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The situation in the Middle East

Question of Palestine

## **Identical letters dated 11 June 2019 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council**

I write to you regarding recent statements made by the Israeli Representative, in interventions at the Security Council and in an official letter on 6 June 2019, concerning the City of Jerusalem.

These statements are not only provocative and inflammatory, but directly contravene Security Council and General Assembly resolutions, the Charter of the United Nations and the long-standing international consensus on the question of Jerusalem, in particular, and the question of Palestine, as a whole.

With the repeated pronouncement of such statements based solely on religious edicts and distorted narratives, Israel stands in absolute contempt of the Security Council and must be held accountable. Such defiance of the Council's decisions and authority cannot go unanswered.

We call on Security Council members for immediate redress of this matter. These are not "just words"; Israel's aggressive and shameless assertions of such arguments in the international arena are matched daily by illegal actions on the ground violating the rights of the Palestinian people, entrenching the occupation and destroying the prospects of peace. This offensive narrative must be rejected with robust action to protect Palestinian rights, reverse negative trends and salvage the chances for a just peace.

This requires serious efforts to implement the relevant resolutions, in full and without exception, including accountability for any violations. Equally, urgent action is required to restore the Council's credibility and uphold the integrity of its resolutions. This requires explicit reaffirmation that resolutions are valid until implementation and cannot be negated by such narratives.



The Representative of Israel must be reminded that the framework for international engagement and relations remains the Charter, international law and United Nations resolutions, not religious sermons, with all due respect for the sacred texts of the three monotheistic religions and of the other faithful of the world. International law and human rights constitute our universal language. At a time when multilateralism and the international rules-based order are under immense strain and actual threat, such dangerous behaviour must be addressed forthwith and the exploitation of extremist religious narratives that negate the other must be halted.

Silence is unacceptable when the Israeli Representative not only boasts of “reuniting and liberating Jerusalem” in referring to Israel’s occupation of East Jerusalem in 1967 and claims “Jerusalem is the capital of Israel”, but goes on to imply Israeli sovereignty over the entirety of the territory that was Mandate Palestine prior to 1948 – now encompassing both the State of Israel and the Palestinian Territory (the West Bank, including East Jerusalem, and the Gaza Strip) occupied since 1967 – and claims that, in occupying East Jerusalem “Israel did not cross an international border”.

Confronted with such declarations mocking the law and the Security Council, the international community is duty-bound to respond in accordance with the positions clearly articulated in Security Council resolutions, from resolution [49 \(1948\)](#) to, inter alia, resolutions [242 \(1967\)](#), [476 \(1980\)](#), [478 \(1980\)](#) and [2334 \(2016\)](#), as well as in the relevant General Assembly resolutions, from 181 (II) to the present, with resolution [73/22](#) of 30 November 2018 being the most recent on Jerusalem.

It must be clearly stated: Israel is not the sovereign over Jerusalem and the City’s status remains unresolved; Jerusalem has long been designated a final status issue in the Middle East peace process; and East Jerusalem remains occupied territory since 1967. Furthermore, the historic status quo regarding the holy sites in the City, including Al-Haram Al-Sharif, must be respected, as must the historic custodianship of the Hashemite Kingdom of Jordan for the Muslim and Christian holy sites.

The international community must demand an end to all violations of the status of Jerusalem by whomever and whenever, and must demand respect for all relevant United Nations resolutions. We recall, in particular, the Council’s reaffirmations of the inadmissibility of the acquisition of territory by force; its recognition of the specific status of Jerusalem and the need for protection of the Holy Sites in the City; and its determination that “all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War”.

In this regard, in its resolution [478 \(1980\)](#), the Security Council affirmed that the enactment of the “basic law” on Jerusalem by Israel constitutes a violation of international law and demanded that it be rescinded forthwith. Member States were explicitly called upon by the Council not to recognize the “basic law” and any other such actions seeking to alter the character and status of Jerusalem, and the Council called on “those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City”. The Council’s affirmation in its resolution [2334 \(2016\)](#) that “it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations” also stands unequivocally. Decisions and actions to the contrary have no legal effect and cannot change the applicability of international law to this situation.

Confronted by such provocative declarations by Israel’s Representative and the occupying Power’s entrenchment of the occupation and constant threats of further colonization and annexation, in grave violation of countless resolutions, the Security Council and General Assembly must question: What exactly are the boundaries of the State of Israel? Is Israel compliant with the provisions of its admittance as a Member

State, in accordance with resolution 273 (III) of 11 May 1949 and equally with resolutions 181 (II) of 29 November 1947 and 194 (III) of 11 December 1948? On what basis does the Credentials Committee continue to accept the Israeli delegation's credentials when Israel is in constant breach of legal obligations, including the Charter obligation to respect the right of peoples to self-determination, as it continues to deny and violate the right of the Palestinian people to self-determination?

It is time to seriously address these questions and to act accordingly to hold Israel responsible for its contempt and all of its violations. This is the only way to bring a halt to such flagrant impunity. Continued appeasement will only bring more of the provocations, inflammatory rhetoric and grave breaches that international inaction have only further fostered and emboldened.

A clear message must be conveyed, reaffirming the applicable laws and resolutions and opposing inflammatory and extremist religious rhetoric and all illegal policies and measures in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, and demanding a halt to all violations. The international community must act in accord with the relevant resolutions and must utilize the legal and political tools at its disposal; it is time to stop rewarding Israel for its impunity.

We thus reiterate our call on all States to be firm in their rejection of this rhetoric and accompanying illegal actions and in their non-recognition of this unlawful situation. A comprehensive, just and lasting solution to the question of Palestine cannot be achieved without a just and lasting solution to the question of Jerusalem.

In this regard, we reaffirm our recognition of the City of Jerusalem as sacred to the followers of the three monotheistic religions – Islam, Christianity and Judaism – and the need to bear this in mind at all times. However, such recognition has never been forthcoming from the Government or Representative of Israel, and his letter of 6 June reaffirms this with deceptive, rhetorical formulations that fail to affirm the freedom and rights of the worshippers of the three monotheistic religions.

Still, we remain reassured by the fact that the Security Council and General Assembly have repeatedly affirmed this and call for protection of the City's unique spiritual, religious and cultural dimensions and heritage. We urge utmost caution; any decisions or actions that disregard the fundamental legal, political and religious dimensions of the question of Jerusalem will exacerbate tensions and destabilize the situation, with grave consequences. This includes aggravation of religious sensitivities that risk transforming this solvable political-territorial conflict into a dangerous religious war, which will only be exploited by religious extremists and fuel violent radicalism and strife in the region and beyond.

At this critical moment, the Palestinian people and leadership, joined by all those around the world who believe in international law and the path of justice as the only viable path to peace, look to the Security Council with high expectations for it to shoulder its responsibilities. However, recognizing the regrettable paralysis of the Council due to the position of a permanent member on this issue, we call on Council members individually to uphold their responsibilities to adhere to the relevant resolutions and demand their respect for those resolutions, including with regard to Jerusalem, and to act accordingly in all decisions and actions, bilaterally and collectively.

This is a matter of urgency to respond to the crisis at hand, ensure accountability and restore the primacy of international law to the efforts to resolve the Israeli-Palestinian conflict and establish a just and lasting peace, whereby the Palestinian people can finally achieve their long-denied inalienable rights, including to freedom and independence, and peace and security can finally be realized.

I should be grateful if you would arrange to have the present letter circulated as a document of the General Assembly, under items 38 and 39, and of the Security Council.

(*Signed*) **Riyad Mansour**  
Ambassador, Permanent Observer  
of the State of Palestine to the United Nations

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