

APN Middle East Peace Report
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Former Military Officers Claim Fence Provides No Security: The Israeli High Court of Justice ordered the state to respond to claims that the current route of the West Bank separation fence does not meet Israeli security needs and simply causes harm to the Palestinians. The claims were presented to the court in an affidavit from the Council for Peace and Security, an organization of former high-ranking Israeli military and intelligence officers. The document claims that building the fence between the Palestinian village of Beit Surik and the Israeli town of Mevasseret Zion near Jerusalem would not improve security in the area and offered no added defense utility. The organization said that by building the fence so close to residents' homes, the IDF was "trying to take over the hills," contrary to the Defense Ministry's own principles. Security officials are considering preempting any future legal entanglements, like this one, by speeding up the construction of the separation fence. They are worried that work on the fence around Jerusalem and its surrounding areas could be delayed by High Court discussions of complaints lodged by Palestinians about the seizure of their lands. The IDF has issued land expropriation orders for 600 dunams of land owned by Palestinians. (*Ha'aretz*, 3/17-18/04)

Tugging On A Short Blanket: After years of sitting inside the settlements, the IDF will be taking troops out of the settlements and will redeploy them, senior Central Command officers reported recently to settler leaders and security coordinators. In exchange, "smart fences" will be built around those settlements outside of the separation fence, and smaller, stand-by squads will be stationed there. This redeployment is a result of the construction of the separation fence. In order to guard the fence route, whose final length will be more than 600 kilometers, the commanders of the district brigades in the occupied territories have to transfer soldiers from the settlements. This redeployment has been in the works for several months, and in recent weeks the IDF has been emptying the settlements west of the fence (i.e., on the Israeli side) of soldiers. Now, however, in order to protect the fence route, the army will have to remove hundreds of soldiers from the settlements on the east side of the fence as well (i.e., those surrounded by dense Palestinian populations). Recently the security establishment began to construct special security areas around several settlements in the West Bank, enabling most of the soldiers to be removed from them. The special security areas will be composed of smart fences that surround the settlements at a radius of about 400 meters and will set off a warning when touched. (*Ma'ariv*, 3/17/04)

If I Forget Thee East Jerusalem, Part I: Thousands of Palestinians who once lived in East Jerusalem and reside today outside the complex of walls and barriers being built to the north, south, and east of the city are moving back into the municipal environs of Jerusalem. According to unofficial estimates, some 300 Palestinians with Israeli identity cards are returning to Jerusalem's municipal area every week. They are being driven by the fear of losing social and economic benefits as a result of being cut off from the city by the "Jerusalem envelop" barrier. The fence and wall around Jerusalem have severe

consequences for the lives of people on both sides of it. The Jerusalem Institute for Israel Studies' task force examining the consequences of the Jerusalem envelop found that 60,000-90,000 Palestinians who live outside the city's municipal borders, and outside the barrier, carry Israeli ID cards making them eligible for permanent residence in Israel. Palestinians who have Israeli ID cards are moving back to East Jerusalem are reluctant to lose their eligibility for National Insurance allowances, state health insurance, freedom of movement in Israel, and access to the job market in Jerusalem and the rest of Israel, even during times of closure. Apart from the demographic consequences of the Palestinian migration to Jerusalem, this movement will also increase the housing shortage in East Jerusalem and lead to a rise in real estate prices. Some 750,000 Palestinian residents who live in Jerusalem's metropolitan area, but outside the barrier, will remain without hospitals. Relatives will have difficulties visiting the graves of their loved ones inside Jerusalem's borders. The barriers will also make it difficult to maintain and take care of the water, sewage, garbage collection and other joint infrastructures of Jerusalem and its metropolitan area. (*Ha'aretz*, 3/16/04)

APN Middle East Peace Report

March 15, 2004

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Fence Postings: Israel does not plan to build a separation fence in the eastern part of the West Bank because of the likely negative political fallout in the international arena, according to Col. (res.) *Dan Tirza*, the man who is plotting the route of the fence. "The State of Israel will not build a separation fence in the eastern part of the West Bank because of the diplomatic damage it is likely to endure as a result," he said. "Legally and publicly, the building of the separation fence in the eastern sector is likely to cause damage to the state. So we shouldn't invest money in it." Tirza also revealed that there will be a 2.3-kilometer hole in the eastern section of the fence being built around Jerusalem. The section where no fence or wall will be built is in the area of the Jerusalem-Maale Adumim road. It is still not clear what type of obstacle will be placed in this area. The inclination is not to completely seal off Jerusalem so as not to leave the settlement of Maale Adumim outside the separation fence. Meanwhile, the IDF has issued expropriation orders for Palestinian land in the area of the West Bank village of Dir Balut. The land is due to be used for a five-kilometer section of the fence that will close the gap between the nearby settlement of Elkana and the Trans-Samaria Highway. This change in the fence route is part of a series of alternations ordered by Prime Minister *Sharon* a few weeks ago. Closing the gap will effectively prevent the creation of an enclave that would include the settlement of Ariel. (*Ha'aretz*, 3/10 & 12/04)

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Taking Measure Of The Fence: The route of the Israeli security fence has been shortened to 640 kilometers, 80 kilometers less than the government approved last year, according to Brig. Gen. *Eran Ophir*, head of the Technology and Logistics Branch in the

IDF. Demolition has begun on the section of the fence east of Baka el Sharkiyeh, while a 1 km. stretch of fence east of Qalqiliyah is also slated to be dismantled to make movement easier for Palestinians in the West Bank. The shortening of the fence route is taking place in a number of areas. About 20 km. will be saved by abolishing the fence planned from Mt. Avner to Hirbat Tisair, and a series of deep trenches planned to protect Ben Gurion Airport and Route 443 from Modi'in to Jerusalem has also been cancelled due to concerns about creating enclaves that would in effect imprison tens of thousands of Palestinians. Ophir said that in an understanding reached with State Attorney *Edna Arbel*, the work on problematic sections of the fence will only be conducted after plans are made to protect the lifestyle of the Palestinians who live in the area. The cost of dismantling existing fence sections, moving them, and rebuilding them along another route will cost at least NIS 100 million. Meanwhile, work has begun on an additional 42 km. of the fence between the settlement of Elkana, near Kfar Saba, and Camp Ofer, near Ramallah. Twenty kilometers of the fence around Jerusalem have already been completed and an additional 64 km. are under construction. Ophir said the entire Jerusalem envelop fence will be completed by the end of 2004. Finally, Israel has submitted to the U.S. a proposed revised route of the fence to make it "more logical and shorter." The main revisions involve canceling "finger" intrusions deep into Palestinian territories at Kedumim, Immanuel, and Karnei Shomron. There would be scaled down plans for the fence in the Beit Aryeh enclave, but no changes to the fence route around the settlement of Ariel. There would also be some changes to the route along Route 443 to minimize the number of Palestinians located within the fenced-off area. The revised route has yet to be submitted to the cabinet for approval, and it was submitted to the U.S. as a possibility, not a definite Israeli policy decision. (*Ha'aretz*, 2/25 & 29/04; *Jerusalem Post*, 2/24/04; & *Ma'ariv*, 2/22/04)

Right Fence, Wrong Location, Part I: Writing in *Globes* about the International Court of Justice hearing on the Israeli security fence, *Matti Golan* said, "Had Prime Minister *Ariel Sharon* been prepared to forego his display of machismo, there would have been no need to drag grieving, hurt people to The Hague. In fact, the bereaved families were brought to The Hague on the vain pretext that they were part of a battle for our right to defend ourselves. The truth is that the battle is about the future of Sharon and his government to build the fence in the right place, from every point of view. I dislike these scenes from The Hague of people who have lost loved-ones in terrorist attacks. It seems to me inappropriate for a strong, sovereign country to put its victims on show in this way. It comes across as lachrymose wretchedness. It reflects a Diaspora mentality, a throwback to the days when they led us like lambs to the slaughter, when we were defenseless against those who wished us evil. It is a way of seeking pity, not justice. Only the defenseless seek pity—and those who are not quite sure that they are in the right. In any case, this is not what is at stake in The Hague. I haven't heard a single serious person with an argument against the fence as such. The non-Arab world understands well enough our need to defend ourselves against terrorist attacks. In general, people do not rule out the fence as one of the means of defense. There is broad consent to the notion that a sovereign country has the right to take defensive steps against repeated murderous attacks on its citizens." (*Globes*, 2/23/04)

Right Fence, Wrong Location, Part II: Matti Golan continued, “The problem with the fence, then, is not the fence itself, but its route. The dispute over this began long before the International Court of Justice was asked to give its opinion. Here in Israel, too, there were plenty of people who argued that the proposed route was impossible, inhumane. Even from a security point of view, the route seems ill-considered in several sections. In short, many negative opinions were expressed about the route, by Israelis, by the Americans, and by the Europeans. The prime minister had two choices. He could listen, or he could take the Israeli approach of ignoring these opinions. *Ariel Sharon*, as is his wont, chose the second course. No one would tell him how and where to build the fence. He knows the security requirements better than anyone. Sharon after all is not one to let an opportunity for a display of toughness go begging, and the fence seemed to him a golden opportunity that could not and should not be missed. Even within his government, there were ministers who came out against the fence route. But Sharon does not know how to listen, until he is forced to. The Arabs went to the International Court of Justice, and suddenly it seemed serious. Sharon has now torn down parts of the fence that he was told in the first place were problematic. Had Sharon listened at the beginning, he would have gained twice over: there would have been no referral to the court in The Hague; and we would have saved tens of millions of shekels wasted on building the fence, demolishing it, and rebuilding it on another route.” (*Globes*, 2/23/04)

APN Middle East Peace Report
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Who Wants To Be A Billionaire? According to *Globes*, Prime Minister *Ariel Sharon* will ask President *George W. Bush* for \$2 billion in aid this week to finance the evacuation of settlements in Gaza and several settlements in the West Bank. With this money, Sharon intends to finance the construction of two settlements in the Negev, and provide compensation to those who will be forced to leave their homes. Sharon also wants to finance a railway from Eilat to the center of Israel in this way. [Editor’s Note: And for an Israeli moon colony the prime minister will request nothing?] Sharon is also due to ask Bush for help in financing construction of the separation fence on a new route, close to the Green Line. The Prime Minister’s Office estimates that the aid request will be granted in part, and that even if it is granted, the aid will be given in the form of long-term loans. The Prime Minister’s Office claims that the demand by the U.S. that the route of the fence should be changed means that NIS 1.5 billion will have been wasted. Ministry officials therefore believe that there are grounds for requesting U.S. aid in this matter. (*Globes*, 2/10/04)

Fencing With Changes: In an effort to avoid a negative ruling on the separation fence from the Israeli High Court of Justice, state attorney *Malchiel Balass* told the court that the government is “reassessing” the barrier’s third and fourth stage routes, and that “apparently the fence will be moved.” However, Balass told *Ha’aretz* that while the fence will move westward more than a “negligible few dozen meters,” the changes will

be pinpoint and no effort has yet been made to consider moving the entire fence westward towards the Green Line. Indeed, word about major modifications to the fence appears not to have reached the troops on the ground. The Defense Ministry is accelerating the pace of the barrier's construction along its approved route. Security officials said that all the media reports about a possible reexamination of the route of the fence notwithstanding, they had not received any instructions to prepare to make changes. Moreover, a high-ranking security official said that, "there isn't going to be any change in the route. At most they'll make a few cosmetic and meaningless changes." It is noteworthy that any change to the fence route in parts that have already been built will cost tens of millions of shekels. New contracts are being signed to send tens, if not hundreds, of additional bulldozers into the field to work simultaneously along the section spanning from the settlement of Elkana, in central Israel, to the village of Surif, in the Hebron area. This section is some 200 kilometers long. "No instructions were received from the political echelon—not even a hint that a change was in the offing," one security official said. However, one official decision that does seem to have been made is to spruce up the ten kilometers of the barrier that consist of concrete wall. The Foreign Ministry determined that as long the Palestinians are using the wall for PR purposes, "if the wall is painted, it will be more aesthetic, and the public relations damage will be reduced." Perhaps something in slimming black? (*Ha'aretz*, 2/10/04 & *Ma'ariv*, 2/9-10/04)

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Getting With The Game Plan: A Dahaf/*Yedioth Ahronoth* survey of Israeli opinion taken just after Prime Minister **Ariel Sharon** announced his Gaza evacuation plan found that 59% of Israelis support the proposal, 34% oppose it, and 7% are undecided. Commenting on the poll results, **Sever Plotzker** wrote, "One statement by the prime minister about evacuation of the Jewish settlements in the Gaza Strip—unilateral, without peace, without an agreement, without political exchange—was enough to get Israeli public support for an evacuation to jump from 45 to nearly 60 percent. One statement was enough to liberate from repression what the majority of Israelis have known for quite some time but have hesitated and refused to express publicly: that there is no alternative to withdrawal to the Green Line and abandoning nearly all the settlements built in all the territories. Now, after Sharon, average Likudniks may also admit what was also considered, among them, to be a national betrayal: the entire occupation is a burden, not an asset. Getting rid of it will benefit Israel, not cost it. Sharon removed the taboo, first when he said, 'The occupation is bad for Israel,' and afterward when he said, 'We will move settlements,' and now with his announcement: 'There will be no Jews in Gaza.' Gaza first, then the West Bank: the route of the unagreed-upon border between Israel and the Palestinian Authority, like the security fence, also moved very close to the Green Line last month. Whatever is on the other side of the fence will not remain under Israeli sovereignty for very long..." (*Yedioth Ahronoth*, 2/3/04)

180 Degrees Of Separation, Part I: *Ma'ariv* reported that officials in Sharon's bureau believe that in return for moving the route of the security fence westward, Israel will win U.S. support and the passive backing of European countries. Israel will ask the U.S. to be able to bolster the settlements that remain west of the fence and to apply Israeli law to them. According to this report, Israel will agree to leave a substantial portion of the settlements in the West Bank beyond the fence, and in exchange will seek U.S. consent to enclose Ariel, Maale Adumim, and the Etzion Bloc inside the barrier. In one scenario under consideration, those settlements left outside the fence would be evacuated, which would make the West Bank withdrawal much more extensive than previously discussed. *Ma'ariv* had earlier reported that Sharon will be given three options for withdrawal: the minimal option in which just seven Gaza settlements are evacuated; the maximum option, in which many settlements are removed (with a total of 60,000-70,000 settlers being evacuated); and the middle ground option, in which most of the Gaza settlements will be evacuated, along with eight to ten isolated West Bank settlements. Thus spoke *Ma'ariv*. (*Ma'ariv*, 2/8/04)

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Peace Now Declines To Join Fence Letter: The Israeli Peace Now movement declined to join a letter circulated among left-wing Israeli organizations addressing the case pending before the International Court of Justice (ICJ) regarding the security fence. Hundreds of left-wing activists signed the letter, which was relayed to the ICJ, with support for the Palestinian position: "The wall harms human dignity and serves political and not security purposes. It must be dismantled." The letter calls the fence an "electrified wall" and says that it violates the Geneva Convention. The letter, signed by Gush Shalom, Bat Shalom, The Committee Against the Demolition of Homes, Yesh Gvul, Women in Black, and other groups, was given to the Palestinian Authority to hand over together with other legal material it is planning to present to the court in The Hague. *Yariv Oppenheimer*, director general of Peace Now, explained his group's decision, saying, "We think that the battle against the fence should be waged in Israel and not outside of it." (*Ma'ariv*, 1/28/04)

APN Middle East Peace Report
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The Wall Flowers: Israel has accelerated the pace of construction on the separation wall around Jerusalem. Last week, workers began laboring around the clock. "The work needs to be done day and night," the Defense Ministry officials instructed construction companies and contractors who are building the fence around Jerusalem. The goal is to complete the construction of the barrier within six months, by the end of July. That means a pace of construction that is approximately ten kilometers a month. The entire length of the Jerusalem envelope structure is slated to be 76 kilometers, out of which 25 kilometers have already been built. No final decision has been made yet about the route

of the fence in eastern Jerusalem, but a decision in principle has been made to have it encompass Maale Adumim from the east. This will oblige the fence to jut out 15 kilometers east of the municipal boundaries. A concrete wall, eight meters high, will be built in all the populated areas, like Abu Dis, southern Jerusalem, and northeastern Jerusalem. Meanwhile, **Claire Smith**, president of the World Archaeological Congress, said that Israel is systematically destroying historic sites in the occupied territories—including world heritage sites in Bethlehem, Nablus, and Hebron, many located in the path of the separation barrier. Israel has admitted to partly demolishing at least one site, an ancient Byzantine monastery in Abu Dis. Smith urged world governments to insist Israel observe the Hague treaty protecting cultural assets in armed conflicts. (*Yedioth Ahronoth*, 1/13/04 & *Ha'aretz*, 1/11/04)

Tommy Guns For New Fence Route: Justice Minister **Tommy Lapid** is proposing an alternative route for the security fence. His proposal would shorten the fence by about 200 kilometers and reduce its cost by some NIS 2 billion. He believes that this is the only way to enlist the support of the U.S. for the fence and to go to the International Court of Justice in The Hague with a real chance of success. In Lapid's plan, Israel would abandon all the salients of Ariel, Alfei Menashe, and so on, and the fence would run close the Green Line. Israel would also give up two salients in the vicinity of Ben-Gurion Airport, which encircle Palestinian villages and place them in an impossible situation. In the southern sector of the fence, it runs closer to the Green Line than in the government's plan, and the last—most dramatic—change is the cancellation of three enclaves in the Jerusalem area, in which Palestinian villages are totally cut off from their surroundings. (*Ma'ariv*, 1/16/04)

Middle East Peace Report
January 26, 2004
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Arabs Will Hop The Fence In Jerusalem: A new study from the Jerusalem Institute for Israel Studies found that the security fence is “the most dramatic change” in Jerusalem since the Six Day War. The report looked at the ramifications of some of the 70 km fence under construction on the outskirts of the city and found that the route would result in an increase in the city's Arab population due to its desire to be on the Israeli side of the barrier. While calling the fence an “absolute necessity,” the report said the barrier will cause significant hardship for Arabs living on the edge of the city, both by cutting through neighborhoods and by placing checkpoints between thousands of Jerusalem Arabs and their jobs, health services, and families. Although the route will exclude from Jerusalem some 25,000 residents of the northern borderline communities, thousands—including 40,000 who hold Israeli IDs but live outside the city limits—will want to move into the city for economic reasons, and have already begun doing so. The migration will increase population density in east Jerusalem, and further burden public services in the city, including schools and hospitals. (*Jerusalem Post*, 1/19/04)

Confiscation Camouflage: Israeli attorney **Shlomo Lecker**, representing 20 Palestinian families in Hebron, petitioned the High Court of Justice to block construction of a

security fence extension that would encompass the settlement of Kiryat Arba and nearby Givat Harsina. The fence around those two settlements would run right up to the first line of Palestinian houses and cut many people off from their farmlands, he said. Lecker called the fence, “the biggest expansion of Kiryat Arba in 20 years.” Officially, the army has issued an expropriation order for just the land on which the fence will be built, a 10-meter-wide, 6.7-kilometer-long strip. But in effect the army is confiscating all the land that falls between the new fence and the existing borders of the settlements, much of it privately owned Palestinian land. “Officially they are confiscating 6.7 dunams, but in reality they are taking 800 to 900 dunams [200 to 225 acres],” Lecker said. An IDF officer said that while Palestinians would be compensated for the land taken for the fence, there was no need to pay them for the other land. “They will have free and daily access as they had in the past,” said the official. But Palestinians separated from their land are skeptical. “They want to make things difficult for us, to make us forget about the land,” said *Nafez Assaily*, who has vineyards and fig orchards in the planned security zone. Assaily said the army informed him that he would need to apply for special permission every time he wants to tend his crops. Similar acts of “establishing special security zones around the settlements” have occurred in recent months at other Jewish settlements in the occupied territories, and the question arises as to whether in addition to the security need there is also a new trick here to take more lands in the territories away from the Arabs and transfer them to the settlers. (*Jerusalem Post*, 1/20/04 & *Ha’aretz*, 1/19/04)

Middle East Peace Report
January 5, 2004
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Fence Postings: *Ha’aretz* journalist *Ze’ev Schiff* reported that some adjustments may be made in the route of the security fence. “On the main concept of the fence, it is clear that those who advocate priority for the military and security considerations have suddenly gained the upper hand,” he wrote. “On the practical side, this means there is no need for all the enclaves and the double fences that make life very difficult for Palestinians... In most cases—though not in all—this means the fence will be built closer to the Green Line.” Among the changes, there will now be no double fences to the east and west of Baka al-Sharkiya. The inhabitants of the village and surrounding area will not be included in Israel. The second change will be made in the Qalqilya region, which has been surrounded by two fences to the east and west, putting it into an enclave. The reason for the Qalqilyah decision was to allow free movement for settlers between the Ariel area and Alfei Menashei, and the Green Line. These travelers will now access Israel via another road. So far no decision has been made to dismantle the eastern fence in this area, but a large opening will be made in it. Also, the fencing of the large enclave—the “fingers”—of Ariel is not in the IDF’s priorities and other arrangements will be made. The government decision to build the eastern fence down the length of the Jordan Valley is still in effect, but the defense establishment is planning a much shorter fence, from Ta’anachim to Gilboa and from there to the northeast toward Tirat Zvi. (*Ha’aretz*, 12/30/03)

Middle East Peace Report
December 29, 2003
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The Charge Of The Bulldozer Brigade: In order to establish facts on the ground before the International Court of Justice in The Hague begins its deliberations on Israel's security fence, Israel will deploy hundreds of bulldozers at dozens of sites along the seam line area, using them to delineate the planned location of the barrier. The political echelon has decided to create facts on the ground in response to growing international criticism against the fence, and for fear that the criticism will lead in the end to heavy pressure on Israel to stop its construction. Implementation of the government's decision does not entail changing the route of the fence. But instead of working on a limited number of sectors and progressing along the line, bit by bit, the work will now be carried out along almost the entire line simultaneously. The dozens of sectors where the work will be done simultaneously will be linked to each other by 2004, making the fence contiguous. By the end of 2005, the last section of the fence, from Surif to north of Arad, will be completed. However, the section intended to create a kind of salient in the West Bank, to include the settlement of Ariel and nearby settlements, will not be built within the framework of creating facts on the ground because the cabinet has decided that this section will be built in the future and only after prior coordination with the U.S., which it currently opposes. Construction of the security fence will become the "largest construction project ever" undertaken by Israel, according to Deputy Chief of General Staff Maj.-Gen. **Gaby Ashkenazi**. Some 15,000 people will be employed on the project, including Palestinians with work permits. (*Ma'ariv & Jerusalem Post*, 12/24/03)

APN Middle East Peace Report
December 15, 2003
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Security Fence Hits A Legal Wall: The construction of the section of the Israeli security fence in the Gilboa area was delayed by a Justice Ministry opinion that says that the eastern fence route inside of the West Bank cannot be defined as a security fence. The opinion was presented last week to the Knesset Defense Budget Subcommittee. With the question of the security fence being moved to the International Court of Justice in The Hague, the Justice Ministry is beginning to examine the legal aspects of the fence in terms of international law. And so, last week at a meeting of the Defense Subcommittee about the fence, representatives of the ministry presented a surprising position, by which it is problematic to legally define one of the segments of the fence, from Mt. Avner of Tayseer in the eastern Gilboa area, as a security fence, because it runs through Palestinian villages and does not separate them from Israel. This opinion is delaying the completion of the fence in the section in question. According to Knesset Member **Avshalom Vilan**, this section is actually the beginning of the controversial eastern fence.

Vilan said, “At the Defense Budget Committee, the cat came out of the bag. The eastern fence is a political fence whose goal is to block a temporary Palestinian state on 60% of West Bank land. That is *Ariel Sharon*’s real political plan. I think the eastern fence is completely unnecessary for Israel, there is no need for it, the fence should be built as quickly as possible on the west side to separate the Green Line, the old Israel from the territories.” The Defense Ministry is aware of the legal problem and is working on a quick solution to allow construction of the fence to proceed. However, even a member of the governing coalition admitted to the true nature of the fence last week. While the Defense Budget Subcommittee approved another NIS 380 million for work on the fence, its chairman, *Uri Ariel* of the National Union party noted, “As the chief of staff said, the money invested in the fence could be used to provide much better security. This is a political fence, and it’s a disaster.” (*IBA Radio & Ha’aretz, 12/10/03*)

The Operation Succeeded, But The Patient Died, Part I: Commenting on the fence, *Ben Caspit* wrote, “The future commission of inquiry that will investigate the farce of the separation fence should already begin gathering material now. How we managed to do everything too slowly, too late, too little and in addition to all that—to get into trouble with the whole world. The fence, instead of imposing a siege on the Palestinians and on terror, imposes a siege on us. Israel is becoming, slowly, but surely, a leper state. The White House is angry, Europe is furious. The sanctions are already on the way. There were some in Jerusalem [last week] who noted the great success in getting almost 80 countries to abstain and eight (!) to oppose the resolution to refer the matter of the fence to the International Court of Justice in The Hague. Hooray for the impressive victory. The thing is that the operation succeeded, but the patient died. Now a media frenzy will begin in which the entire world can watch pictures of the fence and all its horrors, including children who have been cut off from their schools, farmers uprooted from their fields, women who can’t get to the maternity wards. All this is thanks to the splendid strategic outlook of the captains of state who shrugged off the fence with contempt when they could have built it, and now they are crawling to steal another kilometer here and two kilometers there before the UN Security Council has its say. The significance of the resolution to refer the fence to The Hague is that if we lose the battle there—the matter will be referred to the Security Council prior to sanctions being imposed on Israel.” (*Ma’ariv, 12/9/03*)

The Operation Succeeded, But The Patient Died, Part II: *Ben Caspit* continued, “In a single move, without noticing, we are joining North Korea, Iraq, Libya, and perhaps Syria as well. The court that discusses the fence has no jurisdiction in criminal matters and the captains of the fence can therefore continue to fly overseas as they like. The thing is that for us, all of us, it will be hard for us to show our faces there in the near future. The prime minister said [last week] in closed conversations that the fence is a simple matter of self-defense. When someone comes to kill you, kill them first. Healthy logic and a winning argument. The thing is, there is too much self-interest and too many harsh human pictures in this story for the world to swallow. Even a particularly shrewd lawyer, *Dubi Weisglass* for example, cannot get us off this time with a comfy compromise agreement. This so-vital separation fence has become a hump that is gradually threatening too many vital interests of the State of Israel. Thus we managed,

with exceptional sloppiness, to get ourselves into one of the more embarrassing complications: a sort of impossible modern Catch-22, from which we cannot come out good, if at all. Stopping to build the fence is impossible. Changing its route in the current political situation is almost impossible. Continuing to build it will cost us. Not only billions, 'the security establishment is already talking about eight-nine billion' that it will cost thanks to its twisting route and its enclaves and its salients, but mainly because it is turning us into the most updated version of South Africa." (*Ma'ariv*, 12/9/03)

Middle East Peace Report

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The China Pattern, Part I: Commenting about the Israeli security fence, *Nahum Barnea* said, "*Franz Kafka* wrote a wonderful story over 100 years ago, not at all Kafkaesque, called 'The Great Wall of China.'...The government, he relates, built the wall contrary to any military reason. People wondered why. 'In those days, many good people adopted this secret principle: Try to understand the orders of the leadership up until a certain point. After that, do not ask further. Like the river in spring: It rises, waters the earth and improves it. Up to this point a man may wonder about the orders of the leadership. Afterwards the river overflows, causes harm to the fields, and in the next season, the dry season, it dries up and shrinks—this is the stage where one must not question the leadership's orders.' The wall, says Kafka, was not built to protect the land against the enemy, but to unite the people for a single national task, to give it a common enemy. 'The leadership knows us. It, which handles great tasks, knows our petty business. Naïve are our enemies, the northern peoples, who believe that they caused the construction of the fence. Naïve is the exalted emperor, who believes that he ordered the construction.'" (*Yedioth Ahronoth*, 11/3/03)

The China Pattern, Part II: *Nahum Barnea* continued, "*Kafka* conjured up from his dark imagination bits of reality, which occurred with all their horror after his death. But even he could not have predicted the stupidity of our separation fence. They took a healthy idea, twisted it beyond recognition, sold it to the public on false pretenses and invested a fortune in it at a time when the state coffers are empty and it is forced to exploit children and the elderly to subsist. The separation fence should have been built on the Green Line, within Israel's sovereign territory. The Palestinians would have been angry—they have many reasons, innocent and less innocent, to want freedom of movement to and from Israel—but would have had no cause to complain. Most Israelis would have been happy: Their security would have been strengthened, and their country would not have become entangled in destroying the fabric of life of hundreds of thousands of Palestinians, with a huge financial expenditure and an additional burden on the IDF units (Maj. Gen. (res.) *Danny Rothschild* predicted just this when he called, at the beginning of the debate over the fence, to build it only on the Green Line). Even advocates of the greater Land of Israel could have lived with a minimal fence. Any other fence, which cuts the territories in two, hints of political intentions. A fence on the Green Line could be for security purposes only, from their standpoint." (*Yedioth Ahronoth*, 11/3/03)

The China Pattern, Part III: “But the government,” wrote *Nahum Barnea*, “as governments tend to do, tried to have its cake and eat it, too. The route dictated by *Sharon*, under pressure from the settler leaders, passes in its entirety within the territories, ruins the agricultural infrastructure of the western section of the West Bank and sentences entire communities to life imprisonment. The soldiers have been designated the jailers of this prison: The IDF can proudly say that it is the strongest prison service in the world. The price of the winding fence that Sharon and the settlers concocted will reach NIS 10 billion, according to the chief of staff’s estimate—three times as much as the Finance Ministry’s estimate...But this is only the beginning. Defense Minister *Shaul Mofaz* has a dream of building a fence on the eastern slopes of the Judea and Samaria hills as well. After we successfully imprisoned over one million Palestinians in Gaza, Mofaz is convinced that he has a pressure cooker on the flame, and the pot is bubbling. What does he do? Tightens the lid. Doesn’t Sharon understand this? He understands. And yet he is dragged into the chasm. ‘So large is our country,’ writes Kafka, ‘that even the skies can barely encompass it. The emperor himself is great, and of unparalleled height. But the people do not know who the emperor is, and have doubts even about the name of the dynasty. Emperors who have already died are glorified in our village, and battles belonging to ancient history are being enacted (here) only now...Those who conclude from these phenomena that we have no emperor at all, will not be far from the truth.’” (*Yedioth Ahronoth*, 11/3/03)

Middle East Peace Report

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Security Fence Estimated Price Tag Hits NIS 15 Billion: The initial estimate of the cost of the security fence is NIS 7.5 billion, not NIS 4.5 billion as had been earlier estimated. But even this larger sum does not include the cost of installing terminals, or the traffic arrangements in the occupied territories, as a result of the expected limitations, nor does it include the regular cost of maintaining the fence, estimated at NIS 160,000 per kilometer. The fence’s extension to include Ariel and other settlements swelled the costs by adding hundreds of kilometers to the barrier. The Defense Ministry budget department representative gave the Knesset Economics Committee this estimate last week, in a special debate initiated by the committee chairman, MK *Shalom Simhon*. The Defense Ministry predicts that the fence will be completed within two years, since only NIS 3 billion per year can be spared to pay for it. The Defense Ministry representative noted that the final length of the fence, including the government’s recent changes, would be 720 km, excluding the eastern fence in the Jordan Valley. He added that the cost would be NIS 10 million per km. At the end of the discussion, Simhon estimated that the fence, including the east and west fences, the terminals, and maintenance would amount to NIS 15 billion, which Israel would have trouble meeting. He announced that the committee would hold another discussion on the issue, after sharply rejecting the Finance Ministry’s plan to levy a special tax to pay for the fence. “The fence is proving a bottomless pit, as a result of the government’s planning failure,” he said. “Someone in

the Ministry of Finance, however, mistakenly believes that citizens are cows that can be endlessly milked.” For its part, the Finance Ministry acknowledged that it plans to finance a significant part of the fence through a “fence tax.” But because the final route of the fence has not yet been approved, it is not known what the amount of tax will be per person. The Ministry said the high costs of the fence will not allow it to be funded through the regular budget, so it will be financed by donations collected from Jewish congregations abroad, as well as from a “fence tax.” (*Globes*, 10/29/03; *Ma'ariv*, 10/30/03; & *Jerusalem Post*, 10/30/03)

General Pandemonium, Part III: “Another problem that is troubling the IDF,” writes *Nahum Barnea*, “is the fence. The updated estimates in the army are that the fence will ultimately cost NIS 10 billion—over three times as much as the Finance Ministry estimated. The IDF, at the government’s instructions, proposed a shorter route for the fence that was closer to the Green Line. The route was changed by *Sharon* and *Mofaz* under pressure from the settlers, and put tens of thousands of additional Palestinians inside the fence. The result is that in many locations a double fence will be necessary. In the section that Israel has finished building between Elkana and Salem alone, there are 18 gates in the fence for the passage of farmers. The gates are supposed to be opened three times a day. This arrangement is a great burden on the IDF, requires many soldiers and makes the farmers’ lives unbearable. In the opinion of senior IDF officials, the construction of the eastern fence, between the West Bank and the Jordan Valley, could exacerbate the sense of pressure in the West Bank and cause difficulties for Israel on an international level. The defense minister is pushing for the construction of the fence.” (*Yedioth Ahronoth*, 10/29/03)

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Patten Draws The Line On Fence: EU External Relations Commissioner *Chris Patten* attacked the path of the Israeli security fence last week, pointing out that it eats into Palestinian land. He said that satellite pictures show 45% of Palestinian water resources and 40% of farm land would be on the Israeli side of the security barrier, and 30% of Palestinians would have to live in enclaves on the Israeli side. “What is difficult for me as a relatively straightforward, reasonably rational human being is to comprehend how the government [of Israel] can do that and still argue that it’s in favor of a two-state solution,” Patten said. “What sort of Palestinian state does Mr. *Sharon* and his government have in mind? I think it’s a point the international community has to address, directly to Mr. Sharon and the Israeli government.” Patten added that nobody doubted the Palestinian authorities should be far more vigorous in dealing with “those who are responsible for unpardonable acts of terrorist violence.” But, Patten asked, “how does it help to continue with this wall? It’s not a wall that’s along Israel’s ’67 border. We might not think that was a wonderful idea, but we couldn’t object to that. It’s a wall which digs deep into Palestinian territory.” (*Reuters*, 10/15/03)

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Settlers Above All, Part I: Commenting on the *Sharon* government's recent decision regarding the security fence, *Nehemia Strasler* wrote in *Ha'aretz*, "There is a joke about a government committee that wanted to plan a donkey, but ended up with a two-humped camel. The Israeli government has gone further than that. It wanted to build a fence that would be an obstacle to prevent terror attacks, but ended up deciding on a route full of deeper fjords than in Norway, with underground passages, tens of thousands of Palestinians trapped between double fences, a withdrawal from 12 percent of the territory in the West Bank and total surrender to settlers—and at a fantastical budgetary cost of NIS 5 billion, at a time when NIS 250 million is being cut from the basket of lifesaving drugs. This was a typical Mapai-type compromise, a la Ariel Sharon, an attempt to please everyone, to give in to all the political pressures. The result will therefore not only not solve the security and economic problems, but will make them even worse. If the fence had been built according to the plan presented by former interior minister *Haim Ramon* two years ago, it would have been built along the Green Line, on the shortest possible route, and would thus be efficient in maintaining security. After all, every zigzag makes security more difficult and infiltration easier. The fence Ramon proposed would have cost a more reasonable sum of NIS 1.2 billion at most. But the government decided on a route that will cost at least NIS 5 billion. Thus the settlements continue to cost the Jewish people superfluous billions of shekels, right when the government is cutting the health services budget, child allowances and disability pensions, and even the education and defense budgets. The government is thereby setting Israel's true list of priorities: everything for the sake of the settlements, everything for the development of bypass roads, to hell with any other considerations, social or economic and never mind about peace." (*Ha'aretz*, 10/3/03)

Settlers Above All, Part II: *Nehemia Strasler* continued, "*Sharon*, who strenuously opposed the fence because he did not want to lay down a political border, in the end decided on the most political fence possible, because it is determined by the settlement map. It will cause serious problems with the Americans, who oppose the giant fjord around Ariel, Immanuel, Kedumim and Karnei Shomron. It was therefore decided to be smart and build only 'horseshoes' around the settlements, until 'Stage Two.' In the meantime there will be a fence with gaps, which will invite terrorism and other destructive acts. The winding and complicated route of the fence will deepen the hatred among the Palestinians because in addition to the withdrawal from territory and the harsh occupation, which will continue, there will be four fenced-in enclaves that are home to 75,000 Palestinians who will be able to leave only via narrow exits (tunnels, perhaps) in the direction of adjacent towns. That decision is inhumane, immoral and will not go over peacefully with the international institutions. The winding fence cannot be built rapidly, due to its enormous costs and its problematic path. It will therefore also not be able to fulfill its main purpose: preventing terrorism within the Green Line, and will also not aid economic recovery. Palestinians are already crossing the fence and are constantly trying to damage it. A fence along the Green Line would be cheaper, much faster to build, and

would not arouse any opposition from the world. It would be able to fulfill its security role in preventing acts of terror in the heart of Israel, and the economy would hence be able to recover. Such a non-political fence would be able to stay in place until the peace negotiations, and then could be moved in keeping with the agreements..." (*Ha'aretz*, 10/3/03)

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A Border & A Fence: Commenting in *Yedioth Ahronoth* on the security fence controversy, **Sever Plotzker** wrote, "It is still possible, though barely, to separate between the Jewish state and a Palestinian state; it is impossible to separate between a border fence and a security fence. A fence creates a border: it defines what is mine and what is yours. From the perspective of the average Palestinian, the fence that Israel is building is an unmistakable political border. To cross it he will need an entry permit, he will undergo checks and be questioned even if, unfortunately for him, his land is on the other side of the fence. And what does 'the other side of the fence' mean? The Israeli side, obviously. From the perspective of Israeli citizens as well, the security fence will be the border fence. The sections of the fence completed so far are already viewed in Israeli eyes as the fortifications along the border. The current criticism of the fence's route encompasses Israel's friends and enemies. Both, including Israel's greatest friend President **George Bush**, raise three important points. First, the border created by the fence was decided unilaterally. Second, this border is unacceptable to any country in the world. Third, this border annexes Palestinian territories to Israel. How should we relate to this criticism? We should not reject it on the unreasonable grounds that 'this is a security fence, not a border.' Let us admit the truth: it is a border, but not a final border. It is just an artificial line on the map. It is an act of human beings, the result of a political decision. It can move, and the temporary border can move along with it. It would be a lasting mistake if because of greed for annexation whose time has not yet come, we create a rift with the U.S. and thereby with the entire world." (*Yedioth Ahronoth*, 8/7/03)