971).

that has just been adopted by the Security Council. Our views on the subject are well known. Nevertheless, I should like to recall what the former British Foreign Secretary, Mr. George Brown, as he then was, said in his speech to the General Assembly on 21 June 1967:

"Reports suggest that one particular point may be of special urgency. This concerns Jerusalem. I call upon the State of Israel not to take any steps in relation to Jerusalem which would conflict with this principle"—that is, that war should not lead to territorial aggrandizement. "I say very solemnly to the Government of Israel that, if they purport to annex the Old City or legislate for its annexation, they will be taking a step which will isolate them not only from world opinion but will also lose them the support that they have." [1529th plenary meeting, para. 16.]

342. It has consistently been the position of my Government that no unilateral action should or can change the status of Jerusalem and that no such action should be allowed to prejudice the future of that city. In the light of this attitude, it will be no surprise that my delegation deplores the way in which Israel has acted to change the physical and demographic character of Jerusalem since the June war that we deplore the fact that Israel has failed to heed earlier resolutions of the United Nations about its behaviour in East Jerusalem, and that we hope that this attitude will now change.

343. My delegation welcomes the fact that the Council has been able to agree today, and we sincerely hope that the Government of Israel will heed the resolution's call. We also hope that the Secretary-General will receive the full co-operation of the Government of Israel in the task he is given in paragraph 5 of the resolution.

344. In the course of the debate the representative of Syria has twice referred to the earlier Security Council resolutions and quoted, in connexion with them, parts of the recent Advisory Opinion of the International Court of Justice on South West Africa. The attitude of my delegation to these and other aspects of the Advisory Opinion will be made clear when the Opinion is under discussion in the Council. In the meantime I will say only that our views on the legal force in terms of the Charter of the earlier resolutions and of the resolution just adopted by the Council continue to be determined in accordance with the criteria that we have applied hitherto.

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

346. Mr. TOUKAN (Jordan): The resolution adopted by the Security Council tonight is taken by my Government to represent a landmark, inasmuch as its adoption represents the collective will of its members, including the permanent members. There have been many resolutions before by the General Assembly, representing the conscience of mankind, and by the Security Council, representing as it does its effective and executive instrument.

347. Israel has chosen on this occasion, as on all previous occasions, arrogantly to disregard the collective will of

humanity over an issue that represents a tragedy of profound and crucial importance to mankind. This unparalleled and bellicose contempt on the part of a Member State of the United Nations towards the highest authority is only matched in gravity by its self-bestowed right to alter drastically and deface the status and character of Jerusalem, that beautiful, eternal and majestic city of peace. Israel, therefore, today stands rebuked and isolated as never before for its onslaught upon a legacy of civilization which belongs to its indigenous and legitimate inhabitants as well as to the whole of mankind.

348. My Government deems it its duty on this solemn occasion to express to the President and the members of the Council and to the esteemed Governments they represent its deepest appreciation and gratitude for the understanding and concern they have shown towards the fate of that Holy City. I also wish to thank most deeply the representative of Somalia, the sponsor of the resolution, and our brothers and colleagues who have defended with great conviction the cause of Jerusalem as participants in the debate.

349. By the same token, in recognition of the fact that the Security Council is not a debating club but is the highest executive organ of the United Nations, upon whose power and prestige the fate of peoples, civilization and peace depends, it is the earnest hope of my Government, and of almost all governments of the world as well, that the Security Council will take whatever executive steps it deems necessary to ensure compliance with its unanimous will and to compel Israel to desist forthwith from its frantic and illegal measures to create a new fait accompli in Jerusalem.

350. My Government is convinced that, in the absence of an affirmative answer signifying Israeli compliance with the Council's resolution, the last and only avenue left is the application of Chapter VII of the Charter, as I requested in my main statement.

351. Mr. BUSH (United States of America): Once again we have met to consider Jerusalem, an issue of long standing in this body and other organs of the United Nations. In our view, the ultimate status of Jerusalem should be determined through negotiation and agreement between the Governments of Israel and Jordan in the context of an over-all peace settlement, taking into account the interests of its inhabitants, of the international religious communities who hold it sacred and of other countries in the area.

352. In December 1969, Secretary Rogers stated:

"We have made clear repeatedly in the past two and one-half years that we cannot accept unilateral actions by any party to decide the final status of the City."¹²

The Secretary then delineated a number of principles which in our view would provide an equitable framework for a final Jewish settlement:

(a) Jerusalem should be a unified City;

(b) There should be open access to the unified City for persons of all faiths and nationalities;

(c) Administrative arrangements for the unified City should take into account the interests of all its inhabitants and of the Christian, Jewish and Moslem communities;

(d) There should be roles for both Israel and Jordan in the civil, economic and religious life of the City.

353. Earlier in 1969 in this very hall, my distinguished predecessor, Charles Yost, addressed himself more specifically to the kinds of matters which are responsible for our presence here today. He said—and let me just review it briefly:

"The expropriation or confiscation of land, the construction of housing on such land, the demolition or confiscation of buildings, including those having historic or religious significance, and the application of Israeli law to occupied portions of the City are detrimental to our common interests in the City." [1483rd meeting, para. 97.]

He noted as well that the United States considers that part of Jerusalem which came under Israeli control like other areas occupied by Israel in the June 1967 war, as occupied territory and thereby subject to the provisions of international law governing the rights and obligations of an occupying Power.

354. We regret Israel's failure to acknowledge its obligations under the fourth Geneva Convention as well as its actions which are contrary to the letter and spirit of this Convention. We are distressed that the actions of Israel in the occupied portion of Jerusalem give rise to understandable concern that the eventual disposition of the occupied section of Jerusalem may be prejudiced. The report of the Secretary-General on the work of the Organization, 1970-1971, reflects the concern of many Governments over changes in the face of that City. We have on a number of occasions discussed this matter with the Government of Israel, stressing the need to take more fully into account the sensitivities and concerns of others. Unfortunately, the response of the Government of Israel has been disappointing.

355. All of us understand, as I indicated earlier in these remarks, that Jerusalem has a very special place in the Judaic tradition, one which has a great meaning for Jews throughout the world. At the same time Jerusalem holds a special place in the hearts of many millions of Christians and Moslems throughout the world. In this regard, I want to state clearly that we believe Israel's respect for the Holy Places has indeed been exemplary. But an Israeli occupation policy made up of unilaterally determined practices cannot help promote a just and lasting peace any more than that cause was served by the *status quo* in Jerusalem prior to June 1967 which, I want to make clear, we did not like and we do not advocate the re-establishing.

356. In conclusion, I would note that the resolution before us today, as in the past, calls for a report on the situation in Jerusalem. We have supported this resolution

¹² See *Official Records of the Security Council, Twenty-fifth Year, Supplement for January, February and March 1970*, document S/9588.

not because we agree fully with every provision in it; some elements in it in fact, as I mentioned to my colleague from Somalia, gave us difficulty. But we have supported this resolution out of the belief that it was time to reiterate our concern that nothing be done in Jerusalem that can prejudice an ultimate and peaceful solution.

357. Mr. LUDWICZAK (Poland): I have asked to speak in order to explain the vote of my delegation on the resolution just adopted by the Council.

358. In view of the considerations that my delegation presented in a statement earlier today we supported the draft resolution submitted by the delegation of Somalia, although we thought that stronger terms and measures should have been included in it taking into account Israel's continuous disregard of the earlier resolutions of the General Assembly and the unanimous decision of the Security Council pertaining to the situation in occupied Jerusalem. For that reason my delegation supported the first amendment and was prepared to support the other three amendments introduced by the delegation of the Syrian Arab Republic which would have improved the text of the resolution.

359. Concerning my delegation's abstention on paragraph 5 of the resolution, it was motivated by our deep conviction that this paragraph, as formulated in the resolution, does not assert in the way it should the competence of the Security Council in matters concerning peace and security and thus detracts from the firmness of the Council's eventual action on the matter.

360. Mr. KOCIUSKO-MORIZET (France) (*interpretation from French*): I should like first of all to thank Ambassador Tomeh for his understanding, as well as to thank all those who endorsed my appeal—in particular Ambassador Farah, for after all this resolution was the fruit of his work. I had sought unanimity on the vote and I felt I had to give an example of that. It is for that reason that I voted in favour of operative paragraph 5, despite its flaws. On this point I share some of the reservations that were expressed by Ambassador Malik and other delegations, although the text was considerably improved by the substitution of the words "in consultation" for the words "after consultation".

361. Finally, I should like to say that I share the point of view that was expressed by the representative of the United Kingdom concerning the nature of Security Council resolutions and also with regard to the reservations that he made concerning the Opinion of the Court.

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

363. Mr. TEKOA (Israel): I should like, first of all, to express my delegation's profound regret that the debate initiated by Jordan's complaint against Jerusalem's present state of integrity, peace and sanctity should end in a meeting the convening of which constituted an act of disrespect for the sanctity of the Jewish Sabbath of Atonement.

364. The debate just concluded has confirmed that Jerusalem, restored to its unity and inviolability, lives today in

peace, prosperity and progress. The rights of its inhabitants are respected and maintained. The international spiritual interests are safeguarded. Jerusalem's Holy Places remain under the jurisdiction of their religious communities. They are fully protected and freedom of access to them is ensured to all.

365. However, as I indicated in my statement of 16 September [1580th meeting], whatever the rights and wrongs of the positions expounded in debate, Israel faces in the Council foregone conclusions, and in the present case even a resolution formulated in advance.

366. That resolution has now been declared adopted. It is tantamount to a call to stifle Jerusalem, to smother its growth and development. Israel's attitude towards it will be the same as the attitude Security Council members would adopt to a resolution containing a call to stifle Washington, Moscow, London, Paris or any other capital of a State Member of the United Nations.

367. The resolution calls upon Israel to refrain from steps that may purport to change the status of Jerusalem. There is only one status of Jerusalem which is legitimate, moral and just. It is Jerusalem's natural status, a city united and peaceful; its life and development normal and unscathed; its sanctity vindicated; the rights of its inhabitants secure. And that status could not be changed by nineteen years of mutilation, destruction and sacrilege, resulting from Jordan's aggression against Israel and Jerusalem in 1948. That status cannot be modified by politically motivated resolutions. It is that status that Israel will uphold and preserve in its capital, for the good of all its inhabitants, for the glory of all faiths.

368. The Security Council's resolution reflects, among others, the views of such States as Somalia, its sponsor, and the Syrian Arab Republic, which tried to make it even more impalatable—States which openly deny Israel's right to independence and sovereignty. There are views deserving of greater esteem than those. There are views more in conformity with international law and morality than those. The Bible states, in verses 3 and 6 of psalm 122:

"Jerusalem is builded as a city that is compact together."

"Pray for the peace of Jerusalem: they shall prosper that love thee."

It is this view that shall prevail.

369. Mr. TOMEH (Syrian Arab Republic): I think that the fact that my very brief explanation of vote by chance comes after the statement—traditional by now—of the Israeli representative gives more meaning to what I am going to say.

370. My delegation abstained from the vote for the reasons we explained in our statement today before the Council. We believe that the Security Council should have started from paragraphs 6 and 7 of its resolution 267 (1969), adopted unanimously by it. On the other hand,

our abstention should not be construed to mean that we do not support what our delegation believes to be constructive in this resolution, as we have stated unequivocally during the course of the debate.

371. The PRESIDENT: Before I conclude this meeting, I should like to take note of the fact that the representative of Israel has expressed his regret that this meeting of the Council should have taken place on a holy day of his religion. At the same time I must remind the members of the Council that in extraordinary circumstances the Council

sometimes meets on Sunday, which most nations observe as a holiday.

372. Mr. TOMEH (Syrian Arab Republic): Mr. President, with regard to your reference to the sabbath, I wish to remind the Council that its last meeting was held on a Friday, the holy day of Moslem States which are represented in the Council—Somalia and Syria—and of at least five or six other Arab States which took part in the debate.

The meeting rose at 11.15 p.m.

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