

Netanyahu Claim to Jerusalem As “Capital City of Israel” Rejected by United Nations

Tel Aviv is Capital and Location of U.S., British and other Embassies since 1948

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The UN General Assembly has stated that the international community, through the United Nations has a legitimate interest, regarding the protection of Jerusalem’s unique spiritual, religious and cultural dimensions.

Its position on the question of Jerusalem is based upon General Assembly resolution 181 (II) November 29, 1947, which provides for the full territorial internationalisation of Jerusalem: “The City of Jerusalem shall be established as a corpus separatum under a special international regime and shall be administered by the United Nations.”

This position was restated in the wake of the 1948 Arab-Israeli War in UN General Assembly Resolution 303(IV) of 1949. According to a 1979 report prepared for and under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the UN has maintained that until the final status of the city is agreed by the parties involved, the legal status of the city remains a corpus separatum.

The United Nations General Assembly (UNGA) does not recognise Israel’s proclamation of Jerusalem as the capital of Israel, which is, for example, reflected in the wording of General Assembly Resolution 63/30 of 2009 which states that “any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures.”

The UN including the Security Council have consistently affirmed its position that East Jerusalem is occupied territory subject to the provisions of the Fourth Geneva Convention. The International Court of Justice in its 2004 Advisory opinion on the “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” described East Jerusalem as “occupied Palestinian territory.”

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