Israel boycotts International Court on West Bank barrier: Why the wall is being built

Chris Marsden
24 February 2004

The Israeli government is refusing to accept the right of the International Court of Justice (ICJ) in The Hague to render an "advisory opinion" on the legality of its West Bank security barrier. Its stance is supported by the United States and the European Union, which claim that it is outside the court's remit.

The Likud-led coalition is not attending the three-day hearing and has mounted protests outside the court by various Zionist groups claiming that the fortified wall is solely to prevent suicide bombings and other terrorist activities.

The Palestinians appealed to the United Nations General Assembly in December. They are arguing that the wall is being built in breach of Article 147 of the Fourth Geneva Convention, which defines extensive destruction and appropriation of property not justified by military necessity, and carried out unlawfully and wantonly, as a "grave breach." Last September the UN issued a report condemning the barrier as "an unlawful act of annexation."

Israel cannot accept any questioning of the wall because it is far more than a means of combating terrorism. It is bound up with the right-wing Zionist regime's strategic goal of seizing the majority of the occupied West Bank and permanently annexing it to Israel proper.

The fallacy of Israel's claim that the barrier is solely a means of combating terrorism is demonstrated by the fact that the court case would not prevent it from building a security fence. Rather, it would mean that a fence should follow Israel's 1967 borders—i.e., before the illegal occupation of the West Bank.

Israel may consider various minor modifications to the fence's route, but it will not accept a 1967 route because it is intent on making a major land grab.

Almost one third of the 720-kilometre (480-mile) barrier has already been built, consisting in parts of a massive eight-metre-high concrete wall and in others of a razor-wire fence that has been built on land cleared by demolishing houses and destroying cultivated land. It often reaches several kilometres into the West Bank, incorporating many of the illegal Jewish settlements into Israel while cutting off Palestinian villages and towns from each other.

Its construction will leave one-and-a-half million Palestinians in a ghetto made up of just 42 percent of the West Bank and would cut them off altogether from East Jerusalem, which the Palestinian Authority wishes to become its capital. Over 200,000 Palestinians would be denied access to employment and social services, and would be forced to move in what amounts to a form of ethnic cleansing. The land lost is often the most fertile and productive.

Sharon has attempted to conceal this bitter reality with his announcement that he intends to remove possibly 17 of 21 Zionist settlements from the Gaza Strip. However, not only are far smaller numbers involved, but the move is integral to his plans to annex much of the West Bank.

The 21 settlements in the Gaza Strip house just 5,000 Israelis among 1.3 million Palestinians. The main function of these settlements is to act as advance posts for the occupation. Removing them is only being contemplated because of Sharon's declared intention to unilaterally separate from the Palestinians as opposed to accepting any form of negotiated settlement—even one based on the US-sponsored "Road Map," which gives the Palestinians far less than was promised under the 1993 Oslo Accords. The settlers removed from Gaza would be relocated to the West Bank to join the 230,000 already there and so reinforce Israeli control.

Some small settlements may be removed from the West Bank, but only in order to rationalise Israel's occupation by relocating personnel and resources.

The removal of Zionist settlements from Gaza would not mean an end to Israeli occupation. Israeli Defence

© World Socialist Web Site

Minister Shaul Mofaz has stressed that while the army would leave Gaza, the military would retain control of Gaza's airspace and coastal waters and would continue patrolling the Gaza-Egypt border. Even this position was rejected by IDF chief of staff, Lt. Gen. Moshe Yaalon, who insisted, "We should only leave Gaza as part of an agreement." Last week, Sharon met with his top military planners. His national security director, Giora Eiland, presented four options for Gaza, ranging from a full withdrawal to plans to leave troops stationed in the area.

Sharon has received the effective backing of Washington, and this has only cost him meaningless pledges of continued support for the Road Map with its commitment to a viable and contiguous Palestinian state. He recently told a conference of US businessmen that he wanted to implement President George W. Bush's "vision," but only "when there is a reliable partner on the Palestinian side." Since Washington has backed him in declaring Yasser Arafat a non-person, he concludes that in the absence of such a partner, "Israel will take the unilateral security steps for disengagement from the Palestinians."

The Bush administration has made a show of opposing the building of new settlements on the West Bank, has asked that the barrier not be diverted in order to take in some of the larger settlements, and has asked Sharon not to extend the fence through the Jordan Valley because it would surround most of the Palestinian population and would look too much like a vast concentration camp.

But Sharon knows that such caveats are for public consumption only. He is working closely with Washington. On February 19, Sharon met with a team of US envoys led by Assistant Secretary of State William Burns and including Stephen Hadley, deputy director of the National Security Council. US ambassador Daniel Kurtzer commented that though talks with a credible Palestinian partner were preferable, "the United States agrees with Israel that until now the Palestinians have not met that test."

While professing his support for the Road Map, Sharon is proceeding with plans to expand settlement activity. Last week, the government approved a $22 million budget (NIS 96 million) for building Jewish settlements on occupied land, of which the bulk is believed to be destined for projects in the West Bank and East Jerusalem.

Even this is not enough for Sharon's far-right allies, who consider the dismantling of a single outpost as a betrayal and do not accept any form of Palestinian self-government. Avigdor Lieberman, the leader of the National Union Party and Sharon's transport minister, has proposed the creation of four isolated ghettos in the West Bank, where the Palestinians would be surrounded by Israeli armed forces.

Housing Minister Effi Eitam of the National Religious Party has proposed a plan that would also rule out a Palestinian state. Eventually, areas of Gaza would be joined with Egypt, and West Bank residents would be joined in a confederation with neighbouring Jordan. Palestinians who decide to remain under Israeli control would not even have the right to vote.

The far right's well-publicised conflict with Sharon and its pretence of defending settlers from the IDF has an element of farce. In reality, few settlements have been disbanded by Sharon, and most of these are either uninhabited or occupied by one or two families. The civil rights group Peace Now's annual survey of Zionist settlements points out that "The year 2003 was a time of growth in the outpost industry and can be characterised by the efforts to turn these outposts into permanent settlements."

The report explains that towards the end of 2003, hard-line Zionist settlers moved dozens of trailers to new hilltops and mini-"dummy hilltops" that could then be dismantled in return for concessions on more established outposts. In total, 15 new outposts were established in 2003, while some 20 were dismantled. But permanent structures are being constructed on 15 illegal outposts, 12 have been connected to the electrical grid, and roads have been or are being paved for another 11 outposts. In total, some 34 settlements made "significant extensions" in the past year.

Peace Now director Yariv Oppenheimer commented, "Sharon talks about evacuating the Gaza settlements and is coordinating this potentially historic move with the Bush administration, but at the same time he is deepening Israel's grip on the West Bank."

One can only conclude that the coordination between Bush and Sharon is over how best to conceal the truth of settlement expansion behind counter-claims that both sides know to be false.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site