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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-fourth year

Identical letters dated 2 July 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 am compelled to once again draw attention to ongoing provocations, incitement and inflammatory rhetoric concerning the holy sites in Occupied East Jerusalem. In the light of recent events and the heightening volatility of the situation, we again appeal for responsible action to uphold international law and the relevant resolutions of the Security Council, the General Assembly and the United Nations Educational, Scientific and Cultural Organization, and to avert a dangerous destabilization, with all of its attendant consequences.

We condemn in the strongest terms all illegal policies, practices and measures being carried out by Israel, the occupying Power, in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, as well as acts of provocation and incitement against the Palestinian people and holy sites in Occupied East Jerusalem. This includes Haram al-Sharif, which is being targeted by an endless and reckless barrage of illegal measures and provocative rhetoric and actions, including ongoing Israeli excavations, which are directly threatening the sanctity and stability of this holy site.

In this regard, we must refer to the recent “inauguration ceremony” of an underground tunnel and path – the so-called “Pilgrim Road” – towards Haram al-Sharif, beginning in the Palestinian neighbourhood of Silwan in Occupied East Jerusalem. We condemn this illegal act, which comes following a series of other such illegal measures in Silwan, which has been heavily targeted over the years by illegal Israeli settlement activities, including home demolitions, evictions and land confiscations. Furthermore, it is deplorable that officials of the right-wing Israeli Government were accompanied in this illegal act in occupied territory by United States Government officials, who have not only lent their support to such unlawful activities, but also appear to be actively partnering with Israel, the occupying Power, in the promotion and pursuit of its illegal and destructive colonization schemes, including such acts, which present a threat to international peace and security.



Such provocations and illegal actions can neither be ignored nor accepted, regardless of who commits them, and must be roundly condemned and stopped. Immediate steps are required by the international community collectively and by all law-abiding States individually to reassert the primacy of international law, reinforce the historic status quo at the holy sites in Jerusalem and ensure the necessary protection of these sacred places. We call in particular on the Security Council to uphold its duties under the Charter of the United Nations and demand respect for relevant Council resolutions, including resolutions [476 \(1980\)](#), [478 \(1980\)](#) and [2334 \(2016\)](#).

In the absence of serious measures of accountability, it is clear that Israel, the occupying Power, will persist in carrying out illegal acts in Occupied East Jerusalem, further exposing its systematic intent to illegally and forcibly alter the character, status and demographic composition of Jerusalem, in grave violation of international humanitarian law and the relevant United Nations resolutions and with absolute disregard for the July 2004 Advisory Opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory. Without the enactment of firm consequences, there can be no hope of bringing a halt to such destructive actions and salvaging the ever-diminishing two-State solution on the 1967 borders.

The fact is that Israel is incessantly destroying the viability of the two-State solution and imposing a de facto one-State situation. Despite the calls and appeals of the international community, Israel is entrenching its occupation, flouting international law and mocking the international consensus on a solution to the Israeli-Palestinian conflict based on the relevant United Nations resolutions, the Madrid principles and the Arab Peace Initiative with reckless abandon. The occupying Power, now with the outright support of a permanent member of the Security Council, is escalating the situation to a breaking point at which it will become impossible to reverse the negative trends on the ground.

In this regard, we recall the warning given by the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Nickolay Mladenov, when presenting the most recent report of the Secretary-General on the implementation of Security Council resolution [2334 \(2016\)](#), and his call for “affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution”. Without such steps, we will all be confronted with a new reality imposed by the occupying Power, a reality that cannot be accepted and that all will be compelled to deal with in accordance with international law and human rights norms, and not “might over right”.

We thus reiterate our plea for the international community to remain firm in its adherence to the clear, legal position on the status of Jerusalem. States must unequivocally reject all breaches and violations of that status, demand the halt and rescinding of all unilateral, provocative and illegal decisions and measures, and demand full respect for the applicable provisions of international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and all relevant United Nations resolutions, including resolution [ES-10/19](#) on the status of Jerusalem, in which the General Assembly affirmed that “any decisions and actions which purport to have altered the character, status or demographic composition of the Holy City of Jerusalem have no legal effect, are null and void and must be rescinded”.

Silence by the international community following this recent provocative act and the series of other illegal measures in Occupied East Jerusalem that we have continuously drawn attention to, including in my letter of 3 June 2019, is unacceptable and indefensible. Action must be taken to protect the sanctity of Haram al-Sharif,

which houses the holy Aqsa Mosque, and all other holy sites in Jerusalem, a city of highest importance to the three monotheistic religions. Action is vital to avoid a religious conflagration. Equally imperative is action to protect the presence and rights of the Palestinian people in Jerusalem, which are at increasing and grave risk.

We call for serious efforts to enforce the law and uphold the obligations laid down in United Nations resolutions, including resolution [ES-10/19](#), in which the General Assembly demanded that “all States comply with Security Council resolutions regarding the Holy City of Jerusalem, and not recognize any actions or measures contrary to those resolutions”. It is time to stop the impunity that Israel, the occupying Power, has enjoyed for too long and exploited to the detriment of the Palestinian people, the prospects of Palestinian-Israeli peace, and peace, stability and security in the region.

After all these years, it is clear that words of condemnation alone will not be sufficient to address this critical and dangerous situation. International action, in line with legal, political and moral duties towards the Palestine question, is urgently needed. We call on the Security Council in particular to shoulder its responsibilities, speak with one voice and act forthwith to uphold its resolutions, with a view to bringing a halt to the occupation’s crimes, averting further destabilization and salvaging the possibility for the realization of a just and peaceful solution to the conflict.

The present letter is in follow-up to our 668 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 ([A/55/432-S/2000/921](#)) to 3 June 2019 ([A/ES-10/819-S/2109/459](#)), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

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