

Jordanian National Campaign Against the Apartheid Wall

The Jordanian National Campaign Against the Apartheid Wall organized an National conference on the first anniversary of the decision of the High International Court of Justice. It declared the following appeal unanimously:

AN APPEAL

The Secretary-General of the United Nations
The Secretary-General of the Arab League

We, representatives of Parties, Professional Unions, Cultural and Environmental Bodies, Human Rights and Women Organizations, and nationalist figures and dignitaries, are gathering here today, Tuesday, 12/7/2005, to commemorate the first anniversary of the rendering by the International Court of Justice of its historical Advisory Opinion. We wish to express our most sincere gratitude and appreciation to the ICJ for its courageous and just stance. The importance of this landmark Advisory Opinion lies in that it pronounced, for the first time, the illegitimacy of a host of positions and resolutions appertaining to the Arab - Israeli conflict, starting with the Balfour Declaration, the Mandate instrument, which gave effect to the Declaration, and the unjust Partition Resolution, which was passed by a simple majority, in total disregard to the wishes and aspirations of the Palestinian people.

Israel, which owes its very existence to the partition resolution - passed contingent upon the return of refugees and the establishment of a Palestinian State - has not only incessantly and systematically ignored and refused to abide by any UN resolution, but also embarked on a wholesale breach of international legitimacy and human rights; chief among them, occupation and expansion.

The aforementioned ICJ Advisory Opinion has asserted all international resolutions appertaining to illegitimacy of occupation, settlement, the Wall, the annexation of Jerusalem, expropriation of ownership and mass uprooting of people. It had also asserted the following:

1. In connection with Israel, Article 151 of the Advisory Opinion stated that it falls upon Israel to immediately cease the construction of the Wall which was underway on occupied Palestinian lands, including East Jerusalem and its environs; and

Embark on immediate dismantling of parts of the structure hitherto erected on occupied Palestinian lands, including East Jerusalem and its environs; and

Immediately void and repeal all laws and regulations passed in prelude for its construction, with the exception of those that provide for the payment of compensation to Palestinian inhabitants or any other form of damages.

Unfortunately, and in line with its standard policies, Sharon's Cabinet proceeded with the construction of the Wall and with confiscating Palestinian lands. Moreover, since its passing, the Israeli Government arrogantly and pompously announced its rejection of the Court's Advisory Opinion. In this context, the Israeli Minister of Justice, Tommy Laped, announced that "Israel shall not respect the ICJ Decision"; while its Foreign Minister, Silvan Shalom, stated that "Israel's response to the Hague's Decision shall be firm"; while Sharon himself declared that "the ICJ's interference in the legality of the Wall is uncalled for", while calling for "speeding up its construction".

2. In connection with the United Nations, Article 160 of the Advisory Opinion (while employing mandatory language) asserted that in light of the crucial nature of the rights and obligations involved, the Court finds that all countries are obliged not to recognize the illegalities emanating from the construction of the Wall on occupied Palestinian lands, including East Jerusalem and its environs. All countries are obliged not to extend any assistance, which might have the effect of sustaining the resulting illegality. All countries, while showing total regard and respect for the UN Charter and International Law, shall see to it that any obstacle which resulted from the construction of the Wall be removed, which has the effect of adversely impacting Palestinians' right to self-determination.

3. In connection with member states, Article 159 of the Advisory Opinion (while employing mandatory language) asserted that the Court finds that the UN, especially the General Assembly and the Security Council, must look into ways and measures to abrogate the illegalities resulting from the Wall's construction and to put this Opinion into effect.

We appeal to the UN General Secretary to rise up to his responsibilities and take adequate measures to ensure an honest and accurate application of the ICJ's Advisory Opinion in light of the General Assembly resolution (passed by a 150-vote majority). Most notably, that the Opinion itself has placed specific obligations and responsibilities that ought to be exercised without delay, procrastination or compromise.

If the application of Chapter VII of the UN Charter is impossible due to repeated US Vetoes against Arab rights, it becomes incumbent and imperative for each country to take independent measures (unilaterally) to boycott Israel and Israeli products. In the same manner the World has dealt with the Apartheid regime in South Africa, which had an effective impact, amongst other measures, of ending the whites' racist hegemony.

And whereas the Palestinian issue is central to the Arab nation, we appeal to the Arab League, represented by its General Secretary, to double its efforts in diffusing awareness amongst countries of the world through articulating what each country could and should do to give effect to this Advisory Opinion, which deserves more than a mere memorandum or a circular. Time has come for the world community to put

an end to the Palestinian peoples suffering. We believe that failure to find a just and comprehensive solution to the Palestinian issue - a fact underscored by the latest UN Report on Human Development in the Arab World - any talk of a real resurgence or tangible development in the Area would remain a pipedream and a chimera.