

Secretary General  
United Nations  
New York, NY

Dear Mr. Secretary General:

As those who support the United Nations mission to strive for more relevancy in today's world, we are deeply troubled that the International Court of Justice (ICJ) has been asked by the General Assembly (GA) to issue an advisory opinion on the legality of the security fence Israel is building and that you have supported this effort. We respectfully request that you reconsider your stance and urge you to act so that the ICJ does not take up the issue.

We believe the ICJ should not address the legality of the security fence because an ICJ opinion on this issue would politicize the court and could seriously damage its reputation and credibility. The GA resolution was a purely political maneuver intended to embarrass Israel rather than a serious request for judicial oversight of a security problem. Its failure to make any reference to Palestinian acts of terror, the very reason for the construction of the fence in the first place, shows its one-sided and political nature. Clearly, other members of the GA had similar misgivings, which is why the resolution itself did not even garner the support of the majority of the GA's members.

We are also troubled by your personal stand supporting the ICJ's interest in the issue, especially given your previous statements against terrorism and the requirements of your role as Secretary General to remain immune from such political games. At the UN Conference on terrorism held in New York in September 2003, you clearly stated that "terrorism is a global threat, and it can never be justified. No end can give anyone the right to kill innocent civilians." Yet you never raise the issue of Palestinian terrorism in the security fence brief you submitted on behalf of the United Nations to the Court. As you know, the only reason Israel is building this security fence is in response to three years of suicide bombings and shootings by Palestinian extremists that has claimed over 900 innocent Israeli lives.

Israel has no less of a right to defend its citizens than other nations of the world, and the security fence is a major part of this defense effort, particularly since the Palestinian Authority refuses to take any action against terrorism. Israel has reiterated the purely security needs for this fence, has declared that it is not to be seen as permanent, and continues to aspire to political settlement with a Palestinian Authority that can credibly deliver on its commitments to security. The GA's request for an ICJ advisory opinion is a blatant attempt to manipulate the UN system for clearly political purposes.

Accordingly, we urge you to reverse your support for the ICJ's examination of the fence issue and to encourage it not to rule on this political issue.