

Overcoming Barriers[©]

US National Security Interests and the West Bank Separation Barrier

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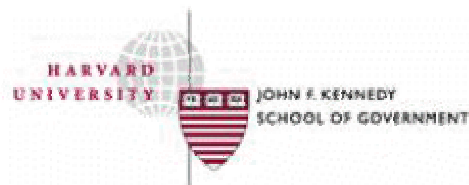
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Executive Summary

Israel's construction of a West Bank separation barrier directly impacts US national security interests. Proponents of the barrier claim it promotes the security of Israelis by stemming the flow of attackers. To date, Israel has built over 200 km to address public demands for security. Opponents argue that the barrier decreases Palestinian viability and allows Israel to annex land beyond pre-1967 borders. This has led to Palestinian resentment and international condemnation.

This paper argues that a barrier may offer a way out of the current cycle of violence and turn the region back in the direction of the peace process. A positive barrier can enhance security, stabilize the regional economy, facilitate Israeli military withdrawal from the West Bank and offer a permanent solution to the settlements issue. A negative barrier will promote further violence and forestall difficult negotiations on settlements and borders.

Need for Robust US Engagement

Given the failure of the roadmap, the barrier offers the US an opportunity for renewed commitment to resolving the conflict. More importantly, a "good" barrier is pivotal in addressing vital US interests in the Middle East:

1. *War on Terror*: A "good" barrier can ensure contiguity and decrease public support for terror groups.
2. *Promotion of democracy*: A "good" barrier strengthens the Palestinian Authority's capacity to build internal cohesion and deliver positive change.
3. *Arab-Israeli Peace*: A "good" barrier demonstrates US commitment to both Israelis and Palestinians.
4. *Public Diplomacy in Arab/Muslim World*: A "good" barrier offsets Arab and Muslim perceptions that the US is unsympathetic to Palestinian needs.

Failure to respond quickly and decisively negatively impacts US national security interests. This paper reviews possible outcomes and promotes the most viable and sustainable policy option.

Of five possible barriers, this paper recommends “1967 Plus/De-Occupation” with:

- Settlement dialogue to promote real compromise for both sides;
- Israeli military de-occupation of the West Bank; leading to
- Support for economic and political ties between Palestinians and Arab allies

The United States must play a major role in framing “1967 Plus/De-Occupation” to U.S. policymakers, Israelis, and Palestinians. Possible challenges include assassination strategies; U.S., Israeli, and/or Palestinian political shifts; spoilers; al Qaeda attacks; and Arab mobilization. This paper concludes with recommended solutions for these challenges. Although our proposal represents a radical departure from previous approaches, we believe that the current escalation of violence requires bold and transformative solutions.

Part One

Introducing the Barrier Debate and U.S. Interests

I. Introduction

A. Overview

In June 2002, Israel began building a separation barrier in the West Bank to restrict the entry of Palestinian suicide attackers into Israel proper. This decision came as a response to the increased levels of Palestinian attacks against Israelis in the wake of the September 2000 Al-Aqsa intifada. Although the actual path of the barrier is not public and subject to on-going internal revisions, previous public versions included a western front that enclosed prominent settlements as well as an eastern front that penetrated through the Jordan valley.

To introduce the barrier, this paper first discusses the origins of partition and separation within Israeli discourse as well as explaining the centrality of settlements. It then explores the implications of a barrier on U.S. national security interests and describes five potential barrier scenarios. To comprehensively analyze possible effects, we shift to security, political, and economic arguments for and against a barrier. This analysis is used to sketch a “best-case” barrier scenario, which optimizes utility across security, economic, and political goals on both sides. This paper concludes with a concrete implementation strategy designed for U.S. policy makers, noting potential challenges to implementation.

This paper makes several assumptions and acknowledges its limitations. Our analysis presumes the existence of a cycle of violence, as evidenced by the following schema:

***A** suicide/homicide attacks → **B** Israeli military occupation/terror crackdowns → **C** Palestinian humanitarian/economic conditions deteriorate → **A**.*

We believe that the Israeli occupation of the West Bank is correlated to higher incidents of violence against Israelis and settlers. This is based on an association that deteriorating humanitarian and socio-economic conditions can lead to political instability which is correlated with public support for violent resistance. Thus far, the debate has largely focused on reducing **A**, but we will presume in this paper that it is both viable and worthwhile to focus on **B** and **C**.

This paper does not attempt to produce a comprehensive and final status peace agreement. For reasons of space and scope, this paper also does not attempt to offer recommendations on the final status of Jerusalem or refugees. While we analyze the impact of Israeli settlements with regard to the barrier, this paper does not cover all historical, political and religious aspects of the issue. Our recommendations focus on using the barrier issue to shift from a zero-sum mindset towards the facilitation of regional security, prosperity and political stability.

B. Structure of the Paper

This paper aims to:

- Examine the historical/political background of the separation barrier
- Discuss why the barrier matters to the US
- Explore five potential barrier scenarios
- Assess security, economic and political impact of barrier
- Conduct a security, economic, and political analysis of the five potential barriers
- Recommend a best barrier scenario
- Outline US policy recommendations
- Provide guidance on policy implementation

C. Methods and Sources

This paper assesses the impact of the West Bank separation barrier using qualitative and quantitative sources. Our research draws on (1) first-hand interviews with Israeli, Palestinian, and U.S. officials and organizations; (2) site visits to the barrier and affected communities; (3) quantitative estimations of the barrier's impact; and (4) relevant literature and reporting on the barrier.

II. Background: The Barrier Debate

A. Operational Definitions

- **Separation Barrier:** The barrier itself is semantically controversial. Israel uses the terms “security fence” or “anti-terror fence” to denote the temporary, security-based and non-intrusive nature of the barrier.^{1,2,3} Alternatively, Palestinians use the terms “apartheid wall” and “land annexation wall” to emphasize the permanent expropriation of Palestinian land and ‘cantonization’ of the West Bank.^{4,5} For the purposes of political neutrality and objectivity, we use the term “separation barrier.”
- **Green Line/pre-1967 border:** The Green Line represents the boundary separating Israel from the West Bank prior to 1967. Following victory in the 1967 Arab-Israeli war, Israel occupied the entirety of what is now known as the West Bank, the Gaza Strip, the Golan Heights, the Sinai Peninsula. Officially, the Green Line is known as the 1949 Armistice Line since it represents the boundaries of the armistice ending the first Arab-Israeli war of that year. The pre-1967 border is internationally recognized as the de facto border of Israel and the West Bank.⁶ Religious Israelis consider the West Bank⁷ land that is Biblically promised to the Jews, but Israel has made no attempt to formally annex the land.⁸ This is partly due to demographic concerns: for many Israelis, the integrity of a majority Jewish state is impossible with a majority of Palestinian Arabs within its borders.^{9,10,11} This paper asserts that the Green Line, or pre-1967 borders, represent the official border separating Israel from the West Bank and refutes “natural population growth” beyond that border.
- **Settlements:** This paper considers all Israeli Jews living to the east of the pre-1967 border as “settlers,” and all Israeli homes, property and infrastructure related to settlers

¹ Interview with Itamar Rabinowich: President of Tel Aviv University and former Israeli Ambassador to US. Tel Aviv, Israel. January 2004.

² Interview with Akiva Tor: Advisor to the President of Israel on World Jewish Affairs. West Jerusalem. January 2004.

³ Israeli Ministry of Defense: <http://www.seamzone.mod.gov.il/Pages/ENG/default.html>

⁴ PLO Negotiations Support Unit: <http://www.nad-plo.org>; PENGON: <http://www.pengon.org>

⁵ Interview with Ivan Kavikhanov: Program Manager at MIFTAH. Beit Hanina, West Bank. January 2004.

⁶ The map of the 1949 Armistice Line is recognized by the United Nations as the “boundary” of Israel evident in UN Map 547, October 1953.

⁷ Some Israelis use the historical and biblical terms Judea and Samaria to describe the West Bank.

⁸ Hertzburg, Arthur. “Israel and the West Bank: Implications of Permanent Control.” *Foreign Affairs*. Summer 1983.

⁹ Ibid.

¹⁰ Makovsky, David. “Middle East Peace through Partition.” *Foreign Affairs*. March/April 2001.

¹¹ Isaac, Jad and Rizik, Majed. “The Viability of the Palestinian State and Israel’s Settlement Policy.” *Palestine-Israel Journal*.

situated to the east of the pre-1967 border as “settlements.” Infrastructure includes settler by-pass roads, designed to provide safe passage between Israel proper, Jerusalem and Israeli settlements.

- **Occupation/De-occupation:** We define occupation as the Israeli military administration of the Palestinian territories it has occupied since 1967.¹² A de-occupation of those territories implies removal of Israeli military personnel and infrastructure from the West Bank.¹³

B. History of Support for Separation

The partition or physical separation of Arabs and Jews has a long history in the Middle East. Originally discussed in the 1937 Peel Commission report, the 1947 United Nations partition resolution outlined a division of Arab and Jewish states in Palestine. Although supported by mainstream Zionist parties, it was summarily rejected by Palestinians during the formative years of Israel.¹⁴ Later embraced by the Labor Party, it became a staple of their political platform.

The idea of a separation barrier originated from the Israeli left under Prime Minister Yitzak Rabin who believed that peace could be achieved by drawing new, secure borders that provided Palestinians with a de facto state.¹⁵ The Israeli right staunchly opposed the idea of partition because it conflicted with religiously-motivated territorial claims in historic Judea and Samaria.¹⁶ In light of this intense political pressure, Rabin initiated plans for a separation barrier in Gaza and left the issue of a West Bank separation barrier open for later discussion. The West Bank separation barrier re-emerged in Israeli politics as a response to the wave of suicide bombings following the September 2000 Al-Aqsa intifada. With a mounting death toll of over 400 Israeli soldiers and civilians killed by 117 suicide bombers from the West Bank¹⁷, Israel public opinion

¹² For the purposes of this paper, occupation refers to the West Bank and will not deal with other territories occupied in 1967.

¹³ Since 1995, Palestinian territories have been divided in three zones. See Appendix B.

¹⁴ Narsrallah, Rami. “The Road to Partition.” *Palestine-Israel Journal*.

¹⁵ Dickey, Christopher; Dennis, Mark. “A Fence Across the Sand.” *Newsweek*. Vol 125: Issue 6. February 6th 1995.

¹⁶ For Israelis, the historical names for the land known as the West Bank are Judea and Samaria. Ariel Sharon bases his settlement policy on a political theology that sees Bible stories as actual historical events and the foundation of a secularized political consciousness. (Naor, Arye. “The Security Argument in the Territorial Debate in Israel: Rhetoric and Policy.” *Israel Studies*. Vol: 4, 2.

¹⁷ Israel Ministry of Defense: www.seamzone.mod.gov.il

pressured Prime Minister Sharon into developing a West Bank separation barrier policy.¹⁸ As a former advocate of settlement policies, Mr. Sharon eventually gave into this pressure, supporting partition but promoting routes which incorporated large numbers of West Bank Israeli settlements. This blend of security and political considerations explains the convoluted path of the barrier.

C. Current Status of Barrier

- **What Do Current Plans for the Barrier Look Like?:** Initial barrier projections

envisioned a 720 km (460 mile) system of chain-link fences, concrete walls, surveillance equipment and tracking devices (see Figure 1,2).¹⁹ The length was reduced to 680 km after an Israeli Supreme Court ordered a halt to segments of construction.²⁰ Most of the barrier currently consists of a concrete base with a five meter high electronic chain-link fence spanning the width of a four-lane highway (up to 70 meters), surrounded by coils of razor wire. Along the barrier are dirt-tracking paths and high-security areas fortified by trenches and additional surveillance equipment. Of the 720 km, less than 3% will be in the form of 6-9 meter high concrete walls fortified with armed watchtowers.²¹ The plan calls for concrete walls in areas close to main highways, residential complexes and other high security areas. According to some estimates, the cost of the barrier is roughly \$2 million/km.^{22,23}

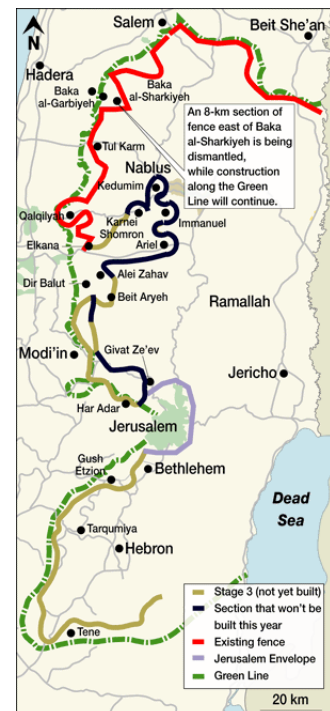


Figure 1: Israeli Projections (Ministry of Defense)

¹⁸ Interview with Gadi Baltiansky.. January 18th 2004.

¹⁹ This is based on initial projections. The exact length and path of the barrier is private and currently subject to internal debate and revision.

²⁰ BBC Reporting: "Israel Told to Halt Barrier Work." February 29th, 2004: http://news.bbc.co.uk/1/hi/world/middle_east/3520115.stm.

²¹ Israel Ministry of Defense: www.seamzone.mod.gov.il

²² Harper's Index. *Harper's Magazine*. Vol. 305: Issue 1828. September 2002.

²³ BBC Reporting: In Depth on the Separation Barrier. http://news.bbc.co.uk/1/hi/world/middle_east/3111159.stm

- **Where is the barrier currently located?:** Work began on the barrier in June 2002 near the Palestinian towns of Qalqilya and Jenin, and as of January 2004 approximately 200 km of the barrier was complete.²⁴ While the Israeli cabinet approved the next phase of development around heavily populated settlements such as Ariel and the city of Jerusalem, Israel is continuously making both public and private adjustments to the direction and nature of the barrier.²⁵ Recently, Israel dismantled 5.8 km of the fence between the sister towns of Israeli Baka al Gharbiya and Palestinian Baka al Sharqiya in order to provide 7,300 Palestinians free movement between the communities.²⁶ In addition, Supreme Court rulings have halted construction in other areas brought to its attention by advocacy groups. Thus far, these changes are occurring on an ad-hoc basis and primarily in response to litigation.



Figure 2: "Wall" and "Fence" elements of the West Bank Separation Barrier

D. Five Scenarios for a Future Barrier

This paper considers five possible scenarios for future barrier construction. Following a discussion on the security, economic and political impact of barriers per se, we will return to these scenarios to determine an optimal route given all considerations²⁷:

²⁴ UN Office for the Coordination of Humanitarian Affairs (OCHA): January 2004. .

²⁵ Haaretz Feature on the Separation Fence. www.haaretz.com

²⁶ Israel Ministry of Defense: www.seamzone.mod.gov.il

²⁷ Maps on the following page represent approximations of possible barrier routes

Five Scenarios for a Western Barrier

This paper considers five possible scenarios for future barrier construction:

Scenario 1: Encirclement

Western separation barrier continues to take in major and minor settlement blocs; Eastern separation barrier built

US support needed: None



Scenario 2: Aggressive Western Barrier

Western separation barrier continues as above; Eastern separation barrier construction delayed or cancelled

US support needed: Low to Moderate



Scenario 3: 1967 Plus

Negotiate a "1967 Plus" separation barrier, using the pre-1967 border and the Geneva Accords as guidelines; much of the current barrier relocated; settlement accommodation not to exceed 3% of the West Bank; 1:1 Land Swaps

US support needed: High



Scenario 4: 1967 Strict

Adhere entirely to the pre- 1967 border

US support needed: Extremely High



Scenario 5: No Barrier

Current barrier removed completely; All plans for future construction immediately frozen.

US support needed: Low to Moderate



E. Significance of Settlements in the Barrier Debate

Settlement populations are comprised of Israelis who moved either for socioeconomic reasons or religious ones.²⁸ According to recent approximations, there are currently 200 settlement areas containing a population of nearly 400,000.²⁹ In the West Bank, nearly 220,000 settlers live in 120 settlements. The issue of settlements is central to the barrier debate for several reasons. Once built, settlements are very difficult to remove and become “facts on the ground” which unfairly alter negotiations on territorial boundaries.³⁰ Despite the 1993 Declaration of Principles and subsequent attempts to promote Palestinian autonomy, Israeli control over settlements led to Israeli control over the occupied territories, limiting Palestinian attempts at self-rule.³¹ Any barrier which attempts to either overlook settlements or include as many Israeli settlements as possible is therefore unsustainable.

“The wall is really about the settlements. You are changing the social and economic ties between Palestinians.... This is creating new patterns of social and economic behavior, and not for the better.” – *Stephanie Khoury, Palestinian Negotiations Support Unit*

Resolution of Israeli settlements in Palestinian territories has historically been relegated to the category of “final status talks.”³² However, ignoring the settlements issue will only contribute to more challenging concessions in the future. Moreover, an innovative settlement policy could develop confidence between the two parties. This is necessary for any cessation of violence. Despite Israeli claims that settlements promote the long term survivability of Israel, this paper concurs with the assertion that “settlements harm Israel's long-term interests, shrink the prospects for peace and help undermine America's standing in the Arab world.”³³

²⁸ Dickey, Christopher and Dennis, Mark. “A Fence Across the Sand.” *Newsweek*. February 6, 1995. Vol: 125, 6.

²⁹ *The Israeli-Palestinian Roadmap: What a Settlement Freeze Means and Why it Matters*. International Crisis Group Middle East Report No 16, 25 July 2003.

³⁰ Aronson, “Facts that Put a Stop to Peace: Eating Away at Palestine”

³¹ As the 1994 Madrid Agreement on Gaza Strip and the Jericho Area reads, “Israel has authority over the Settlements, the Military Installation Area, Israelis, external security, internal security and public order...”

³² The agreements at Oslo and Camp David left the contentious issue of settlements to be discussed in later accords. Subsequent reports such as the Mitchell and Tenet Reports argued that settlement proliferation as highly problematic for peace prospects.

³³ Thomas Friedman, *New York Times* editorial, May 11, 2003

Under the leadership of Mr. Sharon, settlement construction has expanded, worsening tensions in the West Bank.^{34,35} The Israeli Construction and Housing Ministry reported that settlements increased by 96% during the first half of 2001 as compared to the first half of 1999.³⁶ Despite Israeli claims to “natural population growth,” the Israeli Bureau of Statistics reports that population growth in the Israeli settlements is nearly four times greater than in Israel itself.³⁷ Analysts warn that Mr. Sharon aims to “cement Israel’s domination of the occupied territories.”^{38,39} This does not represent a step towards cooperation and a viable Palestinian state.

III. Why the Barrier Matters for the U.S.

A. The Unique U.S.-Israeli Relationship: The United States and Israel have historically maintained an important strategic alliance, collaborating on intelligence and military exercises. The US consistently provides Israel with high diplomatic, logistical and financial support, making Israel the largest recipient of US aid outside of NATO nations.⁴⁰

This unique relationship stems from three compelling principles:

- **Moral Imperative:** To support a democratic, Jewish state;
- **Strategic Imperative:** To leverage US political and economic interests in the Middle East and maintain a geostrategic forward posture; and
- **Political Imperative:** To address electoral interests and constituent concerns

B. Connecting the Barrier with U.S. Interests:

- **Implications for War on Terror:** As this paper argues, certain barrier projections will decrease Palestinian viability, increase Palestinian resentment and increase the factors leading to violence. A “failed state” scenario enhances the power and appeal of resistance organizations that use terrorist tactics such as Islamic Jihad and Hamas. The

³⁴ Americans for Peace Now, “44 New Settlement Outposts Established Since 2001 Elections,” June 29, 2002, (<http://www.peacenow.org/shalomachshav/settlements0602.html>), cited on April 28, 2003

³⁵ Foundation for Middle East Peace, “Report on Israeli Settlement in the Occupied Territories,” March-April 2003

³⁶ Nadav Shragai, “Construction in Settlements Increased by 96 Percent during the First Half of the Year,” *Ha’aretz*, 12 September 2000.

³⁷ PNA Official website: <http://www.pna.org>

³⁸ Philip C. Wilcox, Foundation for Middle East Peace, “Report on Israeli Settlement,” March-April 2003

³⁹ Middle East Intelligence Analyst (under conditions of anonymity). March 2004.

⁴⁰ American-Israeli Cooperative Enterprise. Fact sheet on US-Israel Relations. www.us-israel.org

rise in influence and popularity of such groups could both jeopardize peace prospects and complicate the campaign to eradicate international terror movements, including Al-Qaeda. ***If the separation barrier increases the factors leading to terror, the U.S. must intervene.***

- **Promotion of Democracy:** The US administration is committed to the development of democratic governance in the Middle East and is currently focused on democratic reform in Iraq and Afghanistan. As these and other examples show, democratic progress can offset the formation of political vacuums which allow terrorist organizations to thrive. Despite allegations of corruption and ineptitude, the Palestinian Authority is nonetheless a more democratic Arab entity than its neighbors. ***If the separation barrier decreases the likelihood of democratic reform in the Middle East, the U.S. must intervene.***
- **Arab-Israeli Peace:** The Middle East Road Map of 2002 outlined U.S. support for a cessation of violence, a cessation of settlement activity, and a return to peace negotiations. However, the continuation of violence hindered progress.⁴¹ Some view the barrier as a temporary measure that could eventually bring the two parties towards negotiations. Others question the intentions behind the route of the fence and insist that continued unilateralism will only bring the two parties farther away from the negotiating table. ***If the separation barrier erodes the confidence necessary to implementing a sustainable Arab-Israel peace, the U.S. must intervene.***
- **Public Diplomacy Efforts in Arab/Muslim World:** The US stands to lose significantly if the barrier further antagonizes Palestinians and Arab neighbors. Since many Arabs conflate Israeli and U.S. aims, it is critical to avoid bad outcomes. Indeed, some of our interviewees connected the Israeli occupation of the Palestinian territories with the U.S.

“A barrier would never be my preference. It corresponds to a breakdown in the process.”

-- Dennis Ross, Former US Middle East Negotiator

⁴¹ Insiders in Tel Aviv, Washington, and Ramallah acknowledge that futility of the US-initiated road map but remain hopeful for a two-state, two people solution.

occupation of post-war Iraq.^{42,43} ***If the separation barrier increases Palestinian, Arab, and/or Muslim resentment of Israel and the U.S., the U.S. must intervene.***

C. Current U.S. Policy Towards the Barrier

- **Current Position -- Limited Engagement:** The status quo consists of bilaterally discussing adjustments on the route of the fence with Israel as it pertains to humanitarian concerns. While senior officials have condemned the most aggressive barrier plans,⁴⁴ it is unlikely that President Bush will announce a radical shift in thinking towards a more equitable solution.⁴⁵ The US Congress recently passed a series of resolutions underscoring support for the idea of an Israeli “fence” as a necessary security response.⁴⁶ In addition, a key meeting between Prime Minister Sharon and President Bush, slated for April 12, 2004, is expected to result in a formal articulation of U.S. barrier policy. Early speculations indicate that the U.S. plan will likely support both a barrier and the strategic defense of key Israeli settlements. The U.S. will remain committed to the right of Israel to protect itself as well as a two-state solution.⁴⁷ The U.S. will likely not support settlement expansion, but will also not aggressively pursue their dismantlement.⁴⁸
- **Proposed Position -- Robust Engagement:** The current position permits the U.S. to deflect political immersion in a complex conflict during an election year, alongside ongoing operations in Iraq and Afghanistan. It also provides sustained support for Israel. However, this position has serious drawbacks:

Continued Violence: The remainder of 2004 could see continued violence which may necessitate concrete U.S. positioning.

⁴² This sentiment was heard both in Jordan and in the Palestinian territories. Interview with Ashraf Zeitoon, Amman, Jordan, January 2004.

⁴³ “Radical Shiite Declares Solidarity with Hamas.” *Haaretz*. April 2, 2004.

⁴⁴ “Confusing Fence Route,” *Haaretz Daily*, Sunday, April 4, 2004

⁴⁵ Uzi Benziman, “Corridors of Power/Territorial Imperative,” *Haaretz*, April 2, 2004.

⁴⁶ Representative Gary Ackerman (D-NY), ranking minority member of the House International Relations Committee’s Middle East and Central Asia Subcommittee, condemned “the adoption of United Nations General Assembly Resolution ES-10/14 (December 8, 2003) which requests the International Court of Justice (ICJ) to render an advisory opinion concerning the international legal consequences arising from Israel’s construction of a security fence in the West Bank.”

⁴⁷ Benn, Aluf. “Israel wants US endorsement of fence.” *Haaretz*. March 31st 2004.

⁴⁸ *Ibid*.

Palestinian Deterioration: Palestinian political viability could further deteriorate, rendering future peace agreements untenable. This rules out the possibility of U.S. non-engagement.

Since the separation barrier has several implications for US national security interests, it is critical that US policymakers address the issue with an aggressive and sustainable approach. This paper argues that the US can transform the barrier debate into a crisis resolution strategy, leading to broad-based regional stability. This requires active high-level engagement on the barrier, involving:

- Articulation of a clear U.S. policy position on which barrier scenario to promote
- Active dialogue with both parties on the route of the barrier
- Building international commitment for the US position

This approach develops a direct plan of action to address Israel's security needs while minimizing deterioration of Palestinian viability and preventing a political collapse or failed state. The drawbacks include a risk of failure in an election year, expending enormous amount of political capital, allocating financial, diplomatic and military resources and navigating complex political challenges. However, it is critical that the U.S. engage more actively on the barrier issue to protect its national security interests and promote viable security, economic and political outcomes.

Part Two

Deconstructing a Barrier: Security, Economic and Political Considerations

I. Security Analysis

This paper examines security as a wider, systemic goal within an interconnected and compact geographic region. In the Israeli context, security refers to a halt to suicide terrorist attacks within Israel proper, and a halt to attacks against Israeli soldiers throughout the occupied territories. By contrast, Palestinian security refers to the ending of Israeli occupation, to the improvement of personal and economic security in the occupied territories, and to a halt of collective punishment in the form of anti-terrorist IDF operations.

A. Security Arguments for a Separation Barrier

The stated intent of a barrier, as outlined above, is the promotion of security for Israelis. It is meant to protect Israeli citizens from suicide attacks within Israel proper through deterrence, early detection and/or sheer physical obstruction.^{49, 50} Supporters of this policy cite that separation is the only option for peace and barriers offer imperfect but enhanced security:

“The number [of Israelis] murdered each month is more than the lives we lost in Lebanon. In order to provide security...one needs to combine offense and defense...a security fence is the most important component.”

-- General Uzi Dayan, Former National Security Council Director of Israel

- **No Partner For Peace:** In order to respond to mounting death figures from suicide attacks, the notion of a barrier emerged as a policy of last resort.⁵¹ Several Israeli officials described the necessity of a unilateral position as a direct outcome from a lack of leadership and authority from the PA. Despite public condemnation, the PA was unable and/or unwilling to disrupt the recruitment, training, arming and passage of suicide attackers from the West Bank into Israel proper.

⁴⁹ Interview with a senior Israeli administration official under conditions of anonymity. March 29, 2004

⁵⁰ In an interview in January 2004, Akiva Tor, Assistant to the Israeli President, described the barrier as no more than “a security barrier for security reasons.”

⁵¹ Interview with Itamar Rabinovitch, President of Tel Aviv University, January 2004.

- **A Successful Gaza Barrier:** Israel consolidated a border around Gaza in 1994, in the wake of the Oslo Accords. According to Israeli figures, no suicide attacker originating from Gaza successfully carried out an attack within Israel proper until the March 14, 2004 attack on the Israeli port city of Ashdod.⁵² Nonetheless, it is striking that only one attack has been effectively implemented from within Gaza over the course of the last decade.
- **Successful West Bank Barrier:** Israeli studies have shown a correlation between the West Bank barrier's construction and reduced attacks. The Ministry of Foreign Affairs reported a 30% drop in the number of attacks and a 50% decrease in deaths from 2002 to 2003.⁵³ From April to December 2002, 17 suicide attacks originating from the northern areas of the West Bank were carried out. However, since the barrier's construction, only 5 attacks during the entire year of 2003 came from the same area. Israeli security officials contend that this reduction in attacks has not been observed with respect to those West Bank segments not currently surrounded by a barrier.⁵⁴
- **Any decrease means success.** Barrier proponents claim that a barrier extending around the West Bank will decrease the number of attacks on Israeli soil. According to this argument, a barrier does not need to stop all attacks as long as it decreases the number of potential attacks. As one Israeli put it, "It may not stop 100% of the terrorists, but if it stops 80%, 50%, even 20%, it is worth it. Those are not just numbers; those are lives saved."⁵⁵

B. Security Arguments against a Separation Barrier

- **Settler Violence:** Since a barrier by default demarcates territory into Palestinian and Israeli components, Jewish fundamentalists believing in a religious claim to the entire West Bank oppose any Palestinian land allocation. As previous attempts to dismantle outposts and settlements indicate, settlers often respond violently to dismantlement

⁵² Israeli Ministry of Defense. www.seamzone.gov.il

⁵³ Israeli Ministry of Foreign Affairs website. www.mfa.gov.il

⁵⁴ Fonda, Daren. "A Pre-Holiday Bombing Rocks Israel." *Time Magazine*. October 13th 2003. Vol 162: 22.

⁵⁵ Interview with Gadi Baltiansky: Director of H.L. Education for Peace Ltd. Tel Aviv. January 2004.

attempts.⁵⁶ Moreover, political leaders who support this plan are vulnerable to extremist violence.⁵⁷

- **Putting Israeli soldiers at risk:** According to a recent statement of 100 Israeli Reserve officers, members of the Council for Peace and Security, the construction of a West Bank barrier that cuts close to Palestinian homes and villages places military forces at a higher risk.⁵⁸ Of concern were areas where the barrier separates Palestinians from their land as well as friction points such as barrier crossings.

- **Barriers Address Symptoms, Not Root Causes of Suicide Attacks:** The barrier addresses the *means* of attacks, but not the *motivation* behind them. According to anecdotal evidence collected in early 2004, Palestinian support for suicide attacks (as opposed to legitimate forms of resistance) stems from:⁵⁹
 1. **Humiliation:** The confluence of the Israeli occupation of the West Bank and Gaza, dislocation of thousands of Palestinians from Israel proper and the burgeoning populations of refugee camps have had a debilitating impact on Palestinian self-image. Revenge for Israeli targeted and untargeted killings is another motive.⁶⁰

 2. **Socioeconomic Distress:** High unemployment rates, a demographic youth bulge and low levels of economic development lead to high rates of idle youth and increased resentment.⁶¹

 3. **Political Vacuum:** Experiences in Somalia, Haiti, and Afghanistan demonstrate that a lack of effective political institutions—sometimes referred to as “failed states”—can lead to violence and/or extremism. The Palestinian Authority, while claiming its efforts are undermined by Israeli occupation and aggression, suffers

⁵⁶ “Kiryat Arba Outpost Trouble.” *Haaretz*. March 31st 2004.

⁵⁷ One thinks of the assassination of Prime Minister Rabin by religious extremists, as justified under the Halakhik concept of *din rodef*.

⁵⁸ Regular, Arnon and Harel, Amos. “Reserve Offices: Fence route endangers security forces.” *Haaretz*. March 30th 2004.

⁵⁹ See list of interviewees, Appendix E. Nearly all of our Palestinian interviewees listed these factors; many Israelis did as well.

⁶⁰ Interview with Terri Boulatta: Headmistress at Abu Dis Education School. Abu Dis. January 2004.

⁶¹ Interview with Laila El-Haddad: Reporter with Al-Jazeera in Gaza. February 2004.

from an image problem attributed to a lack of real, accountable power. The recent resignation of Nablus mayor Ghassan Shakaa in February 2004 underscores the lack of confidence in Palestinian leadership,⁶² which has led to increased influence of groups such as Hamas and Islamic Jihad.⁶³

4. **Asymmetric Resistance to Superior Conventional Forces:** Palestinians frame the tactical use of suicide attacks in realist terms: there are no other means available to conduct a forceful resistance to Israeli occupation and land appropriation. Absent a formal army or willing external allies, Palestinians have elected a highly individualistic strategy of targeting killings via suicide bombing.⁶⁴
 5. **Rejection of Israeli existence:** This is often cited by Israeli right-wing leaders as the primary reason for most violent attacks. It is beyond the scope of this paper to assess the validity of this claim, but it is reasonable to assume that some Palestinians—and Arabs—continue to reject the installation of the Israeli state.⁶⁵
- **Barriers Decrease Internal Security:** The security situation within Gaza, with respect to both Israeli and Palestinian deaths, has steadily worsened after the imposition of a barrier.⁶⁶ Despite a nearly impenetrable barrier, Israel retains a heavy military presence within Gaza to address the deteriorating security situation using targeted killings, house demolitions and missile strikes. This does not bode well for the security prospects of the West Bank post-separation barrier. Some Israeli senior officials recognize that the force-driven policy of Sharon is decreasing security for Israel as well.⁶⁷

⁶² CBS News: “Nablus Mayor resigns Over Lawlessness,” February 27, 2004.

⁶³ Interview with Saeb Erakat: Chief Negotiator for the Palestinian Authority. Jericho, West Bank. January 2004.

⁶⁴ Interview with Hatem Qadeer: Fatah Activist and member of the Palestinian Legislative Council. Ramallah, West Bank. January 2004.

⁶⁵ According to a 1995 poll taken by the London-based newspaper Al-Hiyat, roughly two-thirds of Palestinians did not think Israel had a right to exist. See American-Israel Cooperative Enterprise Website: www.us-israel.org/jsource/arabs/potaba.html.

⁶⁶ Human Rights Watch report, “Investigation Into Unlawful Use of Force in the West Bank, Gaza Strip, and Northern Israel,” October 4 through October 11, 2000.

⁶⁷ Chief of Staff Moshe Yaalon said that current hard-line policies against the Palestinians were working against Israel's "strategic interest... increase hatred for Israel and strengthen the terror organizations.” Kafala, Tarik. “Analysis of Palestinian Suicide Bombers.” *BBC Reporting*. March 6, 2004.

- **Length of West Bank Borders:** Gaza, tightly bounded by the Mediterranean Sea and Egypt, is a small strip of land with a 51 kilometer border. By contrast, the West Bank's border is 307 kilometers and shares a sizable border with Jordan. The size of a separation barrier in the West Bank—and therefore the difficulty of maintaining a tight border regime—is much greater than in Gaza.
- **Unilateral Imposition of non-1967 border:** Although Israel did not negotiate the Gaza barrier, it closely followed the Green Line. The West Bank separation barrier, however, does not follow the Green Line and implies a unilateral imposition of a revised—if temporary-- border defined exclusively on Israeli terms.
- **Creating Facts on the Ground:** By maximizing the number of Israelis incorporated into Israel proper, the barrier includes many prominent settlements. By default, the inclusion of settlements legitimates their presence, creates “new facts on the ground” and undermines Palestinian contiguity.

SECURITY: The Bottom Line

- Barriers cannot guarantee total security but can reduce number of attacks
- Good barriers can facilitate resolution of “final status issues”
- Bad barriers can decrease internal cohesion, increase motivation for attacks

II. Economic analysis

Before assessing the economic impact of the barrier, it is important to highlight the crippling effect of the *intifada* on both the Israeli and Palestinian economies.

A. Economic Impact of Intifada on Israel

Prior to the outbreak of the current *intifada*, Israel boasted one of the world's fastest growing GDPs. However, the outbreak of violence in late 2000 has wrought disastrous effects on the Israeli economy. For the first time in close to five decades, GDP decreased in 2001, averaging at a rate of -0.6%. The three-year Palestinian uprising has decreased consumer and investor

confidence, output, and buying power.⁶⁸ Foreign investment fell from over \$11 billion in 2000 to under \$1 billion today.⁶⁹ Israel's per capita income has dropped by 3 percent each of the past two years.⁷⁰ A significant portion of the Israeli budget was relocated to homeland defense functions such as physical infrastructure protection, reconstruction, security services, defense acquisition, force structure, intelligence and humanitarian relief for bombing victims.

B. Economic Impact of Intifada on Occupied Palestinian Territories

The Palestinian economy has deteriorated considerably in the wake of Israel's response to the intifada. In order to bolster security, Israel's system of travel permits and movement restrictions severely limited production and distribution of goods and services. The World Bank estimates that GDP fell by roughly a third since the beginning of the intifada (see Figure 1). Unemployment increased from 21% to 60% from 2000 to 2002 with higher rates in Gaza. The overall trade picture is equally grim, with net exports falling 30% in 2002 from 1999 levels. The humanitarian effect is also severe: per

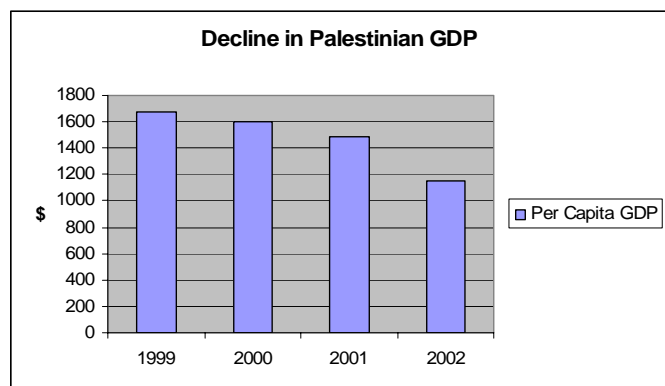


Figure 3: Decline in GDP (per World Bank)

capita food consumption dropped 30% from 2000 to 2002 and 13.3% of Gazans suffer from acute malnutrition.⁷¹ And, as in Israel, foreign investment fell in the Palestinian territories from \$1.1 billion in 1998 to negligible levels in 2002.

C. Economic Arguments for a Separation Barrier

- **Improved security increases tourism and investment.** A barrier may encourage foreign investment and tourism if it improves regional security. Given the historic and religious significance of the region, both Israeli and Palestinian economies rely heavily on tourism. In Israel, tourism revenue dropped by 40% in 2002 compared to 2001 and

⁶⁸ "Israel's Economy a Casualty of the Intifada." *Washington Report on Middle East Affairs*. Dec. 2003.

⁶⁹ Gershon Baskin, "Walls and Fences: Consequences for Israel and Palestine," *Palestine-Israel Journal*, December 2003, pp. 7-17

⁷⁰ As noted on AIPAC website: <http://www.aipac.org>

⁷¹ "The Years of Intifada, Closures and Palestinian Economic Crisis." *The World Bank*. March 5, 2003.

over 80% compared to 2000. The number of jobs in the tourism industry shrank by roughly two-thirds.⁷⁰ Similarly, Palestinian tourist destinations have suffered enormously.⁷² With investment confidence and tourism at record lows, Israelis and Palestinians stand to gain from any measure that could provide temporary security.

- **Chilly Relations with Arab Neighbors:** There is a desire within the Israeli polity to focus the future of Israel's economy away from Arab countries and towards Europe and the U.S. Fueled by perceptions that Israel's neighbors are corrupt, unreliable, and undemocratic, and that Palestinians are not safe to employ, Israel now recruits foreign workers to replace them.⁷³ Israel has little to gain from an open, borderless economic regime with Palestinians, since it can procure cheap labor and stronger business returns elsewhere without risking internal security.
- **Palestinian Self-sufficiency:** Arguing that Israel's policy of closures during the post-Oslo era undermined Palestinian economic development, several academics promote the barrier as a means of encouraging Palestinian economic independence. While the post-Oslo era ushered in cooperative economic arrangements such as the Karni transportation zone in Gaza, investments eventually ended because of the lack of regular shipment schedules and unrestricted movement due to Israeli security policies.⁷⁴ Assuming the barrier can provide some form of security and eventually enable Israel to withdraw from heavy military occupation, this may present Palestinians with an opportunity to develop their economy independent of security-based obstructions from Israel. In addition, they can strengthen trade ties with their Arab regional partners instead of relying so heavily on Israel.

D. **Economic Arguments Against a Separation Barrier**

- **High Cost.** The separation barrier costs Israel approximately \$2 million per kilometer, in addition to the costs associated with 24-hour human and electronic surveillance.⁷⁵

⁷² Per interviews and meetings conducted in and around major tourist destinations in Jericho in January 2004.

⁷³ Baskin, Bershon. "Walls and Fences: Consequences for Israel and Palestine." *Palestine-Israel Journal*.

⁷⁴ Interview with Maher El-Kurd: Economic Advisor to the PA. Ramallah, West Bank: January 2004.

⁷⁵ Harel, Amos. "Cost of Israeli Fence could rise to NIS15 million per km." *Haaretz*. April 8, 2004.

These costs are draining an already weakened Israeli economy, diverting badly needed resources away from other investment activities.⁷⁶

- **Palestinian Economic Dependence on Israel:** Palestinians believe separation will undermine the Palestinian economy by decreasing access to Israel. A World Bank study estimated 128,000 Palestinians worked in Israel and the settlements prior to the start of the intifada, but subsequent closures complicated Palestinian movement and access to these jobs.⁷⁷ As a result, Palestinian unemployment is at a record high. As one Palestinian put it, “there are no jobs—Palestinians often have to work in construction, on one or another Israeli settlements, to get by.”⁷⁸ Given that Israel is the strongest economy in the region, the Palestinian economy will suffer in the absence of Israeli-Palestinian economic cooperation.

- **Decrease in Palestinian Viability:** The specter of a failed state in the OPT is a real possibility, especially with record high unemployment levels accelerating economic depression. Defining Palestinian viability as a function of the following three factors:
 1. **Lack of Palestinian territorial integrity:** Initial routes of the barrier separated Palestinian villages and cities into three main blocks of land, severely limiting internal viability. Lack of contiguity, a red herring in Camp David negotiations, constrains free movement of people, goods and services which can lead to humanitarian devastation. According to a Palestinian environmental expert, the barrier “isolates and confiscates the major, primary resources of the West Bank (land and water)...the fragmentation of the West Bank into three noncontiguous cantons means no economy which by definition means no independent state.”⁷⁹ While Israel plans to connect the Palestinian areas with roads, tunnels and bridges, this does not create the conditions necessary for a fully autonomous and productive economy.⁸⁰

⁷⁶ The Cost of Israeli Settlements,” *New York Times* editorial, October 3, 2003

⁷⁷ Palestinian Environmental NGOs Network (PENGON) report, “Stop the Wall in Palestine: Facts, Testimonies, Analysis, and Call to Action,” June 2003, p. 43

⁷⁸ Interview with Terry Boullatta, resident of Abu Dis, January 20, 2004

⁷⁹ Interview with Jamal Jumuaa: Director of the Palestinian Environmental NGO Network. January 2004. Beit Hanina, West Bank.

⁸⁰ Interview with Yehezkel Lein: Program Director at B'TSelem. West Jerusalem. January 2004.

2. **Land Appropriation and Lack of Free Movement.** The original plans of the barrier physically disrupted the social and economic activities of 210,000 Palestinians living in 67 villages, towns and cities.⁸¹ Of these, 11,700 Palestinians who live in 11 towns would be left on the western (Israeli) side of the barrier, separating them from the rest of the West Bank.⁸² Already, over 14,680 dunums of land have been razed for the footprint of the Wall. Moreover, according to a November 2003 UN report, approximately 210,000 acres (14.5% of the West Bank) will lie between the barrier and the Green Line. This land represents some of the most fertile, agricultural land and is home to 274,000 Palestinians. Added to the 400,000 Palestinians who need to cross the barrier to get to their farms, nearly 680,000 Palestinians will be impacted by the wall. This is 30% of the Palestinian population in the West Bank.⁸³ These restrictions on Palestinian mobility negatively affect the free flow of goods and services necessary to sustain a economic growth and employment.⁸⁴

3. **Lack of Water and Agricultural Resources.** It is estimated that 50 underground water wells have been separated from Palestinians due to the barrier, more than 30,000 meters of water and irrigation equipment have been confiscated, and over 100,000 trees have been uprooted.⁸⁵ In addition, 20,000 Palestinians, living in 29 towns could be isolated from their agricultural land.⁸⁶ In the first two phases of the barrier, construction separated over 120,000 dunums of agricultural land. Though agriculture accounts for only 10-15% of Palestinian economic output, it became a critical

“The word security is a magic word in Israel where Sharon can do whatever he wants in the name of security. He can take your house, he can take your land. If they want to separate, separate on the Green Line...why do you come into my land, take my water...and then call it separation. This is annexation.”

-- Terri Boullatta. Abu Dis School

⁸¹ Durgard, John. “Question of the violation of human rights in the Occupied Territories, including Palestine.” Report of the Special Rapporteur of the Commission of Human Rights E/CN 8 September 2003.

⁸² PLO Negotiations Support Unit document: “A Land without a People,” September 2003

⁸³ United Nations Office of the Coordinator of Humanitarian Affairs: New Wall Projections. November 9th 2003.

⁸⁴ B’Tselem report: “Civilians Under Siege: Restrictions on Freedom of Movement and Collective Punishment,” January 2001

⁸⁵ Ibid

⁸⁶ Ibid

sustenance buffer given the economy's collapse. Thus, the barrier "cuts one of the last remaining legs from under the Palestinian economy, both aggravating local humanitarian vulnerabilities and eroding national economic viability."⁸⁷ As the case study of Qalqilya suggests, the separation of Palestinians from their agricultural land—and from each other—can have a devastating impact on Palestinian economic viability (see Figure 4).

ECONOMICS: The Bottom Line

- Good barriers advance economic development via improved security
- Good barriers enhance Palestinian viability via de-occupation
- Bad barriers decrease Palestinian viability

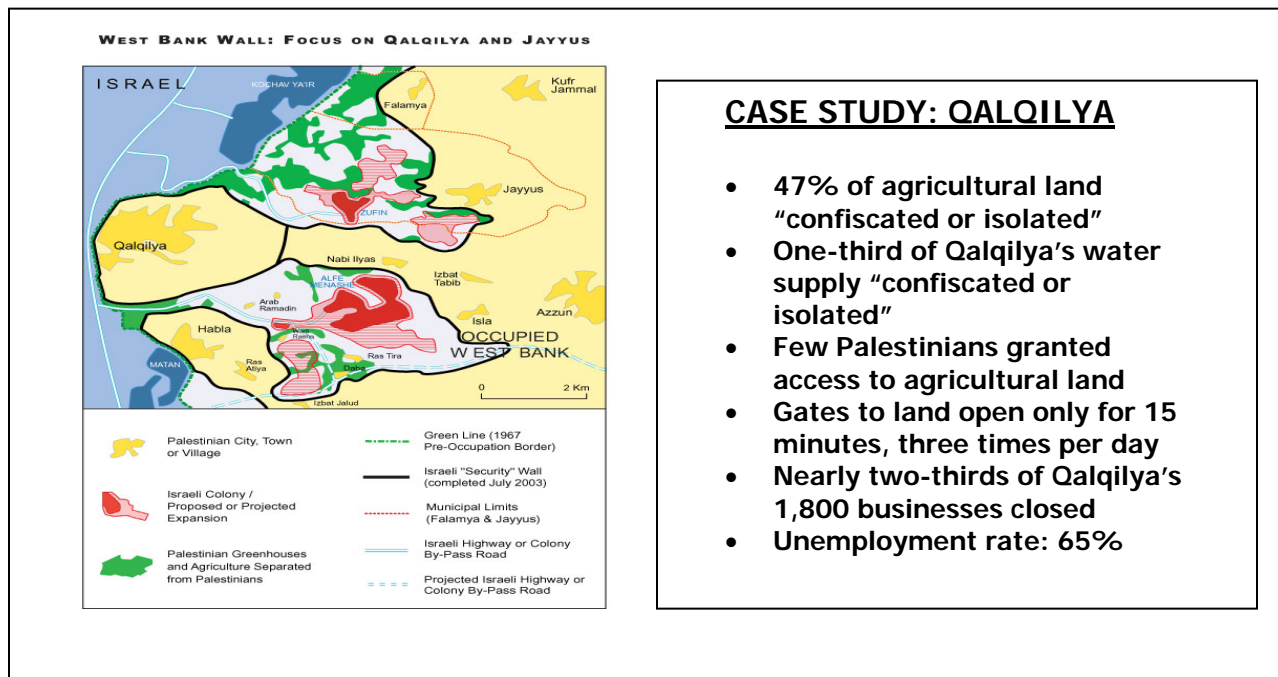


Figure 4: Economic Impact of the West Bank Separation Barrier on the Town of Qalqilya

⁸⁷ Lagerquist, Peter. "Fencing the Last Sky: Evacuating Palestine After Israel's "Separation Wall." Journal of Palestine Studies. Winter 2004.

III. A political analysis

A. Israel Political Arguments for a Barrier:

While the Sharon administration explained the present route of the barrier as an outcome of complex security considerations, the barrier also advances key Israeli political objectives:

- **Response to the intifada:** Israeli citizens are broadly supportive of the idea of a security barrier as a mechanism to stop terrorist attacks, which have claimed between 500-900 Israeli and 1,800-2,940 Palestinian lives.⁸⁸ As peace agreements appear increasingly distant, the barrier addresses public demands for action which are unlikely to recede as violence continues. As one Israeli described, “We felt like we had to do *something*.”⁸⁹ Widespread sentiment regarding the lack of a trustworthy partner vis-à-vis the Palestinian Authority complicates the ability of Israel to achieve any negotiated settlement to the violence. In order to meet public concerns and alleviate the devastating psychological impact of suicide attacks, Israel continues to rely on military solutions.⁹⁰
- **Public Support:** The Israeli public is very supportive of a separation barrier. According to one study, 42% of Israelis are in support of a Green Line fence whereas 32% favor a fence with some settlements.⁹¹ In contrast, only 15% do not support a fence. It is politically unadvisable and unfeasible for the Israeli government to ignore such strong public demands for a separation barrier.
- **Palestinian Political Vacuum:** Based on PM Sharon's disengagement plan, Israel will take unilateral steps to address Palestinian violence if the PA fails to do so within a period of 6 months. This reflects a growing realization in Israel that there is no real Palestinian counterpart and therefore Israel must formulate a policy designed to meet its own needs.

⁸⁸ Information is varied depending on the mode of death. Israeli estimates are from the BBC, Ministry of Defense and the Ministry of Foreign Affairs. Palestinian figures are from BBC and the Palestine Monitoring Group.

⁸⁹ Interview with Malchiel Blass: Ministry of Justice, Counsel for the Government of Israel on the Security Fence. Jerusalem. January 2004.

⁹⁰ Interview with David Cook, Baker Institute of Public Policy at Rice University, March 2004

⁹¹ Interview with Gadi Baltiansky: Director of H.L. Education for Peace Ltd. Tel Aviv. January 2004.

- **Adverse demographic trends:** Comparatively higher Palestinian birth rates indicate that Israeli Jews will be a minority in a de-facto bi-national state within 10 years.⁹² Many in Israel thus see separation as a prerequisite for the preservation of a Jewish Israeli state.⁹³
- **Settler Claims:** According to preliminary IDF plans, the barrier loosely followed the Green Line with minor detractions until powerful settler communities lobbied the Sharon Administration. For example, the Mayors of Ariel and Alfe Manashe, two major settlement blocs located in the heart of the West Bank, launched a lobbying campaign leading to the inclusion of the settlement community despite the negative impact on Palestinian territorial integrity.⁹⁴ The Israeli inclusion of settlements implies a significant use of power exerted by the settlers, especially those in the major settlement blocs of Ariel, “greater” Jerusalem and Gush Etzion. Although settlers compose less than 1.5% of the Israeli population, they are a powerful political lobbying force and could respond violently to any effort to exclude or dismantle their communities.
- **Settlement Dismantlement:** Despite the inclusion of some of the more powerful settlements within the barrier, some settlements will remain “outside the fence.” This sends a signal to remaining settlements that they are unlikely to remain after the creation of a Palestinian state. In this respect, it facilitates a psychological disengagement from the land of Israel that could assist Israel in extricating outposts and settler communities in the event of a final status agreement.
- **Palestinian Political Reform:** Israel’s unilateral policy on the separation barrier, based on a lack of faith in effective Palestinian leadership, may signal the necessity of internal political reform to Palestinian political elites. By ‘cleaning house’ and presenting a viable candidate to dialogue with Israel, Palestinian political elites may win back the support and confidence of the Palestinian people if they are

“The Palestinian Authority has no authority. The West Bank is run by gangs.”
 -- Zvi Rafiah, Senior Israeli commentator and academic

⁹² Makovsky, David. “How to Build a Fence.” *Foreign Affairs*. March/April 2004.

⁹³ Interview with Schlomo Brom: Senior Research Associate, Jaffee Center of Strategic Studies. Tel Aviv University. Tel Aviv. January 2004.

⁹⁴ Interview with Yekhezal Lein: Program Director of B’TSelem. Jerusalem: January 2004.

able to negotiate changes to the barrier's route that minimize negative consequences on Palestinian viability.

B. Israel Political Arguments Against a Barrier

It is important to note, however, that Israeli political opinion on the barrier is not monolithic. Various groups are opposed to the barrier on the following grounds:

- **Religious Claims to Judea and Samaria:** A significant faction of the settlement enterprise, which added 60 new outposts since the start of the second intifada, is violently opposed to any fence that relinquishes territorial control to Palestinians.⁹⁵ Although some secular settlers moved to the West Bank in search of subsidized housing options, many settlers are religious extremists who believe in a divine birthright to Judea and Samaria.⁹⁶
- **International alienation:** Risk of increasing international condemnation of Israel because of the separation barrier is unlikely to help the Israeli economy or promote security.⁹⁷ The United Nations General Assembly passed a resolution condemning the current barrier.⁹⁸ Arab League support of the International Court of Justice case underscores the international condemnation of the barrier, most critically by Israel's most immediate and peaceable neighbors, Jordan and Egypt. In a region where Israel faces political opposition from some Arab neighbors, it is politically unwise to engender further hostility.⁹⁹

“Israel is the only nation that has ever ruled here. It had never been a self-defining nation. The idea of Palestinians was politically created in the last 100 years...Arafat made up the idea of a ‘Palestinian’ state.”
--Miriam Ben-Yishai, Jewish Settler, West Bank

⁹⁵ “The Israeli-Palestinian Roadmap: What a Settlement Freeze Means and Why it Matters.” International Crisis Group Report: July 25 2003.

⁹⁶ Interview with settler family: Miriam and Dolev Ben-Yishai. Residents of Beit El: January 2004

⁹⁷ BBC News, “EU Lambasts Israel Barrier Plan,” November 18, 2003, http://news.bbc.co.uk/1/hi/world/middle_east/3280435.stm

⁹⁸ UN General Assembly RES/ES-10/13, accessible on the web: <http://domino.un.org/UNISPAL.NSF/>

⁹⁹ Interview with Asraf Zeitoun: Middle East Advisor to Jordanian Foreign Minister. Amman, Jordan. January 2004.

C. Palestinian Political Arguments For a Barrier

For Palestinians, the unilaterally imposed barrier is widely perceived as another means of undermining Palestinian political leadership.¹⁰⁰ However, some Palestinians concede the following positive externalities of a barrier:

- **Sovereign Palestinian state:** A barrier can demarcate borders for a future two-state solution while facilitating the withdrawal of Israeli military forces leading to a de-occupation of the West Bank. However, in the absence of external pressure, the experience of Gaza since 1994 does not bode well.⁷⁸

D. Palestinian Political Arguments Against a Barrier

- **Erosion of PA credibility:** The Palestinian political landscape is, by Israeli and Palestinian accounts, fragmented and ineffective in its capacity to administer public services to Palestinians. It is beyond the scope of this paper to assign responsibility for this political disorder, but it is enough to state that Palestinian leadership is internally divisive. As one Israeli interviewee put it, there are four competing Palestinian institutions: the Palestinian Authority; Hamas and Palestinian Islamic Jihad; Fatah; and Yasir Arafat himself.¹⁰¹ The unilateral imposition of a security barrier within the West Bank directly undermines remaining political authority of the Palestinian government since Palestinians have little reason to believe that the PA can represent their interests.
- **Rise of Hamas.** According to a recent report, undermining the Palestinian Authority after the intifada accelerated the influence and popularity of Hamas.¹⁰² A political takeover by extremist organizations with terrorist ambitions is not unlikely if the separation barrier continues since the perceived weakness of the PA to address humanitarian issues from the barrier may elicit the ascendancy of rival groups such as Hamas. Sa'eb Erekat, a senior advisor to PA Chairman Yasir Arafat, put it this way:

¹⁰⁰ Interview with Saeb Erakat: Chief Negotiator with the Palestinian Authority and Cabinet Minister. Jericho, West Bank. January 2004.

¹⁰¹ Interview with Yair Hirschfeld, Director of the Economic Cooperation Foundation, in Tel Aviv, January 18, 2004

¹⁰² International Crisis Group report, "Dealing with Hamas," 26 January 2004

And today what this [separation barrier] policy has done is destroy Palestinian moderates. You think Hamas and Jihad care? They are flourishing. They are flourishing as a result of the policy... Which PA? Where is the PA? The only place there is a PA is here in Jericho.⁶³

To the extent that Hamas serves as both a provider of social services and a supporter of political violence, it is likely that the barrier will encourage *instability* through the erosion of political institutions.

POLITICS: The Bottom Line

- Good barriers balance Palestinian and settler interests
- Good barriers build confidence necessary for peace
- Good barriers allow an Israeli response to the intifada
- Bad barriers lead to Palestinian political collapse

Part Three

Making the Grade: Barrier Scenario Analysis

The sections above described the security, economic and political dimensions for and against a barrier. Our challenge now is to assess and rate the viability of each barrier scenario outlined in the introduction using a report card. Our report card methodology provides two options within each scenario: occupation and de-occupation. In general, all parties score lower under occupation scenarios with Palestinians scoring lowest. Scenarios in which either occupation or de-occupation receive a failing mark of F are eliminated.¹⁰³

I. Security Report Card

Recognizing that Israel and OPT view security through different perspectives, our report card attempts to assign relative marks of success in tandem with each country's primary security goal:

- **Israel**: Decrease in Palestinian suicide attacks;
- **Palestinians**: Decrease in Israeli retaliatory attacks; decrease in terror groups.

¹⁰³ Although the legends provide guidance on how we assigned 'grades' it is important to note that these metrics are rough estimations of complex and dynamic situations.

| BARRIER REPORT CARD: Security | | |
|----------------------------------|--------|-----|
| Scenarios | Israel | OPT |
| 1. Full Encirclement | | |
| De-Occupation | D | D |
| Occupation | D | F |
| 2. Western | | |
| De-Occupation | C | C |
| Occupation | C | D |
| 3. 1967 Plus | | |
| De-occupation | B | B |
| Occupation | C | D |
| 4. 1967 Strict | | |
| De-Occupation | B | A |
| Occupation | B | D |
| 5. No Barrier | | |
| De-occupation | F | C |
| Occupation | D | D |

GRADING KEY

A: Very Strong Security
 B: Strong Security
 C: Status quo
 D: Weak Security
 F: Very weak Security

A. Scenario-by-Scenario Analysis on Security Terms

1. **Full Encirclement:** The extremely low grades represent increased resentment and hardship by Palestinians, increased likelihood for extremism, and minimal likelihood of the installation of sustainable Palestinian security infrastructure.

2. **Aggressive Western:** Mediocre security results here reflect increased Palestinian resentment and incitement for violence.

3. **1967 Plus:** High security scores under de-occupation represent a sustainable and mutually agreed upon short term border regime. Low or medium scores under occupation signal increased resentment triggered by a sense of betrayal.

4. **1967 Strict:** Scenario optimizes security parameter for Palestinians as it legitimates their demands for recognition of the 1967 line. In doing so, terrorist factions lose some support and internal security improves.

5. **No Barrier:** Mediocre security would result from Israeli de-occupation, while low occupation scores reflect a likelihood of continued intifada and Palestinian hardship.

B. Security Conclusions

| | |
|-------------------------|--|
| SECURITY FAILURE | Failing Grade: Full Encirclement Palestinian security cannot be guaranteed with continued occupation and a barrier which encircles all Palestinian cities. |
| SECURITY FAILURE | Failing Grade: No Barrier Without a separation barrier, Israel cannot currently de-occupy the West Bank, given the high level of violent resistance emanating from the region. |

II. Economic Report Card

Economic progress for Israelis and Palestinians is measured by stronger domestic economy and a renewal of investment and consumer confidence:

| BARRIER REPORT CARD: Economics | | |
|---|---------------|------------|
| Scenarios | Israel | OPT |
| 1. Full Encirclement | | |
| <i>De-occupation</i> | <i>B</i> | <i>F</i> |
| <i>Occupation</i> | <i>C</i> | <i>F</i> |
| 2. Western | | |
| De-Occupation | B | D |
| Occupation | C | F |
| 3. 1967 Plus | | |
| De-occupation | B | B |
| Occupation | C | D |
| 4. 1967 Strict | | |
| De-Occupation | C | A |
| Occupation | C | D |
| 5. No Barrier | | |
| <i>De-occupation</i> | <i>D</i> | <i>A</i> |
| <i>Occupation</i> | <i>D</i> | <i>D</i> |

GRADING KEY

A: Very Strong Economy
 B: Strong Economy
 C: Status quo
 D: Weak Economy
 F: Very weak Economy

A. Scenario-by-Scenario Analysis on Economic Terms

1. **Full Encirclement:** Already Ruled Out

2. **Aggressive Western:** According to our economic assessment in the previous section, a barrier built in aggressive terms will separate Palestinians from a majority of arable land. This restricts access to major urban centers such as Jerusalem and Ramallah undermines contiguity of Palestinian territories. Coupled with Israeli occupation, this option cripples the Palestinian economy, earning a failing mark.

3. **1967 Plus:** By restricting the barrier from including all of the major settlement blocks, Palestinian contiguity and viability is preserved. This translates into stronger economic potential for Palestinians. This barrier also serves Israeli interests since it does restrict movement of Palestinians into Israel. Long term prospects for Israel's security is also strong if economic viability stems public support for terror groups.

4. **1967 Strict:** A return to 1967 borders for Palestinians, coupled with de-occupation leads to the best prospects for a viable Palestinian economy but with higher costs for Israel given the risk of increased terror attacks if Palestinians perceive an Israeli retreat.

5. **No Barrier:** Without a barrier, the Israeli economy faces setbacks due to a compromised security situation. While Palestinians could benefit from a de-occupation and no barrier, both sides are worse off if occupation continues.

B. Economic Conclusions

| | |
|-------------------------|--|
| ECONOMIC FAILURE | <p>Failing Grade: Western Barrier If Palestinian territories remain occupied despite a Western barrier which takes in most Israeli settlements, Palestinian contiguity will be undermined, and the economy will not be viable.</p> |
|-------------------------|--|

III. Political Report Card

| BARRIER REPORT CARD: Politics | | |
|--|---------------|------------|
| Scenarios | Israel | OPT |
| 1. Full Encirclement | | |
| <i>De-Occupation</i> | <i>B</i> | <i>D</i> |
| <i>Occupation</i> | <i>B</i> | <i>F</i> |
| 2. Western | | |
| <i>De-Occupation</i> | <i>B</i> | <i>D</i> |
| <i>Occupation</i> | <i>C</i> | <i>F</i> |
| 3. 1967 Plus | | |
| De-occupation | C | B |
| Occupation | D | D |
| 4. 1967 Strict | | |
| De-Occupation | F | A |
| Occupation | C | D |
| 5. No Barrier | | |
| <i>De-occupation</i> | <i>F</i> | <i>B</i> |
| <i>Occupation</i> | <i>D</i> | <i>D</i> |

| GRADING KEY |
|----------------------------------|
| A: High Political Support |
| B: Moderate Political Support |
| C: Neutral Political Support |
| D: Moderate Political Opposition |
| F: High Political Opposition |

A. Scenario-by-Scenario Analysis on Political Terms

- 1. Full Encirclement:** Already Ruled Out
- 2. Aggressive Western:** Already Ruled Out.
- 3. 1967 Plus:** This scenario will likely meet with relatively moderate support from Israelis and Palestinians despite opposition from extremists on both sides. Though harder to sell to Israelis who fear recognizing 1967 gives up leverage for future negotiations, the relatively stronger marks for Israel in security should build support. If this option is

coupled with continuing occupation, however, Palestinian viability will remain compromised and the PA may continue to lose support.

4. **1967 Strict:** Israel faces such overwhelming political opposition to a “retreat” to 1967 borders that we have issued a failing mark.

5. **No Barrier:** Given current tension in the region, the extraordinary political demand within Israel for a barrier makes this option politically impossible. Again, this necessitates a failing mark.

B. Political Conclusions

| | |
|--------------------------|--|
| POLITICAL FAILURE | Failing Grade: 1967 Strict Within the Israeli political spectrum, it is impossible to de-occupy and return to strict 1967 borders. |
|--------------------------|--|

IV. BARRIER RECOMMENDATION: 1967 Plus (Occupation/De-Occupation)

Occupation vs De-occupation: Of the five possible barrier scenarios, we are left with only one viable option: 1967 Plus. While this scenario can take place under occupation and de-occupation, optimal performance and prospects for long-term stability is achieved under de-occupation. We endorse 1967 Plus/De-Occupation based on:

| | |
|---------------------------------|--|
| SECURITY CONCLUSION | 1967 Plus reduces both the motivation and the implementation of anti-Israel attacks. |
| ECONOMIC CONCLUSION | Any barrier will promote Israeli economic stability, but only 1967 Plus is economically viable for both Israelis and Palestinians. |
| POLITICAL CONCLUSION | A barrier is politically necessary for Israelis, but only 1967 Plus will work for both Israelis and Palestinians. If negotiated fairly, it could lead to long term political gains. |

V. US INTERESTS: Impact Of 1967 Plus/De-Occupation

In part one, we introduced how the separation barrier impacts US interests in the region based on five strategic goals. Our optimal solution addresses these goals by:

| | |
|---|---|
| Implications for the Global War on Terror (GWOT) | By ensuring the long-term prospects of Palestinian viability through a barrier that does not compromise contiguity and infrastructure development, terror groups lose some public support and the PA is empowered as a governing authority that can affect change. |
| Arab Israeli Peace | The US demonstrates its genuine commitment to the region and recognizes the needs of the Palestinians while maintaining its alliance with Israel. |
| Promotion of Democracy | By intervening to address Palestinian needs at a point when the PA is internally weak, the US can strengthen the PA's credibility and ensure that this nascent democracy is not hijacked by extremist/fundamentalist entities. Development assistance can bolster the legitimacy of the PA and strengthen its infrastructure. |
| Public Diplomacy in the Arab/Muslim World | By minimizing the humanitarian impact of the barrier on Palestinians, the US offsets its global image in the Arab/Muslim world as unsympathetic to the Palestinian needs. This promotes a positive image of the US that is critically needed in areas of current military engagement. |

Part Four:

U.S. Strategies for Implementation of 1967 Plus/De-Occupation

I. Next Steps on Promoting 1967 Plus/De-occupation Plan

Having established both the case for increased US intervention, and the positive impacts of the recommended barrier, this section outlines a 1967 Plus/De-occupation plan implementation

“The issue is how to set up the wall in a way that does not prejudice the outcome of permanent status negotiations. The answer is very simple: instead of doing it unilaterally, negotiate it.

-- Maher El-Kurd, *Economic Advisor to President of PA*

strategy. Since 1967 Plus proposes adherence to pre-1967 borders, many Israeli settlements must be evacuated. High-level dialogues are necessary for this critical initial step. If properly executed,

these settlements talks will lead to the facilitation of Israeli de-occupation and the installation of a Multinational Interim Stabilization Force. In addition, the US will promote parallel economic discussions between the Palestinians and Arab allies. Recommended steps for implementation include:

A. Level One: Initiate Settlement Dialogue: The 1967 Plus barrier implies a compromise on settlements: Palestinians will not get its pre-1967 border, and Israelis will not get all settlements. The barrier's path should not be finalized in the absence of bilateral agreement on settlements, despite Israeli claims for immediate security. If Israelis are unwilling or unable to negotiate with Palestinians, members of the Quartet must play some representation role on behalf of Palestinians. The 2003 Geneva Accords drafted a compromise scenario,¹⁰⁴ but this paper recommends key alterations to that plan. Roughly put, we envision the following compromise as the best-case scenario for long-term viability:¹⁰⁵

- **Recommended Israeli Concessions:** The settlement of and areas surrounding Ariel will be removed from the West Bank and repatriated into Israel proper.

¹⁰⁴ The Geneva Accords of 2003 were signed by self-appointed non official former Israeli and Palestinian government leaders, and envisioned the creation of a Palestinian state, resolution of settlements, Jerusalem jurisdiction, refugees, de-militarization, and land swaps. Both sides rejected the validity of the signed documents, but many interviewees for this report noted its symbolic value. For details, see Elaine Sciolino, “Informal Peace Plan for Mideast is Unveiled in Geneva,” *New York Times*, December 1, 2003.

¹⁰⁵ As noted above, this is not meant to be a formal plan, but merely a sketch of what an agreement should look like.

- **Recommended Palestinian Concessions:** The Israeli settlement of Gush Etzion will be incorporated into the Israeli state via the barrier. Additional minor deviations from the Green Line will be necessary as long as it does not negatively impact Palestinian contiguity.
- **Recommended Compromises:** The Israeli settlements east and north of Jerusalem of Ma'ale Adumim will be repatriated to the westernmost edge of the West Bank, near Latrun. This will enhance Palestinian access to Jerusalem and increase prospects for political and economic Palestinian viability.
- **One-to-One Land Swaps:** Palestinians will receive land areas proportional to Israeli settlement annexations. Israeli land adjacent to the southern edge of the West Bank and/or Gaza is most likely to facilitate safe passage between the two territories.
- **Financial Incentives for Israeli Repatriation:** The U.S. must assist Israel in developing financial packages that encourage settler repatriation.

B. Level Two: Palestinian/Regional Development: Recognizing the importance of economic viability for Palestinian social and political stability, the US must promote Arab-Palestinian trade partnerships. These regional trade networks would include preferred status, work permits, industrial zones and infrastructure development. Key partners in this effort include the two closest Arab states with historical ties to the Palestinian people: Jordan and Egypt. It may be possible for Israel to revive its peace process with other Arab countries, while making these concessions.¹⁰⁶

C. Level Three: Facilitate Israeli De-Occupation while maintaining security: Since the separation barrier will decrease suicide attacks in Israel it should be the starting point for de-occupation. To this end, Israel should withdraw from its policy of checkpoints, closures and permits in order to transfer internal security back to the Palestinian Authority.¹⁰⁷ Although Israel will maintain its defensive right to conduct security-related arrests, it must return to the use of criminal law in apprehending and prosecuting violent militants and terrorists. In order to assist in a transfer of security authority, we recommend the following:

¹⁰⁶ The 2002 Arab League Beirut Declaration laid out the possibility of formalized Arab-Israeli peace if Israel de-occupied from all lands seized in 1967. During this process, it may be possible to revive the Syria-Israeli track, although this is beyond our scope here.

¹⁰⁷ This represents a departure from the Oslo model where Israeli's maintained full administrative and military control within Area C and limited control in Area B. Palestinian Authorities exercised full control in Area A which comprised 18% of the total land area of Gaza and the West Bank.

- **Establish a U.S.-led Multinational Interim Stabilization Force (MISF):** The U.S. must press the United Nations Security Council to authorize deployment of an MISF, to be overseen by the Quartet and the UN. Egypt and Jordan will be consulted on territorial stabilization, and will work in tandem with MISF. Forces will follow clear rules of engagement and a unified chain of command.
- **Develop and Train Palestinian Police Force:** MISF will not merely replace one occupying power with another. Instead, it will build capacity while providing interim security with clear but flexible timetables for withdrawal.
- **Form a Viable Border Regime with Access Points:** The barrier is meant to prepare the groundwork for a two-state solution; to this end, a temporary border regime must be installed. Between four and ten border patrol stations, subject to Israeli control, will limit and monitor the legal passage of Palestinians into Israeli territory. A trial visa system will be established, under MISF management. An effective barrier may enable security cooperation by increasing mutual confidence and trust in a post-settlement era.¹⁰⁸

II. Framing the Debate

These recommendations are politically difficult, requiring a comprehensive public diplomacy strategy (See Appendix D for a proposed roll-out timeline).

A. Framing at Home: Senior administration and Congressional officials should emphasize the following points:

- **Two-state solution:** Barrier advances US interests by establishing political and security conditions necessary for the eventual creation of two states: a democratic, prosperous Jewish Israel and a democratic, viable secular Palestine.
- **The U.S. must alleviate the motivation for terror:** Barrier serves as a security measure for Israeli self-defense against terror attacks. It also ends occupation and

¹⁰⁸ Interview of Terry Boullatta, headmistress of Abu Dis school. Abu Dis, West Bank: January 2004.

settlements which increase the likelihood of terror attacks on Israel and US over the long term.

- **Barrier agreement reflects American commitment to democratic principles.** The U.S. supports a “fair” barrier that does not induce Palestinian hardship and addresses key Palestinian needs. By including both Israeli and Palestinian views in a democratized process, this will lead to the advancement of democratic outcomes in the Middle East.
- **A bad barrier hurts US interest, a good barrier advances US interests:** If a barrier is erected that is perceived as pro-Israeli at the expense of Palestinians, the U.S. will be implicated as a complicit partner given its strong and warm relationship with Israel. Conversely, if a barrier is erected which is perceived as fair and balanced, the U.S. will reap public diplomatic gains.

B. Framing to Israelis:

- **U.S. support for Israel:** The US is committed to continuing its strategic friendship with Israel and its barrier proposal is a way of enhancing Israeli security and prosperity.
- **Occupation increases terror:** Although Israelis are often unwilling to accept this premise, the US should stress that violence results largely from the negative experience of occupation. An end to occupation will minimize some violence, both among Palestinians and its neighboring countries.
- **Settlements increase terror:** Similar to occupation, settlements are involved in much of the Palestinian resentment leading to violence. Although Sharon is unlikely to consider dismantling settlements without assurance that Palestinians are committed to the disempowerment of terrorist networks, this can no longer be a prerequisite for progress.¹⁰⁹ The US must convey the unacceptability of settlement proliferation and

“I know the Sharon admin. sees the US relationship as a real strategic asset and he would not want to jeopardize it on the issue of where the fence will go.”
-- Gadi Baltiansky, former Israeli official

¹⁰⁹ In an age of individualized terror, it is difficult to fully control terrorist activity. Israel must be conditioned to accept that the Palestinian Authority will do its best to cut off the capacity of terrorist groups, and that radicals’ suicide attacks may be out of the control of Palestinian authorities for the foreseeable future. For more information on the decentralization of terror, see Ashton B. Carter and William J. Perry, Preventive Defense (Washington, D.C.: Brookings Institution), 1999, pp. 143-174

the need for immediate dismantlement.¹¹⁰

- **US can provide political cover:** The U.S. will use pressure and political capital to persuade the Israeli government to stand up to powerful, perhaps violent right-wing opposition. This will permit the Israeli government to privately consent but publicly object to tough demands on Israeli settlers. Thus Israel can save face by acknowledging these steps were imperative to preserving US friendship.
- **Financial assistance is not unconditional:** The US should exercise its financial leverage, including aggressive withholding of loan guarantees, to advance US national security interests. Following precedent set by Presidents Jimmy Carter and Richard Nixon, the U.S. could threaten to cut off or decrease economic aid to Israel if Israel was unwilling to move forward with a 1967 Plus barrier.¹¹¹ This could be applied directly to settlement policy using the example of President George H. Bush when he threatened discontinuing assistance in 1992 to prevent Israeli settlements expansion between Jerusalem and Bethlehem.¹¹² While the current administration signaled its disapproval by withholding loan guarantees, the US can use preferential trading agreements and increased investment in the region to influence Israeli policy.
- **Demographic urgency of a sustainable solution:** If Israel does not use the barrier to form sustainable borders which will ensure a Jewish democratic state, it stands to lose more in subsequent rounds of negotiations. With each year passed without a two-state solution, that possibility becomes less likely.¹¹³

C. **Framing to Palestinians:**

- **Terror will not achieve political aims:** The U.S. must stress that suicide and homicide attacks against Israelis are unacceptable and must end. The PA must take concrete steps to publicly denounce and internally root out terror networks. It must be clear that terror will not deter construction of a barrier.

¹¹⁰ Painful as it may be, President Bush would be well advised to take Thomas Friedman's advice: "tell Israel and the Jewish lobby some very hard truths: that he is not going to let them block his path by their support for the lunatic Israeli settler movement." Thomas Friedman, *New York Times* editorial, May 11, 2003.

¹¹¹ Jimmy Carter, "America Can Persuade Israel to Make a Just Peace," *New York Times*, April 21, 2002

¹¹² Ibid.

¹¹³ *The Guardian*, "Too Late for Two States?" January 24, 2004. Available online at: <http://www.guardian.co.uk/israel/Story/0,2763,1129104,00.html>

- **Opportunities of Cooperation:** Emphasize U.S. commitment to a two-state solution with a viable Palestinian state as the best means of promoting land-for-peace. Stress that 1967 Plus/De-Occupation offers Palestinians a way out of the current conflict.
- **Risks of Non-cooperation:** Stress the lack of a unified and well-organized political front in support of 1967 Plus/De-Occupation, especially in the presence of continued suicide attacks, will make it more difficult for Israel to comply. The US/Government of Israel may lose influence with the Israeli public who are likely to increase demands for an aggressive barrier in the wake of more terror attacks.
- **Financial assistance is not unconditional:** Convey that U.S. aid depends on credible Palestinian progress on condemning and disrupting terror groups. Recognizing that economic and political development are critical to stemming public support for suicide attacks, the US can not be seen to support an authority believed by some to support suicide attackers. Partnership on this front is critical.
- **U.S. involvement as a fair interlocutor.** As the United States is the only country which Israel will permit as a mediator, Palestinians must trust the U.S. as fair and committed to a peace process.

III. Challenges to Implementation

The strategy of a 1967 Plus barrier, coupled with Israeli settler repatriation, Israeli military de-occupation and the establishment of a MISF, will face many implementation challenges. As recent interventions in Iraq, Afghanistan, and Somalia illustrate, UN commitments to troubled regions can also elicit violent opposition. The intensity and duration of the Israeli-Palestinian conflict introduces additional challenges. This section attempts to foresee some of these challenges, and recommend strategies to address them

A. Assassination Strategies: Israel's policy of assassinating suspected members and leaders of militant groups is unlikely to encourage cooperation. Although an assassination policy can eliminate key nodes of terror, it engenders many unintended consequences and fuels recruitment into militant groups. This can lead to further violence against Israeli targets.¹¹⁴

¹¹⁴ Zvi Bar'el, "Analysis: Now Hamas Could Align with Al-Qaeda," *Ha'aretz*, March 23, 2004

Recommendation: *Strongly condemn Israel's assassination policy and work actively to seek alternatives for Israeli policymakers.*

B. U.S. Election Year: All US policies are ultimately influenced by domestic political developments, as well as competing US interests overseas. Possible unforeseen examples of a shifting in US priorities could include (1) political scandal or impeachment; (2) increase in hostilities in Iraq; (3) increase in hostilities in Afghanistan; (4) new hostilities in North Korea, Iran, Syria, or elsewhere; (5) another major terror attack on U.S. soil. The withdrawal of US involvement could signal US non-engagement and precipitate a more vicious cycle of violence.

Recommendation: *Set in place a clear framework in writing, that can be picked up by other agencies or subsequent administrations if plans must be postponed or modified.*

C. Change in Israeli Leadership: Recent allegations of corruption and deception regarding Ariel Sharon's business dealings may lead to a vote of no confidence in his leadership.

Recommendation: *In the event that a new political leadership emerges, it is important for the US envoy to engage the main political parties (Labor and Likud) in emerging discussions as well as the Knesset. This will help maintain continuity in the event of a change in leadership.*

D. Change in Palestinian Leadership: If the PA's credibility declines further, there is a possibility of political dissolution even more pronounced than the resignation of Abu Mazzen in the fall of 2003. The recent resignation of 300 Fateh members in February this year speaks to the growing public, as well as political, disillusionment with the PA. although a change could signal a new partner for peace, it could also be the harbinger of a right-wing activist government.

Recommendation: *The US needs to provide the nascent Palestinian democracy with political and financial support in tandem with Israeli cooperation for limited incursions. Developing support needs to occur hand-in-hand with building credibility of existing institutions in order for the Palestinian people to recognize the legitimacy of the PA and its effectiveness relative to terror groups.*

E. **Spoilers**: There is always the possibility of extremist and radical elements in the Palestinian and/or Israeli polities to derail any attempt towards negotiating an understanding.

Recommendation: *All parties need a public commitment to continue on the path towards peace as well as a mutual understanding to keep backchannels open in case of political difficulties in the wake of terrorist acts. US should condemn spoilers and encourage the rule of law in settling spoiler cases, despite the high emotions engendered by such events.*

F. **Arab Mobilization**: There is a small but real chance that Arab countries may mobilize to pressure Israel due to their national interests and public pressure. Jordan is most likely to chill relations with Israel over the barrier since it stands to face an influx of Palestinian refugees. This may prompt Jordan to reconsider its alliance with Israel.¹¹⁵

Recommendation: *Israel is understandably concerned about the intentions of its Arab partners given their history of invasions and attacks. The US-driven 1967-Plus policy must alleviate these concerns by building consensus from Arab states on the necessity and importance of a barrier. The barrier should be framed and promoted as a stabilizing construct for the entire region with ancillary benefits for domestic politics such as addressing the situation of the Palestinian people.*

CONCLUSION

An effective barrier which facilitates Israeli de-occupation and settlement evacuation in the West Bank can be a permanent catalyst for peace in the region. In order for such a barrier to be constructed, the U.S. must actively engage with all parties. However, if a West Bank barrier merely consolidates Israeli control, the entire region—and the U.S.—will likely face continued and mounting security threats.

¹¹⁵ Per interview with Ashraf Zeitoon, Middle East Advisor to the Minister of Foreign Affairs, Amman, Jordan. January 2004.

APPENDIX A: GENEVA ACCORDS EXCERPTS

Key Excerpts from Geneva Accords: Draft Permanent Status Agreement

Article 1 - Purpose of the Permanent Status Agreement

1. The Permanent Status Agreement (hereinafter "this Agreement") ends the era of conflict and ushers in a new era based on peace, cooperation, and good neighborly relations between the Parties.
2. The implementation of this Agreement will settle all the claims of the Parties arising from events occurring prior to its signature. No further claims related to events prior to this Agreement may be raised by either Party.

Article 2 - Relations between the Parties

1. The state of Israel shall recognize the state of Palestine (hereinafter "Palestine") upon its establishment. The state of Palestine shall immediately recognize the state of Israel.
2. The state of Palestine shall be the successor to the PLO with all its rights and obligations.
3. Israel and Palestine shall immediately establish full diplomatic and consular relations with each other and will exchange resident Ambassadors, within one month of their mutual recognition.
4. The Parties recognize Palestine and Israel as the homelands of their respective peoples. The Parties are committed not to interfere in each other's internal affairs.

Article 4 - Territory

1. The International Borders between the States of Palestine and Israel

- (a) In accordance with UNSC Resolution 242 and 338, the border between the states of Palestine and Israel shall be based on the June 4th 1967 lines with reciprocal modifications on a 1:1 basis as set forth in attached Map 1.
- (b) The Parties recognize the border, as set out in attached Map 1, as the permanent, secure and recognized international boundary between them.

2. Sovereignty and Inviolability

(a) The Parties recognize and respect each other's sovereignty, territorial integrity, and political independence, as well as the inviolability of each others territory, including territorial waters, and airspace. They shall respect this inviolability in accordance with this Agreement, the UN Charter, and other rules of international law.

(b) The Parties recognize each other's rights in their exclusive economic zones in accordance with international law.

3. Israeli Withdrawal

(a) Israel shall withdraw in accordance with Article 5.

(b) Palestine shall assume responsibility for the areas from which Israel withdraws.

(c) The transfer of authority from Israel to Palestine shall be in accordance with Annex X.

(d) The IVG shall monitor, verify, and facilitate the implementation of this Article.

4. Demarcation

(a) A Joint Technical Border Commission (Commission) composed of the two Parties shall be established to conduct the technical demarcation of the border in accordance with this Article.

The procedures governing the work of this Commission are set forth in Annex X.

(b) Any disagreement in the Commission shall be referred to the IVG in accordance with Annex X.

(c) The physical demarcation of the international borders shall be completed by the Commission not later than nine months from the date of the entry into force of this Agreement.

5. Settlements

(a) The state of Israel shall be responsible for resettling the Israelis residing in Palestinian sovereign territory outside this territory.

(b) The resettlement shall be completed according to the schedule stipulated in Article 5.

(c) Existing arrangements in the West Bank and Gaza Strip regarding Israeli settlers and settlements, including security, shall remain in force in each of the settlements until the date

prescribed in the timetable for the completion of the evacuation of the relevant settlement.

(d) Modalities for the assumption of authority over settlements by Palestine are set forth in Annex X. The IVG shall resolve any disputes that may arise during its implementation.

(e) Israel shall keep intact the immovable property, infrastructure and facilities in Israeli settlements to be transferred to Palestinian sovereignty. An agreed inventory shall be drawn up by the Parties with the IVG in advance of the completion of the evacuation and in accordance with Annex X.

(f) The state of Palestine shall have exclusive title to all land and any buildings, facilities, infrastructure or other property remaining in any of the settlements on the date prescribed in the timetable for the completion of the evacuation of this settlement.

Article 5 - Security

1. General Security Provisions

(a) The Parties acknowledge that mutual understanding and co-operation in security-related matters will form a significant part of their bilateral relations and will further enhance regional security. Palestine and Israel shall base their security relations on cooperation, mutual trust, good neighborly relations, and the protection of their joint interests.

(b) Palestine and Israel each shall :

i. Recognize and respect the other's right to live in peace within secure and recognized boundaries free from the threat or acts of war, terrorism and violence ;

ii. refrain from the threat or use of force against the territorial integrity or political independence of the other and shall settle all disputes between them by peaceful means ;

iii. refrain from joining, assisting, promoting or co-operating with any coalition, organization or alliance of a military or security character, the objectives or activities of which include launching aggression or other acts of hostility against the other ;

iv. refrain from organizing, encouraging, or allowing the formation of irregular forces or armed bands, including mercenaries and militias within their respective territory and prevent their establishment. In this respect, any existing irregular forces or armed bands shall be disbanded and prevented from reforming at any future date ;

v. refrain from organizing, assisting, allowing, or participating in acts of violence in or against the other or acquiescing in activities directed toward the commission of such acts.

(c) To further security cooperation, the Parties shall establish a high level Joint Security

Committee that shall meet on at least a monthly basis. The Joint Security Committee shall have a permanent joint office, and may establish such sub-committees as it deems necessary, including sub-committees to immediately resolve localized tensions.

2. Regional Security

- i. Israel and Palestine shall work together with their neighbors and the international community to build a secure and stable Middle East, free from weapons of mass destruction, both conventional and non-conventional, in the context of a comprehensive, lasting, and stable peace, characterized by reconciliation, goodwill, and the renunciation of the use of force.
- ii. To this end, the Parties shall work together to establish a regional security regime.

3. Defense Characteristics of the Palestinian State

(a) No armed forces, other than as specified in this Agreement, will be deployed or stationed in Palestine.

(b) Palestine shall be a non-militarized state, with a strong security force. Accordingly, the limitations on the weapons that may be purchased, owned, or used by the Palestinian Security Force (PSF) or manufactured in Palestine shall be specified in Annex X. Any proposed changes to Annex X shall be considered by a trilateral committee composed of the two Parties and the MF. If no agreement is reached in the trilateral committee, the IVG may make its own recommendations.

i. No individuals or organizations in Palestine other than the PSF and the organs of the IVG, including the MF, may purchase, possess, carry or use weapons except as provided by law.

7. Evacuation

(a) Israel shall withdraw all its military and security personnel and equipment, including landmines, and all persons employed to support them, and all military installations from the territory of the state of Palestine, except as otherwise agreed in Annex X, in stages.

Article 11 - Border Regime

1. There shall be a border regime between the two states, with movement between them subject to the domestic legal requirements of each and to the provisions of this Agreement as detailed in Annex X.

2. Movement across the border shall only be through designated border crossings.
3. Procedures in border crossings shall be designed to facilitate strong trade and economic ties, including labor movement between the Parties.
4. Each Party shall each, in its respective territory, take the measures it deems necessary to ensure that no persons, vehicles, or goods enter the territory of the other illegally.
5. Special border arrangements in Jerusalem shall be in accordance with Article 6 above.

APPENDIX B: TIMELINE, UN RESOLUTIONS, AND RELEVANT TREATIES

- 1949 **British Mandate for Palestine expires.**
UN Resolution 181: Calls for “independent Arab and Jewish states and the special international regime of Jerusalem;” lays out clear boundaries for the two entities.
- 1967 **1967 Arab-Israeli war:** Israeli victory leads to Israeli occupation of Gaza and the Sinai (from Egypt); the Golan Heights (from Syria); and the West Bank (from Jordan).

UN Security Council Resolution 242: Calls for “the inadmissibility of the acquisition of territory by war,” “withdrawal of Israeli armed forces from territories occupied in the recent conflict,” and calls for peaceful Israeli-Arab co-existence.
- 1973 **1973 Arab-Israeli war:** Israeli victory consolidates Israeli occupation of territories captured in 1967.

UN Security Council Resolution 338: Following regional hostilities, this resolution calls for implementation of UNSC Res. 242, and for immediate negotiations aimed at establishing Middle East peace.
- 1978 **Camp David Accords,** signed by Egyptian President Muhammad Anwar al-Sadat, Israeli Prime Minister Menachem Begin, and overseen by US President Jimmy Carter, outline a comprehensive Middle East peace settlement, which envision a Palestinian “self governing authority,” subsequent to future negotiations. The Egyptian-Israeli peace agreement paves the way for stationing UN forces in the Sinai Peninsula and facilitating withdrawal of Israeli forces over a three year period.
- 1987 **Palestinian Intifada begins.**
- 1993 **Declaration of Principles (Oslo Accords):** Palestinian National Authority is implemented; some land turned over to Palestinian control; Palestinian security forces formed. Israel withdraws from most of the Gaza Strip, excluding Jewish

settlements, and from the West Bank town of Jericho. Key failure: Oslo did not address issues related to Jerusalem, borders, and refugees.

1995 **Oslo II (Taba Agreements):** In addition to other elements, the primary outcome at Taba was the division of the West Bank into three zones:
Zone A: Full Palestinian control of 7% of the territory (excluding Hebron and East Jerusalem);
Zone B: Joint Israeli-Palestinian control of 21% of the territory;
Zone C: Full Israeli control.

2000 **Clinton talks fail.**
Palestinian intifada begins.

2003 **Road Map:** The Bush administration, in collaboration with the “Quartet” (the US, the EU, the UN, and Russia), sets three phases for a “a permanent two-state solution to the Israeli-Palestinian conflict”:

- Phase I: Ending Terror and Violence, Normalizing Palestinian Life, and Building Palestinian Institutions—April 2003-May 2003;
- Phase II: Transition: June 2003-December 2003
- Phase III: Permanent Status Agreement and the End of the Israeli-Palestinian Conflict—2004-2005

Geneva Accords: See Appendix A

APPENDIX C: ROLL-OUT STRATEGY

Phase I: Build U.S. Support

Timeframe: (April 10th 2004-May 30th, 2004):

Strategy:

- *Indicate US commitment:* Use the April 14th state visit of Ariel Sharon to the White House to signal US involvement and commitment to promoting Middle East peace and Israeli interests.
- *Strengthen and develop public support:* Build support with key Congressional leaders.

Phase II: Build Allied and External Support

Timeframe: June 2nd -July 31st 2004

Strategy:

- *Re-engage in closed consultations with Israel:* Privately express support for barrier as well as administrative concern over settlements. Indicate that US will be releasing a public statement outline the contours of a settlement on the barrier issue. Reassure Israel that US is a committed ally and will protect Israeli interests.
- *Initiate contact with Palestinian Negotiations Support Unit:* Indicate that the US is committed to minimizing hardships for Palestinians and is working with Israel to develop a 'fair' barrier.
- *Consult with Quartet (UK, EU, Russian):* Enlist support of key allies on US plan and begin exploring force structure and command for an interim peacekeeping UN force post-Israeli withdrawal.
- *Establish ties with Arab Countries:* Renew efforts of Arab countries to enlist support for an Arab Initiative that Palestinian economic and political development.

Phase III: US Public Diplomacy Statement (delivered by Pres. Bush White House)

Timeframe: August 1st 2004

Strategy/Elements of Public Statement:

- *Condemn terrorist violence*
- *Reiterate vision of 2 state solution*

- *Support barrier as a an Israeli right to self-defense*
- *Advance the settlement disengagement plan*
- *Provide monetary support for repatriation of settlers into Israel proper*

9-Month Medium Term (2004-2005):

Phase IV: Repatriation of Settlers

Timeframe: August 2nd – April 30th 2005

Strategy:

- *Disburse funds for settler repatriation via Congressional Supplementary*
- *Maintain pressure on Israel to dismantle and relocate settlements:*
- *Appoint a special Middle East envoy to facilitate high- level negotiations on settlement and land swap options:* Progress is unlikely without the demonstration of US commitment. A senior and permanent U.S. ambassador who works with Israeli and Palestinian counterparts and reports directly to both the National Security Advisor and the President accomplishes both goals.

Long Term (2004-peace negotiations):

Phase V: Towards a Cold Peace

Timeframe: May 1st 2005-until peace agreement

Strategy:

- *Support Israeli military withdrawal from West Bank*
- *Lead UN/Multilateral peacekeeping force into West Bank:* Finalize rules of engagement and status of forces agreements with all involved parties.
- *Train Palestinian Law Enforcement:* Promote USG mil-mil contact, training and joint exercises with Palestinian forces to develop robust internal security apparatus
- *Fence Construction Resumes:* Permit Israel to finish construction of barrier in areas formerly inhabited by settlers
- *Palestinian Reconstruction:* Coordinate Palestinian reconstruction via USAID/UN funded programs to rebuild civil and political institutions as well as health/education infrastructure

Very Long Term: Striving Toward a Lasting Peace

A long term vision of the Middle East peace process implies

- *Commitment to U.S. security and economic interests;*
- *Consistent U.S. policy and support for both sides;*
- *An unbiased approach to assistance for both sides;*
- *Recognition of the critical role of the U.S. in conflict resolution; and*
- *Improved relations with neighboring Arab and Muslim countries.*

APPENDIX D: PRESIDENTIAL STATEMENT TO CONGRESS

Dear Members of Congress,

The war on terror is a difficult one. As recent events show, from Madrid to Baghdad, from Kabul to Bali, from New York to our nation's capital, terror is everywhere. It takes many forms. And it is never acceptable.

In many ways, terror is the defining issue of our times. Around the world, the U.S. must stand committed not only to the eradication of those who commit terror, but also to the eradication of the reasons behind the terror. We must rise to meet this challenge.

That is why I am calling for a bold new plan to end the violence and terror that we are currently seeing between Israel and the Palestinians.

Israel has long been our close friend and ally. And America stands committed to its defense. It is the only democracy in the Middle East, and we have shared a warm and friendly partnership for over fifty years. But it remains embroiled in a bitter struggle with the Palestinian people. Too much blood has been shed, on both sides, for America to stand by any longer.

In order to meet this challenge, I am supporting Israel's right to build a temporary separation barrier on its border with the West Bank, to enhance its own security. I believe that for peace to exist between Israelis and Palestinians, there must be a stop to the violence. And at this point in history, separation is the best way to do that.

I have met with Israelis. I have met with Palestinians. I have consulted with members of Congress, and I have met with international leaders. Working together with Israelis, Palestinians, and the international community, I believe America can once again stop the bloodshed. I am calling upon the UN and the international community to help install a multinational international stabilization force, which will facilitate America's vision of a two-state solution in the Middle East.

The barrier will mean real compromise for both Israelis and Palestinians. This is the painful nature of peace. It will not be easy. But for peace to come to the Middle East, some very difficult choices will need to be made on all sides. As always, America is here to help.

No barrier is perfect. People should be able to live freely, unfettered by fences and walls. This is what America stands for. But it is better to erect a barrier than to continue years of violence. A barrier, if placed in a proper route, can bring both sides closer to peace, not further away from it. So tonight, I call on both sides to agree to a workable route. U.S. will help negotiate the kind of barrier which will help, not hurt the situation. And both Palestinians and Israelis will have a voice.

I envision a future where Israelis and Palestinians live side by side, together, in peace. Following the progress made at Camp David in 1978 and in Oslo in 1993, and pursuant to UN Security Council Resolutions 242 and 338, I envision two prosperous and democratic states, which allow each other to live in harmony and free of fear. With this separation barrier, America will help reduce terror in the Middle East, and around the world.

America will not forget its Israeli friends. America must do what it can to help bring peace to the Middle East. We cannot afford to allow terror to continue, in any form, at any time. I ask you to support me in promoting a fair and negotiated separation barrier in the Middle East. Thank you.

APPENDIX E: INTERVIEWS CONDUCTED

Partial List of Interviews Conducted¹¹⁶

Gadi Baltiansky, Director General, H.L. Education for Peace Ltd., The Geneva Initiative

Miriam and Dolev Ben-Yishai, Israeli woman and son, Beit El residents

Terry Boullatta (and family), Palestinian woman, Abu Dis resident

Malkiel Blass, Israeli Ministry of Justice

Br. Gen. Shlomo Brom, Senior Research Associate, Jaffee Center for Strategic Studies, Tel Aviv University

Yaser Dajani, Policy Advisor, Negotiations Support Unit, Palestine Liberation Organization

Maj. Gen. Uzi Dayan, Former Director of the National Security Council

Arieh Eldad, Member of the Israeli Knesset, National Unity Party

Laila El Haddad, Reporter for Al-Jazeera

Maher El Kurd, Economic Advisor to the President of the Palestinian National Authority

Sa'eb Erekat, Minister of Local Government, Palestinian National Authority

Gidi Grinstein, Economic Cooperation Foundation

Yossi Hein, Economic Cooperation Foundation

Yair Hirschfeld, Director General, Economic Cooperation Foundation

Jamal M. Juma'a, Palestinian Environmental NGOs Network coordinator

Hatem Abdel Kader, P.L.C.M, member of Fatah

Ivan Karakashian, Media and Information Program, Palestinian Initiative for the Promotion of Global Dialogue and Democracy (Miftah)

Stephanie Khoury, Legal Advisor, Negotiations Support Unit, Palestine Liberation Organization

Yehezkel Lein, Researcher, B'Tselem

Mouin Rabbani, Senior Analyst for the Middle East, International Crisis Group

Itamar Rabinovitch, President, Tel Aviv University and former Israeli Ambassador to US

Ron Shatzberg, Economic Cooperation Foundation

Zvi Rafiah, Senior Israeli Political Analyst, Consultant and Academic

Dennis Ross, Former US Middle East Negotiator

Akiva Tor, Advisor on World Jewish Affairs, Office of the President of the State of Israel

Ashraf Zeitoon, Minister's Bureau, Jordanian Ministry of Foreign Affairs

¹¹⁶ All interviews conducted between January 14- April 3, 2004 in the U.S., Jordan, Israel, and the West Bank. Additional interviews with U.S. and Israeli officials could not be listed due to requests for anonymity.