

## **U.S. Should Support Right to Build Fence**

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Los Angeles Jewish Journal

February 13, 2004

Attacks on Israel are escalating again. With another deadly suicide bombing in the heart of Jerusalem, the race to thwart the infiltration of terrorists is up against yet another rush: to condemn Israel at the United Nations.

This time, the forum is the United Nations' International Court of Justice (ICJ) in The Hague, where Israel faces a legal challenge to its security barrier along the West Bank (see story, page 16). The case was brought about by a Palestinian resolution in the U.N. General Assembly calling on the court to evaluate the impact of the fence on Palestinian lives but not to consider the hundreds of Israeli deaths that led to its creation.

The pressure for the hearing is part of a concerted effort by Arab nations to divert attention from Palestinian terrorism. Just weeks before the resolution was approved, Israel had sponsored a General Assembly resolution expressing sympathy for Israeli children wounded and killed by Palestinian terrorists.

The language of the resolution mirrored a similar one concerning Palestinian children that had already passed. The Israeli version, however, was never even given a chance, after the Arab nations used every trick to try and water it down, so it would not acknowledge Israeli suffering.

While the United States has lodged objections to the ICJ's authority to rule on the security fence and raised concern about the politicization of the court, it is disappointing that the Bush administration has refused to argue on behalf of Israel's right to have the fence to protect its own population from terrorist murderers.

Why, one might ask, is the Bush administration taking such a weak position?

Some speculate that it is because we are so bogged down in Iraq that we are ignoring this issue. Others suggest that the United States is so desperate to appeal to the Europeans and the United Nations to bail us out of Iraq that it doesn't want to take a position fully in support of Israel.

Whether or not these theories are true, I do believe that the mixed messages indicate that the president does not have a clear and organized plan to get the so-called "road map" for peace moving again or to look for an alternative.

The administration has gone out of its way to challenge the security fence as an obstacle to the peace process. In January, the Bush administration cut \$290 million from Israel's economic loan guarantees to protest the planned path of the security fence.

During President Bush's visit to the United Kingdom in November, he warned Israel not to "prejudice final negotiations with the placement of walls and fences." The

State Department has also announced that the fence will be denounced in the 2003 edition of its annual Human Rights Report.

Even though the road map had good ideas, the security fence was the least of its problems. Israel sustained close to 6,000 terrorist attacks from the time the plan was announced in June 2002.

With Yasser Arafat not about to disappear and another weak Palestinian prime minister unable or unwilling to control terrorists, there has been little hope for any change soon in the status quo. The Palestinian tactic of taking its concerns to the ICJ instead of the negotiating table is only further evidence that Israel has no viable diplomatic partner.

I agree that Israel should adopt a less- provocative route for the security fence. I agree that even though final-status negotiations will not be judged according to its placement, the fence should be adjusted to minimize the disruption of innocent Palestinian lives. But the battle at the ICJ is not about these details, it is about the unrelenting determination of the Palestinian leadership to hide from its own record as a sponsor of terrorism and use U.N. institutions to single out Israel for isolation and shame.

There is clear evidence that the fence is saving lives. Once completed, it will provide for more security and stability for Israel and serve as a platform for an eventual return to final status negotiations. The demarcation will bring about a more vigorous debate among Israelis about the removal of illegal outposts and small pockets of settlements beyond the fence that are difficult to defend.

The boundary should also enable Israeli troops to withdraw from Palestinian cities and push the Palestinian people to work toward reforms that will challenge the political paralysis and corruption of their leaders.

The fence may not be an ideal scenario, but it is a workable substitute until the road map can get back on track. As the ICJ case moves forward, I would hope that the Bush administration will go beyond supporting Israel on technical grounds and stand for Israel's right, as a sovereign and democratic nation, to take the measures necessary to defend its people.

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