

THE NEW WALLS AND FENCES: CONSEQUENCES FOR ISRAEL AND PALESTINE

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WITH

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WORKING PAPER NO. 9

OF THE

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ABSTRACT

‘**G**ood fences make good neighbours’ wrote the poet Robert Frost. Israel and Palestine are certainly not good neighbours and the question that arises is will a fence between Israel and Palestine turn them into ‘good neighbours’. This paper deals with the Israeli decision to construct a fence that will divide Israel and the West Bank. Almost all public debate of the wall in Israel has been limited to the security aspects. In light of the success enjoyed so far by the wall or fence around the Gaza Strip in preventing suicide bombers from getting through, the defence for needing a similar wall around the West Bank seems like an easy task.

One of the main proponents of the wall concept in Israel is Dan Scheuftan, whose book on the subject has served as a guide for policy-makers. The paper provides a critique of Scheuftan’s book. The paper addresses various aspects of the wall and focuses on the different consequences of building a barrier between the two entities. Significant attention is paid to the economic consequences of the wall. The paper also looks at other issues such as the impact the wall will have on future attempts of peace-making. The paper attempts to show that the prevention of Palestinian access to Israel – the main goal of the wall – may not really have the hoped for effect of enhancing Israel’s security.

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1. The Concept of Separation

For many years the peace camp in Israel has been divided over the concept of “separation”. There are those who have spoken about separation as a concept to describe the process of establishing a Palestinian state alongside Israel, and in this context the meaning of “separation” was political. Political separation refers to the end of the Israeli occupation of the West Bank, Gaza and Palestinian Jerusalem, and the creation of an independent sovereign Palestinian State in its place. There are others, even from the peace camp in Israel, who have referred to “separation” not only in political terms, but also in demographic and economic terms: separation for them means the removal of Palestinians from Israel through the creation of a Palestinian State alongside Israel and the construction of a “hard” boundary that would put an end to Palestinian physical presence within the State of Israel.

According to Dan Scheuftan in his book on separation,¹ Yitzhak Rabin and Ehud Barak have been the primary protagonists of the concept of “hard separation” – or minimising Palestinian presence in Israel to the lowest possible level, while Shimon Peres would be considered the primary protagonist of the first viewpoint – political separation with wide-ranging cooperation, particularly in economic relations and economic development. Ehud Barak’s campaign slogan in 1999 summarised the point of view favouring hard separation: “We are HERE and they are THERE”.

Before the elections of 1999, I spoke with Ehud Barak about his “vision” of peace. He told me that with the establishment of a Palestinian State, over a period of up to three years, all Palestinian labour presently employed in Israel would be employed within the Palestinian State. The goal is to end all Palestinian labour in Israel. Barak’s “vision” was not based solely on security concerns, which have become the primary impetus for the establishment of the dividing wall today; rather it was based on Barak’s overall view of the State of Israel as the State of the Jewish people, deeply rooted in classical Labour Zionist ideology which traces its roots to people such as A.D. Gordon, one of the leaders of the Second Aliyah (or immigration wave) at the beginning of the last century. Through its positive advocacy of “normalising” the Jewish people by transforming them into workers of the land, Second Aliyah ideologues preached the philosophy of “Jewish labour only” and fought against the land owners of the “First Aliyah” who relied heavily on local Arab labour in their farms. This slogan became an inherent part of the Zionist ethos and has been echoed throughout the history of Israel and Zionism. Most of those who advocate this position or have internalised the essence of this

¹ Dan Schueftan, *Korah Hahafrada – Disengagement, Israel and the Palestinian Entity*, Zmora-Bitan, 1999.

ideology do so without assuming that it contains any elements of racism or racist ideology. They would be the first to advocate equality for Arabs in their own communities, or what was similarly termed in the US during the civil rights battles – separate but equal.

Dan Scheuftan's book is the latest and one of the most explicit exposés of modern Zionism.² Scheuftan's only concerns are those related to the welfare of the State of Israel. He contends in his well thought out logic that Israel cannot allow itself to be part of the Middle East because the Middle East is one of the most corrupt, anti-democratic and backward parts of the world. Scheuftan strongly links the deep religious Islamic ties of Arab and Muslim countries in the region to the lack of democracy and Western liberalism. He speaks about the economic failures of this region due to the lack of democracy and as a result of the corruption of the regimes. He speaks about the backward attitudes of these societies towards women and the fact that in most of these countries there is little productive work and almost no real contribution to the culture of the world. Scheuftan predicts that the Palestinians and the State they will establish will most probably be just like all of the other states in the region and repeatedly cites negative quotations from leaders of the Palestinian Authority to strengthen his point.

Scheuftan also heavily bases his arguments on what he terms the irredentist tendencies of the Palestinians and their demand for the "right of return" for Palestinian refugees. Scheuftan is firmer and more explicit on the issue of the refugees than on almost everything else. For Israel, he says, as long as the demand for the refugees to return exists, there will always be an existential threat to Israel from the Palestinians. Accordingly, as long as there is an open border that allows Palestinians to enter Israel, the demand for the right to return will exist. The appeal of Israel, both for Palestinian nationalistic reasons as well as the economic realities and the greater amount of freedom existing inside Israel, will always serve as a magnet for demands to return and as an impetus to those who seek to implement that right. Scheuftan speaks about the "creeping" implementation of the right of return through family reunifications and marriages between Israeli Arab women and Palestinian men from the West Bank, Gaza and the Palestinian Diaspora. Scheuftan says that the Israeli Ministry of Interior has records of more than 100,000 Palestinians who have "implemented" the right of return since 1994 under the possibilities granted as a result of the open borders facilitated by the Oslo agreements.

Scheuftan is so far-reaching in his ideology that he has said in public that the wall that Israel should construct, even in Jerusalem, should remove as many Palestinians as possible from the Israeli side, even physically separating the Muslim Quarter of the Old City from the rest of the Old City of Jerusalem. Here Scheuftan goes far beyond the consensus in Israel with regards to both separation and to Jerusalem. The entire issue of the Jerusalem area, how and where the fences and walls will be constructed is perhaps the most problematic part of the entire plan. As former Jerusalem Deputy Mayor Meron Benvenisti points out:

Those planning the "Jerusalem envelope" have to define for themselves exactly what they mean by the borders of the entity called Jerusalem – what will be inside and what will remain outside. Under the conditions ensuing since 1967, the definition of the borders of the city has been a matter for politicians, not urban planners. The results can be seen in the disintegrating city and its dizzying sprawl

² Scheuftan's book was adopted as the background for the separation policy adopted by Israel's National Security Council where Scheuftan serves as an advisor. This book seems to be the working manual for the IDF and wide Israeli political circles for the implementation and construction of the unilateral construction of walls and fences.

over huge areas that make any rational urban management impossible. The ideological tendency is to mark the “envelope” according to the municipal boundaries – 124 square kilometres – but those borders have long ceased to satisfy the Israeli ambition for “maximum land with minimum Arabs”; and on the other hand, following the municipal lines would include hundreds of thousands of Palestinians.

The establishment of the “separation fence”, which arbitrarily puts areas populated by Palestinians “beyond the fence” and leaves other Palestinian “neighbourhoods” inside Jerusalem, is based on the assumption that “terror” comes from the Palestinian areas, while the Arab residents of Jerusalem are peace-loving people who stay away from terror.

Scheuftan’s ideology has received wide public support in Israel as a popular concept that was strengthened significantly also as a result of the violent protests of the Palestinian citizens of Israeli in October 2000. Most Jewish Israelis would be very supportive of the idea of placing the entire area of the Little Triangle inside Israel (including Israeli Arab cities such as Taybe and Um el Fahm) within the area that would be on the other side of the fence, allowing those Palestinians to join their brethren within the Palestinian State, on the other side of the wall.

Schueftan clearly sees the security problems caused by terrorism as a kind of “value-added” to support his ideology. The security factor adds to the political feasibility of the wall and, in fact, is the determining factor that has led to the Government of Israel’s decision to construct the wall on the ground. But the security factor is not the main reason, in Scheuftan’s view, for needing the wall. He believes that one of the great mistakes of Oslo (of which he thinks there were many) was in removing responsibility from the Palestinians of worrying about themselves and taking care of their own needs.

2. Economics, Walls and Fences

Scheuftan further employs economic data and theory to justify the necessity of the full and permanent separation. Economic life and the quality of life, according to Scheuftan, will always be much higher on the Israeli side of the wall. Israel does not need also to worry about the needs of the Palestinians. Schueftan points to the clear and impending demographic threat that the strong Israeli economy creates making it a desirable country to immigrate to from the surrounding neighbourhood. If Palestinians are allowed to enter Israel, they will always be planning in their minds where in Israel they would like to reside and will make operative plans to bring about their own “return”.

He states that even under policies of open borders, the Palestinians will never catch up to Israel in terms of economic growth. The linking of the Palestinian economy to Israel will have a negative impact on the Israeli economy, constantly pulling it backwards. The continued failure of the Palestinian economy, according to Scheuftan, is endemic and mirrors the other economies of the Arab world. The lack of an open, modern Western economy in Palestine is a reflection of the lack of democracy there which is based on the lack of democratic values in the society – something that is not likely to change. In this context, according to the holders of this viewpoint, the gaps between Israel and Palestine will continue to grow and will only lead to a pattern of constant ongoing conflict between the two parties.

Scheuftan further attacks the concept of border industrial zones or of Palestinian employment in Israel. He maintains that continued Israeli exploitation of cheap Palestinian labour cements the negative power imbalance between the rich Israeli society and the poor Palestinian society and will only serve as the basis of continued feelings of humiliation and sub-servitude of

Palestinians to Israelis. He maintains that the only possible remedy to this situation is the total disconnection of the Palestinian economy from Israel. He preaches a kind of super Palestinian nationalism for Palestinians, asserting that they must take full responsibility for their own future and to stop depending on Israel for their welfare. In such a model, Schueftan states that the Palestinians will no longer be able to blame Israel for all of their woes.

He claims that the Oslo Agreements, and in particular the Paris Economic Protocol, makes Israel primarily responsible for the development of the Palestinian economy. The tax collection structure whereby Israel collected Palestinian VAT and custom tariffs further increased Palestinian dependency on Israel and reduced the chances (little as he believes) that the Palestinians would take responsibility for themselves. He states that the Palestinians, who had the responsibility of collecting income tax within the Palestinian territory never did the job properly. They were able to rely on the tax transfers from Israel from VAT and customs and on the donations of the international donors who provided great amounts of income to the PA. The fact that the PA proved to be corrupt and did not act responsibly in managing of its own economy is further proof, in Scheuftan's view, that Israel should not even mingle in the same "room" as them. According to Scheuftan, Palestinian reliance on Israel would only diminish whatever little chance there is that the Palestinians might someday be worthy neighbours.

He concludes that Israel has nothing to gain and everything to lose by trying to integrate into this region. Israel should, therefore, close off its borders completely to the region (and to the Palestinians). There should be no Palestinian trans-boundary labour, movement of people or even movement of goods. Only when the Palestinians can prove that they are worthy of joining the community of nations should Israel open its borders to the East, but only for the purpose of trade – not for labour importation.

It should be noted that the philosophy advocated by Scheuftan and voiced by Rabin and Barak (Rabin mainly at the outset of his term of office and much less so after Oslo) never had real support in the Labour Party over the past years (until now), at least since Oslo. The support within Labour today and within the Likud has been generated mainly from the fear of the Israeli public due to increased terrorism, primarily of suicide bombers.

3. Oslo and the Politics of Separation

The Oslo Peace Process was based on the concept of cooperation and economic integration. The following are some of the many committees and joint structures that were built into the Oslo Peace Process.

Joint Committees for Israeli-Palestinian Cooperation

- Joint Israeli-Palestinian Liaison Committee – DOP
- Joint Economic Committee – DOP
 - Cooperation in the fields of water, electricity, energy, finance, transport, communication, trade, industry, labour, environment protection, human resource development, media, etc.
 - Liaison and Cooperation with Jordan and Egypt – DOP
- Joint Security Coordination and Cooperation Committee (JSC) – Cairo Agreement
- District Coordination Offices (DCOs) – Cairo
- Joint Patrols – Cairo
- Joint Mobile Units (Rapid Response) – Cairo

- Joint Civil Affairs Coordination and Cooperation Committee (CAC) - Cairo
- JEC – Joint Economic Committee (Paris Protocol)
 - 1. Subcommittee of experts to look at data regarding past consumption, production, investment and external trade of the Areas.
 - 2. Subcommittee for goods imported from Arab countries
 - 3. Subcommittee on transportation
 - 4. Subcommittee on petroleum products
 - 5. VAT subcommittee
 - 6. Veterinary subcommittee
 - 7. Plant protection subcommittee
 - 8. Dairy sector subcommittee
 - 9. Tourism subcommittee
 - 10. Compensation/legal issues subcommittee
- Joint Security Committee (Oslo II)
 - Regional Security Committees (RSC)
 - DCOs – District Coordination Offices
 - Joint Patrols
 - Joint Liaison Bureaus
- Annex on Cooperation – Standing Cooperation Committee (SCC)
 - Environment
 - Economic
 - Cultural and Education
 - People to People

The vision of Oslo was based on the concept of cooperation in every field possible. The protagonists of this view believed that through cooperation, and mainly through economic cooperation, peace would bear many fruits and economic prosperity would bring about the decline of the extremists and the spoilers of peace. The espousers of the Oslo Process had hoped that Israel's technological know-how and its access to global markets would enable the Palestinians to exploit Israel's relative advantages and to achieve rapid economic growth and prosperity for its people. This, of course, did not happen (Scheuftan believes that it could not happen, as mentioned above).

In the period 1993-96, there were a total of 342 days of closure affecting the Gaza Strip and 291 days in the West Bank. In 1996 alone, closures increased by 57% in the West Bank and 35% in the Gaza Strip over the year before. The Palestinian Center for Economic Research, MAS, points out that the 1996 closures differed from those in preceding years in that they were in effect during most of the months of the year – in actuality, a policy of full separation. This had a significant effect on the continuity and regularity of production, marketing and income generation. This exacerbated the confusion and distortion that affected Palestinian economic activities in general.

Box 1. Palestinian economic losses

- From 1992-96, per capita GDP declined by about 24 %, while per capita GNP declined by about 39%
- Unemployment, which before 1993 hovered at 5%, soared to over 28.4% in the Occupied Territories in May 1996.
- Estimated total cost of closures between 1993-96 at \$2.8 billion. This amount represents 70% of a year's GDP and double the amount of aid disbursed in the area over that period.
- Formal employment statistics indicate that unemployment increased from 10% in March 2000 to 26% in April 2001. In other words, in September 2000 1 out of 4.8 Palestinians had a job, whereas in December 2001, 1 out of 6.5 Palestinians had a job. The situation has deteriorated even more since then, now reaching more than 50% throughout many parts of the West Bank and Gaza.
- The World Bank estimates that 21% of the Palestinian population was poor in September 2000, and this ratio had risen to 33% by January 2001, i.e. 40% to 50% of the population had fallen below the poverty line by the end of 2001.

The outbreak of the intifada fractured the dynamics of the Palestinian economic recovery of 1998-2000. In the initial post-Oslo years, the economy experienced rapid expansion, with the return of nationals and large inflows of public and private capital. The intifada caused many negative affects with severe closure and curfews – pedestrian and vehicle mobility on main roads in the West Bank is reserved 73% of the time for Israeli military personal and settlers. In October 2000, the permit regime was dramatically tightened with permits frequently cancelled and border crossings intermittently sealed.

The policy of economic integration was never really given a fair chance. Most analysts would correctly argue that the policy of closures had little to do with the need to provide Israel with security and was aimed mainly at allowing the politicians to provide the people of Israel with an appearance of security. In fact, the systematic demise of the Palestinian economy through the policy of closures mostly created the security threats that led directly to the Al Aqsa intifada. Closure meant not only that Palestinian labour in Israel was phased out in favour of non-Palestinian foreign labourers, but it also prevented normal trade between Israel and the Palestinians. The movement of goods became as difficult as the movement of people. Foreign investment, even by Palestinians abroad, was diverted from Palestine because of, amongst many reasons, the inability to receive guarantees from Israel that the importation of raw materials and the exportation of finished goods could take place on a normal basis. Special transportation zones, such as the Karni Transport Zone between Gaza and Israel, were established but never fully served the goal of free movement of goods. Certain limited numbers of Palestinian businessmen were given permits for freer movement, but as a whole, the Palestinian economy was severely crippled as a result of the closure/forced separation policies.

As such, the spirit of Oslo was never really implemented and therefore, it is not possible to simply decree that economic integration could not produce the desired results. Additional limiting factors on Palestinian economic development were the lack of Palestinian democracy and the economic corruption that developed within the Palestinian Authority. It should be mentioned that both of these were in partnership with Israel which did not ever really seem to show a keen interest in Palestinian democracy or in an open and free Palestinian economy. From the narrow vision of Israeli leaders (at least as perceived from the results on the ground), a non-democratic Palestinian Authority that is easily corruptible seemed to many Israeli leaders as the correct mix necessary for the PA to serve the policing functions that

Israel was mainly interested in. One can only wonder what circumstances would have developed and how much Palestinian support for real peace would have emerged if Palestinians had enjoyed the fruits of peace.

4. The Construction of the Walls and Fences

After 24 months of violence and terrorism and out of a great sense of frustration, the Israeli government has now voted in favour of the fence and has allocated financial resources for its construction. The main incentive for building a fence is to prevent suicide attacks against Israeli civilians. The Israeli government is under considerable public pressure to present a workable solution. The Israeli security forces could not frustrate all the suicide attacks, and Operation “Defensive Shield” and the subsequent so called “pinpoint operations” in Palestinian cities managed only to reduce temporarily the intensity of the attacks. Another solution had to be found.³

It should be stressed that “fence” is a generic term for a physical barrier that will assume different forms in different locations. In places where Jewish and Palestinian population centres are close to each other, it might take the form of a high concrete wall that will not only prevent infiltration by terrorists but also give protection against light arms fire. In other places, the wall could really be an electronic fence.⁴

The wall or fence is supposed to be part of a separation system, aimed at preventing any infiltration into Israel from beyond the so-called “Green Line.” This system might cover an area to a depth of up to five kilometers (in unpopulated areas). It will include physical obstacles, monitoring systems and military and police forces kept on high alert, with the aim of detecting and foiling any unauthorised attempt to cross into Israel. Passage into Israel is supposed to be possible only through supervised entry points.⁵

Most of the fences will be built with wire. But in a couple of locations there will be a wall, like the one on the highway at Qalqilya. The effective range of the Kalashnikov rifles that many Palestinian gunmen carry is 500 meters. Where there are Israeli homes that are close to Palestinian houses or farmland, concrete walls will block lines of fire, or else the fences will be constructed deeper inside the West Bank. One such spot is in Kokhav Yair, an Israeli town just next to the Green Line where IDF planners shifted the line 500 meters. That will force Palestinians from neighbouring Falamah to cross through a checkpoint in the fence to reach their fields across the street from Kokhav Yair.

Demarcating a line in Jerusalem is even more complicated. The very idea is extremely sensitive politically, given successive governments' commitment to an undivided Jerusalem as the “eternal capital of Israel.” There are practical problems too. For one thing, the common notion of East Jerusalem as being all Arab isn't correct. About 35% of the land in East Jerusalem has been turned into Israeli neighbourhoods since Israel conquered the area in the 1967 war. It is not possible to draw a line through the city without leaving lots of people on the other side. For that reason, the Israeli Government has not yet determined exactly where they will erect the Jerusalem wall, though work has already begun in the south of the city separating Gilo from Bethlehem. As a result, parts of Bethlehem, from the Bethlehem checkpoint (Mahsom 300) until Rachel's Tomb will be physically annexed to the Jerusalem municipality. The wall is likely to be built through the eastern outskirts of the city and

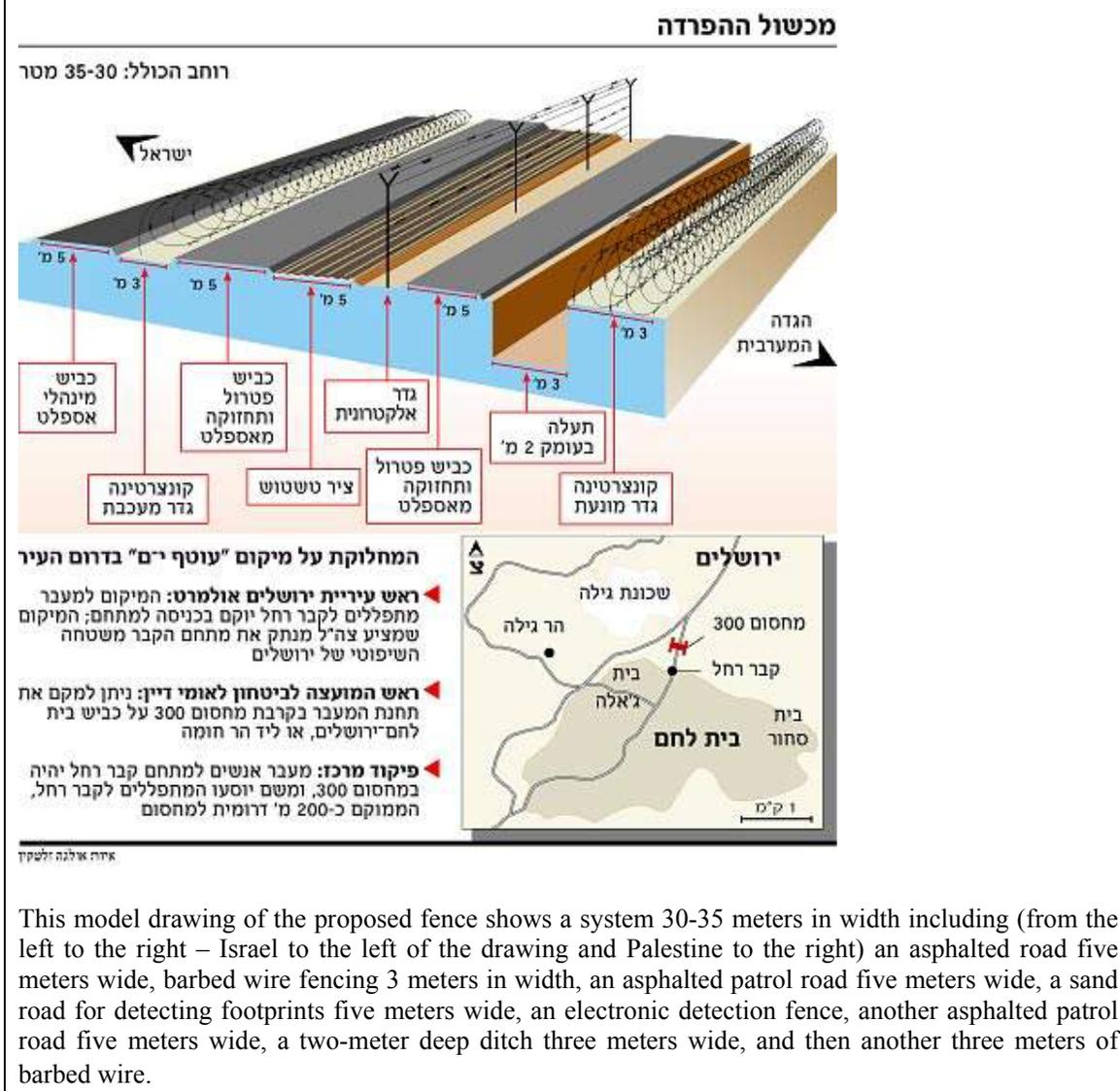
³ ‘Erecting a Separation Fence’, Shlomo Brom & Yiftah S. Shapir, Jaffee Center for Strategic Studies, 27 June 2002.

⁴ Ibid.

⁵ Ibid.

probably will not pass near the heavily disputed Old City, with its Jewish and Muslim holy sites.

Box 2. Model drawing of proposed fence



This model drawing of the proposed fence shows a system 30-35 meters in width including (from the left to the right – Israel to the left of the drawing and Palestine to the right) an asphalted road five meters wide, barbed wire fencing 3 meters in width, an asphalted patrol road five meters wide, a sand road for detecting footprints five meters wide, an electronic detection fence, another asphalted patrol road five meters wide, a two-meter deep ditch three meters wide, and then another three meters of barbed wire.

Many Palestinians and some Israelis argue that cordoning off East Jerusalem from the rest of Jerusalem will only radicalise its residents, who so far have not participated much in the violence of the uprising. Today Palestinian Jerusalemites can come and go as they like in Jerusalem, taking advantage of educational, medical, recreational and work opportunities in the city. But if they are closed off in the less developed eastern part of town, some Palestinians say, they might start importing violence to the city.

5. Devastating Effects on the Palestinian Economy

There are three industries in Israel that are dependent, in one way or another, on non-Israeli labour. Two of them – agriculture and construction – are gliding down the road of separation.

Agriculture has almost completely separated, and construction has partly separated from the opportunities offered by the Palestinian economy. The third industry that is in trouble is tourism. Beyond that, the Israeli labour market will develop regardless of the solution that evolves regarding the Palestinians.

As for the Palestinian economy, taking the recorded figures from 1992, prior to the Oslo process; then from 1995-1996, the middle of the separation process; and then the recovery in 1999, and after that the effects of separation of the economies of the past two years, the Palestinian economy is now in deep recession once again. In 1992, the Palestinians exported into Israel a \$250 million worth of intermediary and finished goods, and in 1996 the figure remained the same.

As to remuneration of Palestinian labour, the figure is more dramatic. It was \$920 million in 1992, and it dropped to \$405 million by 1996. During the period of 1997-99, it grew again, recovering to about \$1 billion. In 1999, Israel also paid over \$1 billion to Romania, China, Thailand and other economies for imported labour as well. This is the net transfer – that is, over and above their cost in Israel itself. In the labour market in Israel, there is an inclination now to exclude the Palestinians for reasons of convenience and prejudice as well.

All in all, the figures from 1992 to 1996 and from 2000 until the present show that if there is a higher degree of separation, there is a direct loss of at least 50% of the entire slate of Palestinian exports – labour and goods. Palestinian economists often speculate about how Palestinians could penetrate other markets outside of Israel and how long it will take, but there is really no speculation there. The answer is known: it will take a very long time, years – if it ever happens at all. Exporting abroad is not only a matter of having ports, planes and ships, it is mainly a matter of creating markets. Palestinians do not have an established mechanism for creating these markets, not for goods or for labour services either. In the short run, the export of labour services is utterly impossible. The exportation of other goods and services is possible, but from what we know, it will be very slow. When you consider the current account of the balance of payments of the Palestinian economy, there will be trouble in the next years, and the degree of separation will determine the depths of this trouble.

Established passages, like the crossing in Karni, provide a very cumbersome and time-consuming way to transfer merchandise from one side to the other. Moving a piece of merchandise in Karni exactly “by the book” should in principle take 45 minutes, but in reality, it takes several hours if not days. Anybody who knows anything about the procedures and bureaucracy and military machines should have predicted – and some people did predict – that these crossings would cause a serious problem to anybody who wished to have a plant on the Palestinian side in the Gaza Industrial Estate and take the merchandise back and forth on an out-sourcing basis. It is nearly impossible, and this is the number one deterrent.

One can have the most ideal description of a model of cooperation or of limited integration, but in reality, with regards to implementation, it's usually an all-or-nothing proposition. It is either open so as to make the operatives on the spot treat it as an open passage or it is controlled, in which case, everything slows down, bureaucracies are added and the entire process adds significant costs to the movement of goods. Today it is more costly to move trucks of goods from Gaza to Tel Aviv than from the Port of Ashdod in Israel to Europe. Once you decide it is controlled, and this is how it has looked since 1996, even the movement of goods and raw materials becomes very limited.

With regard- to access to markets, the question is not only concerns developing something new. In order to develop something, first of all you need investors. Investors come in only if they have markets. In Eastern Europe, local markets were big enough, and the first investors

to come were very important ones such as McDonalds and Coca-Cola. With Russia and China, it happened because they are huge markets. The Palestinian market is very small. Therefore, very few investors will come, or the amount of investment to satisfy local demand will be much too slow to create employment and to generate enough income.

Palestinian exports may become diversified in terms of the number of countries to which the goods are sent, but Israel will still remain the largest market in this stage. In the long run, the Palestinian economy should access the world market directly, which they might do if they are able to establish and run their ports and airports. However, they will always be limited by the size of their industries and the ability to penetrate world markets. Floriculture is a good example to cite. This is an exporting industry. It has nothing to do with the markets in Gaza or any other place in the Palestinian territories. Whatever is being marketed there is small and insignificant. The major source of income is the exports. The question in floriculture is how can the people engaged in this business in Gaza export to Europe, which is the largest market in this part of the world. Until now they have done this successfully by exporting first to Israel. That is, they are using the services of the Israeli terminal and airport to their advantage and the Israeli marketers and forwarders. If they can replace it, or when they can replace it (and that's a big if), perhaps they will be able to do it on their own. Most experts in this field estimate it will take ten years to develop.⁶

The reasons are complex, but there is one that is rather simple. There are about two to three cargo airplanes going back and forth between Ben-Gurion Airport and Europe everyday. There is always ample capacity with two-way cargo traffic. Israel, with its economy that is some 15-20 times larger than the Palestinian economy, and its standard of living that is ten times higher than that in the Palestinian territories, needs air-lifted imports to the level of at least two airplanes a day. There is no such solution for the Palestinian economy in the foreseeable future.

An additional problem, even without total separation, due to the security situation, is the slow and cumbersome process of moving goods. Even with a specified transportation zone for that purpose like Karni, the slowdown in the movement of goods due to real security needs and as part of the procedures of "hitting" the Palestinians as a form of pressure or punishment, makes it absolutely impossible to do real business. It kills the merchandise on the way. You cannot take back-to-back material in cooled containers and come up with good merchandise.⁷ It becomes even more complicated and more sensitive when you move to more sophisticated products, such as from carnations to roses, because then one flower costs \$1-\$2. There is a potential for great loss of investment just because some Israeli officer at the crossing point does not wish to cooperate on a given day.

It is true that it would help a lot if the Palestinian economy had free access, not through Israel, to Egypt or Jordan. The important future markets for the Palestinian economy, however, are the larger and wealthier markets – Israel, Europe and the United States – and not the Arab world. Arab markets are, first of all, too small. Secondly, most of them are competing markets. Today, for example, Jordan wants very limited Palestinian imports. The Gulf can buy anywhere in the world, and that's what it does. They also buy from the Palestinians, but neither the Palestinians nor Israel produce Cadillacs or other luxury goods that are in a high demand there. There is a potential market in the Gulf for some Palestinian products, but it's

⁶ Prof. Ezra Sadan, Prof. Ephraim Kleiman and Hillel Adiri of the Israeli Ministry of Agriculture.

⁷ The back-to-back process involves the offloading of goods from a Palestinian truck and transferring them, after screening and checking by security to an Israeli truck stationed in a "sterile" area which then drives into Israel – to Israeli markets or ports.

not a market that is just waiting for the Palestinian economy and that will solve all the problems of the Palestinian economy.

Furthermore, one of the results of the construction of the wall is the creation of a wedge between Palestinians farmers and their lands. The planned wall leaves many lands that are owned by Palestinians on the other side of the fence. This confiscation of land will hurt all Palestinian farmers whose crops will no longer be accessible – especially those who grow olive trees, vineyards, seasonal fruit and other kinds of field crops that usually provide their main source of income. The agricultural economy has become increasingly important during the intifada since the curfew policy has isolated towns from each other, leading to a growing reliance on local and home produce for both immediate sustenance and employment.

6. Mixed Opinions

There are many arguments amongst the supporters of Israeli-Palestinian peace on the question of unilateral separation. Last summer, the Haaretz newspaper, which is generally a supporter of the peace process, published an editorial in support of the walls and fences. The editorial is reproduced in Box 3.

Box 3. Editorial in support of the separation fence

It is not difficult to list all the flaws of the separation fence, which after some hesitation began going up this week in the northern part of the West Bank.

First of all, the fence is a unilateral development on Israel's part, without any consultation with the Palestinians and against their wishes. As such, it gives blunt expression to the despair gripping Israelis since the failed negotiations with the Palestinian Authority and the consequent outbreak of murderous violence.

There is, therefore, no certainty that the fence will hasten renewal of the political process between the two peoples. Nor is there any guarantee the fence will accelerate domestic Israeli processes leading to the evacuation of the settlements, a necessary step on the way to a political agreement. Indeed, in the short term, the fence might strengthen the settlers' determination to hunker down in their positions. That will double the burden on the security forces: They will have to man the security zone around the fence and, with beefed up deployments, protect the settlements.

The fence will eat into some of the land on the Palestinian side of the Green Line. In some places, it will be diverted eastward a few kilometres to encompass Jewish settlements built across the Green Line. This "land grab" will make neither the fence nor Israel more likable to the Palestinians who continue living along the border in the future. When it reaches Jerusalem, the fence can be expected to compound political and demographic problems that already appear insoluble.

Nonetheless, the fence's advantages outweigh its disadvantages. First of all, hopefully, it will reduce the intolerable price in blood that has been paid with the lives of peaceful Israelis practically every day. Even the pessimists, who warn that passive-defence systems – no matter how sophisticated – cannot provide hermetic protection, admit there's a measure of efficacy to the system. The only efficient alternative to a fence, say senior security experts, is a perpetual war of occupation deep inside Palestinian territory.

But beyond the immediate security benefits resulting from the establishment of a protected seam area, a new, tangible reality of separation between two national, geographic entities, will ensue. This reality will gradually become part of the consciousness of both peoples. That is no small matter, especially not for the many young people for whom separation is only a vague memory or an imaginary abstraction. The change could be revolutionary: A physical change that leads to a psychological change, with which it may be possible to rehabilitate the much longed-for political change.

Therefore, after the decision was made in principle to build the fence, there's no more room for delays and debates. This is an emergency. The fence is not a perfect solution, far from it, but it is apparently the best alternative. The timetable for building the fence is said to be months, or even years, until its completion. But given the importance and urgency of this national mission, such timetables are unnecessary and illogical. The fence should be given the highest priority and its progress should move forward at maximum speed.

Source: *Haaretz*, 18 June 2002, English edition (www.haaretzdaily.com).

There is an unsubstantiated assumption in the position taken by *Haaretz* that is quite prevalent primarily amongst Labour Party supporters of the separation plans. In his article in the *Al Ahram Weekly* from July 11-17, 2002, Dr. Ilan Pappé from the Haifa University reminds us that Binyamin Ben Eliezer and Haim Ramon, two leaders of the Labour Party, have even called their plan for separation a "Peace Plan". Pappé writes:

The Labour Party has always sought a peace which would be based on a dividing line. Indeed, this was their main slogan in the 1992 general elections: "We are here and they are there". For Labour, the Zionist dream can only be fulfilled through total separation between Palestinians and Jews. The question of what exactly may happen on the other (Palestinian) side of the fence never seems to bother these peace visionaries. They are not interested in the economic viability of life on the other side, or in how it will manage its natural and water resources (most of which Labour intends to keep on the Israeli side of the divide), nor what its sovereignty will amount to (which Labour in any case does not intend should be full or complete, since Labour's "Palestine" would incorporate many extra-territorial blocs of Jewish settlements), nor even how it will achieve security (since security is meant to remain exclusively in Israeli hands).⁸

7. The Many Unanswered Questions

The questions raised by the *Haaretz* editorial and by Pappé point to some of the main issues that need to be discussed by those who support real Israeli-Palestinian peace with regards to the likely effects of the construction of the walls and fences:

- Will the benefits to future peace outweigh the costs?
- Will the fence create a new political border between Israel and Palestine?
- Will that border become indelible in the minds and psyches of Israelis and Palestinians?
- Will the existence of the fence and walls further the process of de-legitimising the settlements amongst Israeli citizens?
- If, as is planned now, the settlements remain on the other side of the line – on the Palestinian side – will they become the main targets of Palestinian violence against the occupation?
- If the settlements do become the primary targets, will this serve the development of public opinion amongst Israelis against the settlements or will it strengthen support and solidarity of the Israeli public with the settlers?
- Will the fences and walls improve the basic security situation for Israeli citizens or will suicide bombers still be able to get through?

⁸ Ilan Pappé, *Al Ahram Weekly*, July 11-17, 2002, No. 594.

Israel's security chiefs and experts are confident that the wall will answer the questions of security positively. "With this fence, we'll be able to stop 100% of terrorist infiltrations", asserts Brigadier General Israel Yitzchak, who heads the border police unit responsible for patrolling the seam line between Israel and the West Bank. A fence constructed around the entire Gaza Strip in 1994 has proved valuable. According to Avi Dichter, head of the Shin Bet, Israel's domestic-security agency, not one suicide bomber has entered Israel from the Gaza Strip since the current uprising began. The new barrier, at least initially, won't completely fence off the West Bank. But it will make it much harder for Palestinians to cross between the north of the West Bank and the populous coastal region of Israel. Terrorists can't easily go around the barrier, because travel within the West Bank is monitored by Israeli soldiers manning checkpoints.⁹

Many Israeli security experts have written extensively about the walls and fences, such as Yossi Alpher, who contributed the following comments on the website of the Israeli NGO called "Bitter Lemons".

Militarily, fences and walls will have no effect on mortar or rocket attacks launched from the West Bank against Israel, and little effect against determined aggressive intruders unless the fences are patrolled. But the forces needed to patrol them are busy guarding the settlements, particularly those located in the midst of large Palestinian population concentrations in Gaza and the West Bank heartland. Hence many of the grassroot advocates of fences, led by the Council for Peace and Security, insist that their construction be accompanied by unilateral withdrawal from these settlements, first and foremost in order to free up forces for a more orderly and efficient effort to protect Israel against suicide bombers. The fence would then be designed so as to comprise the settlement blocs located near the Green Line, thereby protecting some 70% of the settlers as well. While the public supports this idea, most of the political parties currently represented in the Knesset do not. Thus there is little likelihood that settlements will be dismantled in the near future, thereby somewhat limiting the military utility of the fence.

In this regard, it is important to note the example of the Gaza Strip. The Gaza-Israel border, some 45 kilometres long, has been fenced for around 10 years. Not a single suicide bomber has penetrated it into Israel. But the settlements located inside the Strip remain vulnerable to attack, and require large contingents of troops to patrol them....As for the ramifications for peace, some advocates of separation, like Labor's Haim Ramon, in effect seek to present the line delineated by the fencing of the Green Line together with the settlement blocs as a de facto political border. Others point out that, even after dismantling isolated settlements, Israel will hold onto the Jordan Valley for strategic security reasons, as well as Greater Jerusalem, which cannot be rationally "separated" by fences, pending final status negotiations in which all the land of the West Bank will be on the table. According to this position, unilateral withdrawal and the building of fences should not be confused with the drawing of borders. In any case, most advocates of separation now assert, convincingly, that Israel does not currently have a peace partner on the Palestinian side, and must therefore act unilaterally in accordance with its own needs.¹⁰

⁹ Matt Reyes, "Fencing Off Terrorists", *Time Magazine*, 3 September 2002 (<http://www.time.com/time/world/article/0,8599,260701,00.html>).

¹⁰ Yossi Alpher, Bitter Lemons, 10 June 2002 (<http://www.bitterlemons.org/previous/bl100602ed21.html>). See

It has been reported that aides to Defence Minister Binyamin Ben-Eliezer say he would prefer to build the fence right along the Green Line. But political problems involved in preserving the Likud-Labour coalition government pushed Israeli planners to set the line of the planned fences inside the West Bank at several points. The entire barrier network — which includes a ditch, several roadways, concertina wire and surveillance cameras, as well as a 3 meters tall electric fence — will be about 40-50 meters wide at sensitive points. That means there would not be enough room to lay the network along the many parts of the Green Line where it divides three Arab towns. As a result, the people of Barta'a and Baka is-Sharqiyeh, for example, which are Palestinian, will find themselves on the Israeli side of the fence. While most Israeli settlements in the West Bank will wind up within the barrier network, Israeli officials say they expect to accommodate some of the settlements very close to the Green Line, like Salit, by manoeuvring the fence around them.

The issue of the wall has been one of the major points raised in the 2003 election campaign in Israel. Most of the political parties, including those of the past government, have presented themselves as being completely committed to the wall and the only real point in question seems to be who will construct it quicker. The Labour Party has accused the Likud and Prime Minister Sharon for not building the wall for political reasons. The Defence Minister, Shaul Mofaz, emphasises that the wall will not be a political border but only a security border. Mitzna and the Labour Party have not presented any map of the wall but they stress that it will be constructed from Beit Shean in the north to Arad in the south completely surrounding the West Bank.

Another question that arises from this issue is how the construction of the wall will affect the lives of Israeli Arabs citizens? They compose about one-sixth of the population. Many of them have relatives on the other side of the wall. Will these ties be served by the fence? Will Israel not be increasing the bitterness and grievances of this sector, and will this not lead Israeli Arabs to adopt an even more extreme position in the Israeli-Palestinian conflict? This can of course further weaken the fragile connections between this sector and the State of Israel.

Some prominent Israelis who in the past were strong advocates of Israeli-Palestinian peace and of Palestinian statehood now support separation as presented in the following passage, which quotes from and paraphrases arguments (put forward by Prof. Shlomo Avineri):

Avineri cites the example of Cyprus which he described as “a non-solution, a de-facto division of the island which is not accepted as legitimate...but for thirty years people negotiate ...and nobody has been killed”. Avineri argues that, along the 1967 Green Line, Israel should withdraw from 95% of the West Bank, giving the Palestinians contiguous territory. Israel would need to dismantle 20-30 of the isolated settlements and keep the clusters of settlements near the Green Line, he says, but Jerusalem would remain in Israeli hands. The untenable settlements in Gaza, he notes, would also have to be dismantled. The new Israel-Palestine border would become like the one with Syria, Avineri predicts: an internationally unrecognized line, but one over which no one is killed. This should be done unilaterally because “there is no point in negotiation”, held Avineri.¹¹

Avineri believes that the border would be relatively quiet because the two peoples would not

also the Annex for responses to Frequently Asked Questions (FAQs) posted on the Bitter Lemons' website.

¹¹ Edan Lichtenstein, Middle East Institute Policy Brief, 8 November 2001 (<http://www.mideasti.org/html/b-lichtenstein110801.html>).

interact. Seeing the checkpoints where the two peoples continuously interact in a confrontational manner as the main contributor to the violence, Avineri argued that eliminating their omnipresence and thus daily mistreatment of the Palestinians would decrease the hatred and thus the violence. "You have to disengage the populations", he says. To preserve the separation of the two peoples, Avineri argues against a crossing between Gaza and the West Bank. As he puts it, "tough luck".

The new separation, Avineri maintains, should not include any kind of economic cooperation. Making the Palestinians economically independent, in his view, would accomplish two things. First, it would remove the need for border-crossing checkpoints. Second, it would remove the reliance on Israel and give the Palestinians responsibility. "I want to force Arafat to be President of Palestine. When someone is given authority over people, s/he usually behaves more responsibly."

Box 4. Palestinian warnings about the wall (excerpts from the Palestinian press)

The walls will not achieve security for Israel!

"Amid ceremonial measures, Israel started yesterday building the so-called separating wall between Israel and the West Bank while Israeli Defence Minister Ben Eliezer who attended the ceremonies said the step constitutes a new phase of defending the citizens of Israel and that this wall does not constitute a political border in an attempt to calm the concerns of the extremists and settlers who said that Israel is drawing the political borders. Of course, the settlers consider all Palestinian lands in the West Bank and Gaza Strip as an indispensable part of the land of Israel.

Israel will be committing a grave mistake if it believes that it can keep the Palestinian people in ghettos and keep the occupation on the Palestinian lands".

Source: Al Quds, 17 June 2002.

The first phase of the "Security Wall" includes 101 KMS costing 400 million NIS

"The PNA considered that the start of the Israeli scheme to build a 'security' wall along the Green Line was a dangerous matter that aims to keep the occupation and implement a racial segregation plan. Minister of Local Government Saeb Erekat said this is dangerous and aims to consolidate occupation and settlements; the Israeli PM Sharon is thus implementing his so-called long-term interim phase plan on 42% of the land. He pointed out that erecting a wall 101 km in length and 3km to 4km deep is part of the racial segregation that Sharon seeks to impose, which is worse than the apartheid system that existed in South Africa. He continued: the first wall was to hold a siege on each town, village and camp and the second wall was the wall of the settlements and the surrounding areas while the third wall with its first phase implemented yesterday represents the racial segregation. Erekat affirmed that around 40,000 citizens in 11 Palestinian villages and concentrations would be inside the wall, such as the villages of Rumannah, Jaroushiyye, Baqa al-Sharqiyye, Aneen, Nazlat Issa, Abu Nar, and those people do not know to which side they will belong and this is extremely dangerous. He continued that at the time when the international community seeks to revive the peace process, Sharon is exerting all efforts to bury this process. The Israeli Army Minister Ben Eliezer ordered yesterday the launching of the construction of the wall along the Green Line with the West Bank under the pretext of preventing infiltrators from executing attacks against Israel. He inspected the first site of works near the Village of Salem, which is located to the west of Jenin. The works which will cost 400 million NIS (around \$80 million) will last six months and are expected to isolate the cities of Jenin, Tulkarem and Qalqilia from the 1948 lands. The first part of the wall is expected to extend 101 km from the north to the south until the village of Kufr Qasem, which is 20 km away from Tel Aviv. The wall will be equipped with electronic monitoring devices and will be reinforced with several blocs to prevent the passage of vehicles. The works started yesterday in an extremely sensitive area, which witnessed several infiltration operations. Amos Yaron, the General Director at the Israeli Army Ministry said the wall is expected to be electrified and equipped with monitoring devices and paths for patrols. However, Minister Yitzhak Levy, who is a right-wing minister defending settlements, said the wall represents a political fence that might draw up real borders".

Source: Al Hayat al Jadida, 17 June 2002

What should the real peace camp say about separation?

According to Jeff Halper,¹² on the surface the notion of “separation” seems to be an innocent security measure. It involves the construction of a massive “buffer zone” extending along the “Green Line” some 10-20 kilometres into Palestinian territory, where Israel is currently erecting a formidable maze of concrete walls and barricades, trenches, canals, electrified and barbed-wire fences, bunkers, guard towers, surveillance cameras, security crossings and platforms. While it has its security side, the policy of separation is intended to delineate the areas of the West Bank that Israel wishes to claim. It eliminates forever the possibility that the thick corridor between the Ariel settlement bloc and Greater Jerusalem will be relinquished to the Palestinians, as Clinton's plan envisioned. It places the large settlements in the western part of the West Bank squarely (and irreversibly) within the de facto border created by the security installations including East Jerusalem, which is today being “isolated” from the wider West Bank. “Separation” is, in the end, a mechanism for annexation of about 15% of the West Bank under the guise of “security”, effectively removing it as a subject of negotiation. The militarised “buffer zone” is only one component of a wider system of incorporation that includes the construction of the Trans-Israel Highway and the “by-pass” highways that link it to the settlements.

Geoffrey Aronson of the Washington-based Foundation for Middle East Peace and an expert on Israeli settlement policy, attacks the policy of unilateral separation in the following statement:

Israel is building this fence, not in order to leave these territories but in order to stay in these territories. Sharon wants to pacify the security concerns of Israelis while retaining control over security and continuing settlements in these territories. That's a basic feature of all these many plans that are out there. Now, over time, who knows? There are many people in the centre and the left of the Israel political sector who say “Ah, they're building a fence, a fence is a border, what they're doing is acknowledging the failure of the settlement movement over three decades to actually physically transform the border in a way that reflects upon the de facto annexation of large amounts of Palestinian areas. If you want to see it in those terms, if you want to look on the bright side, depending on your point of view, you're welcome to. But Gaza has had a fence around it for quite some time, and this has not prevented the growth of Israeli settlements in Gaza at all, in fact, they've grown during the Oslo years. So a fence and a security border are not necessarily inconsistent with settlement expansion, nor is it inconsistent with Israeli security operations on the other side of the fence. We're really at the beginning of this process we'll have to see what happens.”¹³

Shlomo Gazit, a former head of military intelligence, makes the point in *The Jerusalem Post* of 21 August 2002, that Israel would be better served if it negotiates the withdrawal of its settlements with the Palestinians within the context of an overall agreement than by unilaterally evacuating some settlements. He says that the shift of settlers requires careful preparation which cannot be made if there is to be an early “unilateral separation”. In the view of Gazit, separation is nothing but an illusion. The sooner we separate ourselves from it, the better.

¹² Jeff Halper, “Incarceration or Transfer: Sharon's Post-Incursion Plan”, *CounterPunch*, 2 June 2002 (<http://www.counterpunch.org/halper0601.html>).

¹³ Geoffrey Aronson, Foundation for Middle East Peace, 19 June 2002 (http://www.fmep.org/analysis/aronson_sharons_new_map.html).

Yoel Marcus, writing in *Haaretz* on that same day, calls the concept “unilateral foolishness”: “In our present situation, there is no unilateral solution. We are among them, they are among us. And nothing will be solved without rapprochement, agreements and understandings between two neighbours who are destined to live side by side.” There is absolutely no reason to believe that Israel should expect Palestinian acceptance of the unilateral measures. There should be absolutely no reason to expect that Palestinians will surrender their struggle against the Israeli occupation as a result of the separation. Quite the opposite is what should be expected. The fences and the walls will increase Palestinian suffering. Poverty will grow, unemployment will deepen. The sense that the occupation is permanent will be enhanced by the continued presence of settlements and the Israeli army and intelligence forces in order to protect the settlements and settlers. Palestinian militants, frustrated by the new difficulties in entering Israel to attack civilian populations will gain wide Palestinian public support and perhaps increased international public support when they turn their wrath against the Israeli settlements.

It is to be feared that the Israeli public, which today has little sympathy for the settlements and the settlers, will develop a strong sense of solidarity with them once the settlers and the settlements become the main target of Palestinian attacks and international political attacks against Israel in every international arena because of the settlement policy.

If Israel were to construct the fences and walls and at the same time withdraw from all of the settlements, even leaving a few blocks of settlements along the Green Line in about 2-4% of the territories, then we could say that perhaps we have what could be the basis for the eventual emergence of peace. But this is not the plan. Israel will continue the occupation and will continue to construct more settlements. The Palestinians might have a greater degree of freedom within cordoned-off Palestinian areas, but these will be little more than sovereign cages. Palestinian movement between Palestinian areas will continue to be quite limited and Palestinian movement outside of Palestine will continue to be under the full control of Israel. There is no recipe for quiet here and it is amazing that so many so-called security experts can be hostage to their conceptions (or misconceptions). I am sure that some \$300 million down the road (the estimated expenses of building the walls and fences) and after many more casualties on both sides, the sides will come back to the only real viable solution to the conflict – real political separation together with economic cooperation and integration.

In conclusion, the Israeli decision-makers and the Israeli public have given very little attention to the effects of constructing the wall on the Palestinian economy. In the short term the construction of the wall may accomplish its main aims, that is, to prevent the entry of suicide bombers into Israel proper. In the long run, however, it appears that this goal will not be achieved. This is due to the very strong correlation between the security problems and economic issues. Preventing Palestinians from entering Israel and the separation of ten of thousands of people residing near the Green Line from their sources of income will not help the de-escalation of the conflict or bring peace to the region. On the contrary, it will turn the struggle to a more extreme one. Putting ten thousand Palestinians behind walls will enhance their feeling that their promised homeland has become a large prison limiting their movement, their contact with the outside world and their ability to support their families.

ANNEX: PALESTINIAN POSITIONS ON THE WALL

This annex is based on a document prepared by the PLO's Negotiations Affairs Department in which they deal with frequently asked questions about the wall.¹⁴

1. What's wrong with Israel's unilateral separation and the construction of a wall?

The wall will **not** be built on Israel's border.¹⁵ Israel has already announced that it will build the wall to the east of Israel's border in the Occupied Palestinian Territories, thereby *de facto* annexing more Palestinian land. The strategy is to annex as much Palestinian land as possible while militarily caging in as many Palestinians as possible, all in an attempt to continue Israel's colonization and occupation of Palestinian land. At the same time, Israel will effectively isolate Palestinian population centres from one another,¹⁶ and restrict not only freedom of movement of individuals but also of goods and services, thereby worsening an already-crippled Palestinian economy.

2. Where is Israel planning to build the wall?

Israel will build the wall east of Israel's 1967 border in Occupied Palestinian Territory, thereby *de facto* annexing more Palestinian land, in particular with respect to Occupied East Jerusalem.

Not only will Israel build a wall, Israel has also begun erecting militarily-enforced electrified fences around Palestinian controlled "Areas A" (consisting of approximately 17.2% of the West Bank divided into 13 separate non-contiguous ghettos). The wall, the fences and the new movement restrictions for Palestinians¹⁷ effectively cage Palestinians into Israeli-created ghettos or Bantustans. Israel **is not** building the wall on the 1967 border. Israeli governments led by both Labour and Likud have repeatedly stated that Israel will not return to the pre-1967 border.¹⁸

3. Isn't the wall necessary for Israel's security?

No. The wall is not protecting Israeli citizens inside Israel, it is instead protecting Israel's occupation, illegal colonies and ongoing colonization of Palestinian land. If Israel is truly

¹⁴ PLO Negotiations Affairs Department, "Israel's unilateral separation: bad fences make bad neighbors" (<http://www.nad-plo.org/eye/news47.html>).

¹⁵ Aluf Benn, "PM okays Green Line border fence", *HA'ARETZ*, 4 June 2002: "The major change was that the fence... would run **east** of a number of settlements on the seam, as well as east of the Palestinian settlements (sic) of Kfar Barta and Baka al Sharkia..."

¹⁶ See PLO, *Fact Sheet: Palestinian Movement Restrictions Highlight Israeli Apartheid* (<http://www.nad-plo.org>). Israel recently announced that Palestinians now need to obtain permits issued by the Israeli Army for travel between Palestinian cities within the Occupied West Bank. These permits, reminiscent of South African "passbooks", effectively imprison Palestinians into ghettos.

¹⁷ Ibid.

¹⁸ Even the "left" leaders of Israel have stated that Israel will never abide by international law by returning to its 1967 border: "There must be physical separation from the Palestinians, with us being here and them being there, in accordance with four security red lines . . . We need peace and separation on the ground. Jerusalem will remain united under Israel's sovereignty forever. Period. Second, there will be no return to the 1967 borders on any account. Third, there will be no foreign army west of the Jordan River. Fourth, most of the Israeli settlers in Judea and Samaria will be clustered in large settlement blocs". *Barak on Israel Television's Channel 1, December 27, 1998*

Barak's 1998 separation plan is very similar to what he tried to impose at the Camp David peace talks in July 2000 (see PLO, *Frequently Asked Questions: Camp David Peace Proposal*, <http://www.nad-plo.org>) and what he later proposed in December 2001.

interested in its security it will do one or both of the following: (1) withdraw completely from all of the territories it occupied in 1967 or (2) place additional security on its internationally-recognized border, rather than in the Occupied Palestinian Territories.

Israel has long had the formula for peace and security – end the occupation. In exchange for its complete withdrawal from Palestinian and other Arab land occupied in 1967, Israel will live in peace and in security. Despite the fact that peace and normalization were recently offered to Israel by the *entire Arab world* during the Arab League Summit of March 2002, Israel walked away from this gesture, demonstrating that it prefers land and colonization to peace and security.

4. What is Israel really trying to do by building a wall?

Israel is attempting to annex parts of the Occupied Palestinian Territories by establishing militarily-enforced Palestinian ghettos corresponding to the Palestinian population centres, while continuing its illegal colonization policy. The walls will ensure that Palestinians are denied the ability to move, while Israeli settlers will be able to freely travel throughout the Occupied Palestinian Territories.

Unilateral separation and walls will also ensure that Occupied East Jerusalem is completely sealed off from the rest of the Occupied West Bank, in violation of international law, UN Resolutions and the stated policy of the United States.¹⁹

5. Is Israel's unilateral separation legal under international law?

No. Unilateral separation violates the Fourth Geneva Convention, including the following **obligations which cannot be abrogated by invoking “military necessity”**:

Prohibition on the Use of Collective Punishment:

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. (Fourth Geneva Convention, Article 33(1))

The wall will serve to divide the Occupied Palestinian Territories with movement from one area to another controlled entirely by the Israeli army, in effect punishing the entire Palestinian population. Jewish Israelis illegally living in the Occupied Palestinian Territories will, however, enjoy total freedom of movement.

Prohibition Against Annexation:

Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory. (Fourth Geneva Convention, Article 47)

Israel will *de facto* annex additional areas of the Occupied Palestinian Territories.

¹⁹ For additional information, see PLO, *Fact Sheet: Gilo-Jewish “Neighborhood” or War Crime?* (<http://www.nad-plo.org>).

6. Is Israel's unilateral separation legal under the Oslo Agreements?

No, unilateral separation violates the Oslo Agreements.

Obligation to Preserve the Territorial Integrity of the Occupied Palestinian Territories:

*The two sides view the West Bank and the Gaza Strip as a **single territorial unit**, the integrity and status of which **will be preserved** during the interim period. (Interim Agreement, Chapter 2, Article XI)*

The construction of a wall within the Occupied Palestinian Territories violates the territorial integrity of the West Bank.

Prohibition Against Restricting Freedom of Movement:

Without derogating from Israel's security powers and responsibilities in accordance with this Agreement, movement of people, vehicles and goods in the West Bank, between cities, towns, villages and refugee camps, will be free and normal and shall not need to be effected through checkpoints or roadblocks. (Interim Agreement, Annex I, Article IX, para 2(a))

Israel's security powers, with respect to freedom of movement, extend only to prohibiting or limiting the entry into Israel of persons and of vehicles from the Occupied Palestinian Territories. Building a wall within the Occupied West Bank affects Palestinian freedom of movement not only into Israel, but also *within and throughout* the Occupied Palestinian Territories.

7. What is the international community doing to stop this?

Nothing that has had any effect. The Fourth Geneva Convention obliges the international community to ensure that the Convention, the primary purpose of which is to protect a population under occupation, is respected:

The High Contracting Parties undertake to respect and ensure respect for the present Convention in all circumstances. (Fourth Geneva Convention, Article 1)

Despite the fact that these actions are illegal under international law and the Oslo Agreements, the international community has not stopped Israel. The international community continues to teach Israel that it is above the law.

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