



조선민주주의인민공화국
유엔주재 상임대표부

Democratic People's Republic of Korea
PERMANENT MISSION TO THE UNITED NATIONS
820 Second Avenue, 13th Floor, New York, NY 10017
Tel: (212) 972-3105/3106 Fax: (212) 972-3154

Cour internationale de Justice

Enregistré au Greffe le :

International Court of Justice

Filed in the Registry on :

30 JAN. 2004 / 49

No. 5

The Permanent Representative of the Democratic People's Republic of Korea to the United Nations presents his compliments to the President of the International Court of Justice and has the honor to be authorized to submit to the International Court of Justice the legal opinion of the Democratic People's Republic of Korea regarding the construction of the wall by Israel.

First, the construction of the wall by Israel is an attempt to coercively annex the Occupied Palestinian Territory and split the Palestinian nation, which is totally contrary to UN General Assembly resolutions, in particular General Assembly resolution 2625 of 24 October 1970.

The above-mentioned resolution "Declaration on the principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations" stipulates that every State has the duty to refrain from the threat or use of force to violate international lines of demarcation, such as armistice lines, established by or pursuant to an international agreement.

The de facto annexation of the Occupied Palestinian Territory interferes with the territorial sovereignty and consequently with the right of the Palestinians to self-determination.

Second, the construction of the wall is in outrageous contradiction of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time

of War of 12 August 1949, as it represents an infringement on human rights of the Palestinian people and causes the crisis of humanitarianism.

Article 49 of Section 3 of Part 3 of the said Convention provides that individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

The Permanent Representative of the Democratic People's Republic of Korea to the United Nations wishes to take this opportunity to draw the attention of the International Court of Justice to the fact that there has long existed the wall aimed at partitioning Korea artificially.

That is the reinforced concrete wall built along the Military Demarcation Line in the area of the south on the Korean peninsula in 1979.

It is desirable that the International Court of Justice and the Member States of the United Nations should be also concerned about the removal of the reinforced concrete wall which represents the symbol of the division of the Korean nation.

The Permanent Representative of the Democratic People's Republic of Korea to the United Nations avails himself of this opportunity to renew to the President of the International Court of Justice the assurances of his highest consideration.

New York, 29 January 2004

President
International Court of Justice
Peace Palace
2517 KJ The Hague
The Netherlands

