



General Assembly

A/59/PV.12
27 September 2004

Official Records

General Assembly

Fifty-ninth session
12th plenary meeting
Monday, 27 September 2004, 3 p.m.
New York

President: Mr. Ping (Gabon)

The meeting was called to order at 3.05 p.m.
Agenda item 9 (continued)

General debate

The President (*spoke in French*): I now call on His Excellency Mr. Somsavat Lengsavad, Deputy Prime Minister and Minister for Foreign Affairs of the Lao People's Democratic Republic.

Mr. Lengsavad (*spoke in Lao; English text provided by the delegation*): ...

... Violence continues unabated in the occupied Palestinian territories, including East Jerusalem. Such violence will hurt the peace efforts in the Middle East and prolong the suffering of the peoples of the region. Thus, we urge the parties concerned to engage in serious dialogue, settle their conflict and realize the vision of two States, Israel and Palestine, living side by side in peace within secure and recognized borders, in accordance with the relevant Security Council resolutions.

... **The President** (*spoke in French*): I now call on His Excellency Mr. Hor Namhong, Deputy Prime Minister and Minister for Foreign Affairs and International Cooperation of the Kingdom of Cambodia.

Mr. Hor (Cambodia): ...

... With regard to the Middle East conflict, I believe that the international community should continue to support the inalienable and sacred right of the Palestinian people to an independent State. We should also urge all parties involved to put an end to the violence once and for all. All the parties must put aside their hatred and their historical animosity. Both the Palestinians and the Israelis must realize that they have equal rights to coexist, living side by side in peace and harmony for the sake of their own peoples and peace in the region.

The President (*spoke in French*): I now call on His Excellency Mr. Marwan Muasher, Minister for Foreign Affairs of the Hashemite Kingdom of Jordan.

Mr. Muasher (Jordan) (*spoke in Arabic*): ...

... The long-standing status quo in our region has made virtually impossible all serious efforts to forge ahead with the overall Middle East reform exercise. The creation of a favourable climate that helps accelerate regional development and progress depends on the termination of the Israeli occupation of Arab land on the basis of international legality with a view to ensuring security and stability in the region.

The time has indeed come to focus on starting the peace process on the basis of the [road map](#) and the terms of reference it contains, including the Arab peace initiative and implementation by both the Israeli and Palestinian sides of their respective obligations under the road map. In fact, the road map provides a well-defined vision of the ultimate solution of the Palestinian-Israeli conflict, namely the vision put forward by President George Bush of the United States of two States living side by side in peace. President Bush reaffirmed that position in a letter he sent last May to His Majesty King Abdullah Bin Al Hussein. The letter also elaborated the firm position of the United States, which rejects any measures that would prejudice the outcome of final status negotiations on the basis of Security Council resolutions [242 \(1967\)](#) and [338 \(1973\)](#).

The launching of any serious political process requires immediate action on the part of all parties to put an end to violence and to all forms of killing of civilians. Let me recall here that, according to the road map, the obligations of both sides must be carried out in concert. For its part, Israel should fulfil its commitments, beginning with the cessation of all settlement building and all extrajudicial killings. At the same time, the Palestinian side should complete the reforms required to control the security situation in the occupied Palestinian territories and bring violence to an end. In that regard, we welcome the decision to consolidate the Palestinian security apparatus. Israel's announcement of its unilateral withdrawal from Gaza, however, must be effected as an integral part of the road map and within its terms of reference. The withdrawal must be coordinated with all parties concerned, especially the Palestinian side, in order to ensure a smooth transfer of power.

It has become abundantly clear, now perhaps more than ever before, that there is a real need to develop an effective monitoring mechanism, operated by the

Quartet, to ascertain whether all parties meet their mutual obligations and to ensure the scrupulous implementation of the road map by the two sides in their progress towards a successful conclusion. Here, I wish to pay tribute to the Quartet for its persistent efforts to maintain the momentum of the peace process.

Once again, I wish to reaffirm Jordan's commitment, along with that of all other Arab States, to the Arab peace initiative which the Arab Summit adopted in Beirut in 2002 with a view to putting an end to the Arab-Israeli conflict through the conclusion of a collective peace agreement providing for the security of all countries in the region and laying the foundation for the establishment of relations with Israel. The agreement would also create a framework for a solution to the Palestinian refugee problem on the basis of [General Assembly resolution 194 \(III\)](#), a full Israeli withdrawal from the Arab territories occupied in 1967 and the establishment of an independent, sovereign and viable Palestinian State.

Jordan stresses the need to respect and implement the [advisory opinion](#) of the International Court of Justice (ICJ) on the separation wall being built by Israel in the occupied Palestinian territories. The pronouncement of the International Court of Justice is the law, and no peaceful settlement of the Palestinian question can be realized unless it is based on observance of the rules of international law and the recognition of the legitimate rights of the Palestinian people, including the right to self-determination. In that regard, the Court's opinion was both clear and specific on the following points.

First, the West Bank, including East Jerusalem, is an occupied territory and, under international law, Israel is an occupying Power. Accordingly, the claim that the West Bank, including East Jerusalem, is a "disputed territory" has been dismissed once and for all.

Second, the relevant rules of international humanitarian law are applicable to the occupied Palestinian territories, including The Hague Regulations of 1907 and the Fourth Geneva Convention of 1949, which, according to the International Court of Justice, are legally applicable to that territory.

Third, the Palestinian people have the right to self-determination and Israel is violating that right in contravention of the binding norms of international law.

Fourth, the Israeli settlements built in the territories occupied in 1967, including East Jerusalem, are in breach of the rules of international humanitarian law.

Fifth, the construction by Israel of the wall in the occupied Palestinian territories, including East Jerusalem, is illegal. Furthermore, Israel must cease its violations relating to the construction of the wall by, inter alia, dismantling those portions of it erected in the occupied Palestinian territories, reinstating the rights of the owners whose lands were lost and compensating those who incurred losses as a result of Israel's illegal actions.

Sixth, the construction of the wall and its route create a fait accompli on the ground which could become permanent and which, in that case, would be tantamount to the actual annexation of the occupied Palestinian territories.

Seventh, the international community is under a legal obligation to refrain from abetting Israel in its illegal activities and is prohibited from recognizing the illegal situation effected by the construction of the separation wall.

Accordingly, Jordan welcomes [General Assembly resolution ES-10/15](#) and considers it an important step, reflecting the international community's recognition of the legal conclusions of the International Court of Justice and its desire to take practical steps to enforce it.

The separation wall threatens the national security of the Hashemite Kingdom of Jordan. The wall is not only a barrier to the establishment of a viable independent Palestinian State, but it also partitions the West Bank into three distinct, isolated sections. Moreover, and in view of the arbitrary Israeli closures and restrictions on movement, the occupied Palestinian territories are witnessing an unprecedented level of deterioration in every aspect of their political, social, economic, security and humanitarian situation. This is bound to have a spill-over effect on neighbouring countries, especially Jordan.

That is the backdrop against which Jordan supported the efforts leading to the adoption of the International Court of Justice advisory opinion and Assembly resolution ES-10/15. Jordan will continue to support the Palestinian people in its efforts to establish an independent State on its national territory, on the basis of Security Council resolutions 242 (1967), 338 (1973), [1397 \(2002\)](#) and [1515 \(2003\)](#), the principle of land for peace, the road map and the Arab peace initiative. We also stand ready to provide any assistance that the Palestinian side might seek to help it to reform its administrative and security structures with a view to fulfilling its obligations under the road map.

...

The President (*spoke in French*): I now call on His Excellency Mr. Mamdi Condé, Minister for Foreign Affairs of the Republic of Guinea.

Mr. Condé (Guinea) (*spoke in French*): ...

...

The Middle East continues to be the scene of grave events arising from the logic of violence that diminish day by day the chances of a peaceful settlement of the Israeli-Palestinian crisis. Guinea is greatly concerned at the Israeli Government's stubborn determination to continue its construction of the wall of separation in spite of the advisory opinion of the International Court of Justice. My country is convinced that peace in the Middle East greatly depends on obliging all parties to respect their commitments as set out in the Quartet's road map and the relevant Security Council resolutions. I reaffirm the Guinean people's feelings of solidarity and friendship for the brotherly Palestinian people and their historic leader, President Yasser Arafat.

...

The meeting rose at 6.10 p.m.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.