

THE JUDAIZATION OF JERUSALEM 1967_1972

Institute For Palestine Studies
Beirut

World Conference of Christians
For Palestine
Canterbury

Beirut, 1972

Erratum

On page 28 (map),
for Ramleh, read Ramallah.

The Judaization of Jerusalem

1967 - 1972

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PREFACE

Jerusalem is one of the oldest cities of the world, and a "city of the world" in the truest sense. Its history goes back at least 4000 years, and its religious significance dates from Abraham's sacrifices in the nineteenth century before Christ. It came to be a holy city for Christianity and Islam as well as Judaism, and it continues to occupy a central religious and geographical position in an area which is itself the crossroads between East and West.

Overlooking desolate but no less captivating valleys that lead to the now shrinking Dead Sea, Jerusalem with its historical and religious roots (exemplified in the three major religious shrines within the Old City: the Church of the Holy Sepulchre, the Haram al-Sharif, and the Wailing Wall), has left its mark on the spiritual and political lives of men throughout history. And history too has left its mark on Jerusalem.

The City has known many rulers, experiencing invasion by conquerors from all over the known world. More often than not, however, it was an object of emulation rather than of mere annexation, for the conquerors tended to identify themselves with the City rather than the City with themselves. Long after the short-lived kingdom of the Hebrews had made the City a holy place to the Jews and Christ had left his profound imprint on its destiny and that of the Christian world, the Muslims came to regard it as one of the holiest of cities for Islam (the site of the Prophet's nocturnal journey to heaven), and certainly the holiest for the whole of the monotheistic world. It was not by coincidence that Mu'awiyah had himself proclaimed caliph there in 661 A.D., when the Arab Islamic empire had already spread itself throughout the Levant; and, long before the Crusades, Christianity still had its place there through the strong influence of Byzantium and the presence of Arab Christians. Even when the Crusades were launched as a result of Turkish expansion into Anatolia and Turkish denial of Christian access to the City, the animosities and aggressions of both sides were overcome by the efforts of Saladin.

Throughout the period of Ottoman rule (1517-1917) and into the middle of this century, the Holy Land had always been open to all men of faith, had never really been subject to the vagaries of politics. The bulk of travel literature concerning the Holy Land testifies to the first statement and the learned historians writing on Arab political history bear out the second. But today, exclusivist ideology has come to outweigh the universality of religion.

CONQUEST

When Israeli Defense Minister Moshe Dayan stood before the Old City on June 7, 1967 and declared,

We have liberated Jerusalem, we have reunited the torn city, the capital of Israel. We have returned to this most sacred shrine, never to part from it again.¹

this annexationist stand was not unfamiliar to the Palestinian Arabs; nor was it unfamiliar to those Arab countries that had fought yet another war out of fear of Zionist expansionism.

Historical Parallels

As far back as 1948, plans for the occupation of Jerusalem were already under way. Since the Arabs could not accept the partition plan of November 1947, which called for Jewish rule of an Arab majority within a "Jewish state" that was to encompass a considerable part of Palestine (while in effect Jews then owned less than 10 per cent of the land),² the Zionists decided to take matters into their own hands and to escalate the terror and conquest that was to secure to them not just that part of Palestine they had been "allotted," but the whole of the country. Regarding Jerusalem, the aim was epitomized in Ben Gurion's declaration of 1948:

Tens of thousands of our youth are prepared to lay down their lives for the sake of Jerusalem. Everything possible will be done for Jerusalem. It is within the boundaries of the state of Israel, just as Tel-Aviv is.³

While the attempts to take Jerusalem by force were in clear defiance of the United Nations' resolutions respecting the international status of the City, they were consistent with a militant

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- 1 Quoted from Richard Pfaff, *Jerusalem: Keystone of an Arab-Israeli Settlement* (Washington: American Enterprise Institute, 1969), p. 35.
- 2 Sami Hadawi, *Bitter Harvest* (New York: The New World Press, 1967), pp. 94 ff.
- 3 Dov Joseph, *The Faithful City: The Siege of Jerusalem, 1948* (New York: Simon and Schuster, 1960), p. 218.

Zionist's evaluation of the Irgun's massacre at Deir Yassin in April of 1948: "Panic overwhelmed the Arabs of Eretz Israel . . . The Arabs began fleeing in panic, shouting 'Deir Yassin!' . . . The political and economic significance of this development can hardly be overestimated."⁴ And while Professor Bowyer Bell demands that we view the workings of the terrorists as "anathema" to the Zionists,⁵ it should be noted that they were not inconsistent with Zionist aims:

The Government invited the Jewish Agency . . . to call upon the Jewish community for their assistance in bringing to justice members of terrorist groups who had been guilty of murder and other crimes over a considerable period . . . The invitation was declined by the Agency on the grounds that it was contrary to Jewish political interests. . . . The Agency . . . undertook to establish a civil guard to deal with terrorist groups; however,⁶ this force has never been created. . . .

Terrorism was effective in relieving the Zionists of the presence of many Palestinian Arabs⁷ and their recurrent use of the term "Eretz Israel" is symbolic of their ideological commitment to the reestablishment of a Biblical Land of Israel - whose

⁴ Menachem Begin, *The Revolt: Story of the Irgun* (New York: Henry Schuman, 1951), p. 162.

⁵ J. Bowyer Bell, *The Long War* (Englewood Cliffs, N.J.: Prentice-Hall, 1969), p. 170.

⁶ Palestine Government [British Mandate], Statement addressed to the Jewish Agency, March 1, 1948.

⁷ It is significant to note that it was the Zionists' broadcasts of the massacres throughout Palestine and the terror they instilled in the inexperienced Arabs, not the Arab broadcasts, which were carefully monitored at the time, that moved some Palestinians to flee. Erskine Childers, in the May 12, 1961 issue of *The Spectator* (London), established that not one Arab broadcast urged the Arabs to leave and that, in fact, some urged them to stay.

never officially specified boundaries lie well beyond the present borders of Israel. This commitment reemerged on June 27, 1967 when the Knesset adopted legislation authorizing the government to extend its administration to any part of "Eretz Israel" it might see fit - which it did for Jerusalem on the following day.⁸ Indeed, when in 1948 the Arab Legion finally entered the City to prevent its total collapse before Zionist forces (who had disregarded not only the resolutions of 1947 but the truce arranged with the British High Commissioner on May 15 as well, it was in an effort to defend what remained unconquered of the City and its surroundings.⁹ Despite repeated attempts to restore the international status of the City throughout 1948 and 1949, the United Nations failed to get the Zionists, and consequently the Jordanians too, to comply with their efforts to protect the Holy City. Thus, when in December 1949, the Trusteeship Council proposed that Jerusalem be placed under international jurisdiction, conquest and defense had already imposed a de facto partition that lasted from the Armistice Agreements of 1949 until the conquests of 1967.

Shortly after the adoption of the Assembly resolution in December 1949, the Israeli state declared Jerusalem its capital and rejected an appeal by the Trusteeship Council to revoke the transfer of government departments and ministries from Tel-Aviv to Jerusalem. Despite Israeli attempts to implement their illegal proclamation, in 1966 the great majority of diplomatic missions were still in Tel-Aviv, and not one of the Big Powers had officially recognized Jerusalem as Israel's capital. It would seem then that the declaration was a simple defiance of the United Nations, a defiance reflected in the systematic Judaization of Arab Palestine during the 'fifties by killing or expelling the Arab inhabitants, carrying out military maneuvers in the demilitarized zones, and conducting frequent forays on Arab border settlements.

Within the Israeli sector of Jerusalem there were attempts at total de-Arabization and manifestations of religious animosity that foreshadowed what was to come. In 1958 a U.S. representative reported to Washington that he had been witness to the destruction of a Muslim cemetery and its conversion into a public park.

⁸ See Appendices I, II, III and IV.

⁹ See Sir John Glubb, *A Soldier with the Arabs* (London: Hodder and Stoughton, 1957), p. 94. Also of significance is King Abdullah's cable to the Security Council, May 16, 1948: "We were compelled to enter Palestine to protect unarmed Arabs against massacres similar to those of Deir Yassin."

Other Muslim sites, such as the mosque at Ain Karim, to the west of the city near the new Hadassah Hospital, used as a latrine by the residents of the neighbourhood, were allowed to fall into disrepair. . . . In early 1967 Mayor Teddy Kollek told me that he planned to clean up the Ain Karim mosque but was encountering opposition from Orthodox elements in the Ministry of Religions; in any event the project was delayed.¹⁰

Attacks and Defenses

Prior to the June War, the urge for conquest came to the surface once again. On November 13, 1966 and following the death of three Israeli soldiers near the Jordanian border, where their patrol vehicle was mined, 4000 Israeli troops forced their way into the village of Samu', south of Hebron, and carried out an armored assault on the Jordanian village.

The Israelis withdrew after four hours, leaving, by UN count, 18 Jordanians killed (civilian and military), 134 wounded and 127 buildings destroyed, including the village clinic, the school and a large number of private houses. The village mosque was damaged. The Israelis claimed that this action had been undertaken because the village had harbored infiltrators coming originally from Syria.¹¹

Although the Security Council had condemned the Samu' aggression, in January there were a number of border incidents and in April the Israelis launched air attacks against Syria, destroying a considerable number of settlements in Gadot, near Huleh.

During this period of ever heightening tensions which culminated in the Israeli attack of June 5, 1967, Jerusalem witnessed a sabotage incident in the Romena section of the Israeli New City, where charges were exploded under two houses wounding several Israelis. Although the authorities contended that "infiltrators" were responsible for the incident, UN investigations failed to find any evidence of this. Moreover, "the

¹⁰ Evan Wilson, *Jerusalem, Key to Peace* (Baltimore: The Middle East Institute, 1970), pp. 124-125.

¹¹ Wilson, p. 90.

peculiar placing of the explosive charges, almost as though with the intent of causing as little damage as possible, and the fact that the high anti-infiltration fence, which guarded the line at the spot where the perpetrators of the bombing were said to have crossed, showed no signs of having been tampered with, much less cut, were hard to explain."¹²

The Fall of the City

When on May 30 King Hussein of Jordan went to Cairo and signed a mutual defense pact with President Nasser of the UAR, who had already declared the Straits of Tiran closed to Israel's shipping in response to her attacks on and threats against Syria, the Israelis lost no time in seizing upon the opportunity to wage the war they had been preparing for.

The Israeli population was mobilized. School children undertook to deliver mail, families filled sandbags and dug trenches, the men were called to the colors, and volunteers poured in from abroad, especially the United States, to participate in Israel's "fight for survival."¹³ Defense measures on the Jordanian side were conspicuous by their absence and Jerusalem was particularly vulnerable:

There were no anti-aircraft guns in or around the city, nor tanks, nor heavy artillery nor any heavier anti-tank weapons than the 106 mm. recoilless. . . .

Less than 5,000 men defended Jerusalem out of an army of approximately 56,000. Against this one brigade were to be ranged three Israeli brigades . . . [all armed with automatic weapons].¹⁴

When the Governor of Jerusalem, Anwar al-Khatib, requested the organization of a civil defense force and the distribution of arms to the populace, the authorities rejected the appeal; and, as it had been throughout the previous nineteen years, Arab Jerusalem was left to fend for itself.¹⁵

¹² Wilson, p. 85

¹³ Wilson, p. 94

¹⁴ S. Abdullah Schleifer, "The Fall of Jerusalem," *Journal of Palestine Studies*, I, 1 (autumn 1971), p. 71.

¹⁵ Rouhi al-Khatib, *The Judaization of Jerusalem* (Arabic) (Amman: Committee for the Rescue of Jerusalem, 1970), Vol. I, p. 36.

After considerable exchange of gunfire on Monday, June 5, Israeli aircraft destroyed defense outposts with napalm, strafed al-Aksa Mosque and the Church of St. John, and cleared the way for an infantry assault. Despite repeated calls for reinforcements and reassurances from Amman, reinforcements did not arrive, and by Tuesday evening the City had been conquered and the walled areas besieged, to surrender soon after.

Terror, and Alternatives

In 1967, as in 1948 and throughout the 'fifties, conquest and terror went hand in hand. Almost immediately after conquest, the houses of 129 families living near the Wailing Wall were razed, leaving 1,000 people homeless.¹⁶ On Tuesday June 6, Israeli soldiers entered the compound of the Dominican Ecole Biblique looking for snipers who were not there, and ordered the fathers to line up with hands against the wall in three hour shifts, day and night for three days.

Their Jordanian employees were taken away and did not return for over three weeks. The Israelis installed a machine gun post in the tower of the Church, which in turn drew fire, apparently from Israeli artillery in error, but in any event causing considerable damage to the tower.¹⁷

This event paralleled one on the first Friday after the war when many Arab Muslims were allowed to pray at the Haram al-Sharif only to find four Israeli tanks aiming their guns at the Mosque's enclosure.¹⁸ The brief span of the war witnessed the killing of 300 civilians and the destruction of 135 houses and two mosques in the Moroccan Quarter, a plastics factory employing 200 people near the Armenian Quarter, and 200 houses and stores in no-man's land.¹⁹ In contrast to 1948, however, terrorism had to be modulated for fear of international condemnation, and so it proved less effective than the Israelis had

¹⁶ Wilson, p. 108.

¹⁷ Wilson, p. 110.

¹⁸ Wilson, p. 109.

¹⁹ Khatib, Vol. I, pp. 11-12.

hoped. Moreover, "those of our Palestinian friends who had taken refuge in the Old City and elsewhere on the West Bank in 1948 were determined not to go through the experience of fleeing from their homes again."²⁰ The many killings and extensive looting and destruction²¹ did succeed in forcing some 20,000 to 30,000 out of the Jerusalem area, but a population of some 70,000 Arabs remained within the "unified" City.²²

First Steps Towards Judaization

The Israelis were therefore compelled to seek alternative methods for effecting the Judaization of Jerusalem. One thing remained certain, however: Judaization necessitated annexation and de-Arabization. The destruction of the houses in the Moroccan Quarter (to mention only one case) was not undertaken for the sake of terror alone, for soon after a large plaza was built before the Wailing Wall;²³ and it was by no slip of the tongue that the zealous Ben-Gurion declared in July 1967 that the Old City's walls, being a vestige of Turkish rather than "Israelite" rule, should be torn down and the outskirts of the City colonized.²⁴

Extensive desecrations of the religious shrines and monuments of the City seemed intended to provoke remaining Arabs into leaving. That such moves were not incidental was revealed to Christian authorities shortly after the war.

After the war Christian authorities who had been unable to visit certain Christian properties on Mount Zion, either because they were in the no-man's land or were closed off by the Israeli military, found that some of these institutions had suffered severely. The tombs of the Armenian Patriarchs, in the courtyard of

²⁰ Wilson, p. 35.

²¹ Wilson, pp. 111-113.

²² Pfaff, p. 36

²³ Charles Adams, "Jerusalem," *AMARA Newsletter*, I, 2 (August 1967).

²⁴ Wilson, p. 129.

the Armenian Church of St. Savior, had been broken into and the bones scattered about. A famous mosaic floor had been removed from the church during or just after the war, and the church itself was in a deplorable state of disrepair. Several Christian cemeteries in the vicinity were in bad condition, with thick vegetation and opened graves. . . . There is reason to believe, moreover, that this vandalism . . . is continuing. It was found in the spring of 1968, after the war, that the crosses on 83 tombs in the Catholic cemetery on Mount Zion had been shattered.²⁵

JUDAIZATION

After conquest, terror and desecration had failed to produce results which met Israeli requirements, the Cabinet, the Knesset and the military authorities proceeded to take measures altering the sovereignty, administration, status and extent of the municipality of Arab Jerusalem.²⁶ The "Law and Administrative Ordinance, 5708-1948: Designation of Area Ordinance"²⁷ and the "Municipalities Ordinance: Proclamation of Enlargement of the Municipal Area of Jerusalem"²⁸ promulgated on June 28, 1967 designated an area inhabited by 100,000 Arabs as forthwith to be under direct Israeli rule.²⁹ Despite international criticism,³⁰ the process of Judaization continued.

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Wilson, pp. 125-126. For other instances of desecration of Christian property in Israel, see also UN Security Council Document S/8552 (also issued as A/7084) April 19, 1968 and Michael Scott, "Desecration in the Holy City," *The Middle East Newsletter*, II, 7 (August-September 1968).

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See Appendices I, II, III, IV and V.

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Appendix III.

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Appendix IV.

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See Khatib, Vol. I, p. 18.

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See Appendices VIII and IX: U.N. General Assembly Resolutions on Measures Taken by Israel To Change the Status of Jerusalem (July 4 and 14, 1967).

Expropriation of Property

On August 8, 1967, the *Jerusalem Post* published an article about the necessity of clearing 82 meters along the Wailing Wall, a project which, as the Muslim Committee in Jerusalem discovered, entailed the demolition of the remaining buildings around the Haram. Protestations against such a move were followed by special "archaeological excavations," which, in effect, "weakened or destroyed the foundations of the buildings in the area,"³¹ affecting, in addition, the four Arab quarters surrounding the place - about 20 per cent of all property in the Old City. In the meantime, and in direct violation of The Hague Conferences, the Palestine Archaeological Museum was expropriated and its relics confiscated.³²

In 1967 close to 4,000 Arabs were evicted from their homes in the Old City with notice varying from a few hours to a few days.³³ The pace of the process continued to pick up, and in 1970, despite the fact that "not a single member of the world community has recognized Israel's annexation and changes in East Jerusalem as legal,"³⁴ measures providing for "Land Acquisition for Public Purposes" were proclaimed.³⁵ Nearly 12,000 dunums of Arab land in the City and its outskirts were thus confiscated by the Israeli government; since the Arabs were willing neither to give up their lands and homes nor "be compensated" for them at prices prevailing in 1947 to be paid in a debased currency and over a period of 20 years,³⁶ this confiscation was

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- 31 Khatib, Vol. I, p. 21; see also Appendix XVI for the UNESCO Resolution treating of the preservation of religious and cultural sites and calling on Israel to desist from archaeological excavations.
- 32 Khatib, Vol. I, p. 27.
- 33 Text of a Memorandum Submitted to UN Ambassador Thalmann by the Mayor of Arab Jerusalem, August 26, 1967, Annex B of Secretary-General U Thant's Report on Jerusalem; excerpts reprinted in the *Journal of Palestine Studies*, I, 1 (autumn 1971), pp. 180-182.
- 34 John Cooley, "Arab View of East Jerusalem: A Rejection of Israeli Rule," *The Christian Science Monitor*, December 24, 1970.
- 35 See Appendix VII.
- 36 Aharon Leysh, "Compensations for the Properties of the Arabs of Jerusalem," *Davar*, July 6, 1971.

often enforced by the bulldozer.³⁷ The public purpose for which the land was required was, at least in the case of the Sheikh Jarrah sector, the construction of low-cost Israeli housing.³⁸ With the expropriation of at least four square kilometers outside the Old City, not only did 1048 apartments, 427 stores and a factory become Israeli possessions, but the encirclement of Arab Jerusalem was completed.³⁹

New Settlements

After the eviction of some 4000 Arabs, the departure of another 20-30,000, and the confiscation or bulldozing of Arab property, new settlements were quickly introduced. The 200 homes destroyed near the Wailing Wall in June and July of 1967⁴⁰ were replaced by a new Israeli plaza; and most of the confiscated territories went into the "Greater Jerusalem" project.

The "Greater Jerusalem" project, as publicized in the March 26, 1969 issue of the Israeli newspaper *Ma'ariv*, entailed the extension of the limits of the City from Ramallah in the north to Bethlehem in the south over a period of 40 years as 900,000 persons, mostly Jews, were expected to immigrate into the City.⁴¹ The plan involved the expropriation of another 12 square kilometers of Arab land,⁴² the tearing down of 52 houses in the village of Nabi Samweel for the building of 10,000 Jewish settlements,⁴³ the transformation

37 See Michael Adams, "Bulldozers: The Symbol of Israeli Mastery," *The Guardian*, March 4, 1968.

38 J.S. Hauptert, "Jerusalem: Aspects of Reunification and Integration," (n.p., n.d. [pamphlet]).

39 Khatib, Vol. II, p. 14.

40 See *New York Times*, June 19, 1967 and *New Outlook* (September 1968), p. 39.

41 *Sunday Times*, February 28, 1971.

42 See Appendix VII.

43 *Sunday Times*, February 28, 1971.

of a general hospital into a police station,⁴⁴ the transfer of three ministries from Tel Aviv to Jerusalem,⁴⁵ and the construction of an industrial sector in North Jerusalem,⁴⁶ the building of university halls and dormitories to accommodate 31,500 students⁴⁷ and 35,000 homes with a capacity for housing 122,000 Jewish immigrants.⁴⁸

Moreover, "the plans of the Ministry [of Housing] have been worked out on the occasion of a peace-initiative backed by Rogers, who has brought about an unexpected truce of arms; with the peace-talks, which have all at once become a concrete reality, the government has decided to act opportunely, for the purpose of establishing, by means of an accomplished fact, the indisputable sovereignty of Israel throughout the entire city of Jerusalem."⁴⁹

Implementation of these plans had already begun, and the new high-rise apartment buildings are going up around the City - and more for political than social reasons:

The military advantages of ringing Arab Jerusalem with a vast defensive enclave of Jewish housing projects have not been lost on Israeli strategists. It was partly for this reason that they extended the municipal boundaries of the city to encompass the hills commanding the Arab quarter.⁵⁰

At the same time, the prohibiting of any Arab Jerusalemite absent during the 1967 war from returning and the forbidding of non-Jerusalemite Arabs from entering the City without a special pass,⁵¹ has isolated Jerusalem from the other occupied Arab

44 Khatib, Vol. II, p. 25.

45 *Ha'aretz*, February 22, 1971.

46 *Davar*, July 7, 1970.

47 *Ha'aretz*, March 9, 1971.

48 *New York Times*, February 16, 1971.

49 *Jerusalem Post*, December 18, 1970.

50 "Judaizing Jerusalem," *Newsweek*, January 25, 1971, p. 41.

51 Delegation of Israel to the United Nations, *Memorandum on the Question of Jerusalem Submitted to the Trusteeship Council of the United Nations*, Seventh Session, Lake Success, May 1950.

territories.⁵²

Economic Repercussions

In the days after the war of 1967, the economy of Arab Jerusalem was plagued with problems. Tourism, a vital source of income, dropped sharply leading to extensive unemployment. Moreover, the people of the Old City were forced to convert their Jordanian dinars into Israeli pounds at a rate fixed arbitrarily low,⁵³ and the five Arab banks (Arab, Cairo-Amman, al-'Isari, Jordanian, al-Ahli, and Intra) were closed down and their assets confiscated.⁵⁴ Israeli income taxes were imposed and Israeli customs duties collected, even when Jordanian duties had been paid beforehand on the same merchandise.⁵⁵

Thus there was little cash available in the Old City. The cutting-off economically of the West Bank both from the East Bank and the Old City, in the initial stages of the occupation, also caused great hardship. Unemployment was increased by the dismissal of the Old City Municipal Council (including Mayor al-Khatib) and the dissolution of the Arab Municipality, although some of the more menial employees were kept on in their jobs. Some Arab laborers took jobs in the Israeli sector, in order to continue living, but people of the professional class were reluctant to do so.⁵⁶

It is, however, in the "Legal and Administrative Matters

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Khatib, Vol. I, pp. 14-15. Interestingly it was none other than Abba Eban himself who argued that the UN proposal for internationalization in 1950 was morally reprehensible, since it "deprived" 110,000 Jews of their "right" to belong to Israel, (Delegation of Israel to the United Nations, *Memo-randum on the Question of Jerusalem Submitted to the Trusteeship Council of the United Nations*, Seventh Session, Lake Success, May 1950).

53

Wilson, p. 116.

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Khatib, Vol. I, p. 14.

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Wilson, p. 116.

56

Wilson, p. 116.

Regulation Law" passed by the Knesset on August 14, 1968 that the steps being taken for the permanent economic take-over of Arab Jerusalem are spelled out.⁵⁷ Under the terms of this law, Arab businesses - whether partnerships, companies or cooperative societies - were given six months in which either to transfer all their assets and liabilities to a company "registered in Israel" or, if their place of operations was in the "area of application of the law" and all their directors and members were resident in the area, to apply to the District Court of Jerusalem for an order converting them into Israeli companies. This meant, then, that Arab businesses were forced either to sell out to Israeli firms or themselves to apply for registration as Israeli firms; they could do this last, however, only if all directors and members of the concern were "non-absentees" in the expanded municipality of Jerusalem. For the many businesses which had headquarters or branches, directors or members in Amman or elsewhere, that proportion of "liabilities and assets" not represented by people actually in Jerusalem was liable to take-over by an Israeli custodian. Any Arab Jerusalemite engaged in a profession or occupation requiring a license was required by the terms of this law to procure an Israeli license or permit in order to continue practising his profession or occupation. Building permits, patent rights and judicial litigation were all absorbed into the Israeli system by the various provisions of this law.

Religious Discrimination

The successive phases of conquest and terror, the destruction of property and the expulsion of people, and the imposition of total administrative and economic control, compelled many Arab Jerusalemites who were not actually expelled by force to depart of their own accord. In addition to all the other strains imposed on the people of Jerusalem, they were forced to witness the desecration of the religious shrines. The Muslim communities suffered the confiscation of Waqf property (about 595 buildings)⁵⁸ desecrations in the Haram al-Sharif, and the burning of the Aksa Mosque.

Desecrations inflicted upon Christian holy places shortly after the war compelled an American eye-witness, Nancy Nolan Abu Haydar, to write open letters to all concerned parties, denouncing the throwing of stink bombs in the churches, the damaging of the Church of St. Anne (whose crypt marks the birthplace of the Virgin Mary) and the Church of the Nativity in Bethlehem, the murder of the Warden of the Garden

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See Appendix VI.

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Letter to UN Secretary-General from Jordanian Representative, June 12, 1968, UN doc. S/8634; excerpts reprinted in *Journal of Palestine Studies*, I, 1 (autumn 1971), pp. 184-185.

Tomb, and the obscene behavior of Israeli visitors in the churches and mosques. Although such incidents might be forgotten with time, the murder of several girls at the Episcopal Girls' School in Ramallah, the eradication of the centuries' old villages of Yalu, Beit Nuba and Emmaus near Jerusalem and the dispersion of their inhabitants,⁵⁹ and the continuous discrimination practised by zealots against Christians have revived the nightmares of 1948.

Similar gestures of desecration and abuse have continued to the present, but their rate of incidence has diminished at a rate almost proportional to the extent of annexation. The Haram area, as well as the houses around it, face the daily threat of "archaeological excavations" which have resulted in the collapse of houses in the Moroccan Quarter,⁶⁰ the cracking of an 800-year-old Arab building near the Wailing Wall,⁶¹ and the gradual breakdown of the Haram walls near the Aksa Mosque.⁶²

Throughout this entire process, ideology has played a crucial role. As Shimon Peres said of the Master Plan for Jerusalem, "It is a matter of a political act of the first order which exalts the imagination and opens up new horizons upon the whole human and cultural panorama of Israel."⁶³ What are the benefits which would make the implementation of this plan "a political act of the first order"? *Newsweek* mentioned one in the issue of January 25, 1971;⁶⁴ Professor Walid Khalidi summarized the others as follows in 1968:

It is clear as daylight why Israel wants Jordanian Jerusalem. It is the strategic key to the Western Bank. It isolates the southern half of the Western Bank around Hebron from the northern half around Nablus. By controlling Jordanian Jerusalem, Israel can dominate the entire Western Bank, control its commerce and communications, shatter its civic harmony, disrupt

59 See Michael Adams, "Zeita, Beit Nuba, Yalu," *Sunday Times* (London), June 16, 1968.

60 *Ha'aretz*, July 7, 1971.

61 *New York Times*, February 16, 1972.

62 *Yediot Ahronot*, January 5, 1971.

63 Quoted by John Rulli, "New Walls Around Jerusalem," *Civiltà Cattolica* (June 19, 1971), p. 6.

64 "Judaizing Jerusalem," *Newsweek*, January 25, 1971, p. 41.

its administrative life, dominate the approaches to the River Jordan, suck out the handsome annual revenues that accrue from the tourist traffic and pilgrimages, and pounce at will upon any attractive prey in sight, whether moving or stationary.⁶⁵

This statement has been corroborated by the immediacy of the process of isolating the City, as well as by the fact that the Israeli authorities had been preparing files for the administration of the West Bank as far back as 1961.⁶⁶ Jerusalem's crucial position has been commented on too by Richard Pfaff:

East Jerusalem remained the nexus linking the northern and southern parts of the West Bank. The commercial, communications, and transportation links of these two areas focused on East Jerusalem. In fact, East Jerusalem remained at the apex of highways leading north to Ramallah, south to Hebron, and east to Jericho.⁶⁷

Educational Changes

The policy of Judaization has not spared the educational system either. In 1967 the authorities abolished the programs of the (former Jordanian) government schools and those under the Department of Education, prohibited the use of the prescribed textbooks and replaced them with those taught in Arab schools in the areas occupied in 1948. The result of the altered curriculum was a massive shift from the government schools to the 14 private and denominational schools in the City, who did what they could to accommodate the influx of students.

The following year the Israelis retaliated with the Supervision of Schools Law.⁶⁸

The law in question is yet another link in the chain of measures aimed at furthering the Israeli Judaization of Jerusalem. It stipulates that all private and confessional schools and their staff

⁶⁵ *Facts and Fiction* (New Delhi: League of Arab States, 1968), p. 14.

⁶⁶ *Ma'ariv*, June 16, 1971.

⁶⁷ Pfaff, pp. 33-34.

⁶⁸ See *Israeli Law Digest*, No. 564 (July 17, 1969).

acquire Israeli licenses in order to continue operating. The law stipulates also that their curricula and their sources of income be subject to complete Israeli control.⁶⁹

Under this law, and with teachers under constant threat of dismissal, the ease with which such subjects as religion and history could be used or abused to promote specific points of view has certainly left its mark on public and private schools in Arab Jerusalem. On March 9, 1971, Yigal Allon approved the teaching of Hebrew and selections from the Torah, and instruction on the settlement of Jews in Palestine in Arab schools.⁷⁰ And this is but a case in point.

Pre-planned and implemented at sword point, the Judaization of Jerusalem is a political process aimed at fulfilling the colonial ambitions of Zionism at the expense of the human and civil rights of the people of Jerusalem.

REPERCUSSIONS

The continual appeals of the United Nations for the preservation of the international status of Jerusalem⁷¹ have not been merely disregarded by the Israelis; they have been met by an intensification of the process of Judaization. The Security Council Resolution of September 25, 1971 once again called on Israel to rescind previous measures and actions and to desist from further steps in the occupied section of Jerusalem which "may purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace."⁷² On the same day the Israeli government rejected the resolution and declared its determination to "continue to persevere in the development of the city for the benefit of all its inhabitants, . . ."⁷³ Even in

⁶⁹ Khatib, Vol. I, p. 17.

⁷⁰ *Ha'aretz*, April 1, 1971.

⁷¹ See Appendices VIII, IX, XII, XIII, XIV and XV.

⁷² Appendix XV.

⁷³ *Arab Report and Record*, 16-30 September 1971, p. 519.

specific matters, such as the UNESCO protest over the "excavations" in the Old City,⁷⁴ the Israelis rejected the objections in toto.

The Vatican, which had always urged the internationalization of the City and recognition of the Palestinians' rights, not to mention protection of the Christian Holy Places, reiterated its stand in 1967 and again in 1971 - to no avail. The official *L'Osservatore Romano* commented in March 1971:

The unfortunate division of the city, followed by British withdrawal from Palestine in 1948 and by the failure to implement UN resolutions that Jerusalem and her surroundings should be a corpus separatum, all received their epilogue when this city, which should have belonged to all had its Arab sector occupied by the Israeli Army in the 1967 war. This occupation was almost immediately converted by the Israeli parliament into what was in practice an annexation of the city under the title of unification. The desire to extend sovereignty over the Arab sector has since been expressed in legislative, fiscal and town planning measures which are progressively stamping Jerusalem with a particularistic character prejudicial to non-Jewish members of the population, both Christian and Moslem.⁷⁵

Meanwhile Israeli response to Vatican statements was summed up by Mayor Kollek as follows: "We have every right to build wherever we want in Jerusalem, and neither the Vatican nor the United Nations is going to prevent us from doing so."⁷⁶

The Jerusalemites themselves, despite the constant threat of eviction and deportation and their utter helplessness in the face of Israeli power, have expressed their disdain for the confiscation and the annexation of their City. In August of 1967 they staged a general strike protesting Israeli occupation;⁷⁷ in September 1967 there was a

74 Appendix XVI.

75 *L'Osservatore Romano* (March 22, 1971); translated excerpts in *Journal of Palestine Studies*, I, 1 (autumn 1971), pp. 191-192.

76 *Ma'ariv*, May 18, 1971.

77 *New York Times*, August 8, 1967; cited by Pfaff, p. 48.

school strike;⁷⁸ in January of 1968 Arab women of the City went on a hunger strike in protest at annexation;⁷⁹ and in November of the same year Arab merchants went on strike protesting the seizure of Arab shops.⁸⁰ Protest has continued as the Zionists have continued to infringe on the civil and religious rights of both Christians and Muslims.

In all the recent discussions and writings on Jerusalem, the Arab inhabitants of the city seem to have been entirely forgotten. It is as though the Israeli fait accompli has already been accepted, the subjection of the Arabs to the Israelis taken for granted. Whole sections of Arab property are to be wiped out for the fulfillment of a Master Plan on which they have not been consulted and certainly would not accept.⁸¹

Despite protestations from within Jerusalem as well as from without, the United States, which holds the key to curbing Israeli annexation, in fact has done nothing to impede this process. Press Officer Robert McCloskey was quoted in January 1968 as having said on behalf of the American government: "We have repeatedly made it clear that we do not recognize any unilateral actions affecting the status of Jerusalem. This remains our policy."⁸² This statement contrasts starkly with U.S. abstentions on UN resolutions regarding Jerusalem and even more so with the stepping up of American financial and military aid that is the life blood of the Israeli state.

* * *

For over a thousand years Jerusalem had been an Arab city, the capital of no state and open to all men of faith. It had always been al-Quds (the Sanctuary); and Muslim law, as well as British policy, had preserved its character in its entirety until 1948,

78 *New York Times*, September 19, 1967; cited by Pfaff, p. 48.

79 *New York Times*, January 28, 1968; cited by Pfaff, p. 48.

80 *New York Times*, November 24, 1968; cited by Pfaff, p. 48.

81 Tom Little, "The Theft of a Sacred City," *Middle East International* (June 1971), p. 24.

82 Quoted by Giustiniani, "Jerusalem: 1968," *The Middle East Newsletter*, II, 4 (April 1968), p. 2.

in its eastern half until 1967. But with the conquests of the June War and the entire process of Judaization, secularization and terrorism which has been taking place since, this "city of the world," subordinated to the ideological commitments of a social chauvinism, has become the capital of a secular state and the victim of the military, political and ideological aims of a closed nationalism. What was once a spiritual center of the entire world, what was once a place to which all men might express attachment, is rapidly becoming nothing more than the political center of a specific state.

APPENDICES

Appendix I

Law and Administration Ordinance(Amendment No. 11) Law 5727-1967¹

1. In the Law and Administration (Ordinance 5708-1948), the following section shall be inserted after section 11 A:
 - 11 B. The law, jurisdiction and administration of the state shall extend to any area of Eretz Israel designated by the Government by order.

2. This Law shall come into force on the date of its adoption by the Knesset.²

Levi Eshkol
Prime Minister

Yaakov S. Shapiro
Minister of Justice

Shneur Zelman Shazar
President of the State

¹ *Laws of the State of Israel*, Authorised Translation from the Hebrew Prepared at the Ministry of Justice, Vol. XXI (1966-1967), p. 75. (Jerusalem: The Government Printer, n.d.)

² Adopted by the Knesset on June 27, 1967.

Appendix II

Municipalities Ordinance(Amendment No. 6) Law, 5727-1967¹

1. In the Municipalities Ordinance, the following section shall be inserted after section 8:

"Enlargement of area of jurisdiction in certain cases. 8A. (a) The Minister may, at his discretion and without an inquiry under section 8 being made, enlarge, by proclamation, the area of a particular municipality by the inclusion of an area designated by order under section 11B of the Law and Administration Ordinance, 5708-1948.

(b) Where the Minister has enlarged the area of a municipality as aforesaid, he may, by order, appoint additional councillors from among the inhabitants of the newly-included area. A councillor appointed as aforesaid shall hold office so long as the council holds office: Provided that the Minister may, by order, appoint another person in his stead."

- Commencement. 2. This Law shall come into force on the date of its adoption by the Knesset.

Levi Eshkol

Haim Moshe Shapiro

Prime Minister

Minister of the Interior

Shneur Zalman Shazar

President of the State

¹ *Laws of the State of Israel*, Vol. XXII (1967-1968), pp. 75-76. Passed by the Knesset on June 28, 1967 and originally published in *Sefer Ha-Chukkim*, No. 499 (June 28, 1967), p. 74.

Appendix III

Law and Administration Ordinance, 5708-1948¹Designation of Area Order

On the basis of the powers delegated to the Government in accordance with section 11 B of the Law and Administration Ordinance, 5708-1948 and in accordance with its powers under any other law, the Government orders as follows:

1. Designation of Area. The area of Eretz Israel described in the annex is hereby declared as an area subject to the law, jurisdiction and administration of the State.
2. Title. This order shall be called the "Law and Administration Order (No. 1), 5727-1967."

Annex

From demarcation point 1678613520 to the north along Wadi Issa, up to d.p. 1673613678 and from there in a straight line, north-east up to the junction of the road with d.p. 1675413700 and from there eastward along the road to d.p. 1678813706 and from there to boundary point 777.3 found on d.p. 1685413710 and from there in a straight line meeting Wadi el-'Aukba in d.p. 1690013694 and from there south-eastward along the northern cleft of Wadi el-'Aukba up to a meeting point with Wadi el-Sharqi on d.p. 1699813604 and from there to the north along Wadi el-Sharqi to d.p. 1705013712 and from there in a straight line north up to b.p. 703.2 found on d.p. 1705813848 and from there in a straight line to b.p. 793.5 found on d.p. 1703613938 and from there in a straight line to the north up to a meeting point with the road on d.p. 1704213974 from there in a straight line to the center of the dome found on d.p. 1702014062 and from there in a straight line to a meeting point with the road on d.p. 1701214114 and from there in a straight line north-west to a meeting point with the road on d.p. 1697014136 from there to the north along the road up to the junction on d.p. 1695414232 from there in a straight line to d.p. 1697214294, from there to the east by-passing hill 826 from the north along the road up to the junction on d.p. 1703814336 and from there in a straight line eastwards up to a meeting point with the road on d.p. 1710014332 and from there to the south-east up to b.p. 835 found on d.p. 1712214288 and from there in a straight line to d.p. 1715214164 and from there southward along the road and 20 m. far to the east up to d.p.

¹ *Official Gazette, Kovetz Ha-Takanot* No. 2064 (June 28, 1967), pp. 2690-2691.

1718813882 from there eastward up to d.p. 1721813878 from there in a straight line to Hirbet Sha'ab a-Sira on d.p. 1730013916 from there eastward up to the junction of the valley on d.p. 1736413914 from there to the south east along the cleft up to a meeting point with Wadi Abu-Lita on d.p. 1744413852, from there in a straight line to the south up to the junction of the roads on d.p. 1744213838, from there to the south-west along the road up to d.p. 1739413768, from there south up to a meeting point with the road on d.p. 1738813752 from there south-east along the road up to a meeting point with Wadi Umm-Daraj on d.p. 1752413696, from there south-west along the wadi to d.p. 1743013554 from there in a straight line to the roads' junction on d.p. 1744213526, from there in a straight line to the south up to a meeting point with Wadi Salim on d.p. 1743813456 and from there south-east along Wadi Salim up to d.p. 1746613424 from there in a straight line to d.p. 1747013336 from there south-east along the valley to d.p. 1750013300, from there in a straight line to the south-west up to a meeting point with the road on d.p. 1746413252, from there along the road up to the crossroads on d.p. 1744613248, from there in a straight line to the south up to the crossroads on d.p. 1744413194, from there in a straight line up to a meeting point with the road on d.p. 1741013086, from there to the west up to the junction on d.p. 1739413086, from there to the south along the road up to the junction on d.p. 1740213050, from there in a straight line southward up to b.p. 700.5 found on d.p. 1740613002 from there in a straight line south-east up to a meeting point with the road on d.p. 1747012936, from there south along the road to d.p. 1750412844, from there in a straight line south-west up to the junction of the roads on d.p. 1748212830, from there in a straight line to d.p. 1747812826, from there in a straight line to the south-west up to a meeting point with Nehal Kidran on d.p. 1745612776, from there in a straight line south-west to a meeting point with the wadi on d.p. 1739212736, from there southward along Wadi el-Luz up to d.p. 1739212666, from there in a straight line up to a meeting point with Wadi el-Has on d.p. 1737612590 from there in a straight line south-west to a meeting point with Wadi el-Paht on d.p. 1732012528, from there to the south up to b.p. 616 found on d.p. 1731212442, from there in a straight line to b.p. 604 found on d.p. 1727612412 from there in a straight line to the north-west up to a meeting point with the road on d.p. 1720012448, from there north-west along the valley up to d.p. 1717412500 from there in a straight line to d.p. 1713612516, from there in a straight line south-west to d.p. 1708412478 from there in a straight line north-west to b.p. 782.9 found on d.p. 1695012566, from there in a straight line to the junction of the roads on d.p. 1679812544, from





there in a straight line up to the junction of roads on d.p.
1671212534 from there in a straight line north-west to d.p.
1657212664 from there in a straight line up to d.p. 1646812678 from
there in a straight line to d.p. 1643812712.

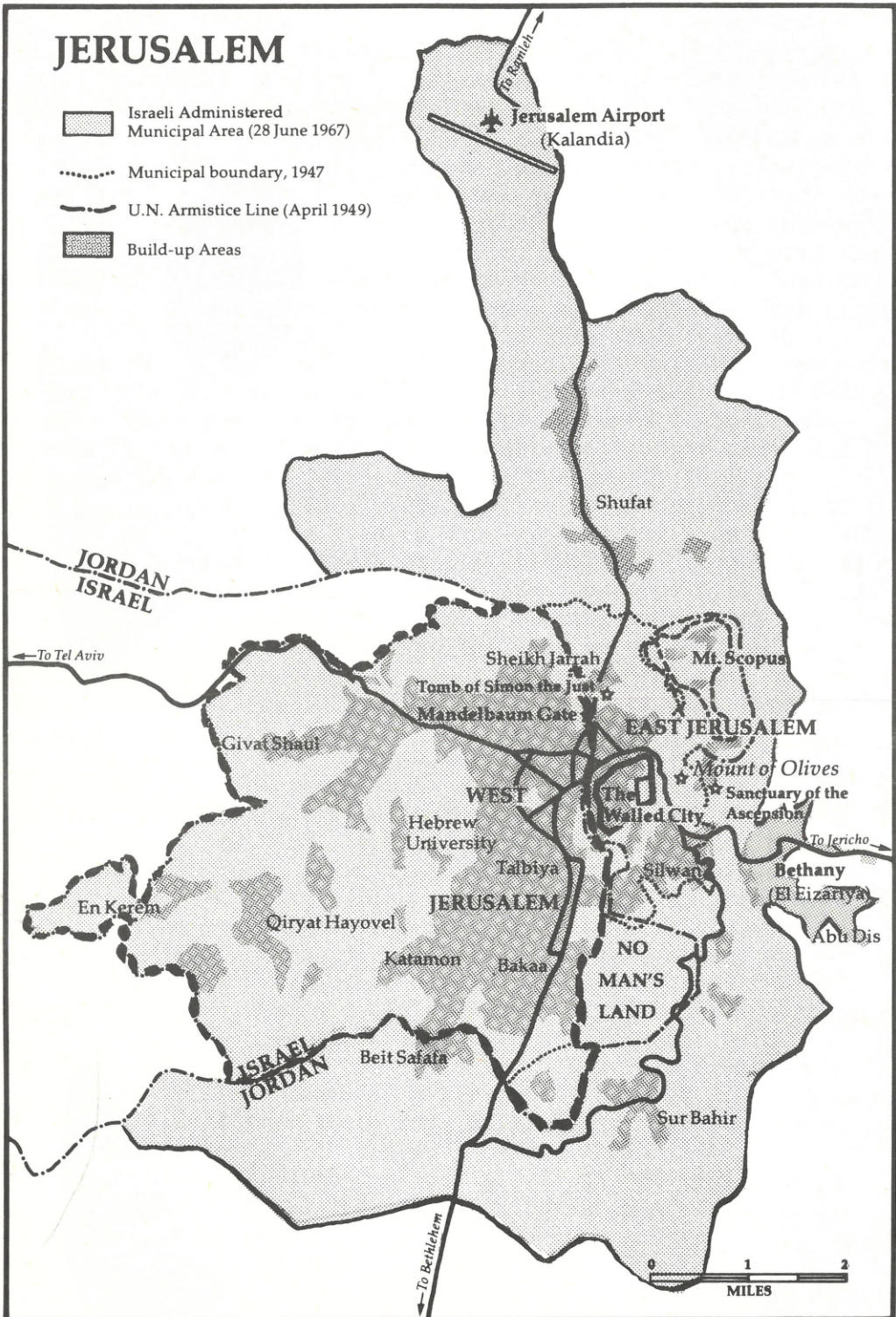
June 28, 1967

Yael Uzay

Secretary to the Government

JERUSALEM

-  Israeli Administered Municipal Area (28 June 1967)
-  Municipal boundary, 1947
-  U.N. Armistice Line (April 1949)
-  Build-up Areas



1

This map has been adapted from one which appeared in Richard Pfaff, *Jerusalem: Keystone of an Arab-Israeli Settlement* (Washington: American Enterprise Institute, 1969), p. 37

Appendix IV

Municipalities OrdinanceProclamation of Enlargement of the Municipal Area of Jerusalem¹

On the basis of the powers vested in me by Article 8 A of the Municipalities Ordinance, I hereby declare that:

1. Enlargement of the area of the Municipality of Jerusalem. The area of the Municipality of Jerusalem shall be enlarged through the inclusion of the area defined in the annex.
2. Title. This proclamation shall be known as "Proclamation on the Enlargement of the Area of the Municipality of Jerusalem, 5727-1967."

Annex

From demarcation point 1678613520 to the north along Wadi Issa, up to d.p. 1673613678 and from there in a straight line, north-east up to the junction of the road with d.p. 1675413700 and from there eastward along the road to d.p. 1678813706 and from there to boundary point 777.3 found on d.p. 1685413710 and from there in a straight line meeting Wadi el-'Aukba in d.p. 1690013694 and from there south-eastward along the northern cleft of Wadi el-'Aukba up to a meeting point with Wadi el-Sharqi on d.p. 1699813604 and from there to the north along Wadi el-Sharqi to d.p. 1805013712 and from there in a straight line north up to b.p. 703.2 found on d.p. 1705813848 and from there in a straight line to b.p. 793.5 found on d.p. 1703613938 and from there in a straight line to the north up to a meeting point with the road on d.p. 1704213974 from there in a straight line to the center of the dome found on d.p. 1702014062 and from there in a straight line to a meeting point with the road on d.p. 1701214114 and from there in a straight line north-west to a meeting point with the road on d.p. 1697014136 from there to the north along the road up to the junction on d.p. 1695414232 from there in a straight line to d.p. 1697214294, from there to the east by-passing hill 826 from the north along the road up to the junction on d.p. 1703814336 and from there in a straight line eastwards up to a meeting point with the road on d.p. 1710014332 and from there to the south-east up to b.p. 835 found on d.p. 1712214288 and from there in a straight line to d.p. 1715214164 and from there southward along the road and 20 m. far to the east up to d.p.

¹ *Official Gazette, Kovetz Ha-Takanot* No. 2065 (June 28, 1967), pp. 2694-2695.

1718813882 from there eastward up to d.p. 1721813878 from there in a straight line to Hirbet Sha'ab a-Sira on d.p. 1730013916 from there eastward up to the junction of the valley on d.p. 1736413914 from there to the south east along the cleft up to a meeting point with Wadi Abu-Lita on d.p. 1744413852, from there in a straight line to the south up to the junction of the roads on d.p. 1744213838, from there to the south-west along the road up to d.p. 1739413768, from there south up to a meeting point with the road on d.p. 1738813752 from there south-east along the road up to a meeting point with Wadi Umm-Daraj on d.p. 1752413696, from there south-west along the wadi to d.p. 1743013554 from there in a straight line to the roads' junction on d.p. 1744213526, from there in a straight line to the south up to a meeting point with Wadi Salim on d.p. 1743813456 and from there south-east along Wadi Salim up to d.p. 1746613424 from there in a straight line to d.p. 1747013336 from there south-east along the valley to d.p. 1750013300, from there in a straight line to the south-west up to a meeting point with the road on d.p. 1746413252, from there along the road up to the crossroads on d.p. 1744613248, from there in a straight line to the south up to the crossroads on d.p. 1744413194, from there in a straight line up to a meeting point with the road on d.p. 1741013086, from there to the west up to the junction on d.p. 1739413086, from there to the south along the road up to the junction on d.p. 1740213050, from there in a straight line southward up to b.p. 700.5 found on d.p. 1740613002 from there in a straight line south-east up to a meeting point with the road on d.p. 1747012936, from there south along the road to d.p. 1750412844, from there in a straight line south-west up to the junction of the roads on d.p. 1748212830, from there in a straight line to d.p. 1747812826, from there in a straight line to the south-west up to a meeting point with Nehal Kidran on d.p. 1745612776, from there in a straight line south-west to a meeting point with the wadi on d.p. 1739212736, from there southward along Wadi el-Luz up to d.p. 1739212666, from there in a straight line up to a meeting point with Wadi el-Has on d.p. 1737612590 from there in a straight line south-west to a meeting point with Wadi el-Paht on d.p. 1732012528, from there to the south up to b.p. 616 found on d.p. 1731212442, from there in a straight line to b.p. 604 found on d.p. 1727612412 from there in a straight line to the north-west up to a meeting point with the road on d.p. 1720012448, from there north-west along the valley up to d.p. 1717412500 from there in a straight line to d.p. 1713612516, from there in a straight line south-west to d.p. 1708412478 from there in a straight line north-west to b.p. 782.9 found on d.p. 1695012566, from there in a straight line to the junction of the roads on d.p. 1679812544, from

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1671212534 from there in a straight line north-west to d.p.
1657212664 from there in a straight line up to d.p. 1646812678 from
there in a straight line to d.p. 1643812712.

June 28, 1967

Yael Uzay

Secretary to the Government

Appendix V

Order Dissolving the JerusalemMunicipal Council

In the name of the Israeli Defense Army, I have the honor to inform Mr. Rouhi al-Khatib and the Members of the Municipal Council in al-Quds (Arab Jerusalem) that the Council is henceforth considered as dissolved.

The employees of the Municipality in the different Municipal departments including the administrators and technicians are henceforth considered as temporary employees in the Jerusalem Municipality until their appointment is decided by the Jerusalem Municipality after they submit written applications for work.

In the name of the Israeli Defense Army, I call upon Municipality employees to continue in their work to provide the necessary services to the inhabitants of this city.

I thank Mr. Rouhi al-Khatib and the members of the Council for their services during the transitional period from the entrance of the Israeli Defense Army to Jerusalem to this day.

June 29, 1967

Assistant Military Commander
of Jerusalem

Yaacov Salman

Military Government Officer

David Vardi

Appendix VI

Legal and Administrative Matters(Regulation) Law, 5728-1968¹

- Definition. 1. In this Law, "application of law order" means an order under section 11B of the Law and Administration Ordinance, 5708-1948.²
- Holy Places. 2. Where any Holy Places are situated in the area of application of an application of law order, the Absentees' Property Law, 5710-1950³ shall not apply to them from the day of the coming into force of the order.
- Non-absentee-ship. 3. (a) A person who on the day of the coming into force of an application of law order is in the area of application of the order and a resident thereof shall not, from that day, be regarded as an absentee within the meaning of the Absentees' Property Law, 5710-1950, in respect of property situated in that area.
- (b) For the purposes of this section, it shall be immaterial if, after the coming into force of the order, a person is, by legal permit, in a place his presence in which would make him an absentee but for this provision.
- Plea of enemy status. 4. Where a person is a resident of the area of application of an application of law order, a court or tribunal shall not, in a civil matter, entertain the plea that he is an enemy or enemy subject, unless that plea is made by the Attorney-General or with his written consent.

¹ *Laws of the State of Israel*, Vol. XXII (1967-1968), pp. 282-288. Passed by the Knesset on August 14, 1968 and originally published in *Sefer Ha-Chukkim*, No. 542 (August 23, 1968), p. 247.

² *I.R.* of 5708, Suppl. I, p. 1 - *LSI* vol. I, p. 7; *Sefer Ha-Chukkim* of 5727, p. 74 - *LSI* vol. XXI, p. 75.

³ *Sefer Ha-Chukkim* of 5710, p. 86; *LSI* vol. IV, p. 68.

Release of
immovable
property

5. (a) Immovable property situated in the area of application of an application of law order and which, immediately before the day on which such area came to be held by the Defence Army of Israel, was vested in a person whom the authorities of the state then in de facto occupation of the area had appointed custodian of enemy property or holder of a similar office or title, or in any of the authorities of, or any body controlled by, that state, to which authority or body that person had transferred the property, shall, from the day of the coming into force of the order, vest in the Administrator-General, who shall deal therewith as hereafter in this section provided.

(b) The Administrator-General shall, by certificate under his hand, release the property to the person who was the owner thereof before it was vested in the person referred to in subsection (a), or to the successor of such owner, upon the application of such owner or successor. So long as the property is not released, the Administrator-General shall deal therewith as he is permitted to deal with immovable property of a missing person under the Administrator-General Ordinance, 1944¹, and the provisions of that Ordinance shall apply for the purposes of this section.

(c) Where the property was acquired for public purposes under any Law after the coming into force of the application of law order and before being released, the compensation due under that Law in respect of the acquisition shall be paid to the Administrator-General, who shall deal therewith, mutatis mutandis, in accordance with sub-section (b).

(d) Where the property includes a public building erected after the property became vested in the person referred to in subsection (a) and before the coming into force of the application of law order, the property shall become State property, and the compensation therefor shall be calculated according to the value of the land only, as vacant, on the day of the coming into force of the order or the coming into force of this Law, whichever is later.

1

P.G. of 1944, Suppl. I, No. 1380, p. 151 (English Edition).

Companies - continuation of operations. 6. A company which immediately before the coming into force of an application of law order or immediately before the coming into force of this Law, whichever is later, had a place of business in the area of application of the order, and which was established under the law applying in that area at the time of its establishment, may, notwithstanding anything provided in the Companies Ordinance¹ or the Absentees' Property Law, 5710-1950, continue its operations until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this Law or until the Court decides upon an application filed under section 9 or 10, whichever is latest.

Companies - non-absentee-ship of director or member. 7. A director or member of a company as referred to in section 6, who according to this Law is regarded as a non-absentee in respect of his property, shall also be regarded as a non-absentee in respect of his rights as a director or member of the company and in respect of the operations of the company under section 6, 8, 9 or 10.

Companies - registration of charges. 8. Where a company as referred to in section 6 has pledged or charged its property, the provisions of section 127 of the Companies Ordinance shall apply to it in respect of the registration of the pledge or charge.

Company - transfer of assets and liabilities. 9. (a) Where, within six months from the day of the coming into force of an application of law order or from the day of the coming into force of this Law, whichever is later, a company as referred to in section 6 arrives at an arrangement with a company registered in Israel for that purpose by all or part of the members of the company referred to in section 6, or with another company registered in Israel, for the transfer to it of its assets and liabilities, the company with which the arrangement was made may, within three months from the date of the arrangement, apply to the District Court of Jerusalem, by way of motion, for an order confirming the arrangement.

(b) Notice of the filing of an application under subsection (a) and of the time of its hearing shall be

¹ *Laws of Palestine* vol. I, cap. 22, p. 161 (English Edition).

published in *Reshumot*; the text of the notice shall be as prescribed by the Court.

(c) Subsections (3), (4), (6), (7), (8), (10), and (12) of section 119A of the Companies Ordinance shall apply, mutatis mutandis, to an arrangement under this section.

Conversion of company into Israeli company. 10. A company as referred to in section 6 whose only place of business is in the area of application of an application of law order and all whose directors and members are residents of that area may, within six months from the day of the coming into force of the order or from the day of the coming into force of this Law, whichever is later, apply to the District Court of Jerusalem, by way of motion, for an order converting it into an Israeli company, and the Court may make the order on such conditions, including conditions as to the filing of documents with the Registrar of Companies, as it may deem fit.

Partnerships. 11. The provisions of sections 6 to 10 shall apply mutatis mutandis to partnerships.

Cooperative societies - continuation of operations. 12. (a) A cooperative society which immediately before the coming into force of an application of law order or immediately before the day of the coming into force of this Law, whichever is later, had its place of operation in the area of application of the order, and which was established under the law applying in that area at the time of its establishment, may, notwithstanding anything provided in the Cooperative Societies Ordinance¹ or the Absentees' Property Law, 5710-1950, continue its operations until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this Law or until the Court decides upon an application filed under section 13(b), whichever is latest.

(b) The provisions of sections 7 and 8 shall also apply, mutatis mutandis, to a cooperative society as referred to in subsection (a).

¹ *Laws of Palestine* vol. I, cap. 24, p. 360 (English Edition).

Cooperative societies - registration and transfer of assets and liabilities. 13. (a) The Minister of Labour may, by general or special order, enact provisions as to the registration of a cooperative society to take the place of a society as referred to in section 12, including the determination of its rules, members and organs. A society registered under an order as aforesaid shall, to all intents, be deemed to have been registered under the Cooperative Societies Ordinance, and the provisions of that Ordinance and of the regulations made thereunder shall apply to any matter not provided for in the order.

(b) The Registrar of Cooperative Societies shall arrange the transfer of the assets and liabilities of a society as referred to in section 12 to a society registered under subsection (a) and shall apply to the District Court of Jerusalem, by way of motion, for an order confirming the arrangement. The provisions of sections 9(b) and (c) shall also apply, mutatis mutandis, for the purposes of this section.

(c) An act as referred to in this section shall also be valid if it was done before the coming into force of this Law.

Conversion of society into Israeli society. 14. The Minister of Labour may, by general or special order, enact provisions as to the conversion of a society as referred to in section 12 into an Israeli cooperative society if all the members of the society and of the management thereof are residents of the area of application of the application of law order.

Licences to carry on occupation. 15. (a) Where, immediately before the coming into force of an application of law order, a resident of the area of application of the order engaged in any vocation, handicraft or other occupation under the law then applying in that area, and such vocation, handicraft or other occupation requires a licence under an Israeli enactment, such resident may continue in such vocation, handicraft or other occupation until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this Law or until his application for a licence under the Israeli enactment has been decided upon, whichever is latest.

(b) A licence may be granted to a resident as referred to in subsection (a) even if he lacks any of the personal qualifications required by the enactment.

(c) Where according to the enactment the grant of a licence is subject to conditions relating to the place

where the occupation is carried on, the Minister charged with the implementation of the enactment may make regulations containing relaxations, for a specific time or otherwise, in respect of the place where the occupation was carried on before the coming into force of the application of law order. So long as regulations as aforesaid have not been made, the authority competent to grant the licence may grant relaxations as aforesaid.

(d) This section shall not apply to a licence under the Firearms Law, 5709-1949¹, or the Explosives Law, 5714-1954².

Advocates.

16. (a) A resident of the area of application of an application of law order who immediately before the day on which such area came to be held by the Defence Army of Israel served as a judge of a civil court, or was an advocate, in such area shall become a member of the Chamber of Advocates on the day of the coming into force of the order or the day of the coming into force of this Law, whichever is later.

(b) The Minister of Justice shall publish in *Reshumot* the names of the persons to whom subsection (a) applies.

(c) The Minister of Justice may prescribe by regulations conditions, including relaxations, for admission to membership of the Chamber of Advocates of a resident of Israel who was a resident of the area of application of an application of law order immediately before the coming into force thereof and was qualified to be an advocate but did not practise the profession of advocacy, or was a clerk in service in such area and had not completed his period of clerkship.

(d) The Minister of Justice may prescribe by regulations conditions, including relaxations, for admission to membership of the Chamber of Advocates of a resident of Israel who, at any time before the coming into force of this Law, served as a judge of a civil court, or was an advocate, in any part of Eretz Israel not designated in an

¹ *Sefer Ha-Chukkim* of 5709, p. 143; *LSI* vol. III, p. 61.

² *Sefer Ha-Chukkim* of 5714, p. 64; *LSI* vol. VIII, p. 57.

application of law order.

(e) A person who becomes a member of the Chamber of Advocates under this section shall have all the rights and duties of a member of the Chamber under the Chamber of Advocates Law, 5721-1961¹.

Registration
of rights in
patents and
designs.

17. (a) A person who on the day of the coming into force of an application of law order had in the area of application thereof a registered right of ownership in any patent, design or trade mark, or who before that day applied for registration of such a right, may, within six months from the day of the coming into force of the order or from the day of the coming into force of this Law, whichever is later, apply for registration of his right under Israeli law; and he shall be deemed to have filed the application for registration of the right under Israeli law on the day on which he first filed his application for registration of such right.

(b) The registration of a patent under subsection (a) shall not derogate from the validity of a patent registered in Israel under an application filed before the coming into force of the Patent Law, 5727-1967².

Building
operations.

18. (a) Where the laying of the foundations of a building in the area of application of an application of law order has been completed under a building permit granted under the law applying in that area before the coming into force of the order, and within one year from the coming into force of the order or the coming into force of this Law, whichever is later, the holder of the permit gives notice to the District Planning and Building Commission of his wish to continue building operations, such holder shall be entitled to receive a building permit under Israeli law.

(b) The District Planning and Building Commission may, within three months from the grant of the permit under subsection (a) and after giving the holder of the permit a reasonable opportunity to state his case, amend or vary the permit, prescribe conditions, including relaxations, therein, or cancel it, all for reasons for which it may do so under the Planning and Building

¹ *Sefer Ha-Chukkim* of 5721, p. 178; *LSI* vol. XV, p. 196.

² *Sefer Ha-Chukkim* of 5727, p. 148; *LSI* vol. XXI, p. 149.

Law, 5725-1965¹; and it may suspend the permit until the expiration of three months from the day on which it was granted or until its decision under subsection (a), whichever is earlier.

(c) A permit under subsection (a) shall be exempt from payment of a fee. Where the laying of the foundations of a building as referred to in subsection (a) was begun, but not completed, before the coming into force of an application of law order, and an application for a building permit under Israeli law is filed, the District Planning and Building Commission may exempt the permit from payment of a fee.

Appointment
of public
servants.

19. The Prime Minister may by regulations, for a specific time or otherwise, exempt persons who are residents of the area of application of an application of law order from the provisions of any Law making an appointment to the post of a public servant conditional upon the Israeli nationality of the candidate, and he may, for this purpose, enact different provisions in respect of different categories of public servants.

Continuity of
lawsuits etc.

20. The Minister of Justice may by regulations, either generally or in respect of a specific category of matters, enact provisions as to -

(1) the material and local jurisdiction of courts to hear any criminal or civil matter in connection with any act, omission or event which occurred in the area of application of an application of law order at any time before the coming into force thereof, including the hearing of cases that were pending before courts which functioned in that area, and appeals against judgments given by such courts, and the rules of procedure in such matters;

(2) the enforcement by the courts of final judgments and of orders and other decisions given or made in a criminal or civil matter, at any time before the coming into force of an application of law order, by courts which functioned in its area of application, and the execution by the Execution Offices and other authorities of judgments, orders and decisions as aforesaid;

¹

Sefer Ha-Chukkim of 5725, p. 307; *LSI* vol. XIX, p. 330.

(3) the recognition and confirmation of documents issued or confirmed, at any time before the coming into force of an application of law order, by any of the authorities which functioned in its area of application.

Transitional provisions.

21. (a) Where an application of law order came into force before the coming into force of this Law, section 3 shall apply also to a person who on the day of the coming into force of the application of law order was a resident of its area of application but was absent therefrom, provided that he is lawfully present therein on the day of the coming into force of this Law.

(b) A legal act done by the Custodian of Absentees' Property before the coming into force of this Law and which would have been void had this Law been in force on the day it was done shall be deemed to have been void since the day it was done.

Implementation and regulations.

22. (a) The Minister of Justice is charged with the implementation of this Law and may make regulations for such implementation. Regulations as to a matter within the scope of a Law with the implementation of which another Minister is charged shall be made by that Minister with the consent of the Minister of Justice.

(b) Regulations under this Law may enact provisions as to the extension of times, including times under this Law or any other Law, and as to the adjustment of fees and exemption therefrom.

LEVI ESHKOL

Prime Minister

YAAKOV S. SHAPIRO

Minister of Justice

SHNEUR ZALMAN SHAZAR

President of the State

Appendix VII

Israeli Order Confiscating Land in the Arab Sector
of Jerusalem, August 30, 1970¹

Land (Acquisition for Public Purposes)

Ordinance, 1943

The public is hereby notified that the lands described in the annex hereto are unreservedly required by the Minister of Finance for public purposes and that the Minister of Finance is prepared to negotiate the acquisition thereof.

Any person who claims any right in or usufruct of the said lands and who wishes to obtain compensation therefor is invited to forward to the Director of the Land Registration Division, within two months of the date of publication of this notice in the official Gazette, a statement of his right in or usufruct of the said lands, together with evidence in support of his claim, including details of the entry, if any, in the land register and an itemized statement of the compensation applied for and the amount claimed in respect of each item.

The public is also hereby notified that the Minister of Finance intends to take immediate possession of the lands in question, inasmuch as they are urgently required for the public purposes for which it is proposed to acquire them, and the Minister of Finance hereby orders any person who is in possession of the said lands to relinquish possession thereof forthwith.

Annex

1. A plot of land having an area of approximately 470 dunums, situated at Jerusalem, in and around the place known as Neve Yaakov.

The said plot of land is marked red on Plan No. HS/A/112/322, drawn on the scale of 1:2500 and signed by the Minister of Finance.

¹ *Official Gazette, Yalkut Ha-Pirsumim*, No. 1656 (August 30, 1970), p. 2808.

2. A plot of land having a total area of approximately 4,840 dunums, situated to the north-west of Jerusalem.

The said plot is marked in red on Plan No. HS/121/322, drawn on the scale of 1:5000 and signed by the Minister of Finance.

3. A plot of land having a total area of approximately 2,240 dunums, situated to the south-east of Jerusalem, marked in red, with the exception of the lands marked in blue, on plan No. HR/122/322, drawn on the scale of 1:5000 and signed by the Minister of Finance.

4. A plot of land having a total area of approximately 2,700 dunums, situated to the south-west of Jerusalem, marked in red, with the exception of the lands marked in blue, on Plan No. HR/123/322, drawn on the scale of 1:5000 and signed by the Minister of Finance.

5. A plot of land having a total area of approximately 1,200 dunums, situated at Jerusalem, in and around the place known as Kalandia.

The said plot is marked in red, with the exception of the lands marked in blue, on Plan No. HR/123/322, drawn on the scale of 1:5000 and signed by the Minister of Finance.

6. A plot of land having a total area of approximately 130 dunums at Jerusalem, consisting of a combination of parcels and parts of parcels, the boundaries being those numbered 3020, 3031 and 3032 and the boundary specified under No. 30029. The said lands are marked in red, with the exception of the lands marked in blue, on Area Plan No. HF/120/1322, drawn on the scale of 1:1200 and signed by the Minister of Finance.

7. A plot of land having a total area of approximately 100 dunums at Jerusalem, consisting of a combination of parcels and parts of parcels, the boundaries of which are numbered 30033 and 30034. The said lands are marked in red on Area Plan No. HF/126/322, drawn on the scale of 1:1250 and signed by the Minister of Finance. Copies of the plans in question are deposited at the Jerusalem District Land Registration Office and at the Jerusalem District Headquarters and any interested persons are entitled to inspect them during office hours.

30 August 1970

Pinhas Sapir

Minister of Finance

Appendix VIII

General Assembly Resolution No. 2253 (ES-V) of 4 July 1967
on Measures Taken by Israel To Change the Status of
the City of Jerusalem

The General Assembly,

Deeply concerned at the situation prevailing in Jerusalem as a result of the measures taken by Israel to change the status of the city;

1. *Considers* that the measures are invalid;
2. *Calls upon* Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the General Assembly and the Security Council on the situation and on the implementation of the present resolution not later than one week from its adoption.

Appendix IX

General Assembly Resolution No. 2254 (ES-V) of 14 July 1967
on Measures Taken by Israel To Change
the Status of Jerusalem

The General Assembly,

Recalling its resolution 2253 (ES-V) of 4 July 1967,

Having received the report submitted by the Secretary-General,

Taking note with the deepest regret and concern of the non-compliance by Israel of resolution 2253 (ES-V),

1. *Deplores* the failure of Israel to implement resolution 2253 (ES-V);
2. *Reiterates* its call to Israel in that resolution to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the Security Council and the General Assembly on the situation and on the implementation of the present resolution.

Appendix X

Security Council Resolution No. 250 (1968) of 27 April 1968Calling Upon Israel To Refrain from Holdingthe Military Parade in Jerusalem

The Security Council,

Having heard the statements of the representatives of Jordan and Israel,

Having considered the Secretary-General's note (S/8561), particularly his note to the Permanent Representative of Israel to the United Nations,

Considering that the holding of a military parade in Jerusalem will aggravate tensions in the area and have an adverse effect on a peaceful settlement of the problems in the area,

1. *Calls upon* Israel to refrain from holding the military parade in Jerusalem which is contemplated for 2 May 1968;

2. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution.

Appendix XI

Security Council Resolution No. 251 (1968) of 2 May 1968Deploing the Israeli Military Parade in Jerusalem

The Security Council,

Noting the Secretary-General's reports of 26 April (S/8561) and 2 May 1968 (S/8567),

Recalling resolution 250 (1968) of 27 April 1968,

Deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968.

Appendix XII

Security Council Resolution No. 252 (1968) of 21 May 1968on Measures Taken by Israel To Changethe Status of Jerusalem

The Security Council,

Recalling General Assembly resolutions 2258 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,

Having considered the letter (S/8560) of the Permanent Representative of Jordan on the situation in Jerusalem and the report of the Secretary-General (S/8146),

Having heard the statements made before the Council,

Noting that since the adoption of the above-mentioned resolutions, Israel has taken further measures and actions in contravention of those resolutions,

Bearing in mind the need to work for a just and lasting peace,

Reaffirming that acquisition of territory by military conquest is inadmissible,

1. *Deplores* the failure of Israel to comply with the General Assembly resolutions mentioned above;

2. *Considers* that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status;

3. *Urgently calls upon* Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem;

4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution.

Appendix XIII

Security Council Resolution No. 267 (1969) of 31 July 1969Calling Upon Israel To Rescind All MeasuresTaken To Change the Status of Jerusalem

The Security Council,

Recalling its resolution 252 of 21 May 1968 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967 respectively concerning measures and actions by Israel affecting the status of the City of Jerusalem,

Having heard the statements of the parties concerned on the question,

Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures tending to change the status of the City of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. *Reaffirms* its resolution 252 (1968);
2. *Deplores* the failure of Israel to show any regard for the General Assembly and Security Council resolutions mentioned above;
3. *Censures* in the strongest terms all measures taken to change the status of the City of Jerusalem;

4. *Confirms* that all legislative and administrative measures and actions by Israel which purport to alter the status of Jerusalem including expropriation of land and properties thereon are invalid and cannot change that status;

5. *Urgently calls* once more upon Israel to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect;

6. *Requests* Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of this resolution;

7. *Determines* that, in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter;

8. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution.

Appendix XIV

Security Council Resolution No. 271 (1969) of 15 September 1969Condemning the Arson Caused to al-Aqsa Mosque

The Security Council,

Grieved at the extensive damage caused by arson to the Holy al-Aqsa Mosque in Jerusalem on 21 August 1969 under the military occupation of Israel,

Mindful of the consequent loss to human culture,

Having heard the statements made before the Council reflecting the universal outrage caused by the act of sacrilege in one of the most venerated shrines of mankind,

Recalling its resolutions 252 (1968) of 21 May 1968 and 267 (1969) of 3 July 1969 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967 respectively, concerning measures and actions by Israel affecting the status of the city of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. *Reaffirms* its resolutions 252 (1968) and 267 (1969);
2. *Recognizes* that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act may seriously

endanger international peace and security;

3. *Determines* that the execrable act of desecration and profanation of the Holy al-Aqsa Mosque emphasizes the immediate necessity of Israel desisting from acting in violation of the aforesaid resolutions and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem;

4. *Calls upon* Israel scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the Supreme Moslem Council of Jerusalem, including any co-operation that Council may desire from countries with predominantly Moslem population and from Moslem communities in relation to its plans for the maintenance and repair of the Islamic Holy Places in Jerusalem;

5. *Condemns* the failure of Israel to comply with the aforementioned resolutions and calls upon it to implement forthwith the provisions of these resolutions;

6. *Reiterates* the determination in operative paragraph 7 of resolution 267 (1969) that in the event of a negative response, the Security Council shall convene without delay to consider what further action should be taken in this matter;

7. *Requests* the Secretary-General to follow closely the

implementation of the present resolution and to report thereon to the Security Council at the earliest possible date.

Appendix XV

Security Council Resolution No. 298 (1971) of 25 September 1971Calling Upon Israel Not To Change the Status of Jerusalem

The Security Council,

1. *Reaffirms* Security Council resolutions 252 (1968) and 267 (1969);
2. *Deplores* the failure of Israel to respect the previous resolutions adopted by the United Nations concerning measures purporting to affect the status of the city of Jerusalem;
3. *Confirms* in the clearest possible terms that all legislative and administrative actions taken by Israel to change the status of the city of Jerusalem, including expropriation of land and properties, transfer of populations, and legislation aimed at the incorporation of the occupied section are totally invalid and cannot change that status;
4. *Urgently calls upon* Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which may purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community or a just and lasting peace;
5. *Requests* the Secretary-General in consultation with the President of the Security Council and using such instrumentalities

as he may choose, including a representative or a mission, to report to the Security Council as appropriate, and in event within 60 days, on the implementation of this resolution.

Appendix XVI

UNESCO Resolution 4.3.1 of 21 October 1971Calling Upon Israel To Desist from ArchaeologicalExcavations in Jerusalem

The Executive Board,

1. *Recalling* the provisions of The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict,
2. *Recalling* resolutions 3.342 and 3.343 adopted by the General Conference at its fifteenth session and decisions 4.4.2 and 4.3.1 adopted by the Executive Board at its 82nd and 83rd sessions respectively,
3. *Recalling* the Security Council resolutions 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969 and 298 (1971) of 25 September 1971 and the United Nations General Assembly resolutions 2253 and 2254 of 4 and 14 July 1967 respectively, concerning measures and actions affecting the status of the City of Jerusalem,
4. *Having considered* the reports contained in documents 87 EX/31, 87 EX/34, 87 EX/35, 88 EX/46 and 88 EX/47,
5. *Reaffirms* Unesco's concern regarding the implementation of its previous decisions in this matter;
6. *Urgently calls* upon Israel to:
 - (a) see that the necessary measures are taken for the

scrupulous preservation of all sites, buildings and other cultural properties, especially in the Old City of Jerusalem;

(b) desist from any archaeological excavations, the transfer of such properties and any change of their features or their cultural and historical character, particularly with regard to Christian and Islamic religious sites;

(c) adhere scrupulously to the provisions of the above-mentioned Convention and resolutions;

7. *Invites* the Director-General to ensure the presence of Unesco in the City of Jerusalem with a view to securing an efficient implementation of the resolutions of the General Conference and the Executive Board in this respect.

8. *Further invites* the Director-General to report to the Executive Board at its 89th session on the implementation of this resolution.

Adopted at the 88th session.

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