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LETTER DATED 5 MARCH 1968 FROM THE PERMANENT REPRESENTATIVE OF ISRAEL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government I have the honour to refer to the letters addressed to you by the Permanent Representative of Jordan on 23 and 28 February 1968 (A/7057 and Add.1, S/8427 and Add.1 and A/7058, 3/8423) and to state as follows:

The allegations contained in the two letters are without foundation. They follow logically on the destructive attitude adopted by the Jordanian authorities towards the City of Jerusalem and its Holy Places. It was Jordan which, in defiance of the United Nations Charter, attacked the City in 1948, placed it under siege, and opened indiscriminate fire on its inhabitants and on its historical and religious sites. It was the Jordan Government which then relentlessly set about destroying the Jewish Quarter, including its synagogues and places of learning and the venerated Cemetery on the Mount of Olives. The inhabitants of the Jewish Quarter were uprooted, transformed overnight into refugees and forcibly prevented from returning to the homes inhabited by themselves and by their ancestors. It was Jordan which prevented free access to the Jewish Holy Places and the cultural and humanitarian institutions on Mount Scopus, in flagrant violation of its international obligations solemnly undertaken.

Colonel Abdullah el-Tal, one-time commandant of the Jordanian Arab Legion, in describing the destruction of the Jewish Quarter, wrote in the volume of his Memoirs (Cairo, 1959):

"... The operations of calculated destruction were set in motion.... I knew that the Jewish Quarter was densely populated with Jews who caused their fighters a good deal of interference and difficulty.... I embarked, therefore, on the shelling of the Quarter with mortars, creating harassment and destruction.... Only four days after our entry into Jerusalem the Jewish Quarter had become their graveyard. Death and destruction reigned over it...."

"As the dawn of Friday, May 28, 1948, was about to break, the Jewish Quarter emerged convulsed in a black cloud - a cloud of death and agony."

After the cease-fire had entered into force and normal civilian administration had been restored in Jerusalem last June, a shocking picture was unfolded of the results of this policy of wanton vandalism, desecration and violation perpetrated during the period of Jordan occupation from 1948 onwards. In the Jewish Quarter all but one of the thirty-five Jewish houses of worship that graced the Old City of Jerusalem were found to have been wantonly destroyed. The synagogues had been razed or pillaged and stripped and their interiors used as hen-houses and stables. In the ancient historic Jewish graveyard on the Mount of Olives, tens of thousands of tombstones had been torn up, broken into pieces or used as flagstones, steps and building materials in Jordanian military installations and civilian constructions. Large areas of the cemetery had been levelled and converted into parking places and petrol-filling stations. These acts of desecration have been described fully in a document published by the Ministry for Foreign Affairs in Jerusalem in November 1967, a copy of which is attached to this letter.

This record of Jordanian conduct in Jerusalem underlines the true character and purpose of the allegations put forward in the letters from the Permanent Representative of Jordan.

In effect, the Government of Jordan is complaining of steps that have had to be taken urgently in order to restore the atmosphere of sacredness, dignity and tranquillity proper to Jerusalem and its 3 Holy Places, and to ensure the elevation of its material and cultural life.

With regard to the Western Wall, it is to be observed that it is the most Holy Place of all to Judaism. The Western Wall is the sole remaining relic of the First and Second Temples, constructed and sanctified in ancient times. It is ominous that the Jordanian representative fails to mention this essential fact. The Wall's history does not commence with the Arab conquest of Palestine. That conquest, like those that preceded and followed it, is incapable of effecting any change whatsoever in the sacredness of the Wall to the Jewish people - a sacredness which, indeed, the Jewish people alone is competent to determine.

If any proof of this were needed it can be found in the report of the Commission appointed by the United Kingdom Government, circulated at the request of the Permanent Representative of Jordan as document A/7057/Add.1, S/8427/Add.1, although it may here be noted, parenthetically, that at the time that report was not accepted either by the Moslem or by the Jewish authorities, the Commission having been established solely to assist the Mandatory authorities in the discharge of what they conceived to be their duties under the Mandate.

The Western Wall holds a unique place in the history and faith of the Jewish people. For nineteen centuries

Jews flocked to the Western Wall from all parts of the world to pray and worship before it. It would not cross the mind of Jews to impair in any way the sanctity of the Western Wall.

The interest now evinced by the Jordanian Government in the Wall is surprising against the background of the vandalism perpetrated there by that Government when it was in occupation of the area. The Jordanian Government deliberately profaned the sacred character of the Wall by erecting adjacent to it structures of secular services, warehouses and toilets, and converting its immediate precincts into a slum. It accordingly became essential to remove these installations and restore the dignity and the sanctity of the Holy Place as a very first step after the battles in Jerusalem had ceased. Moreover, archaeological excavations are being conducted in order to remove part of the earth and refuse that have accumulated at the Western Wall in the course of time and which cover its lower layers. This is a proper archaeological operation, and it is being conducted in a way that assures that nothing will damage the Wall or jeopardize its character as a Holy Place or impair in any way the Haram esh-Sharif area situated beyond the Wall.

It is to be noted that the Western Wall is a recognized antiquity and was treated as such also by the Mandatory Government, which also assumed responsibility for its maintenance and upkeep.

Archaeological activities near the Temple Mount and the Western Wall have always taken place, under government supervision, in Jerusalem. Excavations were undertaken during the period of the Mandate and during the Jordanian occupation. During the last nineteen years the Department of Antiquities of the Government of Jordan, in co-operation with the British Archaeological School in Jerusalem under the supervision of Mrs. Kenyon, carried out a number of archaeological-excavations at the southern part of the Western Wall. Approval has been granted for the continuation of these excavations, outside the area of the Temple Mount, that is, outside the walls surrounding the Haram esh-Sharif.

A clear distinction exists between the Haram esh-Sharif and the Western Wall, which were recognized as two separate Holy Places. This distinction was followed by the United Nations and is clearly marked in the United Nations map of the Holy Places in Jerusalem (map number 229, November 1949). Consequently, the contention in the letter of the Permanent Representative of Jordan that "the Wailing Wall and the entire adjacent area are an integral part of Al-Haram esh-Sharif" is a wilful attempt to confuse the issue.

The Mughrabi Quarter, consisting of a group of dwelling houses, to which the letter of the Permanent Representative of Jordan makes particular reference, is not a holy site. It faces the Wall but is also entirely separate from it. Its status is no different from that of secular property, whether or not owned by religious institutions as a source of income, in any other city in the world.

No modern civilized Government or municipal administration would have tolerated the slum conditions which the Jordanian Government created in this Quarter. One of the first things which the Government of Israel had to do was to embark on a programme of urban improvement, which included resettling the unfortunate inhabitants of this Quarter in respectable conditions. The same policy had to be followed with respect to the ruins of the Jewish Quarter from which a number of families were evacuated in order to expedite its restoration. This Quarter is situated outside the Temple Mount area. For hundreds of years Jews had lived in it in order to be as close as possible to the Western Wall. Throughout all the centuries of its existence, it did not impair one jot the sanctity of the Temple Mount (Haram esh-Sharif): on the contrary, it maintained its sanctity. It is quite incomprehensible how its rehabilitation can compromise in any way the sacred character of the Haram esh-Sharif. Contrary to what is implied in the Jordanian letter, the resettlement of the inhabitants was carried in consultation with them, and the families concerned expressed their appreciation to the city authorities for having assisted them in improving their housing.

The Jordanian Government had never shown much respect for such considerations. As recently as 5 November 1966, the Jordanian newspaper Falastin (then published in the Old City) complained: "Ancient memorial buildings in the Old City of 'Jerusalem are destroyed and replaced by modern ones. Commercial competition even reached the Mount of Olives where construction had been prohibited in the past."

The Permanent Representative of Jordan complains of plans to construct new housing in the modern part of Jerusalem. This complaint refers to vacant land of which about two thirds is public domain or belongs to Jewish private persons or institutions. Only one third is owned by private Arab landlords. No person at all is being evicted and none of the land in question belongs to any ecclesiastical institution, or is Waqf property. The private owners of the land will receive compensation in accordance with the law. The new housing project will provide homes for Jews as well as Arabs.

In conclusion, I am instructed to reiterate the policy of my Government as regards the Holy Places of all faiths in Jerusalem: in the Law for the Protection of the Holy Places enacted by the Knesset on 27 June 1967 it is provided, in section 7:

"The Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places."

In pursuance of this Law the different Holy Places of Judaism, Christianity and Islam are administered under the responsibility of the respective religious authorities which hold them sacred. The Government of Israel remains in contact with them to give full expression to the universal interest in the Holy Places. The responsibility for the peace of Jerusalem, for the welfare of its inhabitants of whatever faith, and for the sanctity of the Holy Places is a central element in the policy of the Government of Israel.

I have the honour to request that this letter and its enclosure¹ be circulated in the official languages as a document of the Security Council and the General Assembly.

(Signed) Yosef TEKOA

1/ To be issued in the original languages only under the symbols A/7064/Add.1 and S/8439/Add.1.

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