

# The Security Barrier

In 2002 Israel began building a security barrier to stop West Bank terrorists from murdering more innocent men, women, and children in Israel. The barrier has been criticized because it creates hardships for some Palestinians, but the reality is that these hardships are reversible. The deaths of Israeli civilians are not.

**Israel built the security barrier for one purpose: to prevent Palestinian terrorists from killing Israeli civilians.**

- Israel began building the security barrier in 2002, during a brutal Palestinian suicide bombing and terrorist campaign which claimed the lives of 1,000 Israelis, over 70% of them civilians.<sup>1</sup>
- Before Israel began building the fence, no man-made or natural barrier prevented terrorists from simply walking into Israel and attacking innocent Israelis. Since Israel began building the barrier casualties from terrorist attacks have dropped by over 90%.<sup>2</sup>

**97% of the security barrier is a chain link fence.**

- 97% of the barrier is a chain-link fence. 3% is a concrete wall built solely to prevent Palestinian snipers from shooting at civilians driving on Israeli roads.<sup>3</sup>

**The security barrier does not annex any land in the West Bank.**

- Israel has not annexed any land in the West Bank. The land used for the barrier remains the property of the owner.<sup>4</sup>
- Israel has offered Palestinian owners compensation for the use of their land, budgeted \$540 million to ease the lives of Palestinians affected by the barrier, and replanted 60,000 Palestinian olive trees.<sup>5</sup>
- Palestinians can file legal suits to change the route of the barrier and have done so successfully on numerous occasions.<sup>6</sup> Israel has moved the barrier away from the villages of Bil'in, Azzun, Nebi Alias, and others.<sup>7</sup>
- 7%, of the West Bank lies on the west side of the barrier. It deviates from the Green Line only to protect Israeli civilian communities located inside the West Bank.<sup>8</sup>

**The security barrier does not violate the 4th Geneva Convention, as some claim.**

- The 4<sup>th</sup> Geneva Convention does not apply to the West Bank according to numerous legal scholars, including former Dean of Yale Law School Eugene Rostow.<sup>9</sup>
- Even if the 4<sup>th</sup> Geneva Convention did apply, the barrier does not violate it because the Convention allows occupying powers to take proportionate measures to maintain security and protect civilians. The barrier, which has saved countless civilian lives, fits into this category.<sup>10</sup>
- Israel voluntarily applies certain aspects of the 4<sup>th</sup> Geneva Convention to safeguard the rights of Palestinian civilians. It has rerouted the security barrier on numerous occasions to avoid causing disproportionate harm to Palestinian residents.<sup>11</sup>

**Multiple democratic countries use similar barriers to keep the peace in conflict-prone areas. Examples include India's barrier in Kashmir and the Peace Lines in Northern Ireland.**

**When the two sides reach a peace agreement and the threat of Palestinian terrorism ceases the barrier can be removed.**

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- <sup>1</sup> Civilian casualty ratio Sept. 2000-2009 – Israeli Security Agency, “Distribution of Fatalities from Palestinian-based terrorism in the second Intifadah,” 2009, at <http://www.shabak.gov.il/English/EnTerrorData/Reviews/Pages/terror-victims.aspx>;  
B’Tselem, “Fatalities after operation ‘Cast Lead,’” October 31, 2012, at [http://old.btselem.org/statistics/english/Casualties.asp?sD=19&sM=01&sY=2009&filterby=event&oferet\\_stat=after](http://old.btselem.org/statistics/english/Casualties.asp?sD=19&sM=01&sY=2009&filterby=event&oferet_stat=after)
- <sup>2</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>3</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>4</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>5</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>6</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>7</sup> Tovah Lazaroff, Dan Izenberg, “IDF rerouting barrier near Bil’in,” *Jerusalem Post*, February 11, 2010, at <http://www.jpost.com/Israel/IDF-rerouting-barrier-near-Bilin>; Haggai Huberman, “Ministry of Defense is building a new fence,” *Israel National News*, December 1, 2011, at <http://www.inn.co.il/News/News.aspx/229606>; Zafir Rinat, “Different separation fence, but the landscape remains scarred,” *Haaretz*, March 20, 2011, at <http://www.haaretz.co.il/news/science/1.1167733>
- <sup>8</sup> Mitchell Bard, “Israel’s Security Fence,” *Jewish Virtual Library*, July 8, 2010, at <http://www.jewishvirtuallibrary.org/jsource/Peace/fence.html>
- <sup>9</sup> Laurence E. Rothenberg and Abraham Bell, “Israel’s Anti-Terror Fence: The World Court Case,” *JCPA*, February 15, 2004, at <http://jcpa.org/il/vp513.htm>; Maurice Ostroff, “Articles by Eugene W. Rostow,” n.d., at <http://maurice-ostroff.tripod.com/id45.html>; Julius Stone, “International Law and the Arab-Israel Conflict,” 2003, at [http://www.strateias.org/international\\_law.pdf](http://www.strateias.org/international_law.pdf)
- <sup>10</sup> Laurence E. Rothenberg and Abraham Bell, “Israel’s Anti-Terror Fence: The World Court Case,” *JCPA*, February 15, 2004, at <http://jcpa.org/il/vp513.htm>
- <sup>11</sup> Daphne Barak-Erez, “Israel: The security barrier-between international law, constitutional law, and domestic judicial review,” *Oxford University Press and New York University School of Law*, July 2006, <http://www.tau.ac.il/law/barakerez/articals/barrier.pdf>