

# UN GA: Israel Security Barrier is Illegal

October 21, 2003

## Introduction

The fence or wall that Israel is building in the West Bank has been the subject of acrimonious debate. Palestinians protest that the path of the fence through Palestinian territory will create *de facto* annexation of their territories, as well as separating farmers from their fields and isolating people who are between the fence and the green line border. Israeli settlers opposed the fence because it will leave many of them outside its protection and make a de-facto division of "the Land of Israel." Israeli moderates initially supported the fence because it would protect Israel from Palestinian terror attacks and stop vandalism and theft from the West Bank. Auto-theft alone accounted for several hundred millions of shekels of damage annually before the beginning of the Intifada.

Israeli PM Ariel Sharon was originally opposed to the barrier. He doesn't believe in static defenses, and didn't want to create a "fact on the ground" that might seem as though Israel is giving up territories ahead of negotiations. However, under pressure from Israelis living along the border, and in the face of repeated terror attacks due to infiltration from the West Bank into Israel, Sharon adapted the fence plan of the Israel Labor party to suit his own program, moving the route off the 1949 armistice lines and into the Occupied West Bank, and, some say, planning construction that will totally surround Palestinian areas creating Palestinian enclaves surrounded by Israeli territory. Palestinians have opposed the fence bitterly, calling it an Apartheid Wall and are joined by the Israeli left. The United States expressed reservations about the security fence and forced the Israel government to postpone implementation of a section that would have included the West Bank settlement of Ariel.

Arab countries led by Syria brought the question before the UN Security Council. They had wanted to adopt a resolution calling on the World Court at the Hague to rule on the legality of the security barrier. However, the US made it clear that it would veto any one-sided resolution. Instead, the resolution below was worked out as a compromise with European countries and was passed in the UN General Assembly. General Assembly resolutions do not have the force of law.

[Economist Examines the Security Barrier](#)

[Israeli Security Fence or Apartheid Wall](#)

[Fencing around the Issues \(including maps\)](#)

*Ami Isseroff*

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ILLEGAL ISRAELI ACTIONS IN OCCUPIED EAST JERUSALEM AND THE REST OF THE OCCUPIED PALESTINIAN TERRITORY

THE GENERAL ASSEMBLY

RECALLING its relevant resolutions, including resolutions of the tenth emergency special session,

RECALLING Security Council resolutions 242 (1067) of 22 November, 1967, 267 (1969) of 3 July, 1969, 298 (1971) of 25 September, 1971, 446 (1979) of 22 March, 1979, 452 (1979) of 20 July, 1979, 465 (1980) of 1 March, 1980, 476 (1989) of 30 June 1980, 478 (1980) of 20 August, 1980, 904 (1994) of 18 March, 1994, 1073 (1996) of 28 September, 1996, and 1397 (2002) of 12 March, 2002,

REAFFIRMING the principle of the inadmissibility of the acquisition of territory by force,

REAFFIRMING its vision of a region where two states, Israel and Palestine, live side by side within secure and recognized borders,

CONDEMNING all acts of violence, terrorism and destruction,

CONDEMNING in particular the suicide bombings and their recent intensification with the attack in Haifa,

CONDEMNING also the bomb attack in the Gaza Strip which resulted in the death of three American security officers,

DEPLORING the extra-judicial killings and their recent intensification, in particular the attack yesterday in Gaza,

STRESSING the urgency of ending the current violent situation on the ground, the need to end the occupation that began in 1967, and the need to achieve peace based on the vision of two states mentioned above,

PARTICULARLY CONCERNED that the route marked out for the wall under construction by Israel, the occupying power, in the Occupied Palestinian Territory, including in and around East Jerusalem, could prejudice future negotiations and make the two-State solution physically impossible to implement and would cause further humanitarian hardship to the Palestinians,

REITERATING its call upon Israel, the occupying power, to fully and effectively respect the Fourth Geneva Convention of 1949,

REITERATING its opposition to settlement activities in the Occupied Territories and to any activities involving the confiscation of land, disruption of the livelihood of protected persons and the de facto annexation of land;

1. DEMANDS that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law;

2. CALLS ON both parties to fulfill their obligations under relevant provisions of the Road Map; the Palestinian Authority to undertake visible efforts on the ground to arrest, disrupt, and restrain individuals and groups conducting and planning violent attacks; the Government of Israel to take no actions undermining trust, including deportations and attacks on civilians and extra-judicial killings;

3. REQUESTS the Secretary-General to report on compliance with this resolution periodically, with the first report on compliance with operative paragraph 1 to be submitted within one month and upon receipt of which further actions should be considered, if necessary, within the United Nations system;

4. DECIDES to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meeting upon request from Member States.