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LETTER DATED 12 MARCH 1980 FROM THE CHAIRMAN OF THE COMMITTEE ON
THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has authorized me, in my capacity as Chairman of the Committee, to convey to you its deep concern at the possible implications of the statement made by the President of the United States of America regarding Security Council resolution 465 (1980). The Committee has no intention of questioning the right of any government to formulate its foreign policy, but there is one particular sentence in that statement to which the Committee wishes to draw the attention of the Security Council, since it touches on a very important aspect of the Committee's mandate. The sentence in question reads as follows:

"As to Jerusalem, we strongly believe that Jerusalem should be undivided, with free access to the holy places for all faiths, and that its status should be determined in the negotiations for a comprehensive peace settlement."

The Committee is concerned at the fact that this formulation can be interpreted as supporting Israel's insistence that the City of Jerusalem is indivisible as long as it remains under Israeli domination. The Committee believes that this proposition is in direct contradiction with resolution 242 (1967) which emphasizes the inadmissibility of the acquisition of territories by war and calls for the withdrawal of Israeli armed forces from territories occupied in the June 1967 conflict. The Committee sincerely hopes that the American statement is in no way designed to support the Israeli position.

The Committee is equally concerned at the reference made in that statement to the status of Jerusalem as a matter for negotiation. In the Committee's view, the Holy City of Jerusalem already has a very special and unique status as a holy city for the three monotheistic religions. The only international definition of the status of Jerusalem is to be found in General Assembly resolution 181 (II), which specifies that the City of Jerusalem shall be established as a corpus separatum under a special international régime administered by the United Nations. This definition was implicitly upheld by subsequent resolutions of the Council. Resolution 252 (1968) determines that measures taken by Israel which tend to change the legal status of Jerusalem are invalid and cannot change that status. Resolution 267 (1969), which was adopted unanimously, confirmed that such measures are invalid and cannot change the status of Jerusalem. Resolution 298 (1971) again confirmed that such measures are totally invalid and cannot change the status of

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the City. Resolution 465 (1980) itself, which the Council has just adopted unanimously, determines that all measures taken by Israel to change the status of the Palestinian and other occupied Arab territories, including Jerusalem, have no legal validity. As a result, the Committee believes that it is only by means of an internationalized status of corpus separatum that free access to the Holy Places can be guaranteed to the followers of all religions. The Committee hopes that the above-mentioned American statement is not intended to prejudge this delicate issue.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Falilou KANE
Chairman of the Committee on the
Exercise of the Inalienable Rights
of the Palestinian People
