



**Remarks by the Humanitarian Coordinator, Mr. James W. Rawley**

**10 Years since the International Court of Justice (ICJ)  
Advisory Opinion on the Wall**

*Delivered at an event of the Humanitarian Country Team in the oPt, Al Walaja, Bethlehem  
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Good evening. I would like to begin by thanking you all for joining me here this evening for this important event. My gratitude goes to the Humanitarian Country Team, and in particular UNRWA, for organizing this event. And our warm thanks to the Head of the Al Walaja Village Council and the people of Al Walaja for welcoming us to their community.

We are here this evening, in a collective show of support for the community of Al Walaja and those like it elsewhere in the West Bank, including East Jerusalem, that are impacted by the Barrier.

Tomorrow marks the 10<sup>th</sup> anniversary of the advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* by the International Court of Justice, the ICJ, the world's highest court.

The ICJ stated that where the route of the Barrier is built inside the West Bank, including East Jerusalem, it violates both applicable international humanitarian law and international human rights instruments. The Court also called on Israel to cease construction of the Barrier 'including in and around East Jerusalem and I quote: 'to dismantle the sections already completed and to make reparations for the 'requisition and destruction of homes, businesses and agricultural holdings' and 'to return the land, orchards, olive groves, and other immovable property seized.'

Of course, Israel has the right and duty to ensure the safety and security of its citizens. However, this must be done in accordance with international law and should not cause long-term detriment to the local Palestinian population.

Shortly after the ICJ issued its advisory opinion, the overwhelming majority of UN member states (150 in total) approved a General Assembly resolution calling on Israel to comply with the ICJ opinion on 20 July 2004.

Unfortunately, Israel has not complied with the ICJ opinion. Indeed, ten years later construction continues, as we witness here today. You have all been briefed on the impact of the Barrier on Al Walaja and seen some of the results for yourselves. I would like to refer briefly to its humanitarian and economic impact.

The Barrier leaves whole communities stuck between the Barrier and the Green Line – in the ‘Seam Zone.’ Residents of these communities are obliged to apply for permits just to continue to live in their own homes and must pass through checkpoints to reach their health services, their schools, and their workplaces, and to maintain relations with their family and friends on the ‘Palestinian’ side of the Barrier.

We are also concerned about the impact of the Barrier on East Jerusalem, where it is intensifying the separation of the city from the remainder of the West Bank, dividing Palestinian neighborhoods from each other and walling them out from the urban centre, and breaking the back of the formerly vibrant East Jerusalem economy.

This permit and gate regime – ‘the associated regime’ – was declared by the ICJ to be in violation of Israel’s international obligations. We know from UN monitoring that the number of permits approved for farmers are insufficient, with approximately half of all applicants rejected in the northern West Bank over the last four years.

We have been particularly concerned about the impact of the Barrier on rural livelihoods as it passes through approximately 150 communities like Al Walaja, cutting off farmers from their land and water resources. Here too, farmers are obliged to apply for permits and must pass through agricultural gates just to access and cultivate their land.

In the face of the continuing negative impact, the humanitarian community is engaging in a number of initiatives to at least partially mitigate the consequences of the Barrier on affected communities.

One of these is monitoring, reporting and advocacy, including this evening’s event to increase the international community’s understanding of the devastating impact of the Barrier on Palestinian communities. Also, as you know, UNRWA is providing a range of health, education and other services to refugee communities affected by the Barrier, including in Al Walaja.

In addition, to address the most urgent humanitarian and protection needs of vulnerable Palestinians throughout the oPt, the humanitarian community has developed a three year strategy for 2014-2016, the Strategic Response Plan (SRP), where, together with the Gaza Strip, East Jerusalem and Area C, ‘Seam Zone’ communities are one of the four priority areas which the Humanitarian Country Team has identified for assistance.

Regarding access and movement restrictions, of which the Barrier is the major component, some US\$35 million worth of projects have been included addressing restrictions to land, to health and

education services, providing livelihood support for herders and farming communities, and other interventions to protect the rights of vulnerable Palestinian communities.

Through these projects – a summary of which is included in your briefing packs – the humanitarian community is attempting to mitigate some of the worst impacts of the Barrier and to prevent a further deterioration in people’s livelihoods. The continued financial and political support for our work from our international partners is absolutely essential.

The ICJ advisory opinion also underscored that the obligation to respect the rights of the Palestinian people, in particular to self-determination, were the concern and obligation not only of Israel but of all States. In fact, in the words of the ICJ opinion, Member States ‘should not recognize the illegal situation created by the Barrier and should ensure Israel’s compliance with international law.’

Ultimately, what is required is full compliance with the ICJ opinion, by stopping all Barrier construction, dismantling those parts of the Barrier that are inside the Green line, and repealing the gate and permit regime. This will also ensure that no Palestinian communities or their land and water reserves are isolated preventing communities from accessing essential services and cultivating the agricultural land on which their livelihoods depend.

In closing, let me express a hope that I am sure is shared by all of us this evening, namely that the residents of Al Walaja and other Palestinian communities affected by the Barrier will soon be able to have full access to livelihoods, essential services, friends and loved ones, and that our next visit will be to share with you the joy of being able to lead a normal life.

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