Pakistan shares the view expressed by the International Court of Justice and the United Nations General Assembly that the construction of the Separation Wall by Israel in the Occupied Palestinian Territory is illegal. Israel must halt and reverse the construction of the Separation Wall.

2. The illegal nature of the construction of this Wall was clearly established by the advisory opinion of 9 July 2004 by the International Court of Justice. This Assembly, in its resolution ES-10/15, adopted in the special session on 20 July 2004, demanded that Israel, the occupying power, comply with its legal obligations as mentioned in the advisory opinion. The same resolution requested the Secretary General to establish a Register of Damage caused to all natural or legal persons concerned in connection with paragraphs 152 and 153 of the advisory opinion.

3. It is unfortunate that Israel, in complete disregard of the legal opinion of the International Court and in defiance of the clear and strong demand of the international community, is continuing the construction of the Wall. This has two obvious and major consequences. First, it has caused massive human suffering to the Palestinian people and further aggravated their plight. The Wall has not only robbed them of their lands, properties and livelihoods, it is also denying the Palestinian population the right to free movement and access to economic opportunities, basic social services, humanitarian assistance and in many cases their own homes and lands.

4. Second, and in a wider perspective, the construction of the Wall, as the ICJ also determined in its advisory opinion, has created a “fait accompli” on the ground that could well become permanent, in which case, and notwithstanding the formal characterization of the Wall by Israel, it would be tantamount to de facto annexation. The Court also
determined that the construction of the wall severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel’s obligation to respect that right. The Court also determined that the construction of the wall and its associated regime has led to the destruction or requisition of properties and further, that the infringement of the rights of the Palestinian people, resulting from that route cannot be justified by military exigencies or by the requirements of national security or public order.

5. The continued construction of the wall therefore poses a major obstacle to and undermines the objectives of a just and lasting solution to the Palestinian question, through the establishment of an independent, viable and geographically contiguous Palestinian State with Al-Quds al Sharif as its capital. Without a just Israeli-Palestinian settlement, based on Security Council resolutions 242, 338, 1397 and 1515, the prospects for peace and stability will remain dismal throughout the entire Middle East region.

**Madam President,**

6. The report of the Secretary General submitted to the Assembly in pursuance of resolution ES-10/15, though extremely belated, is the basis for convening this special session. The General Assembly is accordingly meeting to establish the United Nations Register of Damage, which will serve as a comprehensive record of the damage caused to all natural and legal persons concerned as a result of the construction of the Wall by Israel. Such a record is indeed necessary for the fulfillment by Israel of its obligations to make reparations, including restitution and compensation, for the damages caused by the construction of the Wall, in accordance with the rules and principles of international law. At the individual level, the Register will perhaps be the only ray of hope for justice for those among the Palestinian people who are adversely affected by the Wall.

7. Pakistan therefore fully supports the draft resolution A/ES-10/L.20 submitted by the Arab Group and co-sponsored by the Non-Aligned Movement. In our view, in deciding to establish the Register of Damage, this Assembly will not only be following
up on the implementation of its own resolutions and thus shouldering its responsibility towards the Palestinian people; but, more importantly, it will be upholding the supremacy of the rule of law, which is an essential element for the construction of peace in the Middle East and throughout the world.

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