

Creeping Annexation

The Israeli Separation Wall and its Impact on the West Bank*

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Introduction

The Israeli separation barrier (hereafter “the Wall”) under construction in the West Bank violates numerous international human rights conventions, threatens to prolong the severe economic decay that has plagued the West Bank in recent years, and is contributing to further degradation of social services, particularly in the districts through which the Wall passes. Construction of the Wall already has destroyed or isolated thousands of dunums¹ of land in the West Bank and its completion could undermine the viability of any future Palestinian state.

Conceived by Israeli political leaders as a “security precaution” after the outbreak of the second *Intifada*, the Wall will impose prohibitive restrictions on the movement of Palestinians within the West Bank. Its route, continually modified by Israeli authorities, falls well within the boundaries of the West Bank and is designed to incorporate as many Israeli West Bank settlements as possible within Israel proper, while at the same time encircling Palestinian population centers. In doing so, the Wall isolates thousands of Palestinians on both sides from their land, communities, and social networks. Although uncertainty about the final position of the Wall makes its overall impact difficult to gauge, conservative estimates place the number of Palestinians directly harmed by the Wall in the hundreds of thousands.²

Construction of the Wall violates widely accepted human rights norms and contravenes several outstanding agreements to which Israel is a signatory. In addition to property rights and freedom of movement, the Wall infringes on the right to education, work, and adequate health. It also flouts treaties under which Israel agreed that the status of the Palestinian territories would not be changed during negotiations or Israeli occupation. At the time of this writing, it remained unclear how negotiations over the Road Map, which calls for the establishment of a viable Palestinian state with contiguous territory, will affect the construction of the Wall.

The most alarming element of the Wall’s construction is perhaps its likely economic impact. The Wall will effectively institutionalize the system of closure and restriction that has paralyzed the West Bank economically since late 2000. With merchants unable to transport goods either internally or between the West Bank and the outside world, and with Palestinian workers unable to seek work in Israel, the Palestinian economy has sunk into depression. The existence of the Wall promises to maintain these conditions indefinitely, hobbling the economy for the foreseeable future and increasing Palestinians’ reliance on donor funds. The economic impact of the Wall is particularly acute in the northwestern districts of the West Bank because of the importance of agriculture—a sector that is uniquely vulnerable to the effects of the Wall—in that region.

Social conditions in the West Bank also are likely to worsen after the completion of the Wall. The deterioration of health, education, and other social services in the West Bank due to restrictions on movement during recent years mirrors that of the economy. Palestinian communities isolated by the Wall already have experienced a

¹ One dunum = 1000 square meters.

² See B’Tselem, “Behind the Barrier: Human Rights Violations as a Result of Israel’s Separation Barrier,” *Position Paper*, April 2003, p. 3; or Nadav Shragai, “Fence Proposal Fires Controversy Among Settlers,” *Ha’aretz Daily*, 4 February 2003.

dramatic decline in social conditions that could prompt migration away from the affected areas.

Little historical precedent exists for the construction of a barrier on the scale that the Israeli Wall encompasses. The Gaza Strip is perhaps most illustrative of the degree to which the West Bank population would be isolated and restricted in both internal and external movement. There is every reason to believe that, as in the Gaza Strip, the poverty and disillusionment that accompany the construction of the Wall will lead to further radicalization of the Palestinian population and greater opposition to peace efforts.

Background

Political Genesis

The establishment of a separation barrier between the West Bank and Israel traditionally has been an objective of the Labor Party, one that Likud Party politicians supported only grudgingly or opposed outright until Spring 2003. Between 1996 and 2000, Labor governments approved and began implementing plans that increasingly restricted the passage of Palestinians between the West Bank and Israel.³ Labor politicians cited the Wall's popularity with Israeli voters: polls consistently have indicated that 60-70 percent of Israeli voters support its construction.⁴ The Wall continues to constitute an important part of Labor's security platform.⁵

Likud's reluctance to fully endorse the Wall was due in part to pressure from more than two hundred thousand West Bank settlers and the political parties they support,⁶ who feared the completed Wall would cut them off from Israel and eventually demarcate the borders of a Palestinian state. Hence, Likud leaders have emphasized continually that the Wall's sole function is to provide security against Palestinian attacks and that it should not be interpreted as lending credence to Palestinian demands for political sovereignty.⁷

Despite these political differences, construction of the Wall began in June 2002 in the northwestern West Bank governorates of Jenin, Tulkarem, Qalqiliya, and Salfit. Work also began on the "Jerusalem envelope," a section of the Wall that separates greater Jerusalem from surrounding Palestinian areas.⁸ However, the pace of construction was uneven during the remainder of 2002 in part because of Likud's halfhearted commitment to the plan.⁹

³ State Comptroller, "Audit Report on the Seam Area," *Report No. 2*, July 2002, p. 12, in B'Tselem, "Behind the Barrier," p. 4.

⁴ *Ha'aretz Daily*, 9 January 2003, p. 1.

⁵ "Mitzna says Labor Party will not join Sharon-led unity government," *Ha'aretz Daily*, 14 January 2003.

⁶ See, for example, B'Tselem, "Land Grab: Israel's Settlement Policy in the West Bank," *Comprehensive Report*, May 2002.

⁷ Akiva Eldar, "Defenceless," *Ha'aretz Daily*, 9 January 2003.

⁸ Amos Harel and Gideon Alon, "Construction of Security Fence Begins," *Ha'aretz Daily*, 17 June 2002.

⁹ Akiva Eldar, "No Decision, No Money, No Fence," *Ha'aretz Daily*, 14 January 2003.

March 2003 marked a turning point in the political dynamic associated with the Wall's construction. Numerous observers assess that, with momentum building in Europe and the United States for the creation of a Palestinian state, Israeli authorities calculated that the existence of the Wall in an advanced stage of construction would constitute a significant deterrent to full withdrawal from the West Bank, as demanded in the Road Map.¹⁰ Accordingly, the second major phase of construction—still in its planning stages as this report was written—was modified significantly to include the settlements of Ariel, Qedumim, and Immanuel. The pace of construction also accelerated measurably. The new planned route cuts deep into the West Bank, including at least 50,000 more settlers and 3,000 more Palestinians on the Israeli side (see Appendix 1, Map 1). An additional phase of planned construction was introduced on the eastern side of the West Bank in the Jordan Valley, completing the encirclement of Palestinian populations into northern and southern pockets and leaving more than half of the West Bank outside the Wall.

These changes in the route nullified the concerns of significant numbers of West Bank settlers and reduced the political risk to Likud politicians. At the same time, political rhetoric over the broad justification for the Wall changed to allow for the possibility that the Wall eventually could become a political boundary, albeit of a Palestinian state vastly reduced in size and divided into sealed pockets of territory. Israeli Cabinet ministers who took part in a tour of the partially constructed Wall in March 2003 acknowledged to reporters that Sharon intended for the Wall to serve as the border of any temporary state that arises out of negotiations over the Road Map.¹¹ *Yedioth Aharonot* quoted one minister as saying, “This won't leave [the Palestinians] a lot of territory.” Another remarked, “Sharon is simply taking away their state.”¹²

Physical Dimensions

The terms “Wall” and “separation fence” (the phrase Israeli authorities use) both fail to convey the extent to which the Wall impacts the territory through which it passes. The Wall consists of a series of security measures that collectively cut a swathe through Palestinian farms, aquifers, and villages. The portions of the Wall now under construction include some or all of the following elements, moving from its eastern to western sides (see Appendix 2 for images of the various security elements and the completed concrete barrier):¹³

- quintuple-coiled concertina wire;
- a roughly four-meter deep trench, intended to prevent motor vehicles from crashing into the Wall;
- a service road on which unauthorized passage would invite Israeli Defense Forces (IDF) fire;
- an electronic fence pinpointing the location of any disturbance to the Wall;

¹⁰ See Jonathan Cook, “Thwarting the State,” *Al-Ahram Weekly*, 27 March – 2 April 2003 or Aluf Benn, “Defense Ministry Wants Fence Moved Deeper into West Bank,” *Ha'aretz Daily*, 23 March 2003.

¹¹ Benn, “Defense Ministry Wants Fence.”

¹² As quoted in Cook, “Thwarting the State.”

¹³ This description derives from both visual surveys of the Wall in progress by PICCR staff and information provided in the State's response in H CJ 7784/02, Abd al-Hadi et. al. vs. Commander of IDF in West Bank, sec. 23, in B'Tselem, “Behind the Barrier.”

- the Wall itself, concrete and rising as high as eight meters, topped with barbed wire, and surveyed by guard towers roughly every 300 meters;
- a “trace road” that would reveal the footprints of anyone who crosses over the Wall;
- a patrol road for IDF vehicles;
- a third road for armored vehicles;
- and a final barbed-wire fence on its westernmost side.

These elements add up to an average width of sixty meters, according to the IDF’s own court statements. The IDF has acknowledged that the Wall could be narrower or wider—as many as 100 meters—depending on topographic conditions. Palestinian residents whose property lies adjacent to the Wall have been told that the IDF will create a “no-man’s land” alongside the Wall, extending between thirty and 100 meters, through which residents will not be allowed to pass.¹⁴ The IDF also plans to construct a series of “depth barriers”—complexes of trenches with barbed-wire fences—to direct foot and automobile traffic through checkpoints into major Palestinian towns. The “footprint” of the first phase of the Wall (the area confiscated for construction alone) is approximately 11.5 square kilometers.

The total length of the Wall is difficult to ascertain because of the frequency of changes to its route and the ambiguity of planned future phases. The Israeli Cabinet originally approved 116 kilometers for the first phase, which mushroomed to 150 kilometers as construction progressed. Including future phases, such as the eastern section in the Jordan Valley, the completed Wall likely will exceed 650 kilometers.¹⁵

Land Confiscation and Israeli Rationale¹⁶

The methodology Israeli authorities employ in confiscating land for construction of the Wall has left Palestinian landowners with virtually no recourse for the loss of their property. This legally dubious process relies heavily on seizure of land due to “military necessity” pursuant to the 1949 Israeli Land Seizure in Time of Emergency Act, under which the Ministry of Defense is the authority responsible for ordering the requisition of land and arbitrating disputes.

Seizure of land for the Wall is carried out through the issuance of military orders that become effective on the date they are signed. In theory, landowners are notified through the posting of paper notices on their property, and they are given one week from the date of issuance to file an objection with a military appeals committee. If an objection is filed within the one-week deadline, construction is delayed and the committee convenes to consider the objection. The Military Commander of the West Bank then reviews the committee’s recommendation. Objections that are denied may be appealed to the Israeli High Court of Justice.

¹⁴ PICCR field visits, 8 – 20 May 2003.

¹⁵ Mazal Mualem, “Avoiding the B-Word,” *Ha’aretz Daily*, 9 May 2003, p. B5.

¹⁶ For a more detailed description of the land requisition process, see The World Bank and the Local Aid Coordination Committee (LACC), “The Impact of Israel’s Separation Barrier on Affected West Bank Communities,” *Report to the Humanitarian and Emergency Policy Group*, 4 May 2003, pp. 16 – 19.

Israeli Secrecy and the Construction of the Wall

One of the most serious impediments to mitigating the damage of the Wall or even gauging its overall impact is Israeli government secrecy. Israeli authorities have refused to publish maps of the Wall's route, nor have they responded to numerous requests for clarification of the future alignment of the Wall. The Israeli human rights organization B'Tselem has repeatedly attempted to gain a clearer understanding of government plans through Freedom of Information Act requests. The Israeli Ministry of Defense and the Prime Minister's office have denied the requests on intelligence or military grounds. These denials are unreasonable given the irrelevance of intelligence information to the construction of the Wall and the fact that, once construction begins, the route of the Wall can hardly be hidden from observers.

The secrecy and delaying tactics appear designed to weaken resistance to the Wall by prolonging the extreme ambiguity surrounding its total impact. Existing maps of the Wall have been cobbled together by examining expropriation orders that have already been issued for the un-built portions. However, delays in issuing these orders make understanding the Wall's exact route nearly impossible until construction begins. As noted above, landowners have found that without prior notification of the seizure of their land, they are left powerless to delay construction or file an appeal.

More broadly, Palestinian authorities and international aid groups have been unable to anticipate the impact of the Wall as negotiations over the Road Map begin. The lack of transparency on the part of the Israeli government on an issue of such profound importance to the status of the West Bank is at best a manipulative attempt to establish "facts on the ground" that subsequently can be used to influence negotiations. The fact that construction of the Wall accelerated as momentum gathered for implementation of the Road Map bears witness to this assessment.

See B'Tselem, "The Israeli Government Conceals Information About the Separation Barrier," B'Tselem Newspaper, 18 May 2003 for more on Israeli government secrecy surrounding the Wall.

In reality, the process rarely conforms to the above description. PICCR discussions with affected landowners indicated that in many cases these landowners learned of the seizure of their land only when bulldozers began destroying it, often long after the expiration of the one-week deadline for filing a protest or forcing a delay in construction. The Israeli military also reserves the right to seize land retroactively, before the issuance of orders and after construction has begun, precluding the possibility of filing an objection.¹⁷

As the World Bank report to the Humanitarian and Emergency Policy Group (commonly, the "donor report") notes, the Military Commander can reverse the decision of the appeals committee, making the military the party both issuing orders and reviewing objections, obviously not an unbiased arbiter. Furthermore, the rejection rate for appeals against requisitioning land for the Wall remains 100 percent;

¹⁷ Ibid., p. 16.

each case brought before the committee—of a total estimated in the hundreds—has been denied.¹⁸

The Israeli High Court of Justice has proven no more credible an arbiter than the military appeals committee whose decisions it has reviewed. Palestinian landowners have appealed to the High Court of Justice for several forms of relief from property destruction associated with the Wall, including cancellation of military orders, modifications in the route of the Wall, or delay in construction to allow for preservation or transport of agricultural commodities on the land. In each case, the High Court of Justice has ruled against the landowner.¹⁹

Part of the Israeli government's stated justification for these extraordinary measures relies on the supposed temporary nature of the Wall: property is officially requisitioned for the three-year period through 31 December 2005. Military appeals committees and the High Court of Justice have denied many of the objections to land requisition on the basis that the status of the land will be reviewed after this three-year period, and that owners have the right to demand compensation in the interim. However, the requisition orders are renewable indefinitely, a strategy the Israeli government has used successfully to commandeer land for settlement construction while avoiding legal objections to the initial land seizure. Nearly all Palestinians who have lost property due to the Wall have not requested compensation—at the urging of the Palestinian Authority—in order not to legitimize the seizure of the land.

Moreover, the extensive construction, property damage, and extraordinary expense involved in erecting the Wall clearly indicate that it is intended as a permanent structure. The construction costs associated with the Wall are staggering: the initial phases cost an estimated NIS 1.3 billion (USD 300 million) and the entire project is expected to total NIS 6 billion (USD 1.4 billion).²⁰ The notion that the Wall is a temporary structure to serve security purposes while a permanent border is negotiated appears laughable in light of these expenses.

In another remarkable display of legal legerdemain, Israeli authorities have invoked the Ottoman Land Law of 1858 in declaring as state land any ground that has not been farmed or otherwise cultivated for three years straight. The Israeli High Court of Justice has upheld decisions related to this process regarding land confiscated for the construction of settlements.²¹ Palestinian who have lost land for Wall construction worry that the Ottoman law will be applied to their property at the end of the initial three-year period, during which their land will not have been cultivated.

¹⁸ LAW, "Israel's Apartheid Wall," http://www.lawsociety.org/wall/wall.html#_edn6.

¹⁹ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 18.

²⁰ Meron Rappaport, "A Wall in the Heart," *Yedioth Aharonot*, 23 May 2003, p. M16.

²¹ See B'Tselem, "Land Grab," p. 2.

The Jerusalem Envelope and Bethlehem

The first phases of the Wall include construction of the Jerusalem envelope, a 21-kilometer Wall that separates most of metropolitan Jerusalem, including its predominantly Palestinian areas, from the rest of the West Bank. The Jerusalem envelope is not connected with the rest of the first phases of construction; it is meant to reinforce security measures and restrict access to Jerusalem. Its current alignment, which may be expanded to consume more Palestinian areas, leaves more than 200,000 Palestinians on the Israeli side.

The implications of constructing the Jerusalem envelope are far-reaching. Aside from isolating hundreds of thousands of Palestinians from their government, social services, and extended families, the envelope places important religious sites in Jerusalem outside the reach of Palestinians in the rest of the West Bank. The envelope also makes the establishment of a future Palestinian capital in Jerusalem much more difficult and will prevent significant numbers of Palestinian residents of communities near Jerusalem from reaching their workplaces inside the envelope.

Israeli authorities modified a planned portion of the Jerusalem envelope in September 2002 to place Rachel's Tomb, which is within Bethlehem, on the Israeli side, isolating several hundred Palestinian residents from Bethlehem. This change essentially prioritized Israeli access to the tomb over the livelihoods of the hundreds of Palestinians that will be cut off from the markets and services on which they rely. Changes of this sort call into question Israeli authorities' contention that the Wall is being built solely for security purposes.

Destroyed or Isolated Palestinian Land

It is difficult to imagine how the Wall, once completed, would not affect each of the more than two million Palestinian residents of the West Bank. Restriction of movement and destruction, confiscation, or isolation of land promise to be so pervasive as to leave few Palestinians untouched. Although significant portions of the Wall remain in their planning phases at the time of this writing, the sections that are nearing completion provide some insight into the degree of damage that the completed Wall will affect.

Completed Portions of the Wall²²

Almost the entire Wall in its first phases departs from the Green Line, cutting into the West Bank by as many as seven kilometers and sealing off the most populous areas of the northwestern governorates. Twelve Palestinian towns or villages, with at least 12,000 Palestinians among them (see Table 1), have been isolated between the Wall and the Green Line, in many cases cut off from the schools, clinics, and markets on

²² The IDF initiated patrols on at least forty kilometers of the Wall in May 2003, and the remainder of the first-phase is slated to become operational in July 2003.

which they rely, but left without comparable access to services in Israel. Ten Israeli settlements, with roughly 19,000 inhabitants, are now located west of the Wall.

Table 1
First Phases: Palestinian Entities West of the Wall

The following jurisdictions have been isolated between the Wall and the Green Line:

Town or Village	Estimated Population
Baqa al-Sharqiya	3,900
Barta'a al-Sharqiya	3,400
Nazlat 'Issa	2,400
Umm al-Rihan	400
Khirbet Jubara	300
Ras al-Tira	400
Arab al-Ramadeen al-Janubi	200
Khirbet al-Dab'a	300
Khirbat al-Sheikh Sa'ad	200
Khirbat Dhaher al-Malah	200
Nazlat Abu Nar	200
Khirbat Abdullah al-Younis	100
Total	12,000

Source: 2003 population projections according to the Palestinian Central Bureau of Statistics (PCBS), 1997 census.

The fact that the Wall adheres as closely as possible to population centers—often enveloping or “shrink wrapping” these cities—means that roughly 147,000 Palestinians will be surrounded on at least three sides by a combination of the winding route of the Wall and the depth barriers designed to contain populations close to the Wall (see Table 2 and Appendix 1, Map 2).²³ A further 68,000 Palestinians live in communities east of the Wall that rely on farmland now west of it.²⁴ The first phases of the Wall therefore *directly* impact the livelihoods and living conditions of at least 227,000 Palestinians, over 11 percent of the population of the West Bank.

The most cursory visual survey of the Wall’s alignment indicates a concerted effort to cut into Palestinian territory. Even in the absence of topographic constraints or Israeli settlements, the Wall skirts Palestinian towns and villages and bulges to the east between them. The first phases leave 238,350 dunums (238.3 square kilometers) isolated between the Wall and the Green Line.²⁵ Including the 11,500 dunums

²³ The World Bank donor report and B'Tselem's “Behind the Barrier” arrive at slightly different population totals for this group of communities, although both estimate the number to be around 130,000 Palestinians.

²⁴ See The World Bank and LACC, “The Impact of Israel’s Separation Barrier,” p. 35, or B'Tselem, “Behind the Barrier,” p. 10.

²⁵ The World Bank and LACC, “The Impact of Israel’s Separation Barrier,” p. 33.

destroyed for construction, the Wall already has usurped nearly five percent of the West Bank.

Table 2
First Phases: Palestinian Entities Isolated East of the Wall

The following jurisdictions have been surrounded on three sides by the Wall in combination with depth barriers, cutting them off from adjacent areas and the West Bank:

Town or Village	Population
Tulkarem	43,000
Qalqiliya	41,600
Tulkarem Refugee Camp	12,700
Dhannabeh	8,000
Nur Shams Refugee Camp	7,400
Tllar	6,500
Habla	5,700
'Anin	3,300
Rummana	3,000
Far'un	3,000
Zeta	3,000
Al-Taybeh	2,100
Iktaba	1,800
'Azun 'Atma	1,500
Ras 'Atiya	1,500
Al-Nabi Elyas	1,100
'Izbat Shufa	900
Kafa	300
Khirbet al-Tayyah	300
'Akkaba	200
'Izbat Jalud	100
Total	147,000

Source: 2003 PCBS population projections, 1997 census.

The land that the Wall dissects is particularly rich agriculturally; 57 percent of it is cultivated, compared with 25 percent in the West Bank as a whole.²⁶ The prominence of agricultural assets in this region has meant that construction of the Wall has destroyed at least 8,400 dunums of olive trees (over 80,000 individual trees), 615 dunums of irrigated land and greenhouses, and fifteen kilometers of agricultural roads.²⁷ These figures do not include assets that have been isolated from the rest of the

²⁶ Palestinian Agricultural Relief Committees (PARC), "Agricultural Needs Assessment Study for Villages Affected by the Wall in the Districts of Jenin, Tulkarem, and Qalqiliya," December 2002, in The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 33.

²⁷ *Ibid.*, p. 12

West Bank. The amount of cultivated land west of the Wall is unclear, but could exceed 130,000 dunums.

Construction of the Wall has involved destruction of business and residential assets in addition to agricultural land. The Israeli government has issued over 280 demolition orders for homes and other buildings along the Wall's route on the pretext that they lack permits.²⁸ Over 110 businesses in Nazlat 'Issa and Barta'a al-Sharqiya—villages now isolated between the Wall and the Green Line—have been destroyed (see Appendix 2 for an image of the destroyed businesses), and residents near the Wall have been warned that their homes will be destroyed because they encroach on the ambiguous “no man's land” along the eastern face of the Wall.²⁹

The issue of access to water is extremely important to the heavily agricultural regions that the first phases of the Wall affect. Areas that have been cut off from the West Bank already are experiencing difficulties accessing the water necessary for irrigation. Two-thirds of the West Bank's water sources are located in its northwestern regions, allowing the irrigated land in these regions to out-produce all other rain-fed land in the West Bank.³⁰ The blocking of access to water, combined with isolation of agricultural land, could have profound economic consequences for the northwestern governorates (see later section on economic impacts of the Wall). Already, twenty-eight wells have been isolated beyond the Wall and numerous water lines have been damaged during construction.³¹

Planned Sections of the Wall

While the already completed sections of the Wall represent severe political and economic misfortune for Palestinians living near it, full completion of the Wall according to the plans outlined in the spring of 2003 would amount to imprisonment of most of the population of the West Bank. The drastic changes in the Wall's alignment approved between January and March 2003 will enclose Palestinian cities within sealed northern and southern pockets. Jericho, the only major city left outside either of these pockets (with the significant exception of East Jerusalem), apparently will be enclosed in its own mini-pocket. As many as 400,000 Palestinians, almost one-fifth of the West Bank's population, most in the greater Jerusalem area, could be left outside both of the major pockets of territory that the Wall would establish.³²

This alignment of the Wall would effectively institutionalize the system of closure that has crippled the West Bank during the last two and a half years. The already prohibitive restrictions on freedom of movement in the West Bank would be exacerbated; to travel between Bethlehem and Ramallah, for instance, a Palestinian would have to traverse two border crossings. Nearly every major Palestinian city would be left without room for expansion and hundreds of square kilometers of

²⁸ B'Tselem, “Behind the Barrier,” p. 26.

²⁹ Residents of Qalqiliya, Tulkarem, and other townships bordering the Wall told PICCR staff they had been warned of possible demolition of their homes. PICCR has not yet been able to determine the extent of demolitions that have been carried out.

³⁰ Meron Rappaport, “A Wall in the Heart,” and The World Bank and LACC, “The Impact of Israel's Separation Barrier,” p. 11.

³¹ Ibid.

³² Ibid.

additional land would be either destroyed or made unavailable for cultivation. Reversing the effects of the Wall—should it eventually be conceded as an encroachment on Palestinian territory—would prove monumentally challenging.

Human Rights Violations as a Result of the Wall

The Wall in its current form—and to an even greater extent in its anticipated form—violates a panoply of widely accepted human rights norms governing the activities of an occupying power. As a pervasive presence in the West Bank, the Wall will infringe upon the rights of both the Palestinian people, broadly defined as an occupied population, and the rights of individual citizens directly affected by the existence of the Wall.

The Israeli government traditionally has attempted to justify violations of human rights in the West Bank and Gaza Strip by defining the situation in the territories as “armed conflict,” obviating the relevance of strictures related to occupying powers and applying those related to warfare only.³³ It has continued to apply this classification to the territories in support of the construction of the Wall. International bodies such as the United Nations and the International Committee of the Red Cross have argued repeatedly that this definition does not free Israel from its basic obligations as an occupying power, even in the wake of the increased violence associated with the second *Intifada*.³⁴

Most broadly, the Wall constitutes collective punishment of the occupied Palestinian population, a practice that is clearly and explicitly proscribed under human rights norms. Article 33 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, to which Israel is a signatory, stipulates that “no protected person may be punished for an offense he or she has not personally committed.”

Property Rights

One of the most obvious violations of Palestinians’ rights associated with the Wall is the fundamental right to property, even under conditions of warfare or occupation. This right is clearly enshrined in various international agreements to which Israel subscribes:³⁵

³³ According to B’Tselem, “Behind the Barrier,” p. 27, this argument has been advanced to and supported by the Israeli High Court of Justice in cases such as *Public Committee Against Torture in Israel et. al. vs. Government of Israel et. al.*, Supplemental Response of the State Attorney’s Office.

³⁴ For example, UN Security Council Resolution 1322, passed on 7 October 2000, calls on Israel, “as the occupying power, to abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention.”

³⁵ Article 53 of the Fourth Geneva Convention also addresses the issue of property rights: “Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons...is prohibited, except where such destruction is rendered absolutely necessary by military operations.” Israeli arguments in favor of the “absolute necessity” of the Wall should be considered in light of extensive disagreement within the Israeli political establishment about the purpose, effectiveness, and overall necessity of the Wall, as discussed in the “Background” section of this report.

- Universal Declaration of Human Rights, Article 17 (2): “No one shall be arbitrarily deprived of his property.”
- The Hague Convention Respecting the Laws and Customs of War of 1907,³⁶ Article 46 (relating to occupation): “Private property cannot be confiscated.”

As outlined in previous sections, the construction of the Wall involves extensive destruction and *de facto* confiscation of private land throughout the occupied West Bank. The Israeli authorities’ contention that the Wall is a temporary measure does not square with the reality that it is a multi-billion dollar project, one that entails alteration of property to an extent at which its original state cannot be restored without incurring comparable costs.

In addition to the land already confiscated and destroyed for construction of the Wall—11.5 square kilometers, and as many as fifty square kilometers if the Wall is completed—much larger swathes of land have been isolated on the Wall’s Israeli side, rendering them either inaccessible to owners or disconnected from the resources required to sustain them. This property is at risk of decay and eventual expropriation through Israel’s invocation of the Ottoman Land Law of 1858 (see Background/Land Confiscation and Israeli Rationale).

Palestinian landowners also have been deprived of a clear and credible legal mechanism for contesting the destruction. The inadequate process of landowner notification, legally dubious system of military appeals courts, and clearly one-sided decisions of the Israeli High Court of Justice have cemented the process of land seizure and left Palestinian property owners without recourse.

Freedom of Movement

Restriction of freedom of movement is probably the most egregious violation of rights associated with the Wall, and various other violations derive primarily from the movement restrictions that the Wall is most likely to impose. The right to freedom of movement is among the most fundamental guarantees to occupied populations, as outlined in international agreements:

- Universal Declaration of Human Rights, Article 13: “Everyone has the right to freedom of movement and residence within the borders of each state.”
- International Covenant on Civil and Political Rights, Article 12: “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.”

The Wall severely restricts freedom of movement in several ways. The most problematic restrictions will occur—and are already occurring—along the areas bordering the Wall on both sides. Israeli authorities have remained characteristically secretive about the planned procedures for crossing the Wall, but have promised vaguely that, “reasonable crossing arrangements will be made.”³⁷ It is clear, however,

³⁶ Israel has invoked this convention regularly in justifying its actions in the West Bank and Gaza Strip.

³⁷ What little information on crossing arrangements the Israeli government has provided is found mostly in the State’s response in H CJ 7784/02, Abd al-Hadi, et. al. vs. Commander of IDF in the West Bank.

that the land between the Wall and the Green Line will be a “closed military area,” patrolled by the IDF and accessible only with special permits. Israeli authorities claim that Palestinians isolated west of the Wall will not need a special permit to cross back into the West Bank, but that Palestinians east of the Wall will need proof of land ownership in the isolated areas to cross into them. Israeli administrators promised to incorporate five principal crossings and thirty “agricultural gates” into the first phase of the Wall.

Not only do these procedures, if implemented, reinforce the *de facto* annexation of the land west of the Wall, but they also place prohibitive burdens of additional transit and uncertainty on Palestinians forced to comply with the procedures. The resulting system would approximate that which has prevailed in the West Bank since late 2000, under which arbitrary closure, roadblocks, and routine denial of access to cities, villages, and farms has crippled the Palestinian economy and ruptured the fabric of Palestinian society. The system relies on the discretion of IDF soldiers in permitting movement throughout the Palestinian territories, even for citizens with legitimate identification, and has resulted in well-documented abuses of Palestinians’ rights.³⁸

Moreover, there is little indication that even these measures will be implemented. PICCR field visits along the first phases of the Wall found few, if any, of the planned crossings incorporated into the sections under construction. Israeli Defense Minister Mofaz corroborated this during a Knesset session, saying, “At this time there is no budget for the farm crossings.”³⁹ Nezach Mashiach, head of the Seam Area Administration responsible for Wall-related issues, also admitted that the 2003 budget does not include provision for the five main crossings.⁴⁰ Residents of affected areas confirmed that sections of the Wall slated to include as many as eight agricultural crossings do not contain any, and that farmers are forced either to pass covertly across the incomplete portions of the Wall or travel two hours in each direction to reach their fields opposite the Wall.⁴¹

The Wall also will have a more global effect on freedom of movement in the West Bank. For the hundreds of thousands of residents who will find themselves inside one of the encircled cantons, the snaking route of the Wall will preclude direct travel between destinations. For example, those traveling between Ramallah and Qalqiliya or Tulkarem would have to add significant distances in transit, avoiding the portions of the Wall that wrap around the settlements of Ariel, Qedumim, and Immanuel.

The effects of such restriction of movement are discussed at greater length in sections below addressing economic and social impacts of the Wall. Clearly, lack of access to agricultural land will rob thousands of Palestinians of their means of subsistence at a time in which employment in Israel is unavailable and the Palestinian economy in shambles. The overall effect of the Wall on movement will be to sustain indefinitely

³⁸ See, for instance, PICCR’s Eighth Annual Report (2002) for more on Israeli violations of Palestinian rights associated with checkpoints and border crossings.

³⁹ Meron Rappaport, “A Wall in the Heart.”

⁴⁰ Akiva Eldar, “The great Failure of the Separation Fence,” *Ha’aretz Daily*, 31 October 2002, in B’Tselem, “Behind the Barrier.”

⁴¹ See Gideon Levy, “Apartheid Wall,” *Ha’aretz Daily*, 30 April 2003, for more on areas affected negatively by crossing procedures.

the debilitating system of closure that has characterized the West Bank since the outbreak of the second *Intifada*.

Freedom to Work and Maintain an Adequate Standard of Living

The loss of property and restriction of movement associated with the Wall bring about various other serious violations of rights, most directly the freedom to work and maintain an adequate standard of living. These rights again are clearly recognized in international agreements Israel has signed:

- International Covenant on Civil and Political Rights, Article 1 (2): “In no case may a people be deprived of its own means of subsistence.”
- Universal Declaration of Human Rights, Article 23: “Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.”
- International Covenant on Economic, Social, and Cultural Rights, Article 11: “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”⁴²

With work no longer available in Israel and major sectors of the Palestinian economy not functioning because of restrictions associated with the second *Intifada*, thousands of Palestinians have turned to farming, a typical phenomenon for societies in crisis. This is particularly true for the northwestern West Bank governorates, where nearly 40 percent of the West Bank’s agricultural land is located.⁴³ Agriculture not only has enabled these Palestinians to subsist, but also has continued to provide the rest of the West Bank with adequate food sources.

The Wall already is depriving Palestinians of a portion of this means of subsistence. The hundreds of thousands of dunums of rich agricultural land already destroyed or isolated constitute the livelihoods of thousands of farmers. Even if the Israeli system of agricultural gates were implemented, the increased travel time and expense involved would drive up transaction costs significantly. The uncertainty about the future status of the land also discourages cultivation and may result in even higher prices for agricultural products. The required back-to-back gate procedure, in which farmers are forced to unload products at checkpoints and reload them on the other side, is extremely burdensome and allows products to spoil during transit.

As is evident, however, the system of gates is not being implemented. This obviously portends even more difficulty for farmers affected by the Wall. Those who live east of the Wall but own land west of it may simply be out of work; those who live and tend land west of the Wall will be unable to transport their products to important markets—such as Qalqiliya, Tulkarem, or Jenin—that have become enclaves east of the Wall.

⁴² The ICESCR also addresses the right to work in Article 6, and the Universal Declaration of Human Rights addresses the right to an adequate standard of living in Article 25.

⁴³ The World Bank and LACC, “The Impact of Israel’s Separation Barrier,” p. 11.

Residents and municipal leaders in several affected areas told PICCR staff that unemployment had exceeded 70 percent since the construction of the Wall began in summer of 2002. Unemployment for the West Bank as a whole stands at 53 percent.⁴⁴ Unemployment clearly translates into a decline in the standard of living in affected areas; this will be discussed in further detail in the sections below on economic and social impacts of the Wall.

Right to Health and Education

Just as restriction of movement infringes on the right to work and maintain an adequate standard of living, it also leads to violations of other fundamental rights, such as adequate health and education. Each is protected by various human rights conventions:

- International Covenant on Economic, Social, and Cultural Rights, Article 12: “The States Parties to the Covenant recognize the right of everyone to the highest attainable standard of physical and mental health.”
- Universal Declaration of Human Rights, Article 25: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family...”
- International Covenant on Economic, Social, and Cultural Rights, Article 13: “The States Parties to the present Covenant recognize the right of everyone to education.”

Isolation of communities along the Wall’s route is prompting a serious degradation of health services. At least nine of the isolated communities do not have their own medical clinics and rely on those now east of the Wall or traveling health professionals.⁴⁵ Without access to these facilities, residents are more vulnerable to sanitation problems, water-borne diseases, higher infant mortality, and lack of emergency services. Throughout the West Bank and Gaza Strip, closure, curfew, and general restriction of movement have resulted in an alarming decline in health indicators; the Wall promises to continue this trend and exacerbate it for the communities it isolates.

Construction of the Wall has damaged educational facilities along its route, and its proximity to some schools—in some cases as close as ten meters—places students at risk of injury from IDF patrols or watchtowers. More significant, however, is the increased difficulty teachers and students are facing in reaching schools because of the Wall. According to the donor report, a month of school time has been lost this year in Tulkarem governorate and at least 650 of 1,964 teachers regularly encounter difficulty traveling to schools because of movement restrictions associated with the Wall.⁴⁶

⁴⁴ The World Bank, “Two Years of *Intifada*, Closures, and Palestinian Economic Crisis,” *An Assessment*, 5 March 2003, p. 1.

⁴⁵ Palestinian Ministry of Health, in B’Tselem, “Behind the Barrier,” p. 17.

⁴⁶ Interviews with Palestinian Ministry of Education officials in The World Bank and LACC, “The Impact of Israel’s Separation Barrier,” p. 40.

Case Study: The Village of Jayyous

Jayyous, a farming community with 3,000 inhabitants in Qalqiliya Governorate, provides an excellent example of the Wall's effects on villages along its route. The village of Jayyous lies just east of the Wall, six kilometers from the Green Line. Three quarters of its land—or 8,600 dunums—has been isolated west of the Wall.

In July 2002, the IDF imposed curfew on Jayyous and farmers later found notices on their property indicating that the Wall would destroy 292 dunums of local property. The affected farmers filed a collective appeal with the military committee and the High Court of Justice, but bulldozing began before the court reached a decision. The actual amount of land destroyed for the Wall exceeded 600 dunums.

The land isolated beyond the Wall is particularly rich; nearly all of it is irrigated with water from seven wells, all of which are now cut off from the village. The land also includes 120 greenhouses; each produces around 35 tons of tomatoes per year. Of the 550 families that live in Jayyous, 300 are completely dependent on farmland that is now isolated beyond the Wall. Those who have been able to reach their land have complained that they cannot transport products to market.

More than a third of the children in the local elementary school have been dismissed because their parents had been unable to pay fees since October 2002, when the Wall first began to impact the community.

Case Study: Qalqiliya

Qalqiliya is perhaps the urban center in the West Bank the Wall threatens most (see Appendix 1, Map 2). Completely encircled by the Wall, Qalqiliya is now comparable to a prison with over 41,000 Palestinians inside. Access into and out of the city is limited to a single checkpoint, only nine meters wide, that is open between 9 a.m. and 5 p.m. daily. Qalqiliya and surrounding villages—with a population totaling over 60,000 Palestinians—have been allotted the same amount of territory as the 3,000 Israeli settlers in nearby Alfe Menashe.

The problems that Qalqiliya faces differ from those of smaller agricultural communities. Aside from being completely sealed within the Wall, with no space for natural urban growth and development, the city is cut off from surrounding villages that constitute important consumers for markets and services. According to the district governor, 85 percent of the local economy has ground to a halt because the city is separated from its commercial base in this way.

Over 700 businesses—of roughly 1,200—have closed and between 6,000 and 8,000 residents already have left the city, seeking employment elsewhere in the West Bank. Fifteen percent of the Qalqiliya's municipal land and 50 percent of its agricultural land has been lost to the Wall. Residences and businesses near the Wall are now threatened with demolition if the IDF enforces the 60-100 meter "buffer zone."

Source: The above information derives from PICCR staff visits to the communities and meetings with municipal leaders. See also James Norton and Nicole Gaouette, "Palestinians Say Wall is a Noose," Christian Science Monitor, 27 February 2003.

Economic Impact of the Wall

It is difficult to overstate the negative repercussions that the completed Wall will have on the economy of the West Bank. Even if the second *Intifada* were to cease and political stability to return to the region, the Wall would leave in place the system of closure and restriction that has crippled the Palestinian economy and forced it into severe depression since autumn of 2000. The collective damage wrought by the Wall through destruction of property, lack of access to agricultural and commercial assets, and inability to transport goods either internally or externally could reach hundreds of millions of dollars annually, a significant loss for an economy with a pre-*Intifada* gross domestic product (GDP) of USD 5-6 billion.⁴⁷

The Wall already is having disastrous economic effects on the areas through which it passes. The global impact of the Wall if it were completed according to the current plan is more difficult to estimate because of the ambiguity that remains over crossing procedures and the degree of internal mobility that would be allowed. However, current economic problems associated with the Wall and with closure and restriction in the Palestinian territories during recent years can serve as indicators of the extent to which the completed Wall will debilitate the West Bank.

Impact in the Northwestern Governorates

The Wall has already reinforced a precipitous economic decline in Jenin, Tulkarem, and Qalqiliya Governorates. Before the second *Intifada*, these governorates were typically more prosperous than the rest of the West Bank because of both their proximity to Israeli coastal cities—which provided Israeli consumers for Palestinian goods and employment in Israel for about 30 percent of the workers in these districts—and their unusually fertile agricultural land, which employed about one quarter of the workforce in these regions.⁴⁸

With the advent of the second *Intifada* in autumn of 2000 and the IDF-imposed restrictions that accompanied it, many of the workers who had previously relied on employment in Israel turned to agriculture as a fall-back mechanism in a time of economic crisis. This partly enabled the northwestern governorates to remain economically viable despite extreme restrictions on movement and economic activity. The Wall has now begun to undermine this agricultural safety net by rendering inaccessible the West Bank's most valuable land and agricultural assets. The result is that the northwestern governorates are now experiencing even greater economic hardship than the rest of the West Bank, partly because of the Wall.

The World Bank donor report identified the following four principal economic consequences of the Wall in the northwestern governorates:

- a) the destruction of agricultural land and assets and water resources; b) inaccessibility to agricultural land and assets, including water resources; c) added limitation on the mobility of people and goods, and therefore higher

⁴⁷ The World Bank, "Two Years of *Intifada*," p. 1.

⁴⁸ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 26.

transaction costs; and d) uncertainty about the future and a consequent dampening of investment in economic activities including agriculture.⁴⁹

Destruction and isolation of land and wells are particularly damaging to the northwestern governorates because of their reliance on agriculture: one square kilometer of land yields income twice that of a similar area elsewhere in the West Bank.⁵⁰ Irrigation from the relatively plentiful wells in the northwestern districts is also critical to its economy. Five percent of the land is irrigated, but that five percent produces more than all the normal, rain-fed land in the region.⁵¹ Isolation of wells therefore endangers significant portions of the regions' productivity.

As mentioned above, whereas the West Bank unemployment average is 53 percent, unemployment in many parts of the northwestern governorates has exceeded 70 percent,⁵² mainly because of the existence of the Wall in these districts.

Social Impact of the Wall

Just as immobility, isolation, and restriction of movement contribute to economic decay, they also endanger the social well-being of affected populations and could lead to "the creation of pockets of very isolated and vulnerable population clusters with a highly inadequate social infrastructure."⁵³ Social conditions already are deteriorating near the completed Wall. As with the economy, this deterioration provides us with a glimpse of the conditions that would be likely to prevail throughout the West Bank if the Wall were completed.

Declining social conditions create a risk that Palestinians will migrate away from the areas most adversely affected by the Wall. As of winter 2003, as many as 8,000 residents of Qalqiliya had left the city to seek work elsewhere in the West Bank. Internal migration of this sort could further erode the local economies of communities near the Wall, while stressing the social services and infrastructure of the areas that are more insulated from the effects of the Wall.

Health

The Wall has separated thousands of Palestinians from adequate health services. As mentioned above, nine of the communities west of the barrier rely exclusively on the services of traveling health professionals. They now find that the Wall has made such travel nearly impossible. The clinics that do exist in communities west of the Wall provide only basic care, leaving residents uncertain of their ability to cross the Wall for complex or emergency procedures.

Communities close to the Wall on its eastern side face similar problems. Thousands of residents in these towns and villages rely on traveling health workers who now cannot reach them as often because of increased travel time and costs involved with the

⁴⁹ Ibid., p. 11.

⁵⁰ See Meron Rappaport, "A Wall in the Heart."

⁵¹ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 11.

⁵² This estimate is based solely on reports from municipal leaders that PICCR contacted in the region.

⁵³ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 37.

Wall's winding route. For instance, residents of 'Azun 'Atma, a village of 1,500 east of the Wall, now have less frequent access to traveling health workers and cannot get into Qalqiliya for emergency services.

Sanitation is also a significant concern for communities bordering the Wall on either side. Many of these communities employ trucking services that periodically remove sewage and garbage from local holding facilities. The Wall has prevented the trucks from accessing some villages and raised the cost of doing so for others, increasing the risk of waste-related disease in these communities.⁵⁴

Education

Isolation and restrictions associated with the Wall are also impacting education. According to the World Bank, 7,400 students in the northwestern governorates have been directly affected by the Wall. At least 150 teachers in Tulkarem Governorate now face severe difficulty reaching their schools, and problems in Qalqiliya Governorate are particularly acute because of the single checkpoint in Qalqiliya city and the winding alignment of the Wall there.⁵⁵ Construction of the Wall has involved physical damage to educational facilities nearby and Israeli authorities have prevented other schools from adding space to relieve overcrowding.

In many Palestinian villages, students attend primary school inside the village but must travel each day to a neighboring village for secondary education. The Wall is disrupting this system of consolidation and leaving secondary students in smaller villages without options for continuing their schooling. Secondary students in Umm al-Rihan in Jenin Governorate, for example, cannot reach the school on which they rely in Tura al-Gharbiya because the Wall separates the two communities.

Increased poverty rates associated with the Wall also have a ripple effect on education. Some of the families that have lost work or income from their land due to the Wall have been unable to pay educational fees. For instance, more than a third of the elementary level children in the Jayyous, a community that has been dramatically affected by the Wall, have been dismissed because their parents could not afford to continue their schooling.

In addition to health and education, the Wall significantly impacts other aspects of the social fabric of the West Bank, such as traditional and kinship ties. Family members are now isolated from each other, and villages that traditionally inter-married have been unable to do so. The Wall is also taking a psychological toll on Palestinians affected by the Wall, many of whom have expressed a sense of hopelessness with regard to the future of their communities.⁵⁶

⁵⁴ Ibid., p. 42.

⁵⁵ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 40.

⁵⁶ See Gideon Levy, "Apartheid Wall," for more on the psychological impact of the Wall.

Conclusion

The completion of portions of the first phase of the Wall in spring 2003 lends urgency to the issue of whether and where the remaining portions will be built. The well-documented negative impacts of the existing Wall, particularly when extrapolated throughout the West Bank, should serve as powerful arguments against the Wall's completion. Opposition efforts should emphasize that current widespread human rights violations, economic deprivation, and social decay would characterize the entire West Bank indefinitely—not just the northwestern governorates—if the Wall were completed.

International awareness is critical to marshalling opposition to the Wall. The issue has received some attention from international organizations and media. United Nations Special Rapporteur John Dugard in March 2003 called changes to the Wall's route "creeping annexation" that amount to "illegal territorial gain."⁵⁷ In June 2003 the United Nations Undersecretary-General for Political Affairs called on Israel to halt construction of the Wall, citing not only its negative humanitarian and human rights implications, but also its contravention of various components of the Road Map.⁵⁸ However, international attention of this sort has not been focused enough to stimulate a sustained discussion of the Wall outside Israel and the Palestinian territories.

Various non-governmental organizations and civic groups in the West Bank have mobilized to address the impact of the Wall. The Palestinian Agricultural Relief Committees (PARC), the Palestinian Environmental NGO Network (PENGON), and the Palestinian Hydrology Group have cooperated effectively in disseminating information and tracking the Wall's progress. As the World Bank donor report argues, however, information about the Wall still suffers from the lack of a monitoring system that is widely recognized as objective and consistent.⁵⁹

Permanent Status Negotiations and the Road Map

Various UN Security Council resolutions and bilateral agreements Israel has signed with the Palestine Liberation Organization have reaffirmed the goal of a Palestinian sovereign entity along 1967 lines. In the 1995 Interim Agreement, the 1998 Wye Memorandum, and the 1999 Sharm al-Sheikh Agreement, Israel agreed that the status of the West Bank and Gaza Strip would not be altered pending the outcome of permanent status negotiations.

The construction of the Wall beyond the 1967 border inside the West Bank flouts this body of international agreements and calls into question the veracity of the Israeli government's claim that the Wall serves security purposes only. Israel could allay its security concerns by constructing a Wall along the Green Line, but instead it has chosen to unilaterally alter and divide the occupied territory significantly before a permanent resolution of the conflict has been reached.

⁵⁷ Reuters News Service, "UN Accuses Israel of Illegal Land Grab," 28 March 2003.

⁵⁸ The Associated Press, "UN Official: Israel Should Halt Construction of W. Bank Security Fence," *Ha'aretz Daily*, 14 June 2003.

⁵⁹ The World Bank and LACC, "The Impact of Israel's Separation Barrier," p. 20.

The broad applicability of the Wall to the implementation of the Road Map provides a crucial opportunity to confront the issue. Because construction of the Wall is highly relevant to the first and second phases of the Road Map, it should be addressed before negotiations over these phases draw to a close. Phase One calls for the restoration of the status quo as it stood in the Palestinian territories on 28 September 2000, and for the Israeli government to end actions “undermining trust, including...confiscation and/or demolition of Palestinian homes and property.” Phase Two involves the establishment of a Palestinian state with “maximum territorial continuity.” The existence and continued construction of the Wall would undermine both of these phases.

Faced with international pressure to accept the Road Map during spring of 2003, Israeli authorities appear to have hastened construction of the Wall’s first phase in part to establish “facts on the ground” that subsequently could be used to influence the course of negotiations, a strategy Israel has used successfully in the past with settlements in the Palestinian territories. Through increased international awareness and consistent monitoring of the Wall and its impact, international pressure may also be brought to bear in ending the construction of the Wall inside the West Bank. There need not be a trade-off between security and territorial contiguity: Israel could establish an effective barrier along the Green Line without annexing vast tracts of Palestinian territory.

Appendix 1: Maps of the Wall's Route

Map 1: Current and Projected Alignment

West Bank 'Security' – wall Under Construction as of March 2003
_____ Wall Alignment proposed by Israeli Military planners
----- Green Line
Sources: NAD Field Surveys. Media Reports, Interviews

Map 2: Qalqiliya and Environs



Source: NAD-JTF

- Green Line
- Separation Barrier Alignment as of February 2003

Appendix 2: Images of the Wall Under Construction



The Wall under construction near Tulkarem.



The winding route of the Wall near the village of Zeta.



The nearly completed Wall, with watchtower in the distance, surrounding Qalqiliya (Source: PENGON).



Businesses in Nazlat 'Issa destroyed for construction of the Wall (source: PENGON).