



Security Council

Sixtieth year

*Provisional***5230**th meeting

Thursday, 21 July 2005, 2.50 p.m.

New York

<i>President:</i>	Mr. Vassilakis	(Greece)
<i>Members:</i>	Algeria	Mr. Djacta
	Argentina	Mr. García Moritán
	Benin	Mr. Zinsou
	Brazil	Mr. Da Silva
	China	Mr. Xie Yunliang
	Denmark	Mr. Christensen
	France	Mr. Loras
	Japan	Mr. Matsuura
	Philippines	Mr. Cato
	Romania	Mr. Dumitru
	Russian Federation	Mr. Smirnov
	United Kingdom of Great Britain and Northern Ireland	Ms. Brooker
	United Republic of Tanzania	Mr. Salaita
	United States of America	Mr. Nelson

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 19 July 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council (S/2005/469)

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The meeting resumed at 3 p.m.

The President: I should like to inform the Council that I have received letters from the representatives of the Libyan Arab Jamahiriya, Morocco and Pakistan, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: I wish to remind all speakers to limit their statements to no more than five minutes, in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts of their statements in writing and to deliver condensed versions when speaking in the Chamber.

The next speaker inscribed on my list is the representative of Kuwait, to whom I give the floor.

Mr. Al-Najem (Kuwait) (*spoke in Arabic*): On behalf of the Group of Arab States, over which my delegation has the honour to preside this month, I have the honour to convey to you, Sir, our congratulations on your friendly country's assumption of the presidency of the Security Council for this month. I would also like to commend your predecessor, the representative of France, for the excellent manner in which he presided over the work of the Council. We also congratulate Mr. Alvaro de Soto on his appointment as United Nations Special Coordinator for the Middle East Peace Process.

I would also like to thank the Security Council for its timely response in convening this meeting to discuss recent developments in the occupied Palestinian territories, including East Jerusalem. I refer in particular to the ongoing and accelerating illegal settlement activities conducted by Israel, the construction of the illegal separation wall, and the deteriorating situation on the ground.

I wish to condemn the acts of terrorism that occurred in London this morning. We wish the victims a speedy recovery. We condemn terrorism in all its forms and manifestations and call for international efforts to counter it.

The Arab countries are following with grave concern the latest developments in the occupied Palestinian territories and recall the understandings that were reached in Sharm el-Sheikh in February, which call for the rejection of violence. We also follow with grave concern the tragic situation of the Palestinian people in the occupied territories as their standards of living and their economic and social life continue to deteriorate as a result of Israel's policies and practices, which run counter to international laws and norms and humanitarian law. We are deeply disturbed by the detentions and the use of live ammunition against unarmed civilians, the blockade of Palestinian cities, the restrictions on freedom of movement, and the political assassinations of Palestinian leaders. Such violations by the Israeli occupation forces are carried out brazenly under the eyes of the world with no concern for accountability or international opinion.

The destruction of property and the confiscation of Palestinian territory continue in direct relation to the ongoing construction by Israel of its illegal expansionist wall in the occupied Palestinian territories, including East Jerusalem and surrounding areas. That continued construction represents a blatant violation of international law, including international humanitarian and human rights law, and a lack of respect for the advisory opinion delivered by the International Court of Justice on 9 July 2004, as noted in General Assembly resolution ES-10/15 of 20 July 2004.

The Arab position regarding Israel's construction of the wall in the Palestinian territories is unambiguous and has been reiterated on many occasions before the General Assembly, the Security Council and other international forums. It is based on the firm conviction that the practices and policies of the Israeli Government in the occupied Arab territories, whereby it violates international law and the resolutions of international legitimacy, offer no sense whatsoever of a real or sincere desire for a comprehensive, just and lasting peace. The date of 9 July 2005 is the first anniversary of the handing down of the International Court of Justice's advisory opinion, but despite that

opinion and resolution ES-10/15, which was adopted by a majority of the Member States and calls on Israel to fulfil all the legal obligations laid down in that opinion, Israel has only accelerated its construction of the expansionist wall, further aggravating the situation and confiscating ever more Palestinian land.

The Israeli Government has declared 1 September as the deadline for the completion of the expansionist wall, which now extends 750 kilometres inside the occupied Palestinian territories, including East Jerusalem, cutting off 65,000 Palestinian residents of Jerusalem from contact with their families and jobs.

Israel's withdrawal from the Gaza Strip must be complete and based on the road map. It should be followed by a withdrawal from the other occupied Palestinian territories, including East Jerusalem. The withdrawal from Gaza and certain settlements of the West Bank must be undertaken in coordination with the Palestinian Authority; it should advance the peace process and put an end to the suffering of the occupied Palestinian people. We appreciate the efforts of the Quartet in that regard.

The Arab countries call on the international community to assume its responsibilities and appeals to all States Members of the United Nations to adopt a clear and unambiguous position to strengthen the Charter and international law, including international humanitarian law, and to compel Israel to respect international legitimacy and to put an end to all its illegal practices against the Palestinian people, including the ongoing construction of the separation wall in the occupied Palestinian territories, including East Jerusalem. It must desist from those policies, which can only exacerbate the insecurity in the region. The Israeli Government should know that its policies and procedures, designed to extend the occupation, will only backfire and cannot bring security.

The only way to establish security for all is to find a peaceful, comprehensive and just settlement based on the resolutions of international legitimacy, notably Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), the principle of land for peace, the Madrid references, and the Arab peace initiative. Israel must fulfil all its obligations as set out in the road map, which was endorsed by the Security Council in resolution 1515 (2003). The road map calls for the establishment of two States living side by side in peace and within internationally recognized borders,

and consecrates peace in the Middle East in the interests of all its peoples and countries.

The President: I thank the representative of Kuwait for his kind words addressed to me.

The next speaker inscribed on my list is the Permanent Observer of the League of Arab States to the United Nations. I give the floor to Mr. Yahya Mahmassani.

Mr. Mahmassani (*spoke in Arabic*): I congratulate you, Sir, on your assumption of the presidency of the Council. We are fully confident that your well-known diplomatic experience and skills will lead to the successful conduct of the Council's business.

I also thank Ambassador Jean-Marc de la Sablière, the Permanent Representative of France, for his successful guidance of the Council's work as its President last month.

I take this opportunity to congratulate Mr. Alvaro de Soto on his assumption of his new post and to thank him for his briefing this morning.

The Security Council is meeting today to consider Israel's settlement policy and construction of the separation wall in the occupied Palestinian territories, which represents a threat to regional security and to international peace and security. It also prevents the establishment of a comprehensive and just peace in the Middle East.

It has been a year since the adoption of the advisory opinion of the International Court of Justice, which established the illegality of the building of the Israeli separation wall on Palestinian territory and declared the settlement activities in the occupied Palestinian territories to be equally illegal. It has also been a year since the General Assembly, at its tenth emergency special session, adopted resolution ES-10/15, which also reaffirmed the illegal character of the construction of the wall and its contravention of international law and international humanitarian and human rights law. It called on Israel to stop its violations of those laws, to cease forthwith its construction of the wall and to dismantle the completed sections.

Israel, the occupying Power, continues to defy the will of the international community, in grave violation of international law and human rights. It continues to

build the wall and to occupy the Palestinian territories, exploiting the diversion of the Security Council's attention to the withdrawal from Gaza. The footprint of the wall is designed to ensure the confiscation of even more of the occupied Palestinian territories in which to build Israeli settlements.

Israel's claim that the separation wall is a temporary measure taken in response to security and military requirements is misleading and unacceptable. Its goal in constructing the wall and in building the settlements is to take over Palestinian territories, put an end to geographical contiguity between the Palestinian people, and prevent the establishment of a viable Palestinian State.

The core of the Arab-Israeli conflict is Israel's continued occupation of Arab territories. All of Israel's attempts to impose by force a solution to the conflict have failed. The only way to achieve a just, comprehensive and lasting peace in the Middle East is through negotiations between the parties concerned on the basis of internationally binding resolutions.

The Security Council must today shoulder its responsibility to compel Israel to stop the construction of the wall, put an end to its settlement policy and sit at the negotiating table with the Palestinian Authority, with the goal of beginning implementation of the road map and the withdrawal from Gaza, as a first step towards complete withdrawal from all occupied Palestinian territories and the establishment of an independent Palestinian State within the borders of 4 June 1967.

Withdrawal from Gaza cannot be an end in itself, as the Israeli side claims it to be. It is but a first step towards implementing all of the obligations of both parties to end the conflict and establishing a just and comprehensive peace in the region.

Because of its attempts to shirk its responsibilities under the Quartet agreement, Israel is fully responsible for the deterioration in the relations between Palestinians and Israelis.

In that regard, an editorial that appeared in *The New York Times* of 15 July 2005 stated the following:

"Sadly, most of the blame for the current paralysis lies with Mr. Sharon ... Mr. Sharon appears to have become so fixated on making the withdrawal appear palatable to the Israeli right that he has lost sight of the larger strategic

calculus of building peace. He wants to advertise the pull-back as a unilateral Israeli measure, undertaken for Israel's own reasons, and not as part of any larger negotiated deal with the Palestinians".

We hope that peace will prevail in the Middle East, and, in accordance with the resolution adopted at the Beirut summit, we call on the Security Council to revitalize the peace process on the basis of internationally binding resolutions, the principle of land for peace and the Arab peace initiative.

The President: The next speaker inscribed on my list is the representative of Egypt, to whom I give the floor.

Mr. Aboul Atta (Egypt) (*spoke in Arabic*): The Security Council is meeting today, one year after the publication of the advisory opinion of the International Court of Justice on the legal consequences of the construction of a wall in the occupied Palestinian territory. That advisory opinion has gained increasing international support, not only because it was issued by the highest judicial body but also because of its moral and political significance with regard to the importance of abiding by international legitimacy.

We are also meeting here today to consider the report submitted by Switzerland, in its capacity as the depositary of the Fourth Geneva Convention, with regard to the issue of respect for that Convention in the occupied territories. It has stated that the changes made by Israel to the track of the wall are still insufficient from a legal perspective and that they do not meet the conditions set out in the Court's advisory opinion. The situation has also given rise to concern within the international community with respect to the humanitarian, social and economic consequences that the wall entails for the Palestinian people. The suffering that the Israeli occupation was already causing to the friendly and brotherly people of Palestine has been doubled. We see rampant unemployment, as well as an increase in the number of checkpoints, which prevents food aid from arriving at its destination. Thus material obstacles are placed in the way of international efforts aimed at improving the social and economic situation of the Palestinian people, preventing them from living in circumstances that meet minimum international human rights requirements.

Israel must at the earliest possible time stop building the wall, dismantle what has already been

built and provide the necessary compensation and damages, in accordance with the advisory opinion of the International Court of Justice. But, even though the wall is illegal, the Israeli Government decided a few days ago to build it around Jerusalem by next September. That plan will isolate thousands of Palestinian people from their properties and land and from hospitals and schools in East Jerusalem. That will adversely affect the final status negotiations by imposing de facto conditions that run counter to all international norms, thereby dashing Palestinians' last hopes for an independent and sovereign State.

Israel has taken a unilateral decision to withdraw from Gaza and some of the settlements in the West Bank. That could signal a larger withdrawal that would allow the Palestinian people to start building their future State. The chance to create a positive environment there must not be destroyed by the continued construction of the separation wall and its extension to areas that are considered holy sites, stirring up emotions that could lead to the continuation of violence and counter-violence.

The Sharm el-Sheikh summit held last February reaffirmed one of the pillars of the new phase of the direct Israeli-Palestinian dialogue. In that phase, the Israeli Government said, the disengagement plan will continue. Coordination and collaboration between the Israeli and Palestinian sides must also continue in order for such a plan to be successful.

In that context, Egypt reiterates that the balanced and proper implementation of the agreements reached at Sharm el-Sheikh is one of the principal guarantees of continued Israeli withdrawal from Gaza and parts of the northern West Bank.

Egypt will continue to make every effort to work with both the Israeli and Palestinian sides to ensure that the Palestinian Authority has the necessary level of control in Gaza. In addition, it has provided security forces, sent high-level envoys in recent days, and provided also the necessary training to the Authority, in accordance with the plan to create the infrastructure needed to bring about peace and security. Egypt will continue to work at all levels to ensure that the Middle East becomes a region of peace, security and stability.

The Security Council must send a strong message today reiterating the fact that achieving peace requires implementing the decisions of the tenth emergency special session of the General Assembly, abiding by

the advisory opinion of the International Court of Justice, and dismantling the separation wall, in order to alleviate the day-to-day suffering of the Palestinian people. It must request that Israel, the occupying Power, abide by all the provisions of the Fourth Geneva Convention.

Both sides must work together in order for the Israeli withdrawal to be successful, in keeping with the road map and as a preliminary phase to further withdrawals, and in order to begin final status negotiations so as to arrive at a just, lasting and comprehensive settlement, in accordance with the approach set out by the road map and adopted by the Security Council.

The President: The next speaker is the representative of Yemen, to whom I give the floor.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): I wish at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of July. We wish you every success and are confident that, with your well known wisdom and experience, you will guide the work of the Council to a successful conclusion that will strengthen international peace and security. I wish also to thank your predecessor, the Permanent Representative of France, for the wisdom with which he presided over the work of the Council last month.

The situation in the occupied Palestinian territories is deteriorating daily, owing to the intensified building of colonial settlements and the continued construction of the illegal expansionist wall, all of which is intended to annex additional Palestinian lands. This only exacerbates the suffering of the Palestinian people. Many Palestinians have died as a result of Israeli practices, which include extrajudicial killings. The movement of Palestinians and Palestinian goods continues to be limited by the many checkpoints scattered throughout the occupied Palestinian territories. In spite of the Sharm el-Sheikh understandings, the Israeli authorities continue their policy of destroying houses and the institutional buildings and agricultural lands that are the basis of the Palestinian people's livelihood. This has given rise to growing unemployment and poverty.

Israel's continued construction of the illegal expansionist wall in the Palestinian territories, including in areas around East Jerusalem, is in clear violation of the principles of international law and the

9 July 2004 advisory opinion of the International Court of Justice. It also runs counter to commitments undertaken by Israel, the occupying Power, and to provisions of the Fourth Geneva Convention.

It is extremely important that Israel's total withdrawal from Gaza be followed by its withdrawal from all the other occupied Palestinian territories, including East Jerusalem. The Security Council must tell Israel that withdrawal from the Gaza Strip means complete withdrawal both from Palestinian lands and from Palestine's territorial waters, as well as respect for Palestinian airspace, and that it must be followed by negotiations on final status. Moreover, the Israeli withdrawal should not be used as an excuse for continued colonization of the occupied Palestinian territories, including East Jerusalem; rather, it should be a step towards the implementation of the road map.

I wish in conclusion to stress once again how important it is that the international community and, in particular, the Security Council shoulder their responsibility with regard to the suffering Palestinian people, a nation like all others, which aspires to a life in peace in an independent State on its own national territory, with Jerusalem as its capital, and which seeks full and genuine independence in a viable State in which it can express its Palestinian national identity.

The President: I thank the representative of Yemen for the kind words he addressed to me.

The next speaker is the representative of South Africa, to whom I give the floor.

Mr. Mabhongo (South Africa): My delegation wishes to express its appreciation to you, Mr. President, for convening this open debate in response to the renewed violence in the Middle East and the accelerated construction by Israel of settlements and the separation wall in the occupied Palestinian territories, including East Jerusalem. We align ourselves with the statement that will be delivered by the representative of Malaysia on behalf of the Non-Aligned Movement.

It is now more than a year since the Security Council last held an open debate on the situation in the Middle East. During that period new possibilities for the resumption of the peace process were brought about by factors such as Israel's decision to withdraw from Gaza and parts of the northern West Bank and the reforms initiated by the new Palestinian leadership. For

the first time in many years, the level of violence had begun to decrease significantly, offering moderate Israelis and Palestinians an opportunity to seize the initiative back from the extremists on both sides.

Tragically, as we meet today, there are clear signs that the parties and the international community are not taking full advantage of the opportunity for peace. The resumption of terrorist attacks, military incursions, extrajudicial executions and acts of defiance directed against both the Israeli and the Palestinian authorities suggest that recent gains could be rapidly reversed. Unless urgent action is taken in support of the peace process, there is a real danger that the Middle East could once again descend into anarchy.

A year has passed since the International Court of Justice definitively ended the debate on the legality of the Israeli separation wall, forever debunking the myth that the wall is a necessary and legitimate part of the defence against terrorism. The international community endorsed the Court's finding that the wall and its associated regime are unlawful and that Israel, the occupying Power, has the obligation to dismantle the wall, cease further construction activities and make restitution and reparation for the damage brought about by the wall's construction. We also acknowledged the Court's finding that all Member States — and in particular the High Contracting Parties to the Fourth Geneva Convention — have a clear responsibility to ensure that the Geneva Conventions and international law are upheld. Finally, we mandated the Secretary-General to set up a register of damage brought about by the construction of the wall. We were guided in those actions by our recognition that the United Nations has a permanent responsibility with regard to the question of Palestine until that question is resolved in its entirety on the basis of the Charter, relevant resolutions of the United Nations, international law and international humanitarian law.

Today, we note with grave concern that Israel has once again chosen to disregard the will of the international community and to continue actions that are both in contravention of international law and incompatible with the realization of a two-State solution to the Middle East crisis. During the past year, Israel pressed ahead with the construction of the wall and settlements, despite the fact that the security situation had dramatically improved. At the same time, the Palestinian Authority, under its new democratically elected and internationally supported leadership, has

redoubled its efforts to bring about reforms. Israel's actions therefore clearly contradict its statement that the wall is a temporary measure necessitated by security considerations.

In fact, on 10 July 2005 the Israeli Cabinet approved yet another extension to the wall, this time around East Jerusalem. When this latest phase of construction is complete, a further 55,000 Palestinians will be cut off from their relatives and from hospitals, schools, shops and places of worship. According to Israel's Minister for Jerusalem, this project would help ensure a Jewish majority in Jerusalem.

The inaction by the international community and the United Nations on the separation wall and on settlements over the past year has had the effect of allowing Israel to solidify its occupation of East Jerusalem and the rest of the West Bank, further altering the demographic facts on the ground. The construction of settlements and the wall and its associated regime has had a grave impact on the economic and social conditions of the Palestinian people, resulting in the violation of their most basic human rights and exacerbating the humanitarian crisis. Also, our collective failure to provide the Palestinian Authority with adequate assistance to enable it to exert its authority and to establish law and order in the occupied territories has only strengthened the hand of extremists, who feed off the anger of a people living under military occupation. At the same time, the South African Government strongly condemns all acts of terror and violence directed against civilians, such as suicide bombings.

We believe that the time has come to empower the moderates on both sides through our active support. We should also agree that the ongoing construction of settlements and the separation wall, and the associated destruction of Palestinian livelihoods, must not be allowed to continue. Those settlement activities threaten to negate any positive aspects arising from the disengagement process. We therefore reiterate the call for strict compliance with the advisory opinion of the International Court of Justice and for the immediate and full implementation of the Secretary-General's mandate to establish a registry of damages caused by construction of the wall.

We cannot allow the current situation — where one party enjoys more basic rights and freedoms than the other — to continue. There should be equality and

protection before the law, and the parties should also respect resolutions of the United Nations and honour their commitments under international agreements. In particular, both sides have a duty to bring an end to all senseless acts of terrorism and violence directed against civilians and to work towards reconciliation and peace.

The President: The next speaker on my list is the representative of Tunisia, on whom I call.

Mr. Hachani (Tunisia) (*spoke in Arabic*): At the outset my delegation would like to congratulate you, Mr. President, on your wise leadership of the Council's work. We thank you and all the members for the prompt response to the request of the Arab Group for a special meeting.

Today the Security Council is looking into the situation in the occupied Palestinian territories, including East Jerusalem, at a time when the conditions in those territories are deteriorating because of the Israeli practices that target the Palestinian people. We have seen settlements continue, homes demolished and land appropriated. Work to complete the wall is persisting, and it is even being extended deep into Palestinian territories, in spite of the widespread international condemnation of the wall and the advisory opinion of the International Court of Justice, which reiterated the illegality of the wall and the necessity that it be dismantled.

There is no doubt that those Israeli practices — especially the building of the wall in the occupied Palestinian territories, including inside and around East Jerusalem, and the system involving this wall — run counter to international law. Those practices have also proven useless. True peace cannot be established by building psychological and physical barriers, nor through excessive use of the military machinery against civilians. True peace is achieved through serious and responsible political will. That peace is long overdue in the Middle East.

In that context, Tunisia repeats its call to the international community and active stakeholders to rapidly intervene in order to provide the necessary protection to the Palestinian people and force Israel to stop its practices against them and to end all unilateral measures. Tunisia also reiterates the importance of stopping the building of the wall in the occupied Palestinian territories, including in and around Jerusalem, in accordance with General Assembly

resolution ES-10/15 of 20 July 2004, and to dismantle what has already been built.

Tunisia reiterates that peace is the strategic option, and we must maintain solidarity with the fraternal people of Palestine and support their struggle to restore their legitimate rights and find a comprehensive, just and lasting solution to the question of the Middle East. Tunisia would also like to see efforts continue to resume negotiations on the basis of the relevant international decisions. We call on the Quartet to intensify its efforts towards that end. Returning to the logic of peace, recognizing the national rights of the Palestinian people and reaching a just solution at all levels will no doubt allow for peaceful co-existence among all the peoples of the region in a climate of understanding and security. Thus they could start building and reconstruction in order to achieve progress and prosperity for all.

The United Nations — especially the General Assembly and the Security Council — has a permanent responsibility vis-à-vis the Palestinian people, and it must continue to shoulder that responsibility. The Organization is the guarantor and protector of the bases of international legitimacy with regard to the question of Palestine and of the Middle East in general. It is a political role that must continue until a just and comprehensive solution is finally found.

The President: I thank the representative of Tunisia for the kind words addressed to me.

The next speaker on my list is the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, on whom I now call.

Mr. Badji (*spoke in French*): After having congratulated you, Mr. President for the effective way in which you are discharging your duties as President this month, let me pay tribute to your predecessor, and to cordially commend Mr. Alvaro de Soto.

I also wish to express my deep gratitude to you, Sir, and to all members of the Council for providing the opportunity to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to take part in this important debate on the situation in the Middle East, including the Palestinian question, particularly the situation today, with the difficult problems stemming from the settlement activity and the ongoing construction of the wall.

The issues before the Council are extremely important and call for urgent solutions. While recently the world's attention has focused on the withdrawal from the Gaza Strip and certain northern portions of the West Bank announced by Israel, the Israeli Government actively pursues a programme that consists of developing major settlements on the West Bank and extending the boundaries of Jerusalem and favouring the increase of the Israeli population in the city. The settlements in Greater Jerusalem are being built in contradiction to Israel's obligations set out in the Quarter's road map. The Israeli Minister for Construction and Housing has issued new tenders for the construction of hundreds of houses in those settlements, while building permits are denied to Palestinians and while houses belonging to Palestinians are destroyed and requests for family reunification are ignored.

The Israeli plan that causes the greatest concern is the E-1 plan, which is designed to link East Jerusalem with the major settlement on the West Bank, Maale Adumim, by building approximately 3,500 houses between the two. That project would amount to cutting off East Jerusalem from the rest of the West Bank, thus preventing the Palestinians from attaining their ultimate objective: to establish the capital of a future Palestinian State in the city.

At the beginning of this month, we celebrated the first anniversary of the advisory opinion of the International Court of Justice on the legal consequences of the construction of a wall in the occupied Palestinian territory. The Court clearly stated that the construction of the wall in the occupied Palestinian territory, including in and around Jerusalem, and its associated regime are contrary to international law. Despite the concerted efforts of the international community, the Israeli Government has not put an end to the construction. To the contrary, it has approved the building of new sections that will eventually encompass the vast settlements around East Jerusalem on the Israeli side.

Those developments in the situation on the ground do not promote an end to the conflict between Israelis and Palestinians. The construction of the wall and the new losses of land caused by the expansion of the settlements worsen the economic and social situation in the occupied Palestinian territory. They prevent the Palestinian people from exercising its inalienable rights and vitiate the prospects for a viable,

contiguous Palestinian State existing side by side with Israel. Palestinians have known frustration, humiliation and difficulties of all kinds for decades and are losing hope of someday seeing political negotiations lead to solutions.

Nonetheless, there are certain grounds for hope, particularly since the Sharm el-Sheikh summit was held earlier this year. However, with regard to the road map, the implementation of the decisions taken at that time is extremely slow. In recent days, the violence — which had declined since the summit — has again intensified. The Committee has always firmly condemned all acts of violence, including suicide attacks and extrajudicial executions, because they mainly hit innocent Palestinians and Israeli civilians and only harm the peace efforts. Although we do indeed believe that Israel is responsible for the security of its citizens, the disproportionate use of force against Palestinians cannot be justified.

The Committee takes note of the report published recently by Switzerland (A/ES-10/304, annex), as depositary of the Geneva Conventions, following consultations with the various actors concerned and all of the High Contracting Parties to the Fourth Geneva Convention. We hope that the proposals set out in the report will facilitate the search for means to guarantee compliance with international humanitarian law.

The Committee urges Israel, as the occupying Power, to fulfil its obligations and immediately put an end to the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem, and to dismantle the sections already built. Israel has the obligation to make reparation for all damage caused by the construction of the wall. It should also put an end to the expansion of the settlements and to the transfer of population towards the West Bank. Moreover, the Committee hopes that the Secretary-General will swiftly establish a register of damage caused by the wall's construction.

We appeal to the international community, including the States Members of the United Nations and the High Contracting Parties to the Fourth Geneva Convention, to do everything possible to ensure that Israel complies with international humanitarian law and that it plans new measures to put an end to the illegal situation in the occupied Palestinian territory, including East Jerusalem. The international community should have acted long ago to put an end to the wall's

construction and to the creation of new settlements throughout the Palestinian lands. Decades ago, Israelis and Palestinians should have embarked on the most promising path — that of dialogue and cooperation — with a view to achieving a comprehensive, just and lasting peace for themselves and for all the peoples of the Middle East region.

The President: I thank Mr. Badji for the kind words he expressed to me.

The next speaker inscribed on my list is the representative of the Syrian Arab Republic, to whom I give the floor.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): Thank you, Mr. President, for convening this meeting, which provides an opportunity for world public opinion and United Nations Member States to become familiar with the gravity of the situation in the Middle East in general and of the question of Palestine in particular. We are pleased to see Mr. Alvaro de Soto in the Council for the first time in his capacity as Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. We wish him every success in his endeavours.

Every day that Israel continues its illegal occupation of the West Bank, the Gaza Strip and the Syrian Golan, the anguish of millions of Arab citizens increases as they suffer under the scourge of the occupation and its catastrophic economic, social and humanitarian effects. The latest Israeli escalation forges yet another link in the endless chain of Israel's violations of international law and international humanitarian law.

A few days ago, we marked the passing of an entire year since the International Court of Justice issued its historic advisory opinion on the colonialist wall built by Israel in the occupied Palestinian territories. Instead of fully complying with the advisory opinion of the world's highest judicial body, Israel, the occupying Power, has continued building the wall as an expression of its contempt for the advisory opinion and for the will of the international community as expressed by the General Assembly in its resolution ES-10/15 of 20 July 2004.

When we consider that the Court demanded that Israel end its violations of international law, halt the construction of the wall, dismantle the sections already built and provide the Palestinians with reparations for

the damage caused by its construction, we cannot fail to note the contradiction between the Court's position and what the representative of Israel said in his statement, which was an attempt to mislead the Council and international public opinion.

Israel has turned a deaf ear to the international community's condemnation of its policies and its expansionist wall. Proof of that can be seen in the fact that only a few days ago, the Israeli Cabinet took the decision to continue building the wall in the heart of occupied Palestine, including East Jerusalem, and to complete it by September. The Israeli plan will result in the isolation of more than 65,000 Palestinians from their families, property, hospitals, schools and universities. We must also look closely at recent Israeli statements in the context of Israel's other plans to build a number of settlements to isolate East Jerusalem from its Palestinian environment and, in practice, to annex it to Israel. In that way, Israel will have drawn new borders that are very different from those of 1967.

The wall, which is three times higher than and nearly twice as long as the notorious Berlin wall, has become yet another symbol of oppression, suppression and the arrogance of power. We are confident that the wall's fate will be no better than that of its predecessor, which has passed into history.

In addition to all their other illegal actions, the Israeli occupation forces have escalated their acts of aggression against the Palestinian people. In recent days, they have destroyed a great number of Palestinian homes, and, in clear violation of international law and humanitarian law, they have assassinated a number of Palestinians and continue to do so.

Through its recent decisions, the Israeli Cabinet has established a large number of settlements and approved the expansion of existing settlements, to the detriment of the Palestinian people's property and rights. The fact that Israel seeks to establish settlements in the occupied Palestinian and Syrian territories reveals the falseness of the claims of successive Israeli Governments, including the current Government, that they wish to achieve peace. If the Israeli Government's actions against settlers in the Gaza Strip are genuine, why is the Government planning to establish more settlements? Israelis know full well that those settlements cannot remain, because

they present an insurmountable obstacle to the achievement of peace in the region.

More than 8,000 Palestinians, including 259 children, are being held in Israeli prisons. Over the past year alone, Israel has killed more than 859 Palestinians. In total, more than 3,670 Palestinians have been killed by Israel since 2000. Is that not a war crime? It is shocking that 41 employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East have been deliberately killed by Israel, without any notable reaction from the international community, including the Security Council.

The Palestinian detainees and their brethren detained in the Golan Heights live in unacceptable prisons that fail to meet the most basic sanitary conditions. Approximately a week ago, Hayel Abu Zaid, a Syrian citizen from the occupied Syrian Golan, died, a few days after his release from prison as a result of inhuman treatment, torture and deliberate neglect at the hands of the Israeli authorities during his more than 18 years in prison.

The Israeli withdrawal from Gaza must be complete and comprehensive. Israel must also fully withdraw from the West Bank, including East Jerusalem. The international community must be vigilant and must call for full Israeli withdrawal from Gaza — including its land, sea and air spaces in order to make the withdrawal complete. Israel must not be allowed to use the withdrawal as a cover for its continued occupation of the rest of the occupied Palestinian territories and East Jerusalem.

Israel uses many flimsy arguments in its war against the Palestinians; the Council heard some of them from the representative of Israel earlier in today's meeting. However, the essence of the conflict is one people's military occupation of another people and their land for more than four decades. It is about the occupying Power's relentless aggression against the peoples and the lands of Syria and Palestine. It is about Israel's refusal to end that occupation because it is attempting to acquire more territory by force and to displace large numbers of Palestinians from their homes and lands, using death, destruction and misery as tools to carry out its expansionist schemes.

Unimpeded, Israel continues to carry out its illegal and unjust practices and policies in full view of the international community and, unfortunately, in full

view of the Security Council, which bears primary responsibility for the maintenance of international peace and security. The Council must make bold and courageous decisions to ensure full compliance with its relevant resolutions, in particular resolutions 242 (1967) and 338 (1973), and to ensure the achievement of a just and comprehensive peace in the region on all tracks. The Council must ensure the rule of international law and put an end to the cycle of violence and bloodshed that for so many decades has prevented the attainment of comprehensive and just peace, security and freedom in that important part of the world.

The delegation of the United States of America has described the situation between Syria and Lebanon in an artificial and thoroughly false manner. That constitutes unacceptable interference in the relations between two brotherly countries. The tone of incitement of the United States statement does not bode well for Lebanon or its relations with Syria. We do not think that the question of movements between our two countries was worthy of being raised in the Security Council, especially because the recent controls at the Syrian-Lebanese border are temporary and dictated by security requirements. I wish to remind the United States delegation that the two sides, without mediation or interference from the United States, are cooperating and are well on the way to settling the issue. It is very strange that the United States should call upon Syria to take stringent measures along its border with one neighbouring country and, at the same time, express concern that the same measures are being taken on Syria's other border, with Lebanon.

The President: The next speaker is the representative of Malaysia, to whom I give the floor.

Mr. Mohd. Radzi (Malaysia): Let me begin by thanking you, Mr. President, for convening this timely and important meeting. We are pleased and honoured to address the Council today under the presidency of Greece.

At the outset, my delegation associates itself with the statement delivered earlier by the delegation of Kuwait on behalf of the Group of Arab States. My delegation considers that the question currently before the Council continues to be central to peace and security concerns in the Middle East and throughout the world.

Malaysia remains gravely concerned at the continuing deterioration of the precarious situation in the occupied Palestinian territory. There have been too many deaths and injuries and too much destruction and indescribable suffering for far too long, especially among the Palestinians. We should not consider the casualties and destruction on both sides merely in terms of numbers or percentages. The life of each human being — man, woman or child — is sacred and precious and must be protected. We mourn the loss of all innocent lives. Any act of violence inflicted in the conflict upon innocent civilians, whether Palestinians or Israelis, is unacceptable and deserves equal condemnation by us all.

Malaysia has made clear its condemnation of violence and terrorism. But we can fully understand the despair and frustration of the Palestinians and their responses to Israel's continued occupation and annexation of Palestinian territories and to the application of harsh and often inhuman policies and practices, as well as the excessive and disproportionate use of force by Israel against the Palestinians and other Arabs in the occupied territories over the past 38 years. It is incumbent upon both sides to transform the reversible deadly cycle of violence and terror into an enduring period of calm, peace and security in the region.

The completed portions of the separation wall in the occupied Palestinian territory, including in and around East Jerusalem and its continuing construction by Israel seriously endanger the prospects for peace in the region and undermine the implementation of the road map. The adverse impact of the wall on all aspects of Palestinian life is overwhelming. The wall as it stands — and more so once it is completed — could have serious ramifications, inter alia, for the peace process, negotiations on final status issues and the creation of a viable and contiguous Palestinian State, as envisaged in Security Council resolution 1397 (2002) and upheld in the road map. The construction of the wall is a clear violation of international law, including international humanitarian and human rights law. The continuing construction of the wall signifies a deliberate act of blatant disrespect by Israel for the advisory opinion rendered on 9 July 2004 by the International Court of Justice (ICJ), as well as of General Assembly resolution ES-10/15.

It is indeed very disappointing that Israel has decided not only to continue but to accelerate the

construction and completion of the separation wall, on the pretext of security and defence. We urge Israel to dismantle the wall and to immediately discontinue its construction. We also urge Israel to take all measures necessary to ensure compliance with the ICJ advisory opinion and resolution ES-10/15.

Furthermore, we urge the Security Council to look into this matter seriously and expeditiously, in accordance with its functions and powers under Article 24 of the Charter of the United Nations. It is regrettable that one year has passed without the Council having responded to the advisory opinion of the Court — the highest judicial body of the United Nations — on such an important question concerning the maintenance of international peace and security. We look forward to an opportunity to respond in due course to the report submitted by Switzerland, in its capacity as depositary State of the Geneva Conventions, pursuant to paragraph 7 of resolution ES-10/15 (A/ES-10/304, annex).

The planned Israeli withdrawal from the Gaza Strip must be a full and complete withdrawal from that area — including its land, sea and air space. That must be followed by similar steps in the rest of the occupied Palestinian territory, including East Jerusalem. It would thus be unacceptable for any other area of the occupied Palestinian territory to be colonized by Israel in conjunction with the completion of its withdrawal from the Gaza Strip. Any withdrawal plan should be part of the road map and should be carried out in full cooperation with the Palestinian Authority. It will be incumbent upon both sides to resume negotiations on the final status issues immediately upon the completion of a full withdrawal by Israel from the occupied Palestinian territory.

The international community has a collective role to play in finding a solution to the Palestinian question. We must all work together to facilitate and intensify efforts to attain a just, comprehensive and lasting settlement to the Israeli-Palestinian conflict. The United Nations, including the Security Council, has a permanent responsibility towards the question of Palestine until it is resolved in its entirety on the basis of the Charter, relevant resolutions of the United Nations and international law.

The continued plight and suffering of the Palestinian people remain the tragic embodiment of the consequences of the non-implementation of resolutions

and the non-enforcement of decisions of the Security Council. There are ways by which the Security Council can ensure compliance by Israel with its resolutions and decisions. The Security Council must exercise its role and responsibility in that regard. Malaysia calls upon the Security Council to do so now, to ensure that justice and the rule of law prevail in the occupied Palestinian territory. The international community must prevail upon Israel to respect its obligations under international law and abide by Security Council resolutions, just as other States are expected to do.

In conclusion, Malaysia remains convinced that an independent and sovereign Palestinian State with East Jerusalem as its capital will be the best hope for lasting peace in the region, with both Israel and Palestine living peacefully side by side within secure and recognized borders. The international community cannot afford to turn a blind eye or a deaf ear, and claim ignorance to the plight of Palestinians. It must express and maintain its solidarity with the Palestinian people and work together to facilitate the attainment of comprehensive peace in the region. The valiant struggle of the Palestinian people against Israeli occupation, against the injustices suffered by them and against the inhumane treatment meted out to them must be recognized and appropriately responded to without further delay. The international community should muster the necessary political will, wisdom and courage to decisively respond to the need for a just, comprehensive and lasting settlement to the conflict. The long-suffering people of Palestine deserve nothing less. Peace will remain elusive unless all parties concerned, the region and the wider international community are prepared to play their part responsibly.

The President: I thank the representative of Malaysia for his kind words addressed to me.

The next speaker inscribed on my list is the representative of India, to whom I give the floor.

Mr. Gopinathan (India): We thank you, Mr. President, for providing the general membership with an opportunity to proffer their views on the situation in the Middle East by scheduling this open debate of the Security Council. We would also like to take this opportunity to congratulate Mr. Alvaro de Soto on his recent appointment as the United Nations Special Coordinator for the Middle East Peace Process and for his comprehensive briefing this morning.

This meeting of the Security Council comes at a critical time in the Middle East. The Secretary-General recently noted the prospects for a positive conjuncture in the Middle East peace process when he said:

“Recent events in the Middle East have raised hopes of a possible resumption of the peace process between Israelis and Palestinians. We have witnessed the successful completion of Palestinian presidential elections on 9 January 2005, which was followed by the convening of the Summit at Sharm el-Sheikh on 8 February 2005, where Israeli and Palestinian leaders announced a series of commitments to end violence, and to rebuild trust and mutual confidence”. (S/2005/432)

Israel’s proposed withdrawal from the Gaza Strip and parts of the northern West Bank is scheduled to take place next month. The international community is hopeful that the withdrawal will represent a step in the broader peace process, and that it will be used as a springboard to revitalize the road map. It is essential for the Israeli and Palestinian sides to coordinate the economic, civilian and security aspects of the withdrawal. The withdrawal must take place as scheduled. In that context, the decision of the Israeli Knesset yesterday to vote down three resolutions aimed at delaying the withdrawal is a welcome development. We hope that the withdrawal will be full and complete, and that it will be followed by negotiations on final status issues.

Unfortunately, recent events, including an escalation in violence, have threatened the hopes for progress that the past few months had represented. The recent suicide bombing in Netanya, Israel, and the firing of rockets from Gaza were condemnable acts. We call upon the Palestinian Authority to continue to make every effort to prevent such actions. At the same time, Israel’s resumed forceful actions in response to those attacks, including targeted killings, could seriously compromise the calm that has prevailed in the past few months. While we recognize Israel’s legitimate right to self-defence, we have also cautioned that any such moves should be exercised proportionately and in conformity with international law.

Israel’s ongoing construction of the separation wall remains a source of deep concern to the international community. As we have stated in the past,

no one could have objections to the construction of the wall in areas coinciding with the Green Line. Its encroachment on Palestinian land and interests creates great hardships for the people affected by its construction and exacerbates the situation. Besides, continued construction of the wall on Palestinian land threatens to prejudge the eventual outcome of the final status negotiations between the parties.

In that connection, we recall the advisory opinion of the International Court of Justice on the legal consequences of the construction by Israel of the wall in the occupied Palestine territory. The Court opined that the wall is contrary to international law and should be dismantled. We called on Israel, in keeping with overwhelming international opinion on the matter, to take full account of the advisory opinion with a view to its early implementation. We once again renew our call on Israel to take note of the recommendations in General Assembly resolution ES-10/15 of 20 July 2004, based on the advisory opinion of the International Court of Justice. We also call upon the Secretary-General to establish the register of damage, as recommended by the same General Assembly resolution, at the earliest date.

One of the primary obligations under the road map was the requirement for Israel to halt all settlement activity, including natural growth, and to dismantle settlement outposts erected since March 2001. We call upon Israel to fulfil its obligations and to desist from any further settlement construction activity. That would also serve as an important confidence-building measure.

At this juncture, it is critical for the international community, in particular the Middle East Quartet, to carefully monitor the situation and to work closely with the parties with a view to encouraging them to fulfil their commitments and obligations. At the same time, it must be ensured that vested interests on both sides are not allowed to derail the process, thereby once again damaging the real prospects for peace in the Middle East.

Notwithstanding the recent discouraging events, we are confident that a just and comprehensive solution to the conflict is attainable. We call upon all sides to work together assiduously to achieve the vision of two States living side by side in secure and recognized borders, based on Security Council

resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

The President: The next speaker inscribed on my list is the representative of Lebanon, on whom I now call.

Mr. Assaf (Lebanon) (*spoke in Arabic*): Israel continues to build the separation wall inside the occupied Palestinian territories. It is now 720 kilometres long and 90 per cent of its length falls within the West Bank, at a depth of 22 kilometres in some places. It isolates the Palestinian population and violates their basic rights.

The completion of the wall will entail the annexation of approximately 1,000 square kilometres of West Bank territory, as noted in one of the Secretary-General's reports. Thus, it is not accurate to claim that the wall separates Israel and the occupied Palestinian territories, for the majority of its sections separate Palestinian lands from other Palestinian lands that have been usurped and annexed by Israel.

Israel advances security reasons to justify the construction of the wall. If those reasons were genuine, why should it not be built along the armistice lines of 1949? The construction is a unilateral measure that totally disregards the recommendations contained in resolutions 242 (1967) and 338 (1973) on achieving a peaceful settlement through negotiations and, of course, with the agreement of both parties.

In pursuing its construction of the separation wall, Israel is violating both the legal principle that establishes the illegality of acquiring land by force and the relevant General Assembly resolutions calling on it to cease building the wall in the occupied Palestinian territories, including East Jerusalem. The construction also contravenes the advisory opinion of the International Court of Justice, which ruled that the wall violates international law and is an obstacle to the establishment of a contiguous Palestinian State, and that Israel must cease construction forthwith, dismantle the completed sections, and offer compensation for the damage resulting from the construction.

The Security Council is required to take all necessary measures to put an end to the illegal situation resulting from the construction of the separation wall, pursuant to the provisions of international law and to paragraph 160 of the advisory

opinion of the International Court of Justice on that issue.

The President: The next speaker inscribed on my list is the representative of Indonesia, to whom I give the floor.

Mr. Jenie (Indonesia): Let me begin by expressing my delegation's appreciation to Mr. Alvaro de Soto, the United Nations Special Coordinator for the Middle East Peace Process and the Secretary-General's Personal Representative, for his comprehensive briefing.

Just two days ago, the Indonesian delegation to the substantive session of the Economic and Social Council delivered a statement deploring the deepening economic and social hardship endured by the Palestinian people in the face of Israeli policies and practices in the occupied territory. Against the backdrop of recent developments in the occupied Palestinian territory, including East Jerusalem, in particular the deterioration of the situation on the ground, the convening of this meeting upon the request of the Arab Group and the Arab League is indeed timely and highly relevant.

We are particularly alarmed by the continued and accelerated construction of Israel's unlawful wall in the territory, including in and around East Jerusalem. It is a blatant violation of international law, including international humanitarian and human rights law, and also a flagrant sign of disrespect for the relevant advisory opinion of the International Court of Justice, as well as of General Assembly resolution ES-10/15 of 20 July 2004.

Clearly, the construction of the wall violates the economic and social rights of the Palestinian people and is having a grave impact on their economic and social conditions. We cannot ignore the resource problems, including the lack of water distribution and water pollution deriving from infrastructure and environmental damages as the result of that policy. The restrictions imposed by the wall have caused waterborne diseases, not to mention the food insecurity that will certainly affect the health of the Palestinian people.

The Israeli plan to extend its wall around the illegal settlements located east of Jerusalem will lead to the confiscation of even more Palestinian land. That will place further restrictions on the freedom of

movement of Palestinian civilians to and from Jerusalem. As noted by Mr. Alvaro de Soto this morning, Israel continues to build settlements in the occupied territory in an extensive manner. Indeed, the settlements are causing geographical fragmentation that will eventually threaten family life and affect the most vulnerable of the population, primarily children, who are facing greater difficulties in accessing education.

As we speak, more Palestinian homes, factories, public infrastructure and agricultural land continue to be destroyed for illegal settlements, transforming more Palestinians into refugees in their own land. If such Israeli policies and practices are allowed to go further, the final status of occupied East Jerusalem in future peace negotiations will be threatened. It may also threaten the prospects of the two-State solution and even the very existence of the Palestinian State.

That situation needs urgent attention from the international community. It is my delegation's fervent hope that the Council will take immediate action to prevent the situation from deteriorating and compel Israel to respect its international obligations under international law, including international humanitarian and human rights law.

My delegation is deeply disturbed by reports of continuing atrocities committed by Israel in the occupied territories, of which the majority of victims are Palestinians, including women and children. Violence can never provide the solution to a conflict, as it seriously undermines the prospects for peace.

In our view, the only necessary and sustainable option for improving the situation is an end to Israeli occupation of Palestinian territory, including East Jerusalem, and of the Syrian Golan. Israel must withdraw fully from Gaza as well as from the rest of the occupied Palestinian territories, including East Jerusalem. That should include withdrawal from land, sea and air spaces and it should immediately be followed by negotiations on the final status issue. However, the ongoing process of Israeli disengagement from Gaza, while it is an encouraging sign, should not be used a pretext for continued colonization of the rest of the occupied Palestinian territories, including East Jerusalem.

In conclusion, let me say that Indonesia remains fully committed to the struggle of the Palestinian people to achieve its inalienable rights and to realize its

aspiration to a secure and prosperous independent homeland.

The President: The next speaker is the representative of Saudi Arabia, to whom I give the floor.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): I wish to join other speakers in congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of July. We are confident that you will guide the work of the Council with great wisdom. We wish also to thank your predecessor, the Permanent Representative of France, for his wise conduct of the Council's work last month.

Harsh — indeed unbearable — social and economic conditions continue to prevail in the occupied Palestinian territories, including East Jerusalem. That is a result of the escalation of violence and Israel's illegal policies and practices of oppression. Israel continues to set up checkpoints and turn them into border crossings and to expand its construction of illegal settlements.

Israel has always defied the decisions of international legitimacy, and one year after the advisory opinion of the International Court of Justice, it has continued that defiance by deciding to accelerate the construction of the separation wall around Jerusalem with the purpose of completing the wall that Israel has been building for the past two years. The wall will annex more than 8 per cent of the West Bank and will isolate cities and villages. In the full view of the Security Council and on the pretext of security and self-defence considerations, Israel is continuing construction of the separation wall in total disregard for the Court's advisory opinion and in contempt of General Assembly resolution ES-10/15 of 20 July 2004.

The wall's purpose is to eject the largest possible number of Palestinians. They will have to leave their jobs, their lands and their property because of the humiliating constraints that Israel imposes upon them. The Government of Israel is confiscating those lands and other property and is building new Israeli settlements, some of them very populous, in order to completely Judaize the land and strip Palestinians of all their rights, including basic human rights.

The international community and all peace-loving people welcomed the advisory opinion of the

International Court of Justice and accepted its recommendations and conclusions. The separation wall has given a new dimension to the problem: it jeopardizes efforts to secure peace in the region; it could undermine the road map; and it is a major obstacle to the establishment of a viable Palestinian State living side by side with Israel in accordance with Security Council resolution 1397 (2002).

The international community cannot shut its eyes or turn a deaf ear to the suffering of the Palestinian people. It must reaffirm its solidarity with the Palestinian people, which is sorely suffering under ugly colonization and unjust occupation. The international community, represented by the United Nations — and in particular by the Security Council — must endeavour to put pressure on Israel and oblige it to abide by the advisory opinion of the International Court of Justice by halting the construction of the wall and dismantling the parts that have already been built.

Israel's actions are contrary not only to international law and international humanitarian law, but also to the very spirit of our times, the principles of the Charter and humanitarian values that reject racism in all its forms, for Israel's building of the separation wall is a clear act of racism.

We reaffirm that the Israeli withdrawal from Gaza must be comprehensive and complete. It must be followed by Israeli withdrawal from all the occupied Arab territories, including East Jerusalem. Unilateral disengagement from Gaza must not be a mere cloak for continued Israeli occupation of the other Palestinian lands, including East Jerusalem. Israeli withdrawal from Gaza must be followed by the start of final-status negotiations.

The Kingdom of Saudi Arabia is greatly concerned at the suffering of the Palestinian people and at the fact that Palestinians and their cities are undergoing Israeli violence, aggression, human rights violations, violations of international resolutions and destruction of infrastructure. We call upon the international community to sound the alarm about these oppressive Israeli practices and to shoulder its political, moral and humanitarian responsibility in that regard. We call upon the Security Council to continue to work towards a comprehensive, just and lasting solution to the question of Palestine in all its dimensions, in accordance with the Charter, the relevant United Nations resolutions, international

humanitarian law, the road map and the Arab peace initiative.

The President: I thank the representative of Saudi Arabia for the kind words he addressed to me.

The next speaker is the representative of the Islamic Republic of Iran, to whom I give the floor.

Mr. Danesh-Yazdi (Islamic Republic of Iran): Allow me, Sir, to begin by congratulating you on your assumption of the presidency of the Security Council for this month. I should also like to thank you for convening this meeting on an issue that is very important for the international community in general and for the Middle East in particular. We also wish to pay tribute to last month's French presidency of the Council.

A year ago this month, the International Court of Justice (ICJ), in its advisory opinion, found the construction of the separation wall cutting through the occupied West Bank to be illegal. The ICJ asserted that the wall had to be dismantled and that the Palestinians had to be compensated for losses sustained due to its construction. Shortly after that, the General Assembly cemented the ICJ opinion by adopting resolution ES-10/15, which acknowledged the advisory opinion, demanded that Israel comply with it and called upon all Member States to respect the legal obligations stipulated therein.

Blatant defiance was the Israeli response to the will of the international community so clearly expressed. Over the past year, the building of the unlawful expansionist wall, including in and around East Jerusalem, went on at a faster pace, as did the ongoing destruction of properties and the confiscation and annexation of Palestinian land required for construction. In parallel, the expansion of Jewish settlements on the occupied Palestinian land, also deemed illegal by the same advisory opinion of the Court, has continued unabated.

The recent approval by the Israeli cabinet of a route for the section of the concrete wall being built around Jerusalem is the latest act of flagrant defiance of the will of the international community. That section of the wall cuts through two densely populated Palestinian neighbourhoods, cutting off an additional 55,000 — maybe more — Palestinian residents of occupied East Jerusalem from the rest of the city and from their work, schools, hospitals and families. It also

prevents other Palestinians from reaching occupied East Jerusalem and denies them complete access to the Holy City. In so doing, the Israeli regime is seeking to achieve the goal of tilting the demographic balance and pursuing the aim of the Judaization of the city by imposing a fait accompli on the Palestinians.

International law holds that no occupying Power has a right to change the features of the territories it occupies. The International Court of Justice, in its advisory opinion, reiterates this basic principle by stressing that

“all States are under an obligation not to recognize the illegal situation arising from the construction of the wall, not to render aid or assistance in maintaining that situation”; (*A/ES-10/273, p. 52, para. 163*)

and

“to ensure compliance by Israel with international humanitarian law as embodied in [the Fourth Geneva] Convention”. (*ibid.*)

There is no doubt that the legal stipulations in this paragraph entrust the international community with an immense responsibility. Besides, this wall flies in the face of justice and basic humane values, and those who claim to be in possession of such lofty values should not remain indifferent to it, let alone condone it.

The Palestinian people continue to suffer and endure hardship in the face of illegal Israeli practices and policies, including crimes such as collective punishment, house demolitions, land confiscation and targeted and indiscriminate extrajudicial killings. In recent months, over 60 Palestinians have been killed, including through the resumption of Israel's terrorist acts and extrajudicial executions, bringing the number of Palestinian deaths since September 2000 to more than 3,670. At the same time, the number of injured persons continues to increase. These crimes, coupled with other illegal Israeli practices, such as restrictions on the freedom of movement of Palestinian persons and goods, as well as the existence of hundreds of checkpoints throughout the occupied Palestinian territory and the continuation and even acceleration of the construction of the illegal Jewish settlements, have in turn caused the already dire socio-economic conditions of the Palestinian people to deteriorate, making daily life unbearable.

We note that all efforts made in past years to de-escalate the Palestinian conflict have been torpedoed by the callous and belligerent Israeli positions and actions, which further proves that the Israeli regime is adamant in its desire to defy international law and the will of the international community. Undoubtedly, until the legitimate rights of the Palestinians are restored — including their right to independent statehood and the return of all Palestinian refugees to their homeland — a fair, just and lasting solution to the Palestinian issue will be out of reach.

We believe that the Security Council should not stand idly by and avoid addressing seriously the Palestinian question, which threatens peace and security in the region and beyond. It is unfortunate that the exercise of the veto has prevented the Council from fulfilling its responsibilities with regard to the Palestinian question thus far. Indeed, the selective show of resolve and the discriminatory approach taken towards enforcing the Council's resolutions undermine its credibility and adversely affect the overall international security system.

The President: The next speaker inscribed on my list is the representative of Norway, to whom I give the floor.

Mr. Juul (Norway): Let me first of all express our appreciation to the United Nations special envoy, Mr. de Soto, for his comprehensive briefing here today.

Israel's decision to disengage from Gaza and parts of the northern West Bank is a brave step that should trigger the immediate implementation of the road map and the revitalization of the peace process. Hopefully, it will bring us closer to the realization of the vision of two democratic States, Israel and Palestine, living side by side in peace and security.

For the disengagement to have that effect, its significant potential for revitalizing the Palestinian economy must be utilized. The disengagement will aid the speedy implementation of the road map and breathe new life into the peace process only if we manage to harness its potential for revitalizing the Palestinian economy.

As chair of the donor group — the Ad Hoc Liaison Committee — Norway welcomes the important work done by James Wolfensohn to ensure the success of disengagement. The Liaison Committee stands ready to support Mr. Wolfensohn's efforts to mobilize

tangible financial contributions from the international donor community in support of his rapid-reaction programme.

We also welcome the political courage shown by the leaders of the two sides so far with regard to disengagement. However, it is essential that the parties coordinate the disengagement process and cooperate effectively with Mr. Wolfensohn. Furthermore, the Palestinian Authority should speed up its reform programme and Israel should do what it can to create the conditions necessary for viable Palestinian economic growth after the withdrawal from Gaza and certain parts of the northern West Bank.

The international community, as well as the parties, must also look beyond the disengagement to "the morning after". We must not allow the disengagement process to divert attention away from the continued expansion of settlements on the West Bank and in East Jerusalem and the continued construction of the barrier east of the Green Line. That policy undermines the possibility of positive dividends from the Gaza disengagement. We are concerned by the recent Israeli cabinet decision to immediately complete the separation barrier in and around East Jerusalem. Israel must stop and reverse the construction of the barrier inside Palestinian territory, including in and around East Jerusalem. Any changes to the pre-1967 borders other than those arrived at by agreement between the parties are not acceptable.

We are deeply concerned by the recent escalation of the violence in Israel and in the Palestinian territories. We condemned unreservedly the recent terrorist attacks on Israel. The Palestinian Authority must take immediate and effective action against those involved in attacks. Israel, for its part, has an indisputable right to protect its citizens against terrorist attacks. However, international law bans the practice of extrajudicial killings.

Furthermore, the Palestinian Authority must step up its efforts to ensure a secure environment for its citizens. Norway will continue its support for the development of Palestinian security capacity through the Palestinian civil police, in coordination with the European Union Coordination Office for Palestinian Policing Support and the United States Security Coordinator, General Ward.

The President: The next speaker inscribed on my list is the representative of the Sudan, to whom I give the floor.

Mr. Mannan (Sudan) (*spoke in Arabic*): At the outset, I should like to join preceding speakers in congratulating you, Sir, on your assumption of the presidency of the Security Council for this month. We are fully confident that your patience and wisdom will ensure the success of the Council's work. I should also like to congratulate Mr. Alvaro de Soto on his appointment as Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General and to thank him for his lucid and comprehensive briefing this morning.

The question of Palestine is truly at the centre of the world's attention and at the core of the conflict in the Middle East. The deterioration of the humanitarian situation in that important part of the world is one of the greatest challenges for the Security Council in carrying out its responsibility for the maintenance of international peace and security.

Notwithstanding the outcome of the February 2005 Sharm el-Sheikh summit, the situation in the occupied Palestinian territories, including East Jerusalem, continues to deteriorate in a harrowing manner. The steadfast Palestinian people continue to bear the brunt of Israel's unjust policies and practices. Houses are being demolished over the heads of their occupants, land is being confiscated, and unarmed young people, elderly people, women and children continue to be killed.

Even more grave is the fact that Israel continues to build its illegal wall on usurped Palestinian territory, including East Jerusalem. Israel carries out its unjust aggression by demolishing buildings and confiscating land for that purpose, in clear contravention and violation of international law, humanitarian law and conventions on human rights. Israel also persists in its disregard and contempt for General Assembly resolution ES-10/15 and for the advisory opinion of the International Court of Justice concerning the wall.

The Court's advisory opinion on the wall of injustice is now more than a year old. Its pages remain open and in full view for the whole world to read if it so wishes. The Court declared the wall to be illegal and called upon Israel to desist forthwith from its construction, to dismantle the sections already built, to abrogate all laws pertaining to the wall's construction

and to make reparation for all damage resulting from that construction. The Court also ruled that all States are under an obligation not to recognize the illegal situation resulting from the wall's construction and to ensure compliance by Israel with international humanitarian law as embodied in the Fourth Geneva Convention.

Israel's withdrawal from the Gaza Strip must be a genuine and complete withdrawal — that is, from land, sea and air space. It must be followed by Israel's full withdrawal from the rest of the occupied Palestinian territories, including East Jerusalem. That in turn must be followed immediately by the commencement of final-status negotiations with a view to the establishment of an independent Palestinian State with Al-Quds Al-Sharif as its capital.

In conclusion, I should like to reaffirm the Sudan's complete solidarity with the Palestinian people and our support for them in their cause, whose justness has been recognized by the international community as a whole. We call upon the Security Council to adopt a firm position to compel Israel to comply with the Charter of the United Nations, international law, international humanitarian law, the relevant resolutions of the General Assembly and the Security Council and the advisory opinion of the International Court of Justice so that security and stability can prevail in this important and vital part of the world, whose stability forms the basis for peace, security and stability throughout the rest of the world.

The President: I thank the representative of the Sudan for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Cuba, to whom I give the floor.

Mr. Gala López (Cuba) (*spoke in Spanish*): We consider the convening of this open debate to consider recent events in the occupied Palestinian territory, including East Jerusalem, to be very timely. The situation there has deteriorated even further.

The recent hostile actions of Israel, the occupying Power, add to its long record of decades of aggression, violations of the most basic human rights and physical and emotional damage inflicted on the Palestinian people. That includes, inter alia, illegal settlements, house demolitions, arbitrary detentions, State terrorism and targeted extrajudicial executions, torture, the building of a separation wall in Palestinian territories

and the suffocation of the Palestinian economy, all of which continues to increase the economic and social hardships of the Palestinians.

Despite the appeals of the international community, the crisis in the Palestinian territories continues to worsen as the number of dead and injured rises, the vast majority of them innocent civilians. In that respect, we reaffirm that Israel must comply with international humanitarian law, including the Fourth Geneva Convention of 1949.

Approximately one year has passed since the General Assembly adopted its resolution ES-10/15. However, the occupying Power has continued the dangerous and unacceptable construction of the separation wall in the occupied Palestinian territory, including in and around East Jerusalem, despite the fact that it is illegal and in violation of the norms and principles of international law and the relevant resolutions of the Security Council and the General Assembly. The illegality of the construction of the wall and its associated regime was clearly confirmed by the International Court of Justice in its advisory opinion of 9 July 2004. Construction of the wall must cease immediately, and what has already been built must be demolished without delay.

Cuba continues to condemn the acts of annexation, the excessive use of force that does not discriminate between civilians and combatants, the humanitarian crisis resulting from limitations on the circulation of goods and persons, the inhumane treatment of children, the generalized destruction of property and the territorial expansion through the construction of the separation wall.

Violence and the use of force cannot lead to the solution that the world seeks for a conflict that would have been settled many years ago if the Security Council had acted with decision and transparency and without double standards. In order to advance in earnest towards a just solution of the Palestinian problem, the United States should refrain from using its paralysing and complicit vetoes when this question is under consideration in the Council. And it should immediately suspend financial support for military purposes and the delivery of military equipment to Israel, including tanks, helicopters, missiles and aircraft, which today are used against civilians.

Cuba reaffirms its full support for the cause of the Arab peoples, in particular the Palestinian people,

against the occupation and the aggression of Israel. We express our deep solidarity with their resistance and rebellion. At the same time, Cuba denounces the suicide bomb attacks and other acts against Israeli civilians, innocent victims in the spiral of violence caused by their Government's policies, and we are opposed to the manipulation of those isolated acts to put in question the Palestinian people's exercise of legitimate defence and to justify selective, large-scale measures against the Palestinian people.

We reaffirm that no just and lasting peace can be achieved in the Middle East until the Israeli occupation is ended; the Palestinian people can exercise their legitimate right to establish an independent State, with its capital in East Jerusalem; all the occupied Arab territories are returned; Israel withdraws from the Gaza Strip, the West Bank and the Syrian Golan to the borders of 4 June 1967; the Israeli provocations in the south of Lebanon are halted; the return of Palestinian refugees is guaranteed; and the illegal Israeli settlements are removed from all the occupied territories.

The President: I now give the floor to the representative of Pakistan.

Mr. Akram (Pakistan): First, let me welcome Mr. Alvaro de Soto, Special Coordinator for the Middle East Peace Process, congratulate him on his appointment and express our deep appreciation for his balanced report to the Security Council today.

We thank you, Mr. President, for convening this open meeting on the situation in the Middle East, including the Palestinian question. In the face of the far-reaching developments taking place in the region, it is important for the international community to be actively engaged. This Council in particular has a special responsibility for peace in the Middle East.

A lot has been said during the day-long debate. I would like to make five essential points.

First, the construction of the separation wall by Israel in the occupied Palestinian territories, aside from enormously aggravating human suffering in the Palestinian territories, poses a mortal danger to the peace process, seriously undermines the implementation of the road map and presents a major obstacle to the creation of a viable and contiguous Palestinian State. Last July, the International Court of

Justice rendered its advisory opinion, concluding that the wall is illegal.

The General Assembly, in resolution ES-10/15 of 20 July 2004, demanded that Israel comply with its legal obligations as mentioned in the advisory opinion, which, inter alia, included immediate cessation of the wall's construction, the dismantling of the parts already built and payment of reparations to affected persons.

It is a matter of deep concern that, one year after the Court's advisory opinion and the General Assembly resolution, the construction of that illegal wall continues unabated and has, indeed, accelerated. The Israeli cabinet recently approved the remaining details of the separation wall's route around Jerusalem, which, as Special Coordinator de Soto reported this morning, would cut off some 55,000 Palestinians residents of East Jerusalem from the rest of the city. They will be separated from their workplaces, schools, hospitals and families.

Aside from exacerbating the plight of the Palestinians, that action raises much larger issues, including the final status issues. The international community has an obligation to ensure that Israel does not further ignore the Court's opinion and the General Assembly resolution, that it fulfils its legal obligations and fully respects international humanitarian law, and that it does not pre-empt the final status issues, especially on the status of Jerusalem.

Secondly, the situation on the ground continues to be of serious concern, with an increase in violence and the reported gradual erosion of the ceasefire. While referring to mortar and Qassem rocket attacks by the militants, the Special Coordinator also noted in today's briefing the Israeli side's resumption of the practice of targeted killings. The principal victims of that tragic conflict remain innocent civilians, most of them Palestinians. We appreciate President Abbas's commitment to security reforms and the practical steps taken by the Palestinian Authority to strengthen law and order. Those endeavours deserve the full support of the international community.

The latest statistics also show a significant increase in Israeli construction activity in the West Bank and Gaza. The Quartet, in its statement of 23 June, expressed concern over Israeli settlement activity and rightly affirmed the need to avoid any action that contravenes the road map or prejudices final status negotiations. As consistently demanded by the

international community, all illegal settlement activity must be frozen and reversed.

It is vital that all sides avoid any escalation, observe the utmost restraint and work to establish a stable environment for hope and security. But hope cannot be generated in a vacuum. Peace and development go hand in hand. The Palestinian Authority must have the necessary international assistance to revive the economy and undertake the development activities essential for beginning a new page in Palestinian life. We welcome recent commitments of support to the Palestinians, including at the Group of Eight summit.

Thirdly, the Israeli plan to disengage from Gaza and parts of the northern West Bank is a welcome step. It should be implemented with the utmost care and in full coordination with the Palestinian Authority. The withdrawal must be full and complete. Most important, it must be the first step towards the end of the occupation of all Palestinian territories.

Fourthly, Israelis and Palestinian must deepen their dialogue and gradually move to address final status issues. The Security Council should actively promote that process.

Fifthly, the implementation of the road map offers the most viable way forward towards sustainable peace. Ensuring a just, comprehensive and lasting settlement of the Israeli-Palestinian dispute in accordance with resolutions 242 (1967) and 338 (1973) and the road map is our collective obligation. The vision of two States, Israel and Palestine, living side by side in peace and security is one that was reflected in the Arab peace initiative and that has been embraced by the entire international community. We must all work for the earliest possible realization of that vision.

Success in realizing that vision can have profound and positive implications for peace and stability in the entire Middle East and beyond. At this fateful moment, the international community, including the Security Council, must summon the political courage and will to ensure the realization of that shared vision.

The President: The next speaker inscribed on my list is the representative of the Libyan Arab Jamahiriya, to whom I give the floor.

Mr. Elyounsi (Libyan Arab Jamahiriya) (*spoke in Arabic*): Allow me to sincerely thank you,

Mr. President, for convening this important meeting to consider the latest developments in the occupied Palestinian territories, including East Jerusalem, notably Israel's ongoing and accelerating settlement activities and its construction of the illegal separation wall.

The Israeli occupation authorities continue their acts of aggression and repression against the unarmed Palestinian people. The occupation continues to exacerbate the economic and social suffering of the Palestinian people. Israel's illegal activities, including its ongoing construction of settlements and the separation wall, continue despite the 9 July 2004 advisory opinion of the International Court of Justice (ICJ) and General Assembly resolution ES-10/15 of 20 July 2004. That is in addition to the restrictions imposed on the movement of people and goods, the destruction of houses, the confiscation of land, the uprooting of trees and extrajudicial executions — which have resulted in the death of 3,670 Palestinians, of whom a third were children killed in cold blood either in their classrooms or on their way to school.

The Israeli occupation's practices against the Palestinian people prove beyond any doubt that the Government of Israel is not serious about achieving a just peace in the Middle East. That is evidenced by its outright rejection of the international community's resolutions, its violations of international law and its disregard of the will of the international community. The Israeli occupation has ignored every peace initiative that the Palestinian people have accepted despite the fact that they provided for just a minimum of their inalienable rights. The last of those initiatives is the so-called road map. Instead, Israel has continued to annex land, build settlements, erect the separation wall and bring in more immigrants while forcing the displacement of the Palestinian people by creating hardships as part of its policy of imposing a de facto situation.

Despite the ICJ's advisory opinion, which declared the separation wall illegal and called upon Israel to cease its construction, dismantle what had already been built, nullify all laws and regulations adopted in connection with it and make reparation for damage caused by it, the Israeli Government decided that the wall would be completed by 1 September 2005. On 10 July, Israel decided to re-route the separation wall through East Jerusalem proper, which constitutes a grave challenge to the will of the

international community and a rejection of the advisory opinion.

Israel's unilateral disengagement and withdrawal from the Gaza Strip is merely a manoeuvre to divert the international community's attention from its plans to annex more land and complete the separation wall. More dangerous yet is Israel's effort to isolate East Jerusalem and all its Islamic Holy Places in order to implement its plans to destroy the Al-Aqsa mosque. That poses a threat not only to peace in the Palestinian territories, but throughout the region and the world at large. Any aggression against East Jerusalem will intensify the conflict in the region, destroy any hopes for a peaceful resolution of the conflict and plunge the world into new depths of conflict, thereby increasing terrorism and fundamentalism and opening up the door to more bloodshed.

If peace is to prevail in the Middle East and its people are to enjoy security, the international community, and the Security Council in particular, should assume its full responsibility to exert pressure upon the occupying Power to put an end to its practices and violations against the Palestinian people and to comply with the will of the international community, implement all resolutions calling upon it to end its practices and expedite its withdrawal from the Palestinian territories.

The President: The next speaker inscribed on my list is the representative of Morocco, to whom I give the floor.

Mr. Bennouna (Morocco) (*spoke in French*): Allow me at the outset to congratulate you, Sir, on your assumption of the presidency of Council for this month. We are confident that your well known personal and professional abilities will ensure the full success of the Council's work this month. Allow me also to express the gratitude of the delegation of Morocco to your predecessor, Ambassador Jean-Marc de La Sablière, Permanent Representative of France, for the excellent manner in which he presided over the Council's work last month. It is also a great pleasure for me to congratulate Mr. Alvaro de Soto, United Nations Special Coordinator for the Middle East Peace Process. I have had the pleasure of knowing him for quite some time, during which I have come to know his excellent qualities, which do honour to the international civil service. On behalf of my delegation, I commend him on the briefing he gave the Council

this morning on the situation on the ground. I wish him every success in carrying out his extremely important duties.

The Security Council is meeting today to discuss the very disturbing situation prevailing in the occupied Palestinian territories, including East Jerusalem, at a time when the international community is very closely following Israel's planned withdrawal from the Gaza Strip and certain parts of the northern West Bank. Unfortunately, Israel's ongoing policy to expand settlements, its continued construction of the wall, in violation of international law, and its almost daily assaults on the basic rights of Palestinians threaten to worsen the climate of instability and crisis that exists in the occupied Palestinian territories.

Like other speakers here, and as has been done in other forums, we wish to reiterate that no one has a monopoly on feelings. No one has a monopoly on suffering. No one has a monopoly on innocent victims. What Palestinians have come to the Council to ask for is equal application of international law for everyone, including compliance with humanitarian law, as well as the right to exist as a State for two peoples involved in a conflict as least as old as the United Nations itself, if not far older. Palestinians are asking for hope for the children, without regard to nationality or origin, so that they may grow up, have an education and flourish, just like all the other children of the world. Unfortunately, Palestinian now face despair on a daily basis, which inevitably marginalizes them and leads them to extremism.

We condemn all acts of terrorism regardless of origin or the motivation behind them. But we are also aware that, in order to eradicate that scourge, hope must be restored for Palestinians through the establishment of their own State. In order to do that, Israel must take the hand that has been extended to it by the Palestinian Authority, with Mr. Mahmoud Abbas at its head.

We caution against any action now being undertaken to establish new settlements, which constitutes a step backwards — and even a repudiation of the peace efforts — and delays the genuine implementation of the road map. As has been stated repeatedly today, that holds also for Israel's obvious desire to cut off East Jerusalem from its proper Palestinian surroundings.

We were encouraged on hearing of the decision to withdraw from the Gaza Strip. We even believed that it was a positive initiative that should take place in the context of the road map as a whole. We hope that decision will be carried out and that it will immediately be followed by the opening of genuine and frank negotiations to continue the implementation of the road map.

A year has already passed since the International Court of Justice (ICJ) issued, on 9 July 2004, its advisory opinion regarding the legal consequences arising from the construction of a wall on occupied Palestinian territory. That opinion enabled the General Assembly — in its resolution ES-10/15 of 20 July 2004 — to make recommendations for compliance with international law. What was clearly at stake from the beginning of the debate requesting an opinion, as everyone at the United Nations will recall, was not Israel's right to ensure its security on its territory, that is, within the Green Line. No one disputes that. What is at stake is the fact that the wall is located across that Line, in disregard of humanitarian law and the basic rights of the Palestinians. According to the Court, the construction of the wall on Palestinian territory was planned and carried out in violation of international law. As such, Israel bore responsibility, and it was concluded that the illicit action had to stop and that reparation had to be made for damage suffered by the population of the occupied territories.

The international community has called upon Israel to restore international legality on the basis of the opinion of the International Court of Justice. As was pointed out this morning, Israel's Supreme Court has also referred to certain illegalities committed in the building of the wall. In that regard, however, we should not overlook the fact that international law has the final word on the matter and that it takes precedence over the laws and legal practices of States, including Israel's, which is no exception to the general rule.

Beyond that legal aspect, the dismantling of the wall that has been built on occupied territory must occur as part of the effort to restore trust between Israelis and Palestinians. The Kingdom of Morocco, which, as everyone knows, has for many decades been faithful to its constructive role in favour of peace in the Middle East through tolerance among cultures and religions, once again urges Israel to take down the wall, remove its settlements from occupied Palestinian territory and launch a genuine effort to promote

dialogue and build a common future between the two peoples involved. It is clear that such an effort should take place in the context of a just and comprehensive settlement in the Middle East based on the relevant resolutions of the Security Council, in particular resolutions 242 (1967), 338 (1973) and 1397 (2002), as well as resolution 1515 (2003), by which the Council endorsed the road map.

This matter pertains to the future of a people with which we have many ties. However, it also relates to the future of international peace and security, which the Security Council has the responsibility to maintain on behalf of the international community.

The President: I thank the representative of Morocco for his kind words addressed to me.

The next speaker inscribed on my list is the senior adviser of the Permanent Observer Mission of the Organization of the Islamic Conference to the United Nations, on whom I now call.

Mr. Husain (Organization of the Islamic Conference): At the outset, I should like to join other delegations in congratulating you, Sir, on your assumption of the presidency of the Security Council for this month. We are confident that, under your leadership, the proceedings and work of the Council will be steered efficiently and successfully. I also wish to pay tribute to your predecessor, Ambassador Jean-Marc de La Sablière of France, for his excellent guidance of the Council's work last month. We also wish to thank you, Mr. President, for organizing this important meeting on a subject to which the Organization of the Islamic Conference attaches great importance.

In flagrant disregard of the will of the international community, the Israeli Government has continued the construction of new stretches of the apartheid wall, cutting deep into Palestinian land, despite of the advisory opinion of the International Court of Justice (ICJ), which ruled on the illegality of the construction of the wall and its resulting violation of international law.

Israel has also violated General Assembly resolution ES-10/15 on the wall, which demanded that it cease immediately its construction work, remove the stretches that have been built and discharge its obligations under the road map.

Israel has also started to build new stretches of the apartheid wall around the Holy City of Jerusalem and the surrounding areas of Bethlehem. Israel's continued confiscation of Palestinian land with impunity is isolating the Palestinian territories and causing serious damage to the Palestinian economy, depriving Palestinians of their farms, schools, hospitals and places of worship.

Israel is pursuing the unilateral demarcation of new borders in the West Bank, which amounts to an effective annexation of Palestinian territories, undermining the borders of the Palestinian State and even annihilating the very possibility of its establishment.

It will be recalled that, in early June, the Secretary-General of the Organization of the Islamic Conference, Mr. Ekmeleddin Ihsanoglu, addressed communications to the members of the Quartet, raising several issues of concern with regard to the ongoing Israeli-Palestinian conflict. The OIC Secretary-General has emphasized that the unlawful Israeli expansionist and colonialist policies and practices are seriously damaging and destroying the geographical contiguity of the Palestinian territory, making the two-State solution virtually impossible to achieve. He also stated in his communications that East Jerusalem — the centre, of course, of the Islamic world — has become an occupied city, just like other territories occupied by Israel in 1967.

Israel is bound under international law to refrain from making any changes that prejudice the rights of the Palestinians in the city of Jerusalem. Through you, Mr. President, the OIC calls on the international community, especially the Security Council and the Quartet, to take the necessary measures to uphold international law and to counter the establishment of Israeli illegal settlements and the construction of the wall and its damaging effects on the Palestinian people.

The OIC calls upon all States to impose punitive measures against any public or private entities or corporations that have been contributing to the construction of the wall, and against settlers and all those who are profiting from the settlement activity on the occupied Palestinian territory, including East Jerusalem.

With regard to the Israeli withdrawal from the Gaza Strip, the OIC reiterates that this withdrawal must be full and complete and must be followed by Israeli withdrawal from the rest of the occupied Palestinian territory, including East Jerusalem.

In conclusion, the OIC attaches the highest importance to the need for a rapid resolution of the question of Palestine and the achievement of a just, lasting and comprehensive final peace settlement, based on the road map, the Arab Peace Initiative, the rules and principles of international law, and relevant Security Council and General Assembly resolutions. Progress in that direction will move us towards the accomplishment of the two-State solution, whereby Palestine and Israel would live side by side in an environment of harmony and tranquillity. Peace and security would then return to the region. We urge the Council to do its utmost to initiate actions to move in that direction.

The President: I thank Mr. Husain for the kind words he addressed to me.

There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.30 p.m.