



**Australian Government**  
**Department of Foreign Affairs and Trade**

Dear [REDACTED]

Thank you for your letter dated 26 July 2004 concerning Australia's vote at the UN General Assembly on Israel's security barrier. I have been asked to reply on behalf of Mr Downer.

Australia voted against the recent UN General Assembly resolution demanding that Israel comply with the findings of the non-binding International Court of Justice (ICJ) advisory opinion because we did not think it would help resolve the Israeli-Palestinian dispute. In December last year, Australia also voted against the General Assembly resolution which asked the ICJ for an advisory opinion on the legal consequences of the barrier. We were concerned that the Court's consideration would politicise the ICJ and distract the parties from the need urgently to resume negotiations. We remain firmly of that view.

The Government considers Israel has the right to defend itself from acts of terrorism, including by the security barrier, which has clearly saved Israeli lives. We would not, however, want the barrier to become a de facto border and Mr Downer and Australian officials have urged the Israeli government to move it closer to the Green Line (armistice line of 1949).

We were encouraged by the 30 June Israeli High Court ruling, which calls for the rerouting of a substantial section of the barrier northwest of Jerusalem. The ruling demonstrates that the barrier is subject to domestic judicial process and the rule of law and obliges the Israeli Government to balance its security needs with the humanitarian needs of the Palestinian population.

There is no realistic, durable alternative to a peaceful negotiated settlement of the Israeli-Palestinian conflict. The interests of Palestinians and Israelis lie in an early resumption of negotiations leading to a just and lasting settlement that would see two states, Israel and

Palestine, living side by side in peace within secure and internationally recognised borders. We continue to urge the parties to meet their commitments under the Roadmap. The ICJ too, in its advisory opinion, recognises the importance of negotiations under the Roadmap and the need for these efforts to be encouraged.

Thank you for bringing your views to the attention of the Government.

Yours sincerely

A handwritten signature in cursive script that reads "N. Maning-Campbell".

Nicoli Maning-Campbell  
Acting Director  
Middle East Section