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Permanent Mission of the
UNITED ARAB EMIRATES
to the United Nations
New York



البعثة الدائمة
لدولة الامارات العربية المتحدة
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Statement by

H.E. Ambassador Abdulaziz Nasser Al-Shamsi

Permanent Representative of
the United Arab Emirates to the United Nations

before

the Tenth Emergency Special Session (resumed) on:

**“Illegal Israeli Actions in Occupied East Jerusalem
and the Rest of the Occupied Palestinian Territory”**

**“Establishment of the United Nations Register of Damage
caused by the Construction of the Wall in the Occupied
Palestinian Territory”**

New York, 15 December, 2006

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Madam President,

On behalf of the Delegation of the United Arab Emirates, I have the honor to convey to you our gratitude and appreciation for your wise management of the resumed Tenth Emergency Special Session. I would also like to take this opportunity to thank the Secretary-General, Mr. Kofi Annan, for his valuable report, which is contained in document A/ES-10/361 and explains the institutional framework required for the implementation of Article 4 of resolution (ES-15/10), and wish His Excellency, on behalf of my country, every success in his personal life after expiry of his office term by the end of this year.

Madam President,

The resumption of the Tenth Emergency Special Session in order to complete the requirements of resolution ES-10/14 which was adopted by a majority vote in the General Assembly in December 2003 and requested an advisory opinion from the International Court of Justice on the legality of the construction of a racist separation wall by Israel, the occupying Power, inside the occupied Palestinian Territories, including in and around East Jerusalem, demonstrates a complete respect for the principals of international law, especially since that session will evaluate the extent of implementation of the legal advisory opinion by the international community, which was issued by the highest judicial body in the world on 9 July 2004.

Madam President,

The request for the establishment of this legal register by the International Court of Justice for registering all damage caused to natural or legal persons referred to in Paragraphs 152 and 153 of the advisory opinion reflects the conviction of its independent judges, whose integrity and professional competence are well proven, that the construction of this wall is illegal and it should be stopped and dismantled. It further demonstrates their strong sense of the extent of the growing legal, humanitarian, social, physiological, environmental, political and sovereignty implications suffered by the Palestinian People due to the construction of this wall.

Anyone who has been following Israel's engagement in building this wall since June 2002 till date, will clearly witness its implementation of a progressive expansionist scheme which aimed not only at isolating and confining hundreds of thousands of Palestinians in narrow and separated cantons, and preventing them from having access to schools, hospitals and work places, lands, properties and places of worship, but also at the wide and the illegal seizure of thousands of acres, water sources and other natural resources. This is in addition to the forced displacement of more Palestinians in the framework of the so-called Closed Military Zones, and the subjecting of about 46% of the West bank and East Jerusalem areas, and the entire Valley of Jordan to the complete Israeli control with a view to legalizing the settlements which were illegally built there in order to unilaterally create new political and demographical facts on the Palestinian territories and establish borders of the State of Israel and before the final status

negotiations are initiated at the expense of the inalienable sovereign rights of the Palestinian people, including their right to establish an independent State, with Jerusalem as its capital, which constitutes a gross violation of the Charter, the provisions of international law and other human rights instruments, especially the provisions of Article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The flagrant pretexts for security that Israel repeatedly argued to justify the construction of this separation wall, which has reached 662.2 kilometers long, and has covered areas more than twice the length of Palestinian territories boundaries occupied by Israel since 1967, will no longer deceive the international community, Particularly as the advisory opinion of the International Court affirmed has affirmed in a direct and explicit language that Article 51 of the Charter, to which the Government of Israel used to draw upon for justifying its acts, does not apply to the case of its construction of this separation wall inside the Palestinian territories. Furthermore, the Israeli Government can no longer rely upon the right to self-defense to preclude the wrongfulness of the wall, which was built contrary to the provisions of international law. Therefore, the United Arab Emirates, which considers that the advisory opinion of the International Court of Justice is a legal confirmation of the applicability of the Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, renews its demand to the international community to carry out its full responsibilities in order to ensure Israel's immediate and unconditional compliance to all the legal requirements contained in the advisory opinion of the International Court of Justice, particularly the endorsement of the illegality of this wall, and the demand for the removal and the dismantling of the wall, including all the Israeli settlements that were constructed illegally in Palestinian territories between the separation wall and the Green Line and the obligation to make reparation for all the resulting damage.

We have carefully examined the proposal made by the Secretary-General on the statute of the Register of Damage caused by the construction of the wall and its maintenance, where the goals of the Register were limited to a mere comprehensive documentation of all damages and losses, without engaging in any assessments of the damages, or determination of necessary compensations or settlements of claims. We, therefore, call for the following:

- 1- Transparency and flexibility should be observed in the rules and regulations governing the establishment and maintenance of this Register. The administrative, legal and technical team of the Register must also have the necessary competence and be easily accessed in order to ensure the successful attainment of the objectives for which the Register was established, which include a comprehensive and easy documentation of all damages, losses and claims relating to the legal, economic and social implications of the construction of the separation wall.
- 2- Maintenance of the Register throughout the period of the presence of the separation wall in the Palestinian Occupied Territories, including in and around East Jerusalem. Raising awareness among the Palestinian People of the purpose of

creating this register and providing them with the necessary orientation on how to complete and present claim forms.

- 3- To advance the objectives of the register through the establishment of an international mechanism with a view to providing an accurate assessment of the damage and legal impact of the construction of this wall by Israel, and determine the necessary compensations for these damages, including the compensations for those damages resulting from preventing the Palestinians from having access to their workplaces, health services, educational institutions and water resources between the green line and the separation wall.
- 4- Obligating the Israeli Government to make reparations for all damages and resulted implications, in accordance with the rules and regulations of international law as well as the advisory opinion of the International Court of Justice, including the return of all occupied lands, properties and natural resources to the Palestinians, and payment of the necessary financial compensation for all damages, suffering and losses caused during the period of construction of this wall and beyond.
- 5- All Member States and all others concerned are required to ensure their full cooperation with the Office of the Register of Damage to facilitate the implementation of its mandate.
- 6- The General Assembly must continue its consideration of this important matter, and take all necessary measures until Israel complies fully with the provisions of the advisory opinion of the International Court of Justice, including the restoration of the rights of Palestinians who were affected by the construction of the separation wall in their occupied territories.

Madam President,

In conclusion, the UAE, which demands the complete cessation of all assistance used in the construction of this Israeli wall and the illegal settlements inside the Palestinian territories occupied since 1967, including in and around East Jerusalem, calls for the imposition of punitive measures against those entities, companies and individuals who have contributed to and profited from the construction of this wall. The UAE also calls upon all Member States to continue their condemnation and non-recognition of these illegal and unilateral acts of Israel, and the removal of these measures, which constitute a real threat to all efforts aiming at the achievement of a just, comprehensive and lasting peace for the Palestinian Question and the situation in the Middle East, based on the two-state vision, a viable Palestinian State and an Israeli State, living side by side, within internationally safe and recognized borders, which will ultimately lead to stability, security, harmony and coexistence among all people of the region.

Thank you Madam President