

The Israeli Separation Barrier

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In June 2002, the Israeli government began to construct a barrier to encircle the entire West Bank. It effectively cuts off the Palestinian inhabitants, not just from Jerusalem and Israel, but also from large parts of their own land, dividing communities.

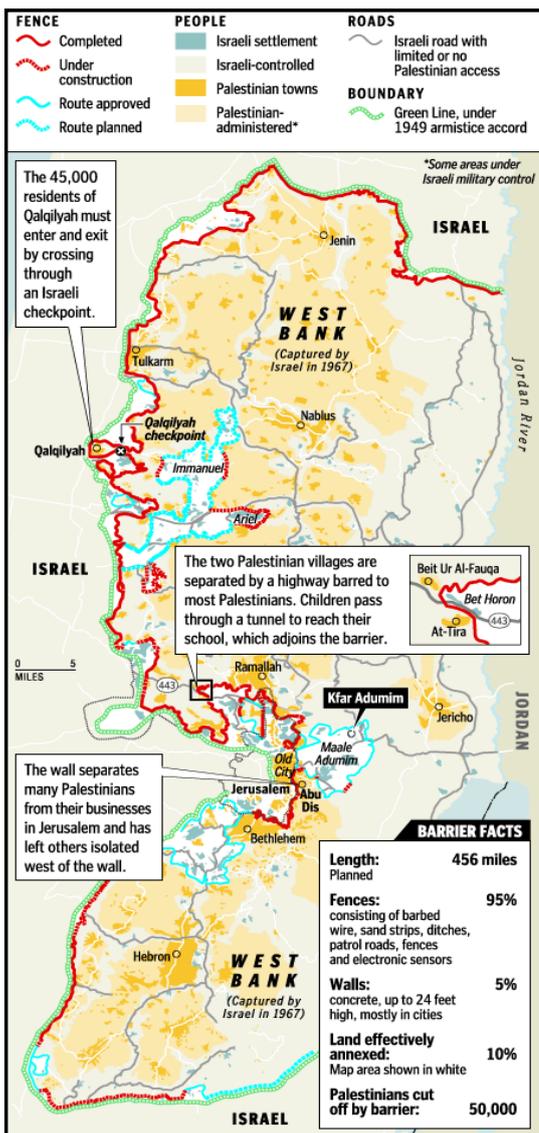
Israel calls it a security fence, the UN a barrier, but for all intents and purposes it is a wall. The declared aim is to control Palestinian movement to and from Israel in the name of security. In Palestinian eyes, it is another means by which to take yet more Palestinian land. It consists of reinforced cement, barbed wire, electrical fences, trenches, ditches, electronic motion sensors, guard towers and security roads. Most construction on the wall has currently stopped, and it is predicted it will not be completed until 2020. Once it is finished it will be twice as long and three times as high as the Berlin Wall. As with the Great Wall of China, Israel's Wall can be seen from space.

To date the separation Wall has cost more than \$3.4 billion, costing \$284 million to maintain each year. It fragments communities, destroys homes and livelihoods and confiscates land, imprisoning Palestinians in bantustans. Most construction has currently been stopped, but as of July 2014, 62% of the Wall's total length has been built and 10% under construction.

Problems with the route

Because of the Wall's meandering path into the West Bank, its actual length will be 712km, over twice the length of the Green Line which runs between Israel and the occupied West Bank. 85% of the Wall runs inside the West Bank including East Jerusalem, rather than along the Green Line, meaning that if the barrier is completed as planned, 36,000 Palestinians will be trapped between the Wall and the Green Line. Salfit, the most fertile area of the West Bank, will lose more than 50% of its land behind the separation barrier once it is completed.

Encompassing the illegal settlements



- The route is largely determined by the location of Israel's illegal settlements, built on land confiscated from Palestinians. The route winds round these settlements, ensuring they are physically connected to Israel or to Jerusalem.
- Approximately 427,000 settlers will be located between the Wall and the Green Line (about 86% of the total settler population in the West Bank including East Jerusalem).
- One section of the Wall extends 22km into Palestinian territory, 42% across the width of the north West Bank resulting in the annexation of 2% of the West Bank. This is to encompass the Ariel settlement bloc.
- In the planned Ma'ale Adumim section, the Wall's route cuts 14km into the West Bank or 45% of its width.
- The Wall also confiscates massive areas of Palestinians land to allow for future expansion of the settlements. The current plans for the Wall will result in the effective annexation of 9.4% of the West Bank by Israel.

Isolating Palestinian Communities

- Over 500,000 Palestinians live within one kilometre of the Wall.
- 11,000 West Bank Palestinians (excluding East Jerusalem) live between the Wall and the Green Line. These are closed areas, and Palestinians living here need permission from Israel to continue living on their own land.
- 150 Palestinian communities have land between the Wall and the Green Line.
- Residents of the closed areas must obtain a permit from the Israelis to pass through a gate in the Wall to access health and education services.
- The majority of the 250,000 Palestinian residents of East Jerusalem will also be located between the Wall and the Green Line. However, the Wall also seeks to reshape the demographic make-up of East Jerusalem by cutting through some Palestinian neighbourhoods, leaving parts of them on the eastern side.
- 125,000 Palestinians in 28 villages will be surrounded by the Wall on three sides and face movement controls on the fourth side.
- 26,000 Palestinians in 8 communities will be surrounded on 4 sides by the Wall, with a tunnel or road connection to the rest of the West Bank.

Al Walajah

The route of the barrier is designed to separate Al Walajah from the settlement of Har Gilo, and leaves the village with a single access road to the Bethlehem town of Beit Jala. Traffic will be supervised by a checkpoint which will infringe upon the inhabitants freedom of movement and right to education, work and medical care.

The Hajajleh family home lies on the eastern entrance to the village Al-Walajah, but the road connecting them to the village has been closed off. The separation barrier is being constructed around the village, entirely on West Bank territory, and will leave the Hajajleh family isolated on the Israeli side of the separation barrier.

An underground passageway, surrounded by a gate, permits the Hajajleh family access to the rest of the village. The Hajajleh family are permitted to hold a key to the gate subject to several conditions.



Picture of the Hajajleh family home

Destruction of property and natural resources

- Palestinian property within 60-100 metres of the Wall's path is being destroyed or confiscated.
- 100,000s of olive and fruit trees have been uprooted or destroyed to make way for the Wall and its buffer zones.
- Olive trees in the area between the Barrier and the Green Line have an approximately 60% reduction in yield compared to their equivalents on the 'Palestinian' side
- By isolating vital wells from communities and destroying Palestinian water networks, the Wall has created new water and sanitation needs.
- The Wall's adverse impact on agricultural production and access to markets has increased food insecurity.
- Destruction of land and property for the Wall's construction will take many years to recover from hindering Palestinian development.
- Palestinians will not be compensated for the land confiscated and property damaged in order to build the Wall.

The legality of the Wall

It is built on land under occupation, not on Israeli territory violating articles 53 and 147 of the Fourth Geneva Convention (of which Israel is a signatory), which forbid the destruction of property and confinement of persons by an occupier in occupied territories. On 9 July 2004, the International Court of Justice ruled that the route of the barrier is illegal, that the construction should stop immediately and that it should be dismantled where built on Palestinian land.

The ruling stated that the barrier's construction was *"an attempt to annex the territory contrary to international law", and that "the de facto annexation of land interferes with the territorial sovereignty and consequently with the rights of Palestinians to self determination"*.

The ICJ stated that Israel should pay reparations for all olive groves, land, houses, orchards destroyed to make way for the barrier. On 20th July 2004, an overwhelming majority of 150 to 6 of UN member states voted for General Assembly Resolution ES-10/15, which called on Israel to comply with the ICJ's opinion. Israel has refused to comply with the ICJ's opinion.

Impact on the peace process and future borders

There are concerns that the route of the wall is not simply determined by Israel's security concerns and valid right to protect its citizens, but that it has political motivations that could jeopardise final negotiations over borders for a two-state solution. When added together, the route of the wall, settlement expansion, checkpoints and a system of Israeli-only roads built on Palestinian land has carved the West Bank into isolated, disconnected cantons, rendering the whole concept of a viable Palestinian state impossible. This is recognised by the UK Government. In July 2008, UK Foreign Minister Dr Kim Howells said that *"the barrier also contributes to the fragmentation of the west bank...and it means the cantonisation of the sovereign (Palestinian) state that we want to be created. ...The route does nothing to enhance the move towards the creation of a two-state solution"*. UK Prime Minister Gordon Brown also said that the wall was *"graphic evidence of the urgent need for justice for the Palestinian people"* during his visit to Israel and the OPTs in July 2008.

Even Tzipi Livni, a former Israeli Foreign minister, acknowledged that *"One does not have to be a genius to see that the fence will have implications for the future border. This is not the reason it was built, but it could have political implications."*

UK's obligations to act under international law

Under international law, all states are obliged not to recognise the illegal situation arising from the construction of the wall, nor to render aid or assistance in maintaining that situation or to cooperate with a view to putting an end to the alleged violations and to ensuring reparation will be made.

Given that the wall, where built on Palestinian territory, constitutes a grave breach of the Fourth Geneva Convention, states party to the treaty, which includes the UK, are obliged "to prosecute or extradite the authors of such breaches (Section 146) and "to ensure compliance by Israel with international humanitarian law".