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Report of the Secretary-General under Security Council  
resolution 478 (1980)

1. The present report is submitted in pursuance of resolution 478 (1980), which was adopted by the Security Council on 20 August 1980 on the question of Jerusalem. The operative part of that resolution reads as follows:

"The Security Council,

...

"1. Censures in the strongest terms the enactment by Israel of the basic law on Jerusalem and the refusal to comply with the relevant Security Council resolutions;

"2. Affirms that the enactment of the basic law by Israel constitutes a violation of international law and does not affect the continued application of the Fourth Geneva Convention of 12 August 1949 Relative to the Protection of Civilian Persons in Time of War in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

"3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent 'basic law' on Jerusalem, are null and void and must be rescinded forthwith;

"4. Affirms also that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

"5. Decides not to recognize the 'basic law' and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all Members of the United Nations:

(a) to accept this decision;

(b) and upon those States that have established diplomatic Missions in Jerusalem to withdraw such Missions from the Holy City;

"6. Requests the Secretary-General to report to the Security Council on the implementation of this resolution before 15 November 1980;

"7. Decides to remain seized of this serious situation."

2. The text of the resolution was transmitted to the Minister for Foreign Affairs of Israel by the Secretary-General immediately after its adoption by the Security Council on 20 August 1980. In a note dated 6 October addressed to the Permanent Representative of Israel, the Secretary-General drew attention to his reporting responsibility under paragraph 6 of the resolution and requested the Permanent Representative to make available to him by 5 November his Government's comments on the implementation of the resolution. The reply of the Permanent Representative of Israel is contained in a note dated 4 November, which reads as follows:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in response to the latter's note of 6 October 1980 concerning Security Council resolution 478 (1980), has the honour to draw attention to the statement made by the Minister for Foreign Affairs of Israel on 29 September 1980 in the course of the General Debate at the 35th regular session of the General Assembly.

"As the Foreign Minister observed, the situation of the various religions represented in Jerusalem has never been better than that prevailing since the reunification of the city in 1967. Israel has assured the free and unfettered observance of the religious rights of members of all faiths, who also administer their communal activities and their Holy Places without any interference.

"The Minister went on to note that throughout recorded history, only the Jewish people has made Jerusalem its capital. For the last one hundred and fifty years the majority of the city's population has been Jewish.

"He further expressed the hope that nations who seek peace, and know the reality which prevails in Jerusalem today, will respect the undivided city of Jerusalem as the capital of Israel, in the same way that Israel respects the Holy Places of all religions and their freedoms in the city."

3. Before the Security Council adopted resolution 478 (1980), the Governments of Chile, Ecuador and Venezuela had announced their decisions to withdraw their diplomatic missions from Jerusalem. Thus, at the time of the adoption of the resolution, 10 States maintained diplomatic missions in Jerusalem. In the course of August-September 1980, the Governments of those States informed the Secretary-General that they had decided to withdraw their respective diplomatic missions from the Holy City. Their communications have been circulated as documents of the Security Council. The dates of the communications and the symbols of the relevant Security Council documents are set forth below:

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<u>States</u>	<u>Dates of communication</u>	<u>Document symbols</u>
El Salvador	22 August 1980	S/14124
Costa Rica	26 August 1980	S/14126
Panama	26 August 1980	S/14127
Colombia	28 August 1980	S/14135
Haiti	29 August 1980	S/14137
Bolivia	29 August 1980	S/14138
Netherlands	29 August 1980	S/14144
Guatemala	5 September 1980	S/14151
Dominican Republic	9 September 1980	S/14163
Uruguay	9 September 1980	S/14168

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