



Inter-Parliamentary Union
For democracy. For everyone.

138th IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 24 – 28.03.2018

Assembly
Item 2

A/138/2-P.3
7 March 2018

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 138th Assembly of the Inter-Parliamentary Union submitted by the delegation of Bahrain

On 7 March 2018, the Secretary General received from the Speaker of the Council of Representatives of the Kingdom of Bahrain a request and accompanying documents for the inclusion in the agenda of the 138th Assembly of an emergency item entitled:

"The inviolability of the historic and legal status of the city of Jerusalem".

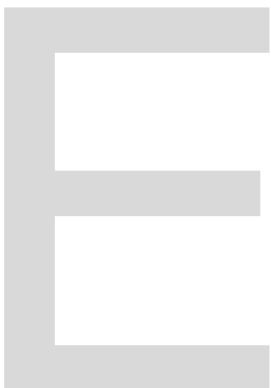
Delegates to the 138th Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 138th Assembly will be required to take a decision on the request of the delegation of Bahrain on Sunday, 25 March 2018.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The IPU Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a recent major situation of international concern on which urgent action by the international community is required and on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response. Such a request must receive a two-thirds majority of the votes cast in order to be accepted.
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted.
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject.
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.



#IPU138

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL BY THE SPEAKER
OF THE COUNCIL OF REPRESENTATIVES AND CHAIRMAN OF THE EXECUTIVE COMMITTEE
OF THE INTER-PARLIAMENTARY GROUP OF THE KINGDOM OF BAHRAIN**

Manama, 6 March 2018
IPG/C/066

Dear Mr. Secretary General,

In accordance with Article 14.2 of the Statutes of the Inter-Parliamentary Union and Rule 11.1 of the Assembly Rules, the Parliamentary Delegation of the Kingdom of Bahrain hereby respectfully requests the inclusion of the following emergency item within the 138th IPU Assembly agenda, set to be held in Geneva (Switzerland) from 24 to 28 March 2018, entitled:

"The inviolability of the historic and legal status of the city of Jerusalem".

An explanatory memorandum and a draft resolution are attached.

Yours sincerely,

(Signed) Ahmed Bin Ibrahim Rashed ALMULLA
Speaker of the Council of Representatives
Chairman of the Executive Committee of the
Inter-Parliamentary Group of the
Kingdom of Bahrain

THE INVIOABILITY OF THE HISTORIC AND LEGAL STATUS OF THE CITY OF JERUSALEM

Explanatory memorandum submitted by the delegation of Bahrain

The parliamentary delegation of the Kingdom of Bahrain is pleased to submit an emergency item to the 138th Assembly of the Inter-Parliamentary Union, to be held in Geneva from 24 to 28 March 2018. The emergency item is on the inviolability of the historic and legal status of the city of Jerusalem given the serious international developments in the case of Palestine and the severe damage caused after the American President announced his decision on 6 December 2017 to consider Jerusalem as the capital of Israel. This decision has caused harm to the legal and historic status of the city of Jerusalem and has departed from the principles agreed upon internationally on East Jerusalem as the capital of the State of Palestine. It is also a departure from the constant line of US policy considered as a custodian of the peace process.

There is no doubt that the American decision contravenes all international resolutions concerning the Al-Quds (Jerusalem) issue whether issued by the United Nations Security Council or General Assembly, including *inter alia*:

- United Nations Security Council resolution 242 issued on 22 November 1967, which stressed the need for the withdrawal of Israeli armed forces from territories occupied in the conflict, for the termination of all claims or conditions of war, and the recognition of the sovereignty, political independence and territorial integrity of each State;
- United Nations Security Council resolution 252 issued on 21 May 1968, which affirmed that the seizure of territory by military invasion was unacceptable, and that all legislative and administrative actions taken by Israel to change the status of Jerusalem were invalid, and also called on Israel to refrain from any action in the future that would change the status of Jerusalem;
- United Nations Security Council resolution 267 issued on 3 July 1969, which called on Israel to cancel the annexation of East Jerusalem after the 1967 war, and confirmed that all the measures taken by Israel to annex Jerusalem were invalid;
- United Nations Security Council resolution 298 issued on 25 September 1971, in which the Council deplored the failure of Israel to respect previous resolutions of the United Nations concerning the measures taken with a view of affecting the status of the city of Jerusalem; and confirmed, that all legislative and administrative measures taken by Israel to change the status of the city of Jerusalem were illegal;
- United Nations Security Council resolution 446 issued on 22 March 1979, which affirmed that Israel's policy and its practices in the establishment of settlements in the Palestinian and Arab territories occupied since 1967, did not have any legal legitimacy; and also called on Israel as an occupying force to abide by the Fourth Geneva Convention of 1949, to cancel all previous measures, and to refrain from any action which would change the legal status, geographical nature or demographic composition of the occupied territories and, in particular, the city of Jerusalem;
- United Nations Security Council resolution 465 issued on 1 March 1980, which condemned the Israeli law on Jerusalem of 1980, (in which Israel declared Jerusalem as the capital of Israel), and considered it as a violation of international law; and also determined that all measures taken by Israel to change the physical nature, demographic structure and institutional set-up in the Palestinian territories had no legal validity;
- United Nations Security Council resolution 468 issued on 8 May 1980, which condemned again the Israeli law on Jerusalem of 1980 and affirmed that it was a violation of international law, and that the Security Council would not recognize that law, but instead the Security Council called on Member States to withdraw their diplomatic missions from the city of Jerusalem;

- United Nations Security Council resolution 1322 issued on 7 October 2000 which stressed the need for respect of the holy places in Jerusalem and condemned the provocative act which happened in the Holy Al-Aqsa Mosque compound, and also condemned the excessive use of force by Israel against Palestinians;
- United Nations Security Council resolution 2334 issued on 23 December 2016, which demanded that Israel stop building settlements in the West Bank, including in East Jerusalem, recalled the illegitimacy of Israel's establishment of settlements in the territories occupied since 1967, and stressed that it would not recognize any changes to the June 4, 1967 borders.

As it is mentioned, on Monday, 18 December 2017, the United Nations Security Council failed to issue a decision on the importance of not altering the legal and demographic status of Jerusalem, and the non-recognition of unilateral decisions relating to the city of Jerusalem following Egypt's submission of a draft resolution that was approved by 14 countries but was dismissed as it was vetoed by the US.

From its side, the United Nations General Assembly issued a number of resolutions concerning the legal status of Jerusalem; starting from resolution 181 of 1947, which called on the truce commission to give special priority to the city of Jerusalem and its preservation, and ending with the General Assembly Resolution issued on 21 December 2017, which stressed that any resolution or measure intended to change the characteristics, the status or demographic composition of the city of Jerusalem had no legal effect and was null and void and must be revoked in compliance with the relevant Security Council resolutions.

Regarding the foregoing, the parliamentary delegation of the Kingdom of Bahrain requests the inclusion of the emergency item in the agenda of the 138th Assembly to confirm the position of the Inter-Parliamentary Union on the legal and historic status of the city of Jerusalem.

THE INVIOABILITY OF THE HISTORIC AND LEGAL STATUS OF THE CITY OF JERUSALEM

Draft resolution submitted by the delegation of BAHRAIN

The 138th Assembly of the Inter-Parliamentary Union,

- (1) *Recalling* the resolutions of the United Nations Security Council, including resolutions 242 (1967), 252 (1968), 267 (1969), 298 (1971), 446 (1979), 465 (1980), 468 (1980), 1322 (2000), 2334 (2016), United Nations General Assembly resolutions and other relevant international documents,
- (2) *Taking into account* the need to activate all international mechanisms on peace and security, believing that the maintenance of peace is the aspiration of mankind and its immediate goal for achieving sustainable development,
- (3) *Supporting* the international community's willingness to stabilize the security, political, social and humanitarian issues in the occupied territories, considering that the stability of these conditions in this sensitive area can lead to stability in the entire Middle East, Arab and Islamic world,
- (4) *Expressing concern* over the deterioration of the internationally stable situation regarding the Holy City of Jerusalem, considering the grave developments following the announcement on 6 December 2017 by the American President of his decision to consider Jerusalem as the capital of Israel,
- (5) *Believing* that a stable international historic and legal constant of the international legal status of the city of Jerusalem would prevent the region from further violence, help to find appropriate solutions to the Palestinian cause and support the means of peaceful coexistence,
 1. *Stresses* the need for the stability of the international legal status of the city of Jerusalem, as stated in all United Nations Security Council and General Assembly resolutions and other relevant international covenants;
 2. *Rejects* all individual decisions contravening United Nations Security Council and General Assembly resolutions and other international covenants dealing with the legal status of the city of Jerusalem, whether taken by States or the Israeli occupation government, or otherwise;
 3. *Calls upon* the international community to find serious means of negotiation between the parties to the Palestinian cause under international auspices to reach a two-state solution based on resolutions of international legitimacy, the United Nations reference points, the Oslo and Madrid Accords and other relevant references;
 4. *Opposes* any demographic or structural changes to the city of Jerusalem by the Israeli occupation forces; as an occupying power which, in accordance with the Geneva Conventions, shall not make such changes or change the Arab and historic identity of the city of Jerusalem;
 5. *Emphasizes* the need to preserve the historic, cultural and religious identity of the city of Jerusalem, as a legacy of all religions, as a human heritage, and to ensure the protection of its Islamic and Christian holy sites.