

מדינת ישראל

משרדיה הממשלת

משרדים



פ.ס. (ס.מ.)

ט.ב. 200

מדינת ישראל
ארכיוון המדינה



שם תיק: יוש פדיין - עזה ויריחו

מזהה פיזי:

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תאריך הדפסה: 07/07/2020

אלה

ט.ב. 200



ארכיוון המדינה

משרד ראש הממשלה

טופס מראה מקום להוצאת תעוזות ייחודות*

א-4

תיק מס' :

7760

חטיבת מס' :

מכיל מס' :

תאריך התעודה: 25.3.94

שם הנמען:

סוג התעודה (סכין ✓ במקומות המתאים):

16.1.94

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16.2.94

פרוטוקול של שיחה, דין או ישיבה

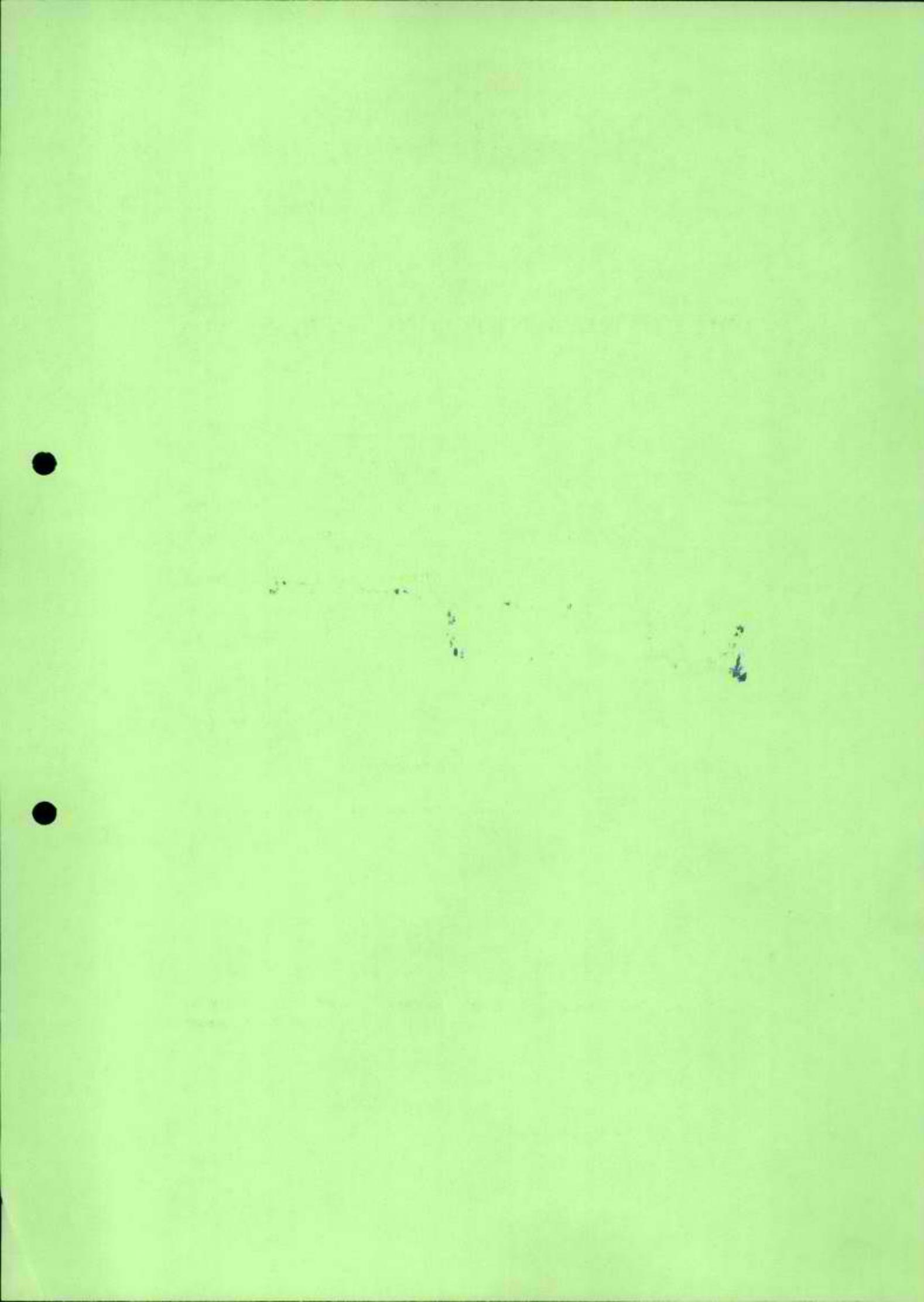
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*הטופס ימולא בשני עותקים. העותק הירוק יוכנס לתיק במקום התעודה שהוצאה; העותק הלבן יוצרף לתעודה שהוצאה.





שְׁמֹר

משרד החוץ
ירושלים

1/18

היו"ץ המשפטיה
טל' 303761

כ' באדר תשנ"ד
3 במרץ 1994

ט 2013-10/1

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אל: אג"ת - תא"ל צ. שטאובר
פקס אדום 602-2437

מאת: היו"ץ המשפטיה

הנדון: הנספח הכלכלי להסכם עזה-יריחו

לאחר בקשרות חוזרות ונשנות שלא ענו, הצלחתি לקבל סוף סוף את הנזירות של קברצת העבودה הכלכלית בפריז. נזירות אלה, לאחר שירושלמי, יהו יחדרו את הנספח הכלכלי להסכם עזה-יריחו.

הנני מצורף את הנזירות הבאים:

א. עקרונות מוסכמים ליחס מסחר מיום 27 בפברואר 1994. כפי שהוסבר לי, זהו נייר המסגר שמכיל את עמדת ישראל המודכנת ושהוא מוסכם עם הצד השני באופן חלקי.

ב. עובדת מיום 4 בינואר 1994. נמסר לי כי הוגשה עתירה לכב"ז ע"י תושבי השטחים המבקשים לאסור על המדינה להגיע לסקום עם אש"ף בדבר גורל הניכויים ממשכורתיהם של עובדים בישראל.

ג. תעשייה מיום 5 בינואר 1994. הנieur מוסכם באופן כמעט מלא על שני הצדדים.

ד. השוק הפיננסי ושוק המט"ח מיום 6 בדצמבר 1993. נieur זה היה מוסכם בעבר, אך באחת הישיבות האחראוניות בראשית ינואר ראש קברצת העבודה הפלסטינית, אל-קרוש, חזר בו מהסכמתו לנieur זה, וכרגע הוא משקף את עמדת ישראל בלבד.



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ה. חקלאות מיום 4 בינואר 1994. נייר זה כמעט מושם, למעט הנושאים הבאים:

1. כמיות הסחורות החקלאיות שייהו נתונות להగבות.
2. הפיקוח הוטרינרי והפיטוסניטרי.
- ג. מיסורי יבוא ונוסאים קשורים מיום 28 בדצמבר 1993. נייר זה כמעט מושם לחליותין.
- ד. ሞצרי דלק מיום 30 בדצמבר 1993. הנייר מושם.

אנו עוסקים עכשיו בבדיקה הנסוח של המסמכים הרצ"ב. נבקש כי בדיקה כאמור תערך גם ע"י צורתו המר"מ, על מנת לוודא שאין סתירות בין המסמכים הללו לבין הנספח האזרחי והנספח הבטחוני שעלייהם אנו ערבים.

בברכה,
יראל זינגר

העתק: סגן הרמכ"ל - פקס אדום 602-2277
ר' אג"ת - פקס אדום 602-2437
✓ מתאים הפעולות באיר"ש ובאוז"ע - פקס אדום 602-4925
רמנא"ז איר"ש, תא"ל גדי זוהר - פקס אדום 625-4204
פצ"ר ✓
משרד רה"מ, מר ג'ק נריה - פקס אדום 624-2515

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PETROLEUM PRODUCTS

1. Trade in petroleum products between both parties will be unrestricted, subject to the following provisions.
2. Both parties will maintain identical standards for petroleum products as defined by the Institute of Standards and based on the E.C. standards.
3. Each party is entitled to determine its own level of excise duty on petroleum products other than petrol for cars (gasoline).
4.
 - a. The excise duty in money terms on each of the various kinds of gasoline will be identical in both parties as levied in Israel.
 - b. The prices of gasoline to the consumers in the Gaza Strip and Jericho area will be not less than 10% below the product price average in Israel as published from time to time by the Israeli Ministry of Energy.

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TAXES ON IMPORTS AND RELATED MATTERS

1. Both sides will employ the same rates of import taxes, including V.A.T., purchase tax, customs and import levies, and any other equivalent charges.
2. Within this framework both sides agree to the following three arrangements:
 - a) An arrangements concerning the agricultural produce listed in List A attached hereto.
 - b) An arrangements concerning the specific products listed in List B attached hereto.
 - c) An arrangement concerning all other products.

The Palestinian Authority may introduce changes in imports taxes and levies on the products included in lists A and B imported by the Palestinians. The Palestinian Authority will give Israel prior notice of such changes.

Israel may introduce changes in import taxes and levies on all other products.

3. Unless otherwise stated, both sides will employ the same system of importation, including *inter alia* standards, licensing, the evaluation of prices of imports for the purpose of customs assessment, etc.
4. Israel may from time to time introduce changes in the customs procedures, in standards and in licensing.
5. A sub-committee of the Joint Economic Committee will be established to review requests for changes in lists A and B mentioned in Para 2.

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The said sub-committee will also review Palestinian requests for changes in the rates of import taxes on other products, import procedures, standards and licensing. Any change in response to such requests will require the consent of both parties.

6. Israel will transfer to the relevant Palestinian Authority the power to license importation subject to the conditions of Para 3.

7. The international agreements and obligations of Israel are part of the importation system. Israel will notify the Palestinian Authority in advance of any new agreement with third parties concerning reductions in import taxes. [I. The Palestinian side may request the convening of the sub-committee mentioned in Para 5 if it deems such an agreement to be harmful to its economy. The sub-committee will agree upon measures to minimize such harm]. [P. Concerning products included in lists A and B mentioned in Para 2, the Palestinian Authority will be an equal partner with Israel in deciding on such agreements. Concerning other products the Palestinian side may request the convening of the sub-committee mentioned in Para 5 if it seems such an agreement to be harmful to its economy and will be entitled to appropriate compensation].

8. The sharing of the tax revenues accrued from importation to the two parties will be on the basis of the identity of the importers (individuals and corporations). During a transitional period of 6 months, these tax revenues will be allocated to the Palestinian Authority even if the importation was conducted by Israeli importers but was clearly destined to Palestinian individuals or corporations. The said transitional period may be extended by mutual agreement.

9. The parties shall apply the same rules in regard to the duty-free entry of items brought by tourists for non-commercial purposes.

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DIRECT TAXATION

1. Israel and the Palestinian authority will each determine and regulate its own tax policy in matters of direct taxation, including income tax on individuals and corporations, property taxes, municipal taxes and fees.
2. Each tax administration will have the right to collect the direct taxes generated by economic activities within its tax jurisdiction. [P. The jurisdiction of the Palestinian tax authority to include also the collection of income taxes on Palestinians working in Israel and in the settlements]. [I. The general principle of (2) should apply here as well].
3. The two sides will agree on a set of procedures that will address all issues concerning double taxation.

INDIRECT TAXES ON LOCAL PRODUCTION

1. Both sides agreed on a Value Added Tax on local transactions. The present Israeli rate is 17%. The Palestinian rate will be within the range of 12% and 22%.
2. Purchase tax rates on local production and on imports will be identical.
3. The Israeli and the Palestinian tax administrations will collect the VAT and purchase taxes, as well as any other indirect taxes, in their respective area.
4. The VAT on purchases of business firms registered for VAT purposes will accrue to the tax administration of the purchasing firm.

The two sides will agree on a set of procedures for effecting the necessary clearance of VAT revenues accruing from transactions by business firms registered for VAT purposes. [P. VAT revenue clearance should apply also to revenues accruing on purchases of final consumers]. [I. The principle of VAT revenue clearance should not apply to purchases of final consumers, both as a matter of principle and in view of difficulties in implementation].

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5. Transportation of livestock and poultry, animal products and biological products from the Gaza Strip and the West Bank, destined for Israel and vice versa, will be subject to veterinary licensing by the veterinary authority of the recipient side according to the customary standards used in international trading in this field. Each such consignment will be transported by a specifically designated and marked vehicle, accompanied by a veterinary certificate, in the form agreed upon between the veterinary services of both sides.

9. In order to ensure that the International Plant Protection standards and requirements, as well as the standards of pesticides and their residues, will be met, movement of plants and parts thereof (including fruits and vegetables) between the Gaza Strip and the West Bank and Israel, and the import of plants and parts thereof from external markets into the Gaza Strip and the West Bank require the approval of both sides' plant protection services.

10. The agricultural product of the two sides will have free and unrestricted access to each others' markets, with the temporary exception of the following items only : poultry, eggs, potatoes, cucumbers and tomatoes. The temporary restrictions on these items will be gradually removed on an increasing scale until they are finally eliminated by 1998, as listed below :

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<u>POULTRY</u> (In tonnes)	<u>EGGS</u>	<u>POTATOES</u> (In tonnes)	<u>CUCUMBERS</u> (In tonnes)	<u>TOMATOES</u> (In tonnes)	<u>YEAR</u>
5.000	30 million	10.000	3.500	9.000	1994
6.000	40 "	13.000	4.700	11.000	1995
7.000	50 "	15.000	5.500	14.000	1996
8.000	60 "	17.000	7.000	16.000	1997
unlimited	unlimited	unlimited	unlimited	unlimited	1998

Note : The above quantities refer to the combined quantities from the West Bank and the Gaza Strip.

11. The Palestinian people will have the right to export their agricultural product to external markets without restrictions on the basis of their own certificate of origin.

12. Subject to the existing international economic agreements and obligations of either side, the two sides will refrain from importing agricultural products from third parties which may adversely affect the interests of each other's farmers. *

* In the agreement concerning import policy, there will be a provision about new international agreements.

AGRICULTURE

4.1.1994

1. The two parties agree to the inclusion of the agricultural sector as an integral part of the (I. free) trade, free of customs and (I. import) taxes between the West Bank and Gaza Strip on the one hand, and Israel on the other hand, within the framework of the overall trade relations between the two sides and (P. their respective customs policies). (I. the agreed custom policy. Wherever a transfer of authority is involved, the time-table specified in the DOP will apply).
2. The Veterinary and Plant Protection Services of each side will be responsible, within the limits of their territorial jurisdiction, for controlling animal health, animal products and biological products, and plants and parts thereof.
3. The relations between the Veterinary and Plant Protection Services of both sides will be based on mutuality in accordance with the principles agreed upon in El Arish on 9.12.93 regarding Agriculture Principles. (Enclosed).
4. Trade between the two sides in animals, animal products and biological products will be in keeping with the principles and definitions set out in the International Animal Health Code of the O.I.E. (As an example : U.K. - Israel "International Traffic").
5. Transit of livestock, animal products and biological products from one side through the territory of the other side, must be conducted in such a manner as to guarantee the prevention of disease spreading to or from the consignment during its movement. For such a transit to be permitted, it is a prerequisite that the veterinary conditions agreed upon by both sides will be met in regard to importation of animals, their products and biological products from external markets. Therefor the parties agree to the following arrangements.
6. Importation of animals and their products from external markets will be according to the same veterinary and phytosanitary policies and criteria. In particular there will be no such import from a country in which epizootiological situation and the zoosanitary standards are such that may endanger the health of livestock and poultry in Israel or the Gaza Strip and the West Bank.
7. Transportation of livestock and poultry, animal products and biological products between the Gaza Strip and the West Bank or between two destinations in the West Bank through Israel, will be subject to the following technical rules and regulations : the said transportation will be by vehicles which will be sealed with an official seal of the veterinary authority of the place of origin and marked with a visible sign "Animal transportation" or "Products of Animal Origin" in Arabic and Hebrew in red letters on white background. Each consignment will be accompanied by a veterinary certificate issued by the veterinary services of the place of origin, certifying that the animals or their products were examined and are free of infectious disease and originate from a place which is not under quarantine. The transportation through Israel will be at times and routes agreed upon between the two sides.

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13. The two sides will establish a sub-committee to the Joint Economic Committee with veterinary and plant protection experts, which will review and update the information and procedures in these fields.

14. The two sides will establish a sub-committee of experts in the dairy sector in order to exchange information, discuss and co-ordinate their respective investments and production in this sector so as to protect the interests of both sides. In principle each side will produce according to its domestic consumption.

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ANNEX - FINANCIAL AND FOREIGN EXCHANGE MARKETS

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ARTICLE I: LEGAL TENDER (currency)

[Isr.] Both the Shekel (NIS) and the Jordanian Dinar (JD) will be legal tender in the Gaza Strip and Jericho Area.

ARTICLE II - BANKING1. BANKING AUTHORITY

The Palestinian Authority will establish a Banking Authority (PBA). The functions of the PBA will be as described in the article.

2. BANKING SUPERVISION

- a. The PBA will be responsible for the proper functioning, stability and liquidity of the banks operating in the Gaza Strip and Jericho Area. The PBA will be charged with the general supervision of every such bank, including :
 - The licensing of banks and the approval of controlling shareholders ;
 - The regulation of the banking activities ;
 - The supervision and inspection of banks ;
 - The role of lender of last resort.
- b. Both sides will allow the opening of branches, subsidiaries and regional offices of each others' banks. The Bank of Israel (BOI) and the PBA will promptly reach an agreement, based on the Concordat of Basel, concerning the licensing and supervision of such entities.
- c. Both sides will allow correspondencial relations between each others' banks.

3. LIQUIDITY REQUIREMENTS

- a. The liquidity requirements on the various kinds of Shekel deposits (or deposits linked to the NIS) in banks operating in the Gaza Strip and Jericho Area will be identical to those fixed and announced by the BOI. The BOI will give prior notice of days to the PBA of any planned changes in these liquidity requirements.
- b. The liquidity requirements on other deposits (non Shekel and non Shekel linked) in banks operating in the Gaza Strip and Jericho Area will be fixed and announced by the PBA.

c. The liquidity required according to this para 2 will be deposited at the PBA, as determined by the PBA, and the PBA will be responsible for the inspection and supervision of the liquidity requirements in the banks operating in the Gaza Strip and Jericho Area.

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4. DISCOUNT WINDOW

The PBA will administer a discount window system for banks operating in the Gaza Strip and Jericho Area.

5. CLEARING HOUSE

a. The PBA will establish or license a clearing house in order to clear money orders between the banks operating in the Gaza Strip and Jericho Area.

b. The clearance of money orders and transactions between banks operating in the Gaza Strip and Jericho Area and banks operating in Israel will be done between the Israeli and the Palestinian clearing houses on the same day basis, according to agreed arrangements.

ARTICLE III - FOREIGN-EXCHANGE CONTROL

1. The PBA will exercise the control over foreign exchange transactions of residents of the Gaza Strip and Jericho Area within these areas.

2. Israel will allow residents of the Gaza Strip and Jericho Area to purchase from authorized Israeli dealers foreign currency using Israeli Shekels for purposes and transactions permitted under Israeli law to residents of Israel.

3. The PBA may convert at the BOI excess Shekels received from banks operating in the Gaza Strip and the Jericho Area into foreign currency up to the amounts determined per period, according to the arrangements detailed in paragraph 4.

4 a. The total amounts of excess Shekels for the purposes of paragraph 3 will be based on the following :

- Estimates of the accumulated value of the flows of goods and services (including labor) between Israel and the Gaza Strip and Jericho area, and
- The accumulated net amounts of foreign currency converted previously into Shekels by the PBA as recorded in the BOI Dealing Room, less
- The accumulated amounts of net purchases of foreign currency by residents of the Gaza Strip and Jericho Area from Israeli authorized dealers, as recorded in the books of those dealers.

b. The said flows and amounts will be calculated as of the beginning of operations of the PBA.

c.[Is.] The estimates of the value of the flows of goods and services will be made by the Israeli Central Bureau of Statistics (CBS). The PBA will have an opportunity to submit their comments on the CBS estimates.

d. The PBA and the BOI will meet annually to discuss and determine the annual amount of convertible Shekels during the next year and will meet semi-annually to adjust the said amount. The amounts determined and adjusted will be based on data and estimates mentioned in Para 4a and forecasts for the next period.

e. Substantial excess net purchasing of foreign currency by residents of the Gaza Strip and Jericho Area at any given period of 6 months, above estimates for that period, may lead to the suspension of these purchases, pending the necessary adjustment by the BOI of the amount of convertible Shekels.

f. Sales and purchases of foreign currency by the PBA will be carried out through the BOI Dealing Room, at the market exchange rates.

g. The BOI will not be obliged to convert in any single month more than 1/5 of the semi-annual amount.

5. In order to avoid undesirable fluctuations in the foreign exchange market, the parties will agree in the annual and semi-annual meetings referred to in para 4d. on monthly ceiling of foreign currency conversions by the PBA into Shekels.

ARTICLE IV - CAPITAL MARKET

The authorities, powers and responsibilities regarding the regulation and supervision of capital market activities in the Gaza Strip and Jericho Area will be entrusted with the Palestinian Authority.

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INDUSTRY

P. & I.

1. There will be [free] movement of industrial goods between the two sides.
2. Each side will maintain the standards required by its respective authority. Both authorities will exchange information on their standards with a view to facilitating their bilateral trade.
3. Each side may employ various methods in encouraging industrial activity in the way of grants and direct-tax benefits.
4. Each side will make an effort to minimize damages to the industry of the other side taking into consideration the concerns of the other side.
5. The Palestinian side has the right to use all points of exit and entry [P. in Israel] for the purpose of commercial trade. Such trade will be given administrative and economic treatment equal to Israeli trade.
6. A sub-committee of the Joint Economic Committee will meet and review issues concerning industry upon the request of either party. Each side may raise any issue including possible damages to and discrimination against its industry by the other side.
The Sub-Committee will also discuss ways and means of promoting the exports from both Israel and the West Bank and the Gaza Strip to external markets.

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LABOR

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1. [Is. There will be movement of labor between the two sides. Israel will determine periodically the volume of movement of labor.]
[P. There will be free movement of labor between the two sides. Any exception to this principle will be considered and agreed upon by the relevant joint committee.]

2. Palestinians employed in Israel will be insured in accordance with the Israeli Social Security Law in the branches of work injuries and bankruptcy of employers. Palestinian women employed in Israel will be so insured also for maternity leave allowance*. Implementation procedures relating thereto will be agreed upon between the Israeli National Insurance Institute and the Palestinian Authority or the appropriate Palestinian institution.

3. Israel will transfer to the Palestinian Authority, on a quarterly basis as a maximum interval, equalization deductions, if levied and to the extent levied by Israel, collected from wages of Palestinians employed in Israel and their employers, to be used for social benefits and health services decided upon by the Palestinian Authority.

4. Israel will transfer, on a quarterly basis as a maximum interval, pension insurance deductions collected from wages of Palestinians employed in Israel and their employers to a relevant social institution to be established by the Palestinian Authority.

5. The Palestinian Authority and its relevant social institutions will assume full responsibility for pension rights and other social benefits of workers employed in Israel upon the receipt of the deductions related to these rights and benefits. Israel and its relevant social institutions will be released and held harmless of any obligations and responsibilities concerning these rights and benefits arising from these transferred deductions..

6. Prior to the said transfers, the Palestinian Authority and/or its relevant institutions will sign the documents necessary to give legal effect to their aforesaid rights and obligations and to define the implementation procedures of the principles agreed upon in paras 3, 4 and 5.

7. Israel will respect any agreement reached between the Palestinian Authority, or an organization or trade-union representing the Palestinians who are employed in Israel, and a representative organization of employees or employers in Israel concerning, inter alia, contributions to such organization according to any collective agreement.

8. A sub-committee of the Joint Economic Committee will meet and review issues concerning labor, upon the request of either party.

9. The Palestinian Authority will continue the existing health insurance plan for Palestinian employed in Israel and their families. As long as this plan continues Israel will deduct and transfer to the Palestinian Authority the health insurance fees ("health stamp").

* The National Insurance fees for the branch of maternity will be reduced accordingly, and the equalization deductions transferred to the Palestinian Authority will be increased accordingly.

10. Other deductions, not mentioned above, will be jointly reviewed by the said sub-committee. Any agreement between the two sides concerning them will be in addition to the above provisions and will be considered as part of this Agreement.

11. Palestinians employed in Israel will have the right to bring before the Israeli Labor Courts disputes arising out of employee - employer relationships and other issues within these courts' jurisdiction.

12. [P. Israel shall open to the Palestinian side and the ILO its records and files concerning the various contributions and deductions from the wages of Palestinian workers employed in Israel and their employers, and their use since 1967, and has to transfer to the Palestinian Authority the accumulated funds thereof, including those of pensions].

[1. This agreement governs the future relations only and will not refer to the past].

Note : [1. The above will apply first to Palestinian workers from the Gaza Strip and Jericho Area and later on also to Palestinians from the West Bank, according to the time-table set in the DOP. As suggested previously, this should be covered by a general clause.]

[P. Palestinian workers means Palestinian workers from the West Bank and the Gaza Strip.]

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2013

February 27, 1994
Draft

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Agreed Principles of the Trade Relations

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The two Parties have agreed on economic relations based on the following:

1. There will be movement of goods, labor and services between Israel on the one hand and the West Bank and the Gaza Strip on the other hand, governed by the relevant provisions of this Agreement.
2. Concerning their trade relations and customs policies the two sides agree on a baseline and two lists, as detailed below.
 - a. A list (list A attached hereto) of commodities and goods which the Palestinians will be able to import according to agreed quantities compatible with the Palestinian market needs of locally-produced goods from Jordan and Egypt particularly and from other Arab states. The Palestinian Authority will decide independently on the rates of customs, purchase tax, levies and excises for this list.
 - b. A list (list B attached hereto) of commodities and goods which the Palestinians will be able to import according to agreed quantities compatible with the Palestinian market needs from any external source with which both sides have trade relations. This list will include basic food items and goods needed for the economic development program in the West Bank and the Gaza Strip. The Palestinian Authority will decide independently on the rates of customs, purchase tax, levies and excises for this list.

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3. A baseline comprised of all the commodities, goods and quantities not covered in lists A and B and in which Israel will decide independently on custom taxes, purchase tax, levies, excises and other charges shall serve as the minimum basis for the Palestinian Authority.
4. Changes in the rates in the baseline and in the two lists mentioned above will be introduced as follows:
 - a. In lists A and B, the Palestinian Authority can decide on any changes in rates as it deems appropriate to the Palestinian economy.
 - b. In the baseline, Israel can decide on any changes in rates. If the changes are of a downward nature, the Palestinian Authority may not follow. In any changes which do not require immediate decisions, there will be a process of an advance notification and mutual consultations which will take into consideration all aspects and economic implications.
5. All imported goods and commodities in the baseline and the two lists mentioned above will be subject to the same rate of V.A.T. There will be one rate for the Palestinians both on local production and services and on imports at the level of [I: 16%] [P: between 15-16%].
6. a. The import policy including classification, evaluation and other customs procedures shall be according to the current import policy, based on international codes (to be defined) except if agreed otherwise. Exceptional requests for changes may be dealt with by a joint sub-committee.
b. Each side will maintain the current policy of licensing of imports and will conduct its own licensing procedures. Changes in licensing requirements will be based only on security, health, safety and the protection of the environment and on the protection of local agricultural production on both sides.

7. Each side will maintain the current policy on standardization. Changes in the current standards will be based only on health, safety and the protection of the environment. Exceptional requests for changes may be dealt with by a joint sub-committee.

The Palestinian Authority will be able to determine its own policy and regulations on standardization based on the European Union standards after the Palestinian Authority establishes an institute of standards.

8. Entry points - Jordan River and the Gaza Strip.

Passengers - Each side will administer its own side of the custom hall including inspection and tax collecting. Israeli officials will be present [P: invisibly] in the Palestinian customs area and entitled to request inspection and collection of taxes when due and the Palestinian Authority customs officials will conduct both inspection and collection.

Commercial imports to the territory under the Palestinian Authority's jurisdiction - Both sides will administer the commercial part of the custom procedures and the Palestinian Authority officials will collect the taxes.

9. All the above principles will be applied first to the Gaza Strip and Jericho Area and later also to the rest of the West Bank according to the timetable set in the D.O.P.

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ירושלים, ט"ז באדר התשנ"ד
27 בפברואר 1994

מ.ז.ג.
15.1.94
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אל: ראש הממשלה

הנדון: דיווח מהשיחות הכלכלית בפרוי

השיחות התחלו ביום ב' 21.2.94 בצוותי העבודה ובهم הוכהר כי הפלשתינים חזרים בהם מחלוקת מההכנות שהושגו ולא מקבלים עדיין את עקרון המעטפת.

ביום ד' החלו השיחות בין בייגה לאבו-עלא שנמשכו גם ביום ה'. לקרأت הערב נמסרה לפלשתינים טוויות נוסח המרכז את הנקודות העיקריות במ"מ כדלקמן:

- עקרון המעטפת ורשיינה בסיסית הכלולת את כל המוצרים בעלי מכסים ומיסים זהים.
- רשיינה מוגבלת (B) לחריגים מהרשיינה הבסיסית לפי צרכים מיוחדים. בעלי מכסים ומיסים שונים.
- רשיינה מוגבלת (C) לחריגים מהרשיינה הבסיסית ליבוא מדיניות ערב בשיעורי מס מלאים.
- מדיניות יבוא אחידה (רשיונות, תקנים וcdc).
- מע"מ אחד ליבוא ליצור מקומי בשטחים ושווה למע"מ בישראל.
- שינויים במדיניות המכס: ברשיינה A זכות ישראל עם התיעצות במידת האפשר עם הפלשתינים. ברשיינה B בעצמאות פלשתינאית.
- נוכחות אנשי מס ישראליים במקומות.
- מעבר עובדים בכפוף לזכות ישראל לקביע הכמות ומעבר מוצרים חקלאיים בהתאם לsicomim.
- חלוקת הכנסות.

לאחר מ"מ מכמושך בין בייגה ואבו-עלא על הנקודות שלעיל ולאחר שנראה כי מושגת הסכמה על מרכיבת הנקודות הופיעו הפלשתינים עם טויטה נגדית אשר סותרת את עיקרי העמדת הישראלית. כתוצאה לכך התmeshך המ"מ עד בוקר יום ו' ולא הושנה הסכמה בנושאים (למרות שבחלק מהנושאים נראה שיש הינה).

לאורך כל השיחות הובהר כי האלטרנטיבה לעקרונות הישראלים הינה סגירה מוחלטת של עזה ויריחו בנושא עובדים, חקלאות, תעשייה וחלוקת הכנסות.

נראה כי הפלשטיינים חוששים מאוד מאלטרנטיבה זו וכמוון היו מעדיפים את אלטרנטיבת הביניים (פתוח לישראל ובמקביל גם לארצות ערב וארצות אחרות).

יש לציין כי האלטרנטיבה של סגירה מוחלטת **אפשרית** בעזה ויריחו אבל **בעיתיה** לגבי כלל יו"ש.

לסיכום:

1. נראה כי הפלשטיינים "סוחבים" הדינונים ע"מ לשפר עמדות בכלל סבב (למרות שבמספר סעיפים גם אנחנו נסוגנו בעמדותינו).

2. יש, לדעתי, להתכוון בכוונה ראלית ואמיתית לאלטרנטיבת המשק הסגור עם כל המשמעויות (גובל מכס בעזה ויריחו, היתרים לעובדים מוח"ל, תסיסה בתוך השטחים עקב מיחס בעבודה). ולהמשיך בשיחות להשגת אלטרנטיבת המעטפת.

בברכה,

אלון פלטו

העתק: ש. שבס - CAN
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542 גָּרָה רְוֵאִים גָּרָה

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In order to accelerate the negotiations on the economic relations between Israel and the Palestinian Authority within the context of the Gaza and Jericho Area Agreement, the two sides have agreed on economic relations based on the following list of guidelines :

1. There will be no economic barriers between Israel and the territory under the jurisdiction of the Palestinian Authority.

2. In their trade relations and customs policy, the two sides will be guided by three agreed lists :

2.1 - LIST A. - A list of commodities and goods in which Israel will decide independently on custom taxes, purchase tax levies, excises and other charges .

2.2 -LIST B. - A limited list of commodities and goods which the Palestinian will be able to import according to their needs and agreed quantities from Jordan deciding independently on rates of customs, purchase taxes, levies and excises.

2.3 - LIST C. - A limited list of commodities and goods which the Palestinians will be able to import from any external source according to their need and agreed quantities deciding independently on the rates of customs, purchase tax, levies and excises.

3. Changes in the rates in these lists mentioned above will be introduced as follows :

3.1 - In list A- Israel may decide on changes in rates. If the changes are of a downward nature, the Palestinian Authority may not follow. Any changes which do not require immediate decisions there will be a process of an advance notification and mutual consultations which will take into consideration all aspects and economic implications.

3.2 -In list B and C, the Palestinian Authority may introduce any changes in rates as it deems right (except for V.A.T.)

4. All imported goods and commodities in the three above mentioned lists will be subject to the same rate of V.A.T.

5. Import policy - The import policy including classification, evaluation, licensing and other customs procedures shall be according to the Israeli import policy except if agreed otherwise. Each side will conduct its own licensing procedures.

6. Each side will maintain the same policy on standardization based on health, safety and the protection of the environment. Changes in the current standardization will be based only on these three guidelines. Exceptional requests for changes may be dealt by a joint sub-committee.

7. Entry points - Jordan River and The Gaza Strip.

Passengers - Each side will administer its own side of the custom hall including inspection and tax collecting. Israeli officials will be present in the Palestinian customs area and entitled to request inspection and collection of taxes when due (to be collected by the Palestinian Authority).

Commercial to the territory under the Palestinian Authority's jurisdiction. Both sides will administer the commercial part of the custom procedures.

8. There will be free movement of industrial goods and agricultural production between the two sides (except for 5 items in which limitations will be phased out as stipulated in the agreement on the movement of agricultural production).

9. Palestinian workers will be able to work in Israel subject to Israel's determination from time to time on the volume of labor.

The two sides have agreed on economic relations based on the following :

I. There will be no economic barrier between Israel and the territory under the jurisdiction of the Palestinian Authority.

II. In their trade relations and customs policies the two sides will be guided by the following :

1. - A baseline comprised of commodities and goods in which Israel will decide independently on custom taxes, purchase tax, levies, excises and other charges. This baseline will serve as the minimum basis for the Palestinian Authority.

2. - An agreed list (list A) of commodities and goods which the Palestinians will be able to import according to agreed quantities which are compatible with the Palestinian market needs from Jordan and Egypt particularly and some Arab states.

3 - An agreed list (list B) of commodities and goods in which the Palestinian will be able to import from any external source according to agreed quantities compatible with the Palestinian market needs and in which the Palestinian Authority will decide independently on the rates of Customs purchase tax, levies and excises.

III - Changes in the rates in these lists mentioned above will be introduced as follows :

III a - In the "baseline" Israel may decide on changes in rates. If the changes are of a downward nature, the Palestinian Authority may not follow. Any changes which do not require immediate decisions there will be a process of an advance notification and mutual consultations which will take into consideration all aspects and economic implications.

III b - In lists A and B, the Palestinian Authority may introduce any changes in rates as it deems right (except for V.A.T.)

IV. All imported goods and commodities in the three above mentioned lists will be subject to the same rate of V.A.T. [I. There will be a unified rate for the Palestinians both local and on imports at the level of 16%]. [P. Between 15-16%].

V. Import policy - The import policy including classification, evaluation, licensing and other customs procedures shall be according to the Israeli import policy except if agreed otherwise. Each side will conduct its own licensing procedures.

VI. Each side will maintain the same policy on standardization based on health, safety and the protection of the environment. Changes in the current standardization will be based only on these three guidelines until the Palestinian Authority establishes its own policy of standardization. Exceptional requests for changes may be dealt by a joint sub-committee.

VII. Entry points - Jordan River and The Gaza Strip.

Passengers - Each side will administer its own side of the custom hall including inspection and tax collecting. Israeli officials will be present [P. invisibly] in the Palestinian

customs area and entitled to request inspection and collection of taxes when due (to be collected by the Palestinian Authority).

Commercial to the territory under the Palestinian Authority's jurisdiction. Both sides will administer the commercial part of the custom procedures.

VIII. There will be free movement of local industrial goods and agricultural production between the two sides (except for 5 items in which limitations will be phased out as stipulated in the agreement on the movement of agricultural production).

The two sides agree on economic relations based on the following:

1. There will be a free movement of goods, labour and services between Israel on the one hand and the West Bank and the Gaza Strip on the other hand.

2. In their import and custom policies, the two sides will be guided by two lists:

List (a) - A list of commodities and goods on which the Palestinian Authority will decide independently all their rates of import taxes, according to quantities based on the Palestinian market needs. This list includes:

- basic food items and agricultural inputs.

- Goods relating to the national and international economic development program of the West Bank and Gaza Strip.

List (b) - A list of commodities and goods on which the Palestinian Authority will decide independently, all their rates of import taxes, including custom duties, Purchase Tax and any other equivalent charges and will have the right to import from any external sources, Jordan and Egypt in particular and other Arab Countries according to quantities based on the Palestinian market needs.

3. For commodities and goods not included in list (a) and (b), the two parties agree that their import taxes, including custom duties, Purchase Tax and other equivalent charges will be at the minimum the current Israeli rate.

4. Changes in the rates of the commodities and goods will be introduced as follows in lists (a), (b) and (c):

In list (a) and (b) the Palestinian Authority can decide to introduce changes in the rates.
In list (c)

5. {P} The VAT rate on imported commodities and goods in list (a) and (b) would be subject to a VAT rate ranging between 15-16%.

{I} The VAT rate on local and imported commodities and goods in list (a) and (b) would be subject to a VAT rate of 16%.

6. The import policy including classification, evaluation, licensing and other custom procedures shall be according to the agreed upon import policy between the two sides. Each side will conduct its own licensing procedures.

7. Each side will maintain its own policy on standardisation based on health, safety and the protection of the environment.

8. The Palestinian Authority will be responsible for the administration and collection of tax and custom revenues on the border entry points for passengers on the Jordan river and the Gaza Strip.

9. The Palestinian Authority will be responsible for the administration and collection of taxes and customs on the border entry points for commercial purposes on the Jordan river and the Gaza Strip.

10. There will be Israeli presence on the entry points for commercial purposes on the Jordan river and the Gaza Strip to ensure the collection of taxes and custom revenues according to the agreement between the two parties.

11. There will be an invisible Israeli presence on the entry points for passengers on the Jordan river and the Gaza strip to ensure the collection of taxes and custom revenues according to the agreement between the two parties.

TOTAL P.04

ג"ד באדר התשנ"ד
25 בפברואר 1994

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אל: ראש הממשלה מנכ"ל

מאת: ז'ק נריה

1. להלן מבروس בורטונ מלהשגרירות האמריקנית (25 בפברואר)

אבל מאין שוחח ביום ד' (23 פבר') עם מיופה הכוח האמריקני בתוניס ומסר לו הדברים הבאים:

א. יש להגיע להסדר לפני ה-13 באפריל, גם אם יותרו פרטיהם לא סגורים. מ"מ עליהם יתנהל בהמשך.

ב. יש לאפשר ב-13 באפריל כניסה שוטרים פלסטינים לתחילת יישום היחסים.

ג. רוב הדברים פחות או יותר מסוכמים. הדברים שיושארו לפגישת רבין - ערפאת: שוטר על הגשר. גודל אזור ירicho, סוגיות הדרכו.

אבל מזמן הדגיש את הצורך לבכד את ה-13 באפריל. אם מועד זה (שהוא מועד קשי בחשבכם, כך לטענתו) יחולף ללא תחילת יישום, אז עלולה להתפתח סחבת שתמשך לפחות כל ציון דרך וזה מסוכן.

לדברי ابو מאון פגישה בין ראש הממשלה לערפאת צריכה להתקיים בסביבות ח-15 במרכז.

2. להלן מ-סעید כמאל בנושא הנדרים (השיהה התקיימה בקיהיר)

משיחה שהיתה לי עמו הנושא, אמר לי כי ידוע לו על הימצאות גופה אחת בדמשק. לדייתו, לא מדובר בשלוש גופות קבורות בדמשק.

3. **דחלאו על אילן סעדו ז"ל (השיחת התקיימה בקחיר)**

מןימת דבריו בנדון, התרשםתי כי אכן מעריך דחלאן כי ישיג מידע על מקום קבורתו של אילן סעדיון ז"ל.

ט"ז
(כ, כ)

ירושלים, י"ג באדר התשנ"ד
24 בפברואר 1994

אל: רה"מ

הנדון: פרויקט לכבייש - עילי עוזה-יריחו

רצ"ב חומר שהעביר למשרדנו ד"ר אבי צ'סנר, המתייחס לפרויקט
(בו שותף ג'ן פרידמן) של כבייש עילי שיחבר בין עזה ליריחו.

לעינוך.

ז'ק נריה

Draft of
February 23, 1994

Annex I

**Protocol Concerning Withdrawal of Israeli
Military Forces and Security Arrangements**

Article --

Security Arrangements in the Gaza Strip

1. The Delimiting Line

For the purpose of the present Agreement only and without prejudice to the final status, the line delimiting the northern and eastern edge of the Gaza Strip area follows the fence on the ground, as delineated on the attached map No. 1 by an unbroken green line, and shall have no other effect. It will be termed hereinafter "the Delimiting Line."

2. Security Perimeter

- a) There will be a security perimeter along the Delimiting Line inside the Gaza Strip, as delineated on the attached map No. 1 by a broken green line (hereinafter "the Security Perimeter").
- b) In accordance with the provisions established in this Agreement, the Palestinian Police will be responsible for security in the Security Perimeter within the jurisdiction of the Palestinian Authority.

- c) The Palestinian Police will enforce special security measures aimed at preventing infiltrations across the Delimiting Line or the introduction into the Security Perimeter of any arms, ammunition or related equipment, except for the authorized arms, ammunition or equipment of the Palestinian Police and whatever is authorized by the relevant DCO.
- d) Activities of the Palestinian Police inside the Security Perimeter shall be coordinated through the relevant DCO. Security activities in Israel in the vicinity of the Delimiting Line which directly affect the other side shall be coordinated with the Palestinian Police through the relevant DCO.
- e) Zoning arrangements applicable to the Security Perimeter are set out in Article -- of this Annex.

3. The Israeli Settlements

In accordance with the Declaration of Principles, during the interim period the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, as delineated on the attached map No. 1 by a blue line, will be under Israeli authority.

4. The Yellow Areas

- a) In the areas delineated by a broken red line and shaded in yellow on the attached map No. -- (hereinafter "the Yellow Areas") and without derogating from Palestinian authority, responsibility will be shared as follows: the Israeli authorities will have the overriding responsibility and powers for security and the Palestinian Authority will have the responsibility and powers for civil affairs, subject to this Agreement. In addition, cooperation and coordination in security matters, including joint patrols, will take place in the Yellow Areas as set out in this Article.

b) Entry of Palestinian policemen into the Yellow Areas and their activity therein may take place upon [I: receiving prior approval from] [P: coordination with] the Israeli authorities through the relevant DCO.

[I: In addition, no Palestinian Police station or other facility shall be established in the Yellow Areas.]

5. The Mawasi Area

a) Joint patrols shall operate as follows:

[I: (1) In the Mawasi area and the fishermen's wharves of Rafah and Khan Yunis, led by the Israeli vehicle.]

[P: (2) The lateral roads (east-west) leading from Rafah and Khan Yunis to the Mawasi and beach areas.]

[P: (3) The north-south road in the Mawasi area and the beach road.]

b) Access of Palestinians to the Mawasi Area, as defined on map No. 1, will be by the following roads:

(1) Rafah - Tel Sultan - Mawasi;

(2) Khan Yunis - Satar (the road between Katif and Ganei Tal) - Mawasi; and

(3) Deir El Balah - along the beach to the Mawasi.

6. The Erez Area

The Erez industrial area will be open to joint ventures with Palestinians.

7. The Egyptian Border

The Israeli military installation area along the Egyptian border in the Gaza Strip, as delineated on the attached map No. -- by a blue line and shaded in pink, will be under Israeli authority.

8. Lateral Roads to the Settlements

a. Without derogating from Palestinian authority and in accordance with the DOP:

- (1) On the three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Netzarim road, as delineated by a light blue line on the attached map No. 1, including the adjacent sides upon which the security of traffic along these roads is dependent (hereinafter "the Lateral Roads"), the Israeli authorities will have all necessary responsibilities and powers in order to conduct independent security activity, including Israeli patrols.
- (2) Joint Israeli-Palestinian patrols will operate along the Lateral Roads. Such joint patrols will be led by the Israeli vehicle.
- (3) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, the continued handling of the incidents falling within Palestinian responsibility to the Palestinian Police.
- (4) Overpasses will be constructed on intersections between the lateral roads and the main north-south road.
- (5) These arrangements will be reviewed by the JSC after one year from the date of completion of the withdrawal of Israeli forces from the Gaza Strip.

b. Where the Lateral Roads overlap with the Security Perimeter, the two sides will fully coordinate their activity in order to prevent frictions between them in exercising their respective powers and responsibilities.

9. The Central North-South Road

[I: As delineated on the attached map No. --, two joint patrols will operate along the central road in the Gaza Strip (north to south), between the Netzarim Junction and the Kfar Darom junction. The two joint patrols will be led by the Palestinian vehicle.]

10. Joint Mobile Units

As delineated on the attached map No. --, joint mobile units will be located at the following junctions:

[I: (1) the Netzarim junction;
(2) the Katif junction;
(3) the Sofa-Morag junction;
(4) the Beit Hanoun junction; and
(5) the Sagaia junction.]

11. Coordination and Cooperation in the Gaza Strip

Two DCOs will be established in the Gaza Strip as follows:

(1) A DCO for the Gaza district, to be located at the Erez crossing point, with the following two subordinate Joint Liaison Bureaus:
(a) Liaison Bureau in the Erez crossing point; and
(b) Liaison Bureau in the Nahal Oz crossing point.

(2) A DCO for the Khan Yunis district, to be located at the Nuriya Camp, with the following three subordinate Joint Liaison Bureaus:
(a) Liaison Bureau in the Kissufim crossing point;
(b) Liaison Bureau in the Sufa crossing point; and
(c) Liaison Bureau in the Rafah terminal.

Article --

**Security Arrangements Concerning
Planning, Building and Zoning**

1. Notwithstanding the provisions relating to planning, building and zoning set out elsewhere in this Agreement, in the areas specified below the following provisions shall apply.
2. These arrangements will be reviewed within a period of six months from the completion of Israeli withdrawal from the Gaza Strip and, thereafter, every six months with a view to modifying them with due consideration to Palestinian plans for establishing economic projects and the security concerns of boths sides.
3. The existing buildings, installations and natural and artificial culture in the Gaza Strip within a distance of 100 meters of the Delimiting Line may stay in place; however, no additions or changes will be made with regard to them.
4. Subject to the provisions of paragraph 3 above, buildings or installations may be constructed within the next 500 meters of the Security Perimeter, provided that:
 - a. no more than one building or installation shall be constructed on each plot, the size of which shall not be less than 25 dunams; and
 - b. no part of such building or installation shall exceed two floors and its size will not exceed 180 sq. meters per floor.
- [I:5. The arrangements detailed in paragraph 3 above will also apply with respect to the adjacent sides of the Lateral Roads. In addition, no building or installation shall be constructed on both sides of the following roads:
 - a. the Lateral Roads - within a distance of 75 meters from the center of these roads;
 - b. Route No. 90 crossing Auja from South to North - within a distance of 120 meters from the center of the road, as shown on the attached map No. 2; and

c. the East-West road connecting Route No. 90 with Kibbutz Yitav - within a distance of 70 meters from the center of the road, as shown on the attached map No. 2.]

[I:6. No building or installation shall be constructed -

a. within the Yellow Areas;

b. in the portion of the Jericho Area connecting Auja and Jericho, as delineated by double red lines on map No. 2 attached to this Agreement; and

c. in the areas extending 100 meters from the perimeter of the Israeli settlements.]

[I:7. With regard to the areas described in paragraph 5 above, the following additional restrictions will apply -

a. in the Yellow Area adjacent to the Israeli military installation area along the Egyptian border no changes will be made in the artificial culture; and

b. in the areas extending 100 meters from the perimeter of the Israeli settlements no changes will be made in the natural or artificial culture.]

[I:8. In the Jericho Area, no bridges or other structures will be built above Route No. 90 which may prevent the movement on this road of vehicles with a height of up to 5.25 meters.]

[I:9. For the purpose of enforcing this Article, the attached aerial photograph depicts the buildings, installations and natural and artificial culture existing at the time of signing of this Agreement.]

[I:10. The Palestinian Authority shall enforce the planning, building and zoning restrictions included in this Article. In the event that the Palestinian Authority fails to enforce such restrictions within 60 days from the date on which Israel notified the Palestinian Authority of a violation of this Article, Israel may enforce these restrictions and will have all the necessary powers in this regard.]

Article --

Coordination and Cooperation In Security Matters1. Joint Security Coordination and Cooperation Committee

- a. A joint Security Coordination and Cooperation Committee for mutual security purposes (hereinafter "the JSC") is hereby established.
- b. The JSC shall:
 - (1) Recommend security policy guidelines for the approval of, and implement such guidelines set by, the Joint Israeli-Palestinian Liaison Committee.
 - (2) Deal with security issues raised by either side.
 - (3) Provide the proper channel for exchanging information between the two sides needed to solve security problems.
 - (4) Provide direction for the District Coordination Offices.
- [I: (5) Oversee the activities of the Temporary Foreign Presence, as referred to in Article -- of this Annex.]
- c. The JSC shall comprise between five and seven members from each side. Decisions of the JSC will be reached by agreement between the two sides.
- d. Meetings of the JSC shall be held regularly every two weeks. In the event that either side requests a special meeting, it will be convened within twenty-four (24) hours. The first meeting will be held within one week after the date of entry into force of this Agreement. At that meeting, the JSC shall set its rules of procedure.

- e. Unless otherwise agreed by the two sides, JSC meetings will be hosted by each of the sides alternately.

2. District Coordination Offices

- a. Three (3) District Coordination Offices are hereby established, one each for the districts of Gaza, Khan Yunis and Jericho (hereinafter "the DCOs").
- b. The DCOs shall:
 - (1) Monitor and manage the matters requiring coordination as determined by the JSC according to the policy and guidelines established by the JSC.
 - (2) Monitor and manage all matters of a joint nature between the sides within the specific district of each DCO, including the coordination of activities by one side which may affect the other side.
 - (3) Review, investigate and report to the JSC on the overall situation within the DCO's respective district, with special regard to specific events, incidents and activities current in the district.
 - (4) Direct the Joint Patrols and Joint Mobile Units operating within the DCO's respective district.
 - (5) Direct the Liaison Bureau operating at each terminal in accordance with Article -- (Passages), in conjunction with the CAC.
- c. The DCOs will be run jointly, and will be operated continuously, 24 hours a day.
- d. Each DCO will be continuously staffed by up to six officers from each side comprising one commander and five duty officers on permanent shifts of 8 hours each. There will be at least one duty officer from each side present during each shift, as well as the necessary number of assistants.

e. With a view to preventing frictions and allowing the two sides to prepare for possible incidents, the Israeli authorities and the Palestinian Authority undertake to ensure that the relevant DCO will immediately be notified of the occurrence of any of the following events:

- (1) Routine, planned or irregular activity or deployment by the Israeli security forces or the Palestinian Police that directly affects the other side. This will include activity or deployment in the proximity of Israeli settlements or Palestinian villages, as appropriate.
- (2) Events which may pose a threat to the public order.
- (3) Activities which disturb the regular flow of traffic on the main roads, including road-blocks and road works.
- (4) Incidents involving both Israelis and Palestinians, such as road accidents, rescue of casualties or persons in mortal danger, engagement steps or any incidents in which a weapon is used.
- (5) A terrorist action of any kind, from any source.
- (6) Infiltrations across the lines of the Gaza Strip and Jericho Area.
- (7) All emergency cases in which Israelis are hospitalized in the Gaza Strip or Jericho Area or Palestinians of the Gaza Strip or Jericho Area are hospitalized in Israel.

f. Each DCO will notify the Israeli and Palestinian regional headquarters, as well as the Joint Patrols and Joint Mobile Units operating in the relevant district, on the occurrence of any of the events listed in paragraph e. above.

g. The JSC may modify the contents of the list of events outlined in paragraph e. above.

- h. Any event involving the injury of Israelis at any location within the Gaza Strip or Jericho Area will be immediately reported to Israel through the JSC and the relevant DCO. Israel may employ any means necessary for the evacuation and treatment of such injured persons.
- i. The DCOs will be equipped with the necessary means of communication in order to enable direct and immediate contact both with the Joint Patrols and Joint Mobile Units, as well as with the respective headquarters functioning in the district.

3. Joint Patrols

- a. The mission of the Joint Patrols is to ensure free, unimpeded and secure movement along the roads and in the areas described in Articles Nos. -- of this Annex.
- b. Unless the DCO decides otherwise, the Joint Patrols will be comprised of two 4-wheel drive vehicles - one Palestinian and one Israeli. The vehicles will be marked in such a way so as to be easily distinguishable from all other vehicles in the area. There will be four people in each vehicle - an officer, a signal operator, a driver and a guard.
- c. The Joint Patrols will patrol 24 hours a day in vehicles and on foot along their routes of activity and in the adjacent sides upon which the security of traffic along these roads is dependent or as instructed by the DCO.
- d. In routes under Israeli responsibility, the Israeli vehicle will be the leading vehicle. In routes under Palestinian responsibility, the Palestinian vehicle will be the leading vehicle. The Joint Patrol will be under the direction of the relevant DCO.

- e. The Joint Patrols will conduct constant monitoring of movement within their area of operation with a view to preventing incidents which may threaten or endanger persons using the roads, and will report to the relevant DCO and to the Israeli and Palestinian district headquarters any such incident or the threat thereof.
- f. Upon reaching the scene of an incident, the Joint Patrol will provide as much assistance as possible. Where the incident is dealt with by the authorities functioning in the area, the Joint Patrol will verify that the appropriate measures have been taken and report to the relevant DCO accordingly.
- g. Immediately on becoming aware of the occurrence of one of the events listed in paragraph 2.e above, the Joint Patrols will report the event to the relevant DCO and the relevant Israeli and Palestinian headquarters.

4. Joint Mobile Units

- a. The mission of the Joint Mobile Units shall be to provide rapid response in the event of incidents and emergency situations in order to ensure free, unimpeded and secure movement on the junctions where they are located and along their designated routes of activity.
- b. The composition of the Joint Mobile Units will be identical to that of the Joint Patrols.
- c. The duties of the Joint Mobile Units shall be:
 - (1) to monitor the movement along designated roads from basically static locations on agreed junctions, from where they may patrol at random on agreed roads as instructed by the relevant DCO, in which case their duties will be the same as those of Joint Patrols; and
 - (2) in the event of an incident involving both Israelis and Palestinians, to reach the site of the incident in order to investigate the incident and provide assistance.

5. Review of Security Arrangements

The coordination mechanism shall also operate as a mechanism for the review of security arrangements, as follows:

- a. The JSC shall meet six months after the entry into force of this Agreement, and at six-month intervals thereafter, to review the security arrangements and recommend changes. Amendments shall be adopted by mutual agreement of the two sides.
- b. The JSC shall base itself, in part, on the regular reports and recommendations received from the DCOs.

Article --

Rules of Conduct in Security Matters

1. General

[P: a) Rules of conduct shall apply to both sides in accordance with the agreed allocation of security responsibilities.]

b) [I: Subject to the provisions of this Agreement, Israel and the Palestinian Authority will exercise their powers and responsibilities, pursuant to this Agreement, with due regard to accepted norms of human rights and the rule of law.]

[P: In fulfilling their duties, the security personnel of both sides shall respect human rights and shall be guided by the need to protect the public, to respect human dignity and to avoid superfluous harassment.]

2. Checking identification documents and vehicles

[P: In areas under their respective security responsibility, the two sides shall have the right to check and, as necessary, apprehend any suspicious or threatening object, vehicle or person.]

- a. The Police shall not [I: detain or] arrest Israeli and under no circumstances place them, in custody or in prison.
- [I: b. The Police shall not stop any vehicle bearing Israeli license plates, and the passengers in such a vehicle shall not be required to identify themselves.]
- c. Pedestrians may be required by the Police to produce an identity card. If the pedestrian produces an Israeli identity card, no further action may be taken by the Police.
- d. Where an Israeli has been involved in a criminal act the Police will immediately notify the Israeli security forces.

3. Traffic Violations

[P: The Palestinian Authority officers shall take the appropriate measures regarding traffic violations that occur in the Gaza Strip and Jericho Area, excluding the settlements. They shall issue a warrant, if necessary, and hand the violator to the relevant side according to the agreed legal procedures.]

4. Road Accidents

[P: In the areas under their respective security responsibility, the two sides shall immediately act to save lives and evacuate the wounded to the nearest hospitals. Arrangements for moving hospitalized people to other hospitals dependent on the other side will be made expeditiously, if so wished.]

5. Carrying Weapons

[P: a) Carrying weapons by civilians shall be prohibited according to the law.]

[P: b) In the areas under their respective security responsibility, the sides shall have the right to confiscate any unlicensed weapon, arrest its holder, issue an arrest warrant against him/her, and hand him/her to the relevant side in accordance with the agreed legal procedures.]

6. Rules of Engagement

- a. For the purposes of this Article, "engagement" shall mean an immediate response to an act or incident constituting a danger to body or property, which is aimed at preventing, terminating [I: or frustrating] such an act or incident, or at apprehending its perpetrators.
- b) [I: Any activity of the Palestinian Police involving the use of firearms other than for immediate operational purposes will be subject to prior coordination with the Israeli authorities through the JSC.]

[P: Engagement with the use of firearms shall not be allowed except within the law and as a last resort after all attempts at controlling the incident, such as warning the perpetrator or shooting in the air, have failed. Use of firearms should be aimed at deterring and not at killing the perpetrator. The use of firearms shall stop, once the perpetrator stops the act of violence.]
- c) [I: Nothing in this Article shall be construed as prejudicing the right of Israelis to self-defense.]

[P: Self-defense is a limited response to prevent an immediate and direct danger to life. In all other case, engagement rules should apply.]
- d) [P: Hot-pursuit shall be for the purpose of arrest, unless forcibly resisted. It shall be an exclusive Palestinian Authority responsibility, except inside the settlements, where it is Israeli.]
- e) [I: The Israeli authorities may carry out engagement steps in cases where an act or incident requires such an action.]
- f) [I: In addition, the Israeli authorities may check vehicles, objects or persons and, as necessary, apprehend or seize any such suspicious or threatening vehicles, objects or persons.]

g) [I: Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, the continued handling of the incident falling within Palestinian responsibility, to the Palestinian Police.]

7. Rules of Conduct in Joint-Patrolling Roads

a) [I: Identification of Israelis and stopping of vehicles bearing Israeli license plates along roads patrolled by Joint Patrols will be done by the Israeli side of the Joint Patrol, or by the Israeli team of the Joint Mobile Unit.]
[P: On roads where joint-patrolling takes place, each side of the joint-patrol may check identification documents and vehicles of people who fall under its security jurisdiction. Foreigners shall be jointly checked.]

b) [P: The Palestinian Authority officers shall exercise their responsibilities against all traffic violations in the roads where joint patrolling takes place.]

c) [P: Measures described in point 5 of this Article against people carrying unlicensed weapons on joint-patrolling roads shall be taken by the side under whose security jurisdiction these people fall.]

d) [P: Engagement shall be joint in joint-patrolling roads. However, whenever time permits, when the aggression is committed by people falling under the security jurisdiction of one side, and there is no immediate danger to the other side, the latter shall transfer to the former, at the earliest opportunity, any continued treatment of the incident.]

e) [P: Hot pursuit in joint-patrolling roads shall be governed by the rules of engagement. Hot pursuit to the areas adjacent to these roads shall be under exclusive Palestinian Authority responsibility.]

ARTICLE --

Passages1. General

- a. While Israel remains responsible during the interim period for external security, including along the Egyptian border and the Jordanian line, border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied by the parties, with the necessary adjustments, to agreed seaports, airports or other international crossings, such as the Abdullah and Damya bridges.
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.
- e. In each border crossing there will be one terminal, consisting of two wings. The first wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). The second wing will serve Israelis and others (hereinafter "the Israeli Wing"). There will be a closed Israeli checking area and a closed Palestinian checking area, as set out below.

f. Special arrangements will apply to V.I.P.s crossing through the Palestinian Wing. The liaison bureau to be established pursuant to paragraph 5 below (hereinafter "the Liaison Bureau") will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:

- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
- (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

b. (1) Israel will have the responsibility for security throughout the passage, including for the terminal.

(2) An Israeli director-general will have the responsibility for the management and security of the terminal.

(3) The director-general will have two deputies who will report to him:

- (a) an Israeli deputy who will be the manager of the Israeli Wing. Israel will have exclusive responsibility for the management of the Israeli Wing; and
- (b) a Palestinian deputy, appointed by the Palestinian Authority, who will be the manager of the Palestinian Wing.

- (4) Each deputy will have an assistant for security and an assistant for administration. The assignments of the Palestinian deputies for security and administration will be agreed upon by the two sides in Taba.
- (5) There will be maximum coordination between the two sides. Both sides will maintain cooperation and coordination on matters of mutual concern.
- (6) The director-general will continue to use Palestinian contractors to provide bus services and other administrative and logistical services.
- (7) Palestinian policemen present at the terminal will be armed with handguns. Their deployment will be decided upon in Taba. Other Palestinian officials present at the terminal will be unarmed.
- (8) The details of management and security and Liaison Bureau issues will be dealt with in Taba.
- (9) The two sides will work together in Taba in order to seek ways for additional arrangements in the Rafah terminal.
- (10) Both Parties will review these procedures in a year time.

c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.

d. (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).

(2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after joint verification that such passengers hold the necessary documentation for exiting the area to Jordan or Egypt, as set out in this Agreement.

3. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

- a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised Palestinian flag.
- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and it will be placed on a conveyor belt. Each side will be able to inspect such luggage inside its own checking area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner and a Palestinian policeman.
- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.
- d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control, as follows:
 - (1) The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will pass via a Palestinian counter, where their documents and identity will be checked. Their documents will be checked by an Israeli officer who will also check their identity indirectly in an invisible manner.

- (2) The second lane will serve other Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents and identity will be checked. Then they will continue via an Israeli counter, where their documents and identity will be checked. The two counters will be separated by tinted glass and a revolving door.
- (3) The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure as in paragraph 3.d(2) above will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

e. In the event of suspicion regarding a passenger in any of the three lanes described in paragraph d. above, each side may question such passenger in its closed checking area. Suspicion justifying questioning in the closed checking area may be one of the following:

- (1) the passenger was involved, directly or indirectly, in criminal or planned criminal activity, in terrorist or planned terrorist activity and is not a beneficiary of the amnesty provisions of this Agreement.
- (2) the passenger conceals arms, explosives or related equipment;
- (3) the passenger holds forged or non-valid documentation or the details included in the documentation are inconsistent with those included in the population registry (in case of a resident) or in the data base (in case of a visitor), except that questions relating to such inconsistency will initially be raised at the counter and the passenger will be questioned in the closed checking area only if the suspicion has not been removed; or

(4) the passenger acts in an obviously suspicious behavior during the passage via the terminal.

If, at the conclusion of this questioning, the suspicion has not been removed, such passenger may be apprehended, after the other side has been notified. In case of a Palestinian suspect being apprehended by the Israeli side, a Palestinian policeman will be asked to meet with the suspect. Following notification to the Liaison Bureau, any further treatment of the apprehended person will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).

f. In the Palestinian Wing, each side will have the authority to deny the entry of persons who are not residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank, as well as persons who have subsequently obtained permanent residency in these areas with the approval of Israel, as set out in this Agreement.

g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area. (The procedures will be agreed upon in Paris.)

h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

At the conclusion of the direct and indirect checking of the documents and identity of passengers passing via the first lane and stamping their entry permits, the Palestinian officer will provide the passenger with a white card issued by the Israeli officer. A Palestinian official posted at the exit of the Palestinian Wing will verify that the passenger holds such a white card and will collect the cards with indirect and invisible Israeli checking.

For passengers going through the second and third lanes, the Israeli officer will provide the passengers with a blue card, after checking their documents and identity, and verifying their entry permits. An Israeli and a Palestinian official posted at the exit of the Palestinian Wing will verify and collect the cards. White and blue cards collected will be checked by Israeli and Palestinian officials.

In cases where either side denies the entry of a non-resident passenger, that passenger will be escorted out of the terminal and sent back to Jordan or Egypt, as appropriate, after notifying the other side.

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area.

If these structural alterations are not completed by that time, the arrangements described in this Article shall apply, except for those arrangements that cannot be implemented without the structural alterations.

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.
- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to three months granted by the Palestinian Authority and approved by Israel. The Palestinian Authority may extend this three-month period for an additional period of up to three months and will inform Israel about the extension. Any further extensions require the approval of Israel. The Palestinian request for a a four-month period and an additional four months will be negotiated in Taba in the immediate future.
- e. The Palestinian Authority will ensure that visitors referred to in paragraph d. above will not overstay the duration of their entry permit and authorized extensions.

Article --

Security [I: Along the Coast Line and] [P: in the]
Sea of Gaza1. Maritime Activity Zonesa. Extent of Maritime Activity Zones

The sea off the coast of the Gaza Strip will be divided into [I: three] P: four Maritime Activity Zones, K, L, and M [P: and Commercial Activity Zone], [I: as shown on map No. 4 attached to this Agreement,] and as detailed below:

(1) Zones K and M

[P: (a) Zone K extends to 20 nautical miles in the sea from the coast in the northern part of the sea of Gaza and to 500 meters wide in the Israeli waters.]

[P: (b) Zone M extends to 20 nautical miles in the sea from the coast, and to 1 nautical mile wide from the Egyptian waters.]

(c) Subject to the provisions of this paragraph, Zones K and M will be closed areas, in which navigation will be restricted to Israeli Navy [I: vessels].

[I: (d) The responsibility for dealing with vessels sailing in Zones K and M will be Israeli.]

[I: (d) Existing fishing rights of Israeli fishermen in Zone K will not be affected.]

(f) Fishing boats using the Rafah wharf will have access to fishing in Zone L via the existing 500 meters wide sea channel parallel to the coast in Zone M.

(2) Zone L

[P: (a) Zone L extends to 20 nautical miles in the sea from the coast.]

[P: (b) Zone L will be considered the zone of activity of the Palestinian Coastal Police Guard.]

(c) Zone L will be open for fishing and recreational sailing [I: by residents of the Gaza Strip, in accordance with the following provisions:]

(i) [I: Fishing boats will not exit Zone L into the open sea and may have engines of up to a limit of 20 horse-power. The boats will neither carry weapons nor ammunition nor will they fish with the use of explosives. These boats and their skippers will carry licenses issued by the Palestinian Authority, the format of which will be coordinated with Israel through the JSCCC. The boats will have identification markings determined by the Palestinian Authority. Israel will be notified of these identification markings.] [P: Fishing boats acting in this zone may have engines up to 60 HP.]

(ii) [I: Recreational sailing boats will also carry skipper certificates. They will be permitted to sail up to a distance of 3 nautical miles from the coast. Recreational sailing boats may have engines up to a limit of 6 horse-power. Marine motor bikes and water jets will neither be introduced into Zone L nor be operated therein.] [P: Recreational boats may have engines up to 10 HP.]

[I:(iii) Foreign vessels entering Zone L will not approach closer than 12 nautical miles from the coast.]

[P: (3) Economical Activity Zone

- (a) It extends up to 80 nautical miles from the coast.
- (b) This zone will be open for fishing and economical activities in accordance with the following provisions:
 - (1) Fishing boats and other boats cannot exit the limit of 20 nautical miles without permit issued by the Palestinian Authority.
 - (2) Fishing boats which act beyond the limit of 20 nautical miles inside the economical zone, may have inboard engines up to 100 HP.]

b. General Rules of [I: the] Maritime Activity Zones

- [P: (1) Fishing boats and recreational sailing boats and their skippers shall carry licenses issued by the Palestinian Authority, the format of which will be coordinated with Israeli Authority through JSC.]
- [P: (2) The boats shall have identification markings determined by the Palestinian Authority.
- (3) [I: Israeli Navy vessels may sail throughout the Activity Zones, as necessary and without limitations,]
[P: Israeli Navy vessels shall operate beyond the limit of Zone L,] in order to carry out Israel's responsibility for external security.
- [I: (4) Israel will continue to operate the three existing Israeli radar stations, located at Erez, Tel Ridan and Tel Rafah, and the coastal observation point located at Netzarim, as shown on the attached map No. 4.]

[I: (5) As part of Israel's responsibility for security within the three maritime Activity Zones, the Israel Navy may:

- (a) deny entry of vessels into these zones; and
- (b) delay, stop and search and detain any vessels suspected of terrorist activities or of smuggling arms or ammunition.

In the event that weather or other reasons prevent the execution of stop and search procedures, the vessel in question may be required to sail to a safe port, such as Ashdod port, where the search will be completed.]

[I: (6) The establishment or use of a port in Gaza for international transportation will be subject to security arrangements approved by the JSCCC.

[P: (7) Foreign vessels entering Zone L will not approach closer than 20 nautical miles from the coast without permission from the Palestinian Authority.

2. [I: The Coastal Police Branch of the Palestinian Police] [P: The Palestinian Coastal Police]

[P: The General Directorate of Palestinian Police shall establish the Palestinian Coastal Police.]

- a. [I: The powers and responsibilities of the Palestinian Coastal Police will include supervision over the fishing and recreational sailing boats and prevention of crime in Zone L, up to a distance of 3 nautical miles from the coast, in addition to regular police duties.] [P: The powers and responsibilities of the Palestinian Coastal Police will cover Zone L.]
- b. [I: The Palestinian Coastal Police will have no more than five boats, weighing no more than 20 tons. They will travel at a speed of up to 20 knots.] [P: The Palestinian Coastal Police will have up to 8 boats weighing up to 40 tons with a speed up to 30 knots. The boats will have engines not less than 100 HP, and a range up to 200 miles.]

- c. [I: The boats will be permitted to carry weapons of up to a 7.62 mm caliber.]
[P: Every boat will carry one machine gun of 12.7 mm caliber and other machine gun of 7.62 mm.]
- d. [I: The boats will fly police flags, will be marked with the word "Police" in Arabic and English, and will operate identification lights.] [P: Boats of the Palestinian Coastal Police shall fly the Palestinian flag, have police identification markings and shall operate identification lights.]
- [P: e. The Palestinian Coastal Police shall operate two radar stations, and observation points located at the coast.]
- [I: f. The Parties will cooperate on all sea matters including mutual help at sea, and pollution and environmental issues.]
- g. A direct radio telephone link (hot line) shall be set up between the [I: Israeli Navy and the Palestinian Coastal Police] [P: liaison officers of the Palestinian Coastal Police and the Israeli Navy for coordination and cooperation requirements.]
- [I: h. The Coastal Police will conduct its training, including the use of firearms, in the area opposite the mouth of Wadi Gaza at a distance of 2 nautical miles from the shore. Training involving the use of firearms will be coordinated with the Israeli Navy through the JSC.]
- [I: i. The boats of the Palestinian Coastal Police will use the Gaza Wharf as their home port.]
- [I: j. Vessels belonging to Israelis are solely subject to the control and jurisdiction of Israel and the Israeli Navy.]
- [I: k. Only those activities expressly permitted in the Maritime Activity Zones in this Annex may be carried out there by the Coastal Police.]
- [I: 3. Maritime Coordination and Cooperation Center]

[I: a. A Maritime Coordination and Cooperation Center (hereinafter "the MCCC") will function as part of the JSCCC, to coordinate civil maritime activities and coastal police affairs off the coast of the Gaza Strip.]

[I: b. The MCCC will function within the RCCO of the Gaza Region.]

[I: c. The MCCC will function 24 hours a day.]

[I: d. The MCCC will be staffed by members of the Israeli Navy and the Palestinian Coastal Police, each providing a liaison officer and an assistant liaison officer. These officers will be in addition to the personal specified in Annex I, Article IV, paragraph 2.d.]

[I: e. The role of the MCCC is:

- (1) To coordinate assistance between the Coastal Police and the Israeli Navy as may be necessary to deal with incidents arising at sea.
- (2) To coordinate Coastal Police requests for the testing of weapons and firing practice at sea.
- (3) To coordinate joint activities between the Coastal Police and the Israeli Navy when pre-planning is operationally necessary.
- (4) To coordinate radio contact between Coastal Police and Israeli Navy vessels whenever such vessels approach within 2 nautical miles of each other.
- (5) To coordinate search and rescue operations.
- (6) In the event that a port will be established in Gaza, to coordinate maritime activities related thereto.]

Article --

The Palestinian Directorate of Police Force1. General

The Palestinian Directorate of Police Force (hereinafter: "the Police") will function in accordance with the following principles:

- a. It will be responsible for public order and internal security within the jurisdiction of the Palestinian Authority in accordance with Article IV of this Agreement.
- b. Movement of policemen between the Gaza Strip and Jericho Area will be conducted in accordance with paragraph -- of Article -- of this Agreement (safe passage).

2. Duties and Functions

- a. Subject to the provisions of this Agreement, in the areas under Palestinian jurisdiction [P: including the seashore and the sea] the duties of the Police are the following:
 - (1) maintaining internal security and public order;
 - (2) protecting the public and their properties and spreading a feeling of security and safety among the public;
 - (3) adopting all measures necessary for preventing crime, according to the law;
 - (4) protecting senior officials;
 - (5) protecting public installations and places of special importance; and

[I: (6) preventing terrorism, crime and hostilities directed against Israelis or Israeli property.]

3. Structure and Composition

- a. The Police will constitute one integral unit under the authority of the Palestinian Authority. There may be four branches:
 1. Civil Police (Al Shurta);
 2. Public Security;
 3. Intelligence; and
 4. Emergency Services and Rescue (Al Difa'a Al Madani).
- b. The Public Security branch will form a Coastal Police Unit. The composition and functions of the Coastal Police Unit are detailed in Article -- of this Annex.
- c. The Police will be comprised of up to [I: 6,000] [P: 1 policeman per 100 Palestinian inhabitants with a maximum of 10,000] policemen in all its branches.

4. Recruitment

- a. The Police shall consist of policemen recruited locally and from abroad (holding Jordanian passports or Palestinian documents issued by Egypt). [I: The number of Palestinians from abroad will not exceed 3,000 persons.]
- b. Recruited Palestinians coming from abroad should be trained as policemen. (Note: The Palestinian side will add other qualifications.) The employment of policemen who have been convicted of serious crimes or have been involved in terrorist activities subsequent to their employment will be immediately terminated. The names of all Palestinians recruited, whether locally or from abroad, shall be transmitted to the Israeli authorities [I: who may veto the employment of any such recruit.]

5. Arms, Ammunition and Equipment

- a. Uniformed policemen, as well as other policemen on duty who carry special accreditation, may bear arms.
- b. The Police will possess the following arms and equipment:

- (1) Light personal weapons (numbers limited to the force composition).
- (2) Up to [I: 35] [P: 160] machine guns of 0.3" [P: and 0.5"] caliber.
- (3) Up to [I: 16] [P: 160] wheeled armored vehicles. [I: Such vehicles shall not be used in the Security Perimeter, on roads jointly patrolled, on the adjacent sides of the lateral roads, or in the vicinity of Israeli settlements.]
- (4) Communication systems, subject to Article -- (electromagnetic sphere) of this Agreement.
- (5) Specific uniforms, identification badges and vehicle markings.

c. Relevant police equipment and infrastructure purchased from the budget of the Civil Administration will be transferred to the Police.

6. Introduction of Arms and Equipment and Foreign Assistance

- a. All foreign contributions and other forms of assistance to the Police must comply with the provisions of this Agreement.
- b. The introduction into the Gaza Strip or Jericho Area of Police arms, ammunition or equipment from all sources shall be coordinated through the JSC.

7. Deployment

The Police will be deployed in the Gaza Strip and the Jericho Area as shown on the attached map No. --.

Article --

Rules of Conduct Regarding Police Activity

1. Any activity involving the use of firearms other than for immediate operational purposes will be subject to prior coordination with the Israeli authorities through the JSC.

2. Procedures

- a. The Police shall not [I: detain or] arrest Israelis and under no circumstances place them in custody or in prison.

[I: b. The Police shall not stop any vehicle bearing Israeli license plates, and the passengers in such a vehicle shall not be required to identify themselves.]

- c. Pedestrians may be required by the Police to produce an identity card. If the pedestrian produces an Israeli identity card, no further action may be taken by the Police.
 - d. Identification of Israelis and stopping of vehicles bearing Israeli license plates along roads patrolled by Joint Patrols will be done by the Israeli side of the Joint Patrol, or by the Israeli team of the Joint Mobile Unit.
 - e. Where an Israeli has been involved in a criminal act the Police will immediately notify the Israeli security forces.

ס' 14
MINISTRY OF FOREIGN AFFAIRS
JERUSALEM



משרד החוץ
ירושלים

כلم"ס

היו"ץ המשפטיה
טל' 169303761

ט' באדר תשנ"ד
20 בפברואר 1994

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אל: סגן הרמטכ"ל
מאת: הי"צ המשפטיה

רצ"ב עותק מהנוטח המעודכן של הסכם עזה-יריחו כפי שפורסםו לאחר נציגי הפלשינים במלון המפגש האחרון בטאבה. טויטה זו היא המעודכנת ביותר וכוללת את כל העורות חברי הצוות, כולל העורות משרד האוצר, והערות של משרד המשפטים שהווערו בדיון בראשות שד המשפטים.

בברכה,
יואל זינגר

העתק: ראש אג"ת
אג"ת - תא"ל שטאובר (נא הפץ לכל חברי הצוות)
פ"ר
מר מני מזוז (נא הפץ לכל החברים בצוות)
גב' תמר הקר, משרד האוצר
מר ג'ק גרייה, משרד רה"מ

2

February 14, 1994

AGREEMENT

ON THE GAZA STRIP AND JERICHO AREA

The Government of the State of Israel and the P.L.O., representing the Palestinian people;

PREAMBLE

Within the framework of the Middle East peace process initiated at Madrid in October 1991;

Pursuant to the Declaration of Principles on Interim Self-Government Arrangements signed at Washington, D.C. on September 13, 1993 and the Agreed Minutes thereto (hereinafter "the Declaration of Principles");

Reaffirming their adherence to the commitments included in the letters of September 9, 1993 of the Prime Minister of Israel and the Chairman of the P.L.O.;

Hereby agree to the following arrangements regarding the Gaza Strip and Jericho Area:

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Article I**Scheduled Withdrawal of Israeli Military Forces**

1. Israel will implement a withdrawal of Israeli military forces from the Gaza Strip, and from the Jericho area as defined in the Protocol attached as Annex I (hereinafter "the Jericho Area"), beginning immediately with the signing of this Agreement and to be completed within four months after the signing of this Agreement.
2. The withdrawal will take place in accordance with the phased schedule to be concluded in accordance with Annex I.
3. Israeli military forces will be redeployed as necessary in order to carry out Israel's responsibility for external security and for internal security and public order of Israelis and Israeli settlements in accordance with the provisions of this Agreement. Subject to the provisions of this Agreement, the redeployment of Israeli military forces to the locations specified on map No. --, to be implemented concurrently with the withdrawal of Israeli military forces, will constitute full realization of Article XIII of the Declaration of Principles.
4. Israel may employ Israel Police and other Israeli security forces for any function allocated in this agreement to Israeli military forces.
5. Israelis, including military forces and members of the Israel Police and other Israeli security forces referred to in paragraph 4 above, may continue to use roads freely within the Gaza Strip and the Jericho Area.

Article II

Transfer of Powers and Responsibilities to the Palestinian Authority

1. Israel will transfer the agreed powers and responsibilities set out in the Protocol attached as Annex II from the Israeli military government and its Civil Administration to a Palestinian Authority, hereby established. This transfer of powers and responsibilities will take place as described in Annex II.
2. The Palestinian Authority will have the structure described in Annex II, Article I and will be comprised of the members listed therein.
3. Arrangements for a smooth and peaceful transfer of the agreed powers and responsibilities are set out in Annex II.
4. After the completion of the Israeli withdrawal and the transfer of powers and responsibilities as detailed in paragraph 1 above and Annex II, the Civil Administration in the Gaza Strip and Jericho Area will be dissolved and the Israeli military government will be withdrawn from these areas. The withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities not transferred to the Palestinian Authority.
5. A Joint Civil Affairs Coordination and Cooperation Committee and two Joint Regional Civil Affairs Sub-Committees for the Gaza Strip and Jericho Area will respectively be established in order to provide for coordination and cooperation in civil affairs between the Palestinian Authority and Israel, as detailed in Annex II.
6. The Palestinian Authority will function until it is superseded by the Council elected pursuant to the Declaration of Principles.
7. The offices of the Palestinian Authority will be located in the Gaza Strip and Jericho Area pending the inauguration of the Council elected pursuant to the Declaration of Principles.

Article III
Public Order and Security

1. In order to guarantee public order and internal security for the Palestinians in the Gaza Strip and the Jericho Area, the Palestinian Authority will establish a strong police force. The composition, structure, size, functions, equipment and armament, as well as the deployment of the Palestinian police force, are detailed in Annex I.
2. Israel will continue to carry the sole responsibility for defending against external threats of any kind. In this regard, Israel will, *inter alia*, bear the responsibility for protecting the border with Egypt and the cease-fire line with Jordan, and defending against external maritime and aerial threats. Israel will retain all the necessary powers for this end.
3. Israel will continue to carry the responsibility for overall security of Israelis and Israeli settlements for the purpose of safeguarding their internal security and public order.
4. A joint Coordination and Cooperation Committee for mutual security purposes, as well as three joint Coordination and Cooperation Offices for the Gaza region, the Khan Yunis region, and the Jericho Area respectively, will be established as provided for in Annex I.
5. In order to provide maximum security for both Israelis and Palestinians, agreed security arrangements will be established, including joint patrols and joint mobile units, described in detail in Annex I.
6. Except for the Palestinian Police force referred to in this Article, no other armed Palestinian force shall be established or operate in the Gaza Strip and Jericho Area.

7. Except for the arms, ammunition and equipment of the Palestinian Police as described in Annex I, Article XI, neither the Palestinian Authority, nor the Palestinian Police, nor any organization or individual under the jurisdiction of the Palestinian Authority, will manufacture, acquire, possess, import or otherwise introduce into the Gaza Strip or Jericho Area, any firearms, ammunition, weapons, explosives, gunpowder, or any related equipment.

Notwithstanding the above, the Palestinian Authority may grant licenses permitting the use of explosives and gunpowder for civilian use, subject to the approval of the joint Coordination and Cooperation Committee for Mutual Security Purposes.

8. The security arrangements provided for in this Agreement may, at the request of either Party, be reviewed and amended by mutual agreement of the Parties.

Article IV

Jurisdiction

1. The jurisdiction of the Palestinian Authority will encompass matters that fall within its territorial, functional and personal jurisdiction, as follows:

a. The territorial jurisdiction will cover Gaza Strip and Jericho Area territory, as delimited in the maps attached to this Agreement, except for Israeli settlements and military locations as defined in Annex I, Article II, and the attached maps Nos. 1 and 2.

- b. The functional jurisdiction will encompass those agreed powers and responsibilities to be transferred to the Palestinian Authority as described in Annex II. Powers and responsibilities not agreed to be transferred as described in Annex II, including those related to foreign relations, internal security and public order of Israelis, external security and Israelis shall not fall within this jurisdiction.
 - c. The personal jurisdiction will extend to all persons within the areas referred to above, except for Israelis.
- 2. Israeli settlements, military locations and Israelis, as well as powers and responsibilities not transferred to the Palestinian Authority, will continue to be covered by Israeli jurisdiction. Israel will retain all powers and responsibilities in this regard.
- 3. Israel and the Palestinian Authority will cooperate on matters of legal assistance in criminal and civil matters.
- 4. In criminal matters, the provisions of this Article shall be subject to the specific legal arrangements detailed in the Protocol attached as Annex III. Specific legal arrangements concerning civil matters shall be agreed to between Israel and the Palestinian Authority.
- 5. For the purpose of this Agreement, "Israelis" shall include all persons residing in the Israeli settlements, Israeli citizens and residents, legal entities incorporated in Israel, legal entities under the control or management of Israelis, or in which at least fifty percent (50%) of the voting rights or shares are held by Israelis directly or indirectly, and tourists arriving from Israel or travelling to Israel through the Gaza Strip or Jericho Area.

Article V

Legislative Powers of the Palestinian Authority

1. The Palestinian Authority may promulgate legislation within its jurisdiction.
2. The legislation promulgated by the Palestinian Authority shall be consistent with the provisions of this Agreement.
3. Legislation which exceeds the jurisdiction of the Palestinian Authority, as described in paragraph 1 above, or which is inconsistent with the provisions of this Agreement, shall be null and void.
4. Legislation promulgated by the Palestinian Authority will enter into force upon affirmation by a Joint Israeli-Palestinian Committee, which will be set up for this purpose.
5. The Joint Committee's review of such legislation will be limited to ascertaining that the proposed legislation does not exceed the jurisdiction of the Palestinian Authority and is not otherwise inconsistent with the provisions of this Agreement.
7. Laws and military orders in effect in the Gaza Strip and Jericho Area prior to the signing of this Agreement shall remain in force, unless amended or abrogated in accordance with this Agreement.

Article VI

Economic Relations

With a view to increasing their mutual economic benefits, Israel and the Palestinian Authority will seek to foster cooperation and coordination in the various economic spheres as detailed in this Article.

1. Open Trade Regime

An open trade regime will be maintained between Israel and the Gaza Strip and Jericho Area, enabling movement of goods and services in accordance with the arrangements detailed in this Agreement and its Annexes.

2. Labor

- a. Principles and arrangements for the movement of labor between Israel and the Gaza Strip and Jericho Area are set out in Annex --, Article --.
- b. The social rights of Palestinians who will be employed in Israel will be protected according to arrangements detailed therein.

3. Import Policy and Fiscal Issues

- a. Principles and arrangements governing customs and import policy are set out in Annex --, Article --.
- b. Principles and arrangements governing the import of goods from Arab states are set out in Annex --, Article --.
- c. Principles and arrangements governing direct taxation are set out in Annex --, Article --.
- d. Principles and arrangements governing indirect taxation on local products are set out in Annex --, Article --.

4. Agriculture

- a. The agriculture sector will constitute an integral part of the open trade regime.
- b. Each side will permit unrestricted access for agricultural produce to each other's markets, subject to the temporary exceptions listed in Annex --, Article --.

- c. With the view to preventing the spread of animal and plant diseases, the importation and transportation of livestock and poultry, animal products and biological products, and of plants and parts thereof (including fruits and vegetables), will be carried out according to the principles and arrangements detailed in Annex --, Article --.

5. Industry

Principles and arrangements for the free movement of industrial goods between Israel and the Gaza Strip and Jericho Area are set out in Annex --, Article --.

6. Tourism

- a. Both Parties recognize the importance of tourism for the economies of Israel and of the Gaza Strip and Jericho Area and agree to cooperate in this field in order to increase their mutual economic benefits from this industry.
- b. In order to achieve this goal, arrangements regarding tourism are set out in Annex --, Article --.

7. Banking and Financial Activities

The Parties recognize that a modern and stable banking system is important for economic welfare and advancement. Principles and arrangements regarding the development of the banking system and its ties with other banks, as well as principles and arrangements for the conduct of financial activity in the Gaza Strip and Jericho Area are detailed in Annex --, Article --.

8. Environment Protection and Public Health

- a. The Parties acknowledge the need to protect the environment and prevent its degradation for the purpose of preserving the well being of the public and for the conservation of natural and cultural resources and to attain economic growth based on the principles of sustainable development.

- b. Both Parties recognize the interdependence of the ecosystems and environment of Israel and the Gaza Strip and Jericho Area, and agree to act and cooperate in order to protect them and to prevent environmental risks, hazards and nuisances.
- c. In order to achieve these goals, arrangements regarding environment policies and public health are set out in Annex --, Article --.

9. Road Accident Insurance

In order to facilitate the smooth passage of traffic between Israel and the Gaza Strip and Jericho Area, arrangements concerning compulsory insurance and compensation in cases of road accidents are set out in Annex --.

10. Set-Off of Monetary Obligations

Mutual liquidated monetary obligations between Israel and the Palestinian Authority may be set off by notice of one side to the other, through the Joint Economic Committee established in this Article.

For the purposes of this Article, each side shall include all legal entities under its control or management.

11. Joint Economic Committee and Sub-Committees

- a. The Parties hereby establish a Joint Economic Committee (hereinafter "the JEC") to coordinate and monitor the implementation of this Article and the Annexes referred to therein.
- b. The JEC will set up sub-committees in order to deal with specific spheres and matters covered in the Annexes referred to in this Article.
- c. The JEC and its sub-committees will determine by agreement their mode of procedure and operations.

12. Prevention of Trade Restrictions

Subject to the provisions of this Agreement, Israel and the Palestinian Authority will:

- a. refrain from any act or omission which has as its object or effect the prevention, restriction or distortion of trade and economic relations with each other;
- b. refrain from any boycott against individuals, corporations, private and public sector institutions and departments of the other side; and
- c. take all possible administrative and legal measures to prevent such activity by individuals and bodies within their jurisdiction.

Article VII

Passages

Arrangements concerning safe passage between the Gaza Strip and Jericho Area, as well as arrangements for coordination between Israel and the Palestinian Authority regarding the Gaza-Egypt and Jericho-Jordan passages, are set out in Annex II.

Article VIII

Settlement of Differences and Disputes

1. If a difference or dispute arises concerning a conflict between Israeli security powers and responsibilities pursuant to Article III, paragraph 2. of this Agreement, and any other power or responsibility, Israel's security powers and responsibilities shall take precedence pending the resolution of the difference or the dispute and Israel may act to restore the situation prior to the action or omission which brought about the difference or the dispute.
2. In cases not covered by paragraph 1 above, where there is a difference or dispute concerning the interpretation or application of this Agreement, the status quo prior to the actions or the omissions which brought about the difference or dispute shall prevail pending a resolution of the issue. In the event that the status quo prior to these actions or omissions is unclear or cannot be reinstated, the joint Civil Affairs Coordination and Cooperation Committee referred to in Annex II, Article III, will decide as to the situation that will prevail pending the resolution of the issue.
3. Differences occurring during the course of the implementation of this Agreement shall be dealt with initially in the appropriate coordination and liaison mechanism set up under this Agreement. Any such difference not settled shall be governed by the provisions of Article XV of the Declaration of Principles.

Article IX

Human Rights and the Rule of Law

Subject to the provisions of this Agreement, Israel and the Palestinian Authority will exercise their powers and responsibilities, pursuant to this Agreement, with due regard to accepted norms of human rights and the rule of law.

ARTICLE X

Relations Between Israel and the Palestinian Authority

1. Israel and the Palestinian Authority shall seek to foster mutual understanding and tolerance and will accordingly abstain from hostile propaganda and incitement of any nature against each other and will take all possible administrative and legal measures to prevent such propaganda and incitement by any organizations, groups or individuals within their jurisdiction.
2. Israel and the Palestinian Authority will cooperate in taking all necessary measures to combat criminal activity which may affect both sides including, *inter alia*;
 - a. offenses related to the possession of and trafficking in illicit drugs;
 - b. smuggling;
 - c. offenses related to vehicles, such as theft of vehicles and vehicle parts; and
 - d. other offenses related to property.

Article XI
Prevention of Hostile Acts

Without derogating from Article III, paragraph 2 above, the Palestinian Authority will take all measures necessary in order to prevent terrorism, crime and hostilities directed against Israel, Israelis, Israeli property, Israeli settlements or military locations, including infrastructure serving such settlements or locations, and will punish offenders.

Article XII
Missing Israelis

Notwithstanding any provisions of this Agreement, Israel shall have the right to conduct searches within the Gaza Strip and Jericho Area for missing Israelis. Such searches will be conducted in coordination with the Palestinian Authority which will provide full assistance in this regard.

Article XIII
Confidence Building Measures

Israel and the Palestinian Authority will implement confidence building measures, including the release of detainees and prisoners held by Israel, and the protection of persons who have or are believed to have cooperated or collaborated with Israel as detailed in the Protocol attached as Annex VIII.

Article XIV
Preservation of Rights, Liabilities and Obligations

1. Neither this Agreement nor its implementation will in themselves terminate, change or otherwise interfere with the rights, liabilities and obligations of any persons or legal entities which arose prior to the entry into force of this Agreement, whether such persons or entities are within or outside the Gaza Strip and Jericho Area.
2. Unless otherwise determined in Annex II, Article II, the transfer of the agreed powers and responsibilities set out in Annex II will include all rights, liabilities and obligations of the Israeli military government and its Civil Administration arising with regard to acts or omissions which occurred prior to the transfer, whether such rights, liabilities or obligations matured before or after the transfer.

Article XV**Final Clauses**

1. This Agreement will enter into force on the date of its signing.
2. The arrangements established by this Agreement will last until superseded by the Interim Agreement referred to in the Declaration of Principles.
3. The five-year transitional period referred to in the Declaration of Principles will commence upon the completion of the withdrawal from the Gaza Strip and the Jericho Area.
4. As part of Israel's responsibility for security in accordance with this Agreement, in the event of the outbreak of hostilities, or the imminent threat of such hostilities, Israel may temporarily take all measures necessary to respond to such events, including the temporary introduction of additional military forces, until the termination of the hostilities or the removal of the threat.
5. Israel states that it has erected a security fence around the Gaza Strip. The Parties agree that, during the transitional period, the fence will remain in place and will be authoritative only for the purpose of this Agreement.
6. Nothing in this Agreement will prejudice or preempt the outcome of the negotiations on the Interim Agreement or on the permanent status to be conducted pursuant to the Declaration of Principles.
7. Other than as provided for in this Agreement, the status of the Gaza Strip and Jericho Area will continue to be an integral part of the West Bank and Gaza Strip, and will not be changed for the period of this Agreement.

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8. The Preamble to this Agreement, as well as all Annexes, Appendices and maps attached thereto, shall constitute an integral part thereof.

Done at _____ this _____ of _____ 1994.

For the Government of the For the P.L.O.
State of Israel

Cairo, February 9, 1994

To the Chairman of the P.L.O.,
Mr. Yasser Arafat,

I have the honor, on behalf of the Prime Minister of Israel and myself, to confirm to you that, as we have agreed, the final size of the Jericho Area will be agreed by the Prime Minister of Israel and the Chairman of the P.L.O.

Shimon Peres

1/78
FEB 1994

February 9, 1994

The Cairo Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. The size of the Jericho Area will be as depicted on the agreed map attached to this Agreement.
2. In addition, while not part of the Jericho Area:
 - a. Pending the entry into force of the Interim Agreement, the holy site of Nebi Mousa will be under the auspices of the Palestinian Authority for religious purposes.
 - b. During religious events that take place three times a year and other special occasions that will be coordinated with the Israeli authorities, Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.
 - c. Palestinian private projects, as well as joint ventures in accordance with the Declaration of Principles, will be located as agreed on the shore of the Dead Sea.
 - d. Safe passage will be provided from the Jericho Area to Nebi Mousa, al-Maghtas and the projects and ventures as agreed in paragraph c. above on the shore of the Dead Sea for the above mentioned purposes. Details regarding the safe passage arrangements will be included in the Gaza-Jericho Agreement.

3. Roads within Jericho city will be under Palestinian control. Joint patrols on the main roads will be operated, led by the Palestinian vehicle. The issue of Auja and its roads will be negotiated in the immediate future in Taba.
4. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of the Israeli authorities.

The Gaza Strip

1. In accordance with the D.O.P., during the interim period the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the Israeli military installation area along the Egyptian border in the Gaza Strip, as indicated on the attached map, will be under Israeli authority. In the areas delineated in yellow on the attached map and without derogating from Palestinian authority, responsibility will be shared as follows: the Israeli authorities will have the overriding responsibility and powers for security and the Palestinian Authority will have the responsibility and powers for civil affairs, subject to the Gaza-Jericho Agreement. In addition, with regard to those areas delineated in yellow, cooperation and coordination in security matters, including joint patrols, as agreed, will be implemented. Possible changes in the area designated yellow in the Southern Security Zone will be dealt with in Taba.
2. Without derogating from Palestinian authority and in accordance with the D.O.P.:
 - (a) On the three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, including the adjacent sides upon which the security of traffic along these roads is dependent, the Israeli authorities will have all necessary responsibilities and powers in order to conduct independent security activity, including Israeli patrols.
 - (b) Joint Israeli-Palestinian patrols will operate along these roads and the adjacent sides. Such joint patrols will be lead by the Israeli vehicle.

- (c) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, the continued handling of the incidents falling within Palestinian responsibility to the Palestinian Police.
- (d) Overpasses will be constructed on intersections between the lateral roads and the main north-south road.
- (e) These arrangements will be reviewed by the JSCCC after one year from the date of completion of the withdrawal of Israeli forces from the Gaza Strip.

3. Zoning questions will be dealt with in Taba.

Other Issues

The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement. The Interim Agreement, including modalities for elections and redeployment of forces in the West Bank, will be negotiated in Washington, D.C.

February 9, 1994
FINAL VERSION

ARTICLE --

Passages

1. General

- a. While Israel remains responsible during the interim period for external security, including along the Egyptian border and the Jordanian line, border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied by the parties, with the necessary adjustments, to agreed seaports, airports or other international crossings, such as the Abdullah and Damya bridges.
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.

- e. In each border crossing there will be one terminal, consisting of two wings. The first wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). The second wing will serve Israelis and others (hereinafter "the Israeli Wing"). There will be a closed Israeli checking area and a closed Palestinian checking area, as set out below.
- f. Special arrangements will apply to V.I.P.s crossing through the Palestinian Wing. The liaison bureau to be established pursuant to paragraph 5 below (hereinafter "the Liaison Bureau") will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

- a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:
 - (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
 - (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.
- b. (1) Israel will have the responsibility for security throughout the passage, including for the terminal.
 - (2) An Israeli director-general will have the responsibility for the management and security of the terminal.
 - (3) The director-general will have two deputies who will report to him:
 - (a) an Israeli deputy who will be the manager of the Israeli Wing. Israel will have exclusive responsibility for the management of the Israeli Wing; and

- (b) a Palestinian deputy, appointed by the Palestinian Authority, who will be the manager of the Palestinian Wing.
- (4) Each deputy will have an assistant for security and an assistant for administration. The assignments of the Palestinian deputies for security and administration will be agreed upon by the two sides in Taba.
- (5) There will be maximum coordination between the two sides. Both sides will maintain cooperation and coordination on matters of mutual concern.
- (6) The director-general will continue to use Palestinian contractors to provide bus services and other administrative and logistical services.
- (7) Palestinian policemen present at the terminal will be armed with handguns. Their deployment will be decided upon in Taba. Other Palestinian officials present at the terminal will be unarmed.
- (8) The details of management and security and Liaison Bureau issues will be dealt with in Taba.
- (9) The two sides will work together in Taba in order to seek ways for additional arrangements in the Rafah terminal.
- (10) Both Parties will review these procedures in a year time.

c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.

d. (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).

(2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after joint verification that such passengers hold the necessary documentation for exiting the area to Jordan or Egypt, as set out in this Agreement.

3. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

- a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised Palestinian flag.
- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and it will be placed on a conveyor belt. Each side will be able to inspect such luggage inside its own checking area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner and a Palestinian policeman.
- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.
- d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control, as follows:

- (1) The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will pass via a Palestinian counter, where their documents and identity will be checked. Their documents will be checked by an Israeli officer who will also check their identity indirectly in an invisible manner.
- (2) The second lane will serve other Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents and identity will be checked. Then they will continue via an Israeli counter, where their documents and identity will be checked. The two counters will be separated by tinted glass and a revolving door.
- (3) The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure as in paragraph 3.d(2) above will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

e. In the event of suspicion regarding a passenger in any of the three lanes described in paragraph d. above, each side may question such passenger in its closed checking area. Suspicion justifying questioning in the closed checking area may be one of the following:

- (1) the passenger was involved, directly or indirectly, in criminal or planned criminal activity, in terrorist or planned terrorist activity and is not a beneficiary of the amnesty provisions of this Agreement.
- (2) the passenger conceals arms, explosives or related equipment;

- (3) the passenger holds forged or non-valid documentation or the details included in the documentation are inconsistent with those included in the population registry (in case of a resident) or in the data base (in case of a visitor), except that questions relating to such inconsistency will initially be raised at the counter and the passenger will be questioned in the closed checking area only if the suspicion has not been removed; or
- (4) the passenger acts in an obviously suspicious behavior during the passage via the terminal.

If, at the conclusion of this questioning, the suspicion has not been removed, such passenger may be apprehended, after the other side has been notified. In case of a Palestinian suspect being apprehended by the Israeli side, a Palestinian policeman will be asked to meet with the suspect. Following notification to the Liaison Bureau, any further treatment of the apprehended person will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).

- f. In the Palestinian Wing, each side will have the authority to deny the entry of persons who are not residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank, as well as persons who have subsequently obtained permanent residency in these areas with the approval of Israel, as set out in this Agreement.

- g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area. (The procedures will be agreed upon in Paris.)

h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

At the conclusion of the direct and indirect checking of the documents and identity of passengers passing via the first lane and stamping their entry permits, the Palestinian officer will provide the passenger with a white card issued by the Israeli officer. A Palestinian official posted at the exit of the Palestinian Wing will verify that the passenger holds such a white card and will collect the cards with indirect and invisible Israeli checking.

For passengers going through the second and third lanes, the Israeli officer will provide the passengers with a blue card, after checking their documents and identity, and verifying their entry permits. An Israeli and a Palestinian official posted at the exit of the Palestinian Wing will verify and collect the cards. White and blue cards collected will be checked by Israeli and Palestinian officials.

In cases where either side denies the entry of a non-resident passenger, that passenger will be escorted out of the terminal and sent back to Jordan or Egypt, as appropriate, after notifying the other side.

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area.

If these structural alterations are not completed by that time, the arrangements described in this Article shall apply, except for those arrangements that cannot be implemented without the structural alterations.

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.

- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to three months granted by the Palestinian Authority and approved by Israel. The Palestinian Authority may extend this three-month period for an additional period of up to three months and will inform Israel about the extension. Any further extensions require the approval of Israel. The Palestinian request for a a four-month period and an additional four months will be negotiated in Taba in the immediate future.
- e. The Palestinian Authority will ensure that visitors referred to in paragraph d. above will not overstay the duration of their entry permit and authorized extensions.

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MANAGEMENT FOR POLICY

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1. 1/26

February 9, 1994

ARTICLE --

Passages1. General

Justify in 1/26 ← a. While Israel remains responsible during the interim period for external security, including along the Egyptian border and the Jordanian line, border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.

b. The arrangements included in this Article shall apply to the following border crossings:

- (1) the Allenby Bridge crossing; and
- (2) the Rafah crossing.

agreed
agreed 1/26 1/26
agreed 1/26 1/26 c. The same arrangements will be applied by the parties, with the necessary adjustments, to agreed seaports, airports or other international crossings, such as the Abdullah and Damya bridges.

d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.

e. In each border crossing there will be one terminal, consisting of two wings. The first wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). The second wing will serve Israelis and others (hereinafter "the Israeli Wing"). There will be a closed Israeli checking area and a closed Palestinian checking area, as set out below.

agreed 1/26 1/26 1/26
1/26

f. Special arrangements will apply to V.I.P.s crossing through the Palestinian Wing. The liaison bureau to be established pursuant to paragraph 5 below (hereinafter "the Liaison Bureau") will define the scope and the nature of these special arrangements. 1/15

2. Control and Management of the Passages

a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:

- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
- (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

[I: b. Israel will be responsible for security throughout the passage, including the terminal. In line with the above, the terminal will be managed as follows:

- (1) Israel will have the exclusive responsibility for the management of the Israeli Wing.
- (2) Israel will appoint an Israeli general manager of the terminal who will be responsible for the administration (personnel and logistics) and security of the terminal.
- (3) This general manager will have, among other assistants, two deputies who will be subordinate to the general manager: an Israeli deputy who will deal with the administrative management of the Israeli Wing, and a Palestinian deputy, appointed by the Palestinian Authority, who will deal with the administrative management of the Palestinian Wing.

(4) Notwithstanding the above -

- (a) each side will be responsible for the equipment installed by it in the Palestinian Wing;
- (b) structural modifications in the Palestinian Wing require the prior approval of the general manager;
- (c) Israeli personnel functioning inside the Palestinian Wing will be subordinate to the Israeli deputy;
- (d) The general manager will be responsible for all financial matters related to the terminal, including its budget and the fees to be paid by passengers; and
- (e) logistical systems (such as electricity and water) that serve both Wings will be dealt with by the general manager.

(5) The general manager will continue to use Palestinian contractors in order to provide bus services and other administrative services currently provided by Palestinian contractors.

(6) There will be maximum coordination between the two sides with regard to the management of the terminal.]

[P: b. The entire passage will be run in coordination between Israel and the Palestinian Authority. In line with the above, management and security of the passage including its terminal will be run as follows:

- (1) Joint management will be practiced in full coordination between the parties.
- (2) A Palestinian officer will be present at the crossing barrier.

- (3) Passengers will pass the barrier in their buses directly to the terminal. The road from the bridge (or border crossing) to the terminal and from the terminal to the Jericho border (or outside the military zone) will be kept as a safe passage to all passengers who will use it. The passage will be kept free and operating twenty four hours a day, 365 days a year. Any emergency closure will be coordinated through the Liaison Bureau.
- (4) A joint mobile unit will be stationed at the electronic fence approaching the Jericho Area to provide quick emergency service in case of security problems or incidents on the road.
- (5) Palestinian contractors (public or private) will continue to provide bus services, towing trucks, road repair services and other administrative services on these roads.
- (6) Management of the terminal building will be as follows:
 - (a) Management of the Palestinian Wing will be a Palestinian responsibility. A Palestinian manager will be appointed by the PA. He will be a member of the Liaison Bureau.
 - (b) The Israeli Wing will be managed by the Israeli manager appointed by the Israeli military authorities. He will be a member of the Liaison Bureau.
 - (c) There will be a Palestinian security official in the Palestinian Wing and an Israeli security official in the Israeli Wing. Both of them will be members of the Liaison Bureau.
 - (d) Each side may indicate its specific requirements for operation and maintenance of equipment installed by it in the terminals.

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9/18 1994 10:30 3001
Final Draft, 22 Feb 1994

(e) The Israeli and Palestinian officials will maintain through the Liaison Bureau maximum coordination in all civilian and security matters, and will report to the chairman of the Liaison Bureau all their difficulties, and will receive his instructions during emergencies.)

9/18 1994 10:30 3001
Final Draft, 22 Feb 1994

c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.

d. (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).

(2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after joint verification by Israeli authorities that such passengers hold all of the necessary documentation for exiting the area to Jordan or Egypt, as set out in this Agreement.

3. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised Palestinian flag.

b. Before entering the Palestinian Wing, passengers will identify their personal luggage and it will be placed on a conveyor belt. Each side will be able to inspect such luggage inside its own checking area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner and a Palestinian policeman.

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c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.

d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control, as follows:

- (1) The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will pass via a Palestinian counter, where their documents and identity will be checked. Their documents will be checked by an Israeli officer who will also check their identity indirectly in an invisible manner.
- (2) The second lane will serve other Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents and identity will be checked. Then they will continue via an Israeli counter, where their documents and identity will be checked. The two counters will be separated by tinted glass and a revolving door.
- (3) The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure as in paragraph 3.d(2) above will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

e. In the event of suspicion regarding a passenger in any of the three lanes described in paragraph d. above, each side may question such passenger in its closed checking area. Suspicion justifying questioning in the closed checking area may be one of the following: [I: (1) suspicion that the passenger was involved, directly or indirectly, in terrorist or planned terrorist activity or was a member of, or maintained contacts with a member of, a terrorist organization; (2) suspicion that the passenger was involved, directly or indirectly, in a serious crime against Israelis; (3) suspicion that the passenger conceals arms, explosives or related equipment; (4) suspicion that the passenger holds forged or non-valid documentation or if the details included in the documentation are inconsistent with those included in the population registry; or (5) suspicious behavior of the passenger during the passage via the terminal.] [P: (1) prior information (shared with the other side) that the passenger was involved, directly or indirectly, in terrorist action subsequent to the coming into force of the Gaza-Jericho Agreement or planned criminal activity; (2) the passenger was found concealing arms, explosives or related equipment; (3) the passenger holds forged documents; or (4) the passengers acts in an obvious suspicious behavior during the passage via the terminal.] If, at the conclusion of this questioning, the suspicion has not been removed, such passenger may be apprehended, in which case the other side will be notified of the apprehension. In case of a Palestinian suspect being apprehended by the Israeli side, a Palestinian policeman will be asked to meet with the suspect. Any further treatment of the apprehended person [P: will be coordinated through the Liaison Bureau and] will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).

f. In the Palestinian Wing, each side will have the authority to veto the entry of persons who are not residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank, as well as persons who have subsequently obtained permanent residency in these areas with the approval of Israel, as set out in this Agreement.

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g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area. (The procedures will be agreed upon in Paris.)

h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

At the conclusion of the Israeli checking of the documents and identity of a passenger passing via the second or third lane, the Israeli side will provide such passenger with a document confirming that this passenger may enter the Gaza Strip or West Bank, as appropriate. An Israeli official posted at the exit of the Palestinian Wing will verify that such passenger holds such a document.

In cases where either side rejects the entry of a non-resident passenger, that side will escort the passenger out of the terminal and send the passenger back to Jordan or Egypt, as appropriate.

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

*جذب الطرفين إلى اتفاقية اتفاقية
الجسر العابر للجسر العابر*

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area.

If these structural alterations are not completed by that time, the arrangements described in this Article shall apply, except for those arrangements that cannot be implemented without the structural alterations.

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.

- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to [I: three months] [P: four months] granted by the Palestinian Authority and approved by Israel. The Palestinian Authority may extend this [I: three-month] [P: four-month] period for an additional period of up to [I: three] [P: four] months and will inform Israel about the extension. Any further extensions require the approval of Israel.
- e. The Palestinian Authority will ensure that visitors referred to in paragraph d. above will not overstay the duration of their entry permit and authorized extensions.
- f. Palestinian policemen present at the [I: entrance to the terminal] [P: terminal] will be armed with handguns. Other Palestinian officials present at the terminal will be unarmed.

MINISTRY OF FOREIGN AFFAIRS
JERUSALEM



משרד החוץ ירושלים

הירען המשפטי
טל' 303761

כ"ה בכסלו תשנ"ד
6 בפברואר 1994

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אל: סגן הרמטכ"ל
מאת: היועץ המשפטי

הנדון: הסכם דברות

תיקוֹן זָמָן קָצֵר אַעֲבִיר בְּנִפְרֵד נוֹסֵח חָדֶש שֶׁל טִוּתָה הַסְעִיף עַל הַמּוּבָרִים.

בברכה,
יואל זינגר
-הנרי קלמן

העתק: ר' אב"ת
אב"ת - תא"ל שטואיכר (אנא הפץ לכל המשתתפים בדיון)
משרד רה"מ - מר ג'ק נרייה

2/5

February 6, 1994

The Davos Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. The size of the Jericho Area will be as depicted on the map attached to this Agreement.
2. In addition, while not part of the Jericho Area:
 - a. Pending the entry into force of the Interim Agreement, [I: religious affairs in] [P: civilian and religious affairs of] Nebi Mousa will be under the auspices of the Palestinian Authority.
 - b. During religious events [I: that take place three times a year,] Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.
 - c. Palestinian private projects, as well as joint ventures in accordance with the Declaration of Principles, will be implemented [I: at an agreed location] [P: at agreed locations] on the shore of the Dead Sea.
 - d. Safe passage will be provided from the Jericho Area to Nebi Mousa, al-Maghtas and the agreed location [P: locations] on the shore of the Dead Sea for the above mentioned purposes. Details regarding the safe passage arrangements will be included in the Gaza-Jericho Agreement.
3. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of Israel.

The Gaza Strip

1. The Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the Israeli military installation area along the Egyptian border [I: and the Dagon military area] in the Gaza Strip will be as indicated on the attached map. [I: These settlement areas and military areas will be under Israeli authority.] In the areas delineated in yellow on the attached map [I: that will be under the overall authority of Israel], responsibility will be shared as follows: Israel will have the responsibility and powers for security and the Palestinian Authority will have the responsibility and powers for [I: civil affairs] [P: civil administration], subject to the Gaza-Jericho Agreement. In addition, cooperation and coordination in security matters, [I: with regard to those areas delineated in yellow,] including joint patrols, as agreed, will be implemented.
2. Without derogating from Palestinian authority:
 - (a) The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, including the adjacent areas upon which the security of traffic along these roads is dependent, [I: will be under Israel's security responsibility] and Israel will have all the necessary powers in order to conduct independent security activity, including Israeli patrols, therein.
 - (b) Joint Israeli-Palestinian patrols will operate along these roads and the adjacent areas. Such joint patrols will be lead by the Israeli vehicle.
 - (c) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, any continued handling of the incident falling within Palestinian responsibility to the Palestinian Police.

- (d) Overpasses will be constructed on intersections between the lateral roads and the main north-south road.
- (e) [I: Upon the request of Israel and as coordinated through the JSCCC] [P: In coordination with Israel], the Palestinian police will be deployed in the adjacent areas along the lateral roads in order to help protect these roads.
- (f) These arrangements will be reviewed by the JSCCC after one year from the date of completion of the withdrawal of Israeli forces from the Gaza Strip.

3. [I: The Gaza-Jericho Agreement will include, among other things, agreed zoning arrangements restricting the construction of buildings and installations in the areas delineated in yellow on the attached map and in the areas adjacent to the lateral roads.]

Other Issues

The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement. The Interim Agreement, including modalities for elections and redeployment of forces in the West Bank, will be negotiated in Washington, D.C.

February 6, 1994

ARTICLE --

Passages

1. General

- a. While Israel remains responsible [P: during the interim period] for external security, including along the [I: border with Egypt and the line with Jordan] [P: borders between Egypt and the Gaza Strip and between Jordan and the West Bank], border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied by the parties, with the necessary adjustments, to agreed seaports, airports or other agreed international crossings, such as the Abdullah and Damya bridges.
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.

- e. In each border crossing there will be one terminal, consisting of two wings. The first wing will serve [I: persons holding identity cards issued by the Israel Ministry of the Interior] [P: Israelis] and tourists to Israel (hereinafter "the Israeli Wing.") The second wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). There will be a closed Israeli checking area and a closed Palestinian checking area, as set out below.
- f. Special arrangements will apply to V.I.P.s crossing through the Palestinian Wing. The liaison bureau to be established pursuant to paragraph 5 below (hereinafter "the Liaison Bureau") will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

- a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:
 - (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
 - (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.
- [I: b. Israel will be responsible for security throughout the passage, including the terminal. In line with the above, the terminal will be managed as follows:
 - (1) Israel will have the exclusive responsibility for the management of the Israeli Wing.
 - (2) Israel will appoint an Israeli general manager of the terminal who will be responsible for the administration (personnel and logistics) and security of the terminal.

- (3) This general manager will have, among other assistants, two deputies who will be subordinate to the general manager: an Israeli deputy who will deal with the administrative management of the Israeli Wing, and a Palestinian deputy, appointed by the Palestinian Authority, who will deal with the administrative management of the Palestinian Wing.
- (4) Notwithstanding the above -
 - (a) each side will be responsible for the equipment installed by it in the Palestinian Wing;
 - (b) structural modifications in the Palestinian Wing require the prior approval of the general manager;
 - (c) Israeli personnel functioning inside the Palestinian Wing will be subordinate to the Israeli deputy;
 - (d) The general manager will be responsible for all financial matters related to the terminal, including its budget and the fees to be paid by passengers; and
 - (e) logistical systems (such as electricity and water) that serve both Wings will be dealt with by the general manager.
- (5) The general manager will continue to use Palestinian contractors in order to provide bus services and other administrative services currently provided by Palestinian contractors.
- (6) There will be maximum coordination between the two sides with regard to the management of the terminal.]

[P: b. (To be provided.)]

- c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.
- d.
 - (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).
 - (2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after verification [I: by Israeli authorities] that such passengers hold all of the necessary documentation [I: and approvals for exiting the area to Jordan or Egypt.]
- e. [P: A Palestinian policeman will be present at the crossing barrier.]

3. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

- a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised flag.
- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and place it on a conveyor belt. Each side will be able to inspect such luggage inside its own checking area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner and a Palestinian policeman.
- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.

- d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control, as follows:
 - (1) The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will pass via a Palestinian counter, where their documents and identity will be checked. Their documents and identity will be checked [P: indirectly] by an Israeli officer in an invisible way.
 - (2) The second lane will serve other Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents and identity will be checked. Then they will continue via an Israeli counter, where their documents and identity will be checked. The two counters will be separated by [I: opaque] [P: tinted] glass and a revolving door.
 - (3) The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure [I: as in paragraph 3.d(2) above] will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

- e. In the event of suspicion regarding a passenger in any of the three lanes described in paragraph d. above, each side may question such passenger in its closed checking area. Suspicion justifying questioning in the closed checking area may be one of the following: (1) suspicion that the passenger was involved, directly or indirectly, in terrorist or planned terrorist activity or was a member of, or maintained contacts with a member of, a terrorist organization; (2) suspicion that the passenger was involved, directly or indirectly, in a serious crime against Israelis; (3) suspicion that the passenger conceals arms, explosives or related equipment; (4) suspicion that the passenger holds forged or non-valid documentation or if the details included in the documentation are inconsistent with those included in the population registry; or (5) suspicious behavior of the passenger during the passage via the terminal. If, at the conclusion of this questioning, the suspicion has not been removed, such passenger may be apprehended, in which case the other side will be notified of the apprehension. In case of a Palestinian suspect being apprehended by the Israeli side, a Palestinian policeman will be asked to meet with the suspect. Any further treatment of the apprehended person [P: will be coordinated through the Liaison Bureau and] will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).
- f. [I: In the Palestinian Wing,] each side will have the authority to veto the entry of persons who are not residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank, as well as persons who have obtained permanent residency in these areas with the approval of Israel, as set out in this Agreement.

- g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area, [I: where the procedures set out in (to be agreed upon in Paris) will be carried out.] [P: Customs handling of luggage and goods that will be done by the Palestinians will be done in accordance with the Paris agreement.]
- h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

At the conclusion of the Israeli checking of the documents and identity of a passenger passing via any of the three lanes, the Israeli side will provide such passenger with a document confirming that this passenger may enter the Gaza Strip or Jericho Area, as appropriate. An Israeli official posted at the exit of the Palestinian Wing will verify that the passenger wishing to exit the terminal holds such a document.

In cases where the Israeli side vetoes the entry of a non-resident passenger, the Israeli side will escort the passenger out of the terminal and send the passenger back to Jordan or Egypt, as appropriate.

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area.

If these structural alterations are not completed by that time, the arrangements described in this Article shall apply, except for those arrangements that cannot be implemented without the structural alterations.

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.

- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to three months or any authorized extension thereof [I: granted by the Palestinian Authority and approved by Israel.] [P: The Palestinian Authority may extend this three-month period for an additional period of up to six months. Any further extensions require the approval of Israel.]
- e. The Palestinian Authority will ensure that visitors referred to in paragraph d. above will not overstay the duration of their entry permit and authorized extensions.
- f. Palestinian policemen present at the terminal [I: magnetic gate] will be armed with handguns. Other Palestinian officials present at the terminal will be unarmed.



שמור

משרד החוץ
ירושלים

הייעוץ המשפטי
טל' 3761

כ"ב בשכט חננ"ד
3 בפברואר 1994

893604

אל: סגן הרמטכ"ל

מאת: הייעוץ המשפטי

הנדון: הסכם דבוק

במהלך לסקומים בדיוון שהתקיימים היום אצל סגן הרמטכ"ל הנני מצ"ב
טיוטה חדשה של הסכם דבוק. בפרק העוסק ברכזות עזה והנכתי את
השינויים הבאים:

א. בסעיף 1 החזרתי את ההתיחסות לאזרור דגון. לפי הסיכום,
נותר על אזרור דגון רק אס הצר השני יקבל את עמדתנו בעניין
ככישי הרוחב בארץ מלא.

ב. בסעיף 2 (א), הוספתי סיג לפעילות המשטרה הפלסטינית
באזרורים הסמוכים לציר הרוחב (רק לפי בקשת ישראל ובתואם
באמצעות ועדת הקישור).

ג. הוספתי סעיף 3 הקובע כי הסכם עזה-יריחו יכול הטרדי
דונינגן שיטילו הגבלות ביןוי "בשתחית הצחובים" ובאזורים
הסמוכים לציר הרוחב.

כמו כן הנני מצ"ב נוסח חדש של הפרק העוסק בנהול הטרמינלים.
השינויים שהכنتם בפרק זה נועדו לצמצם עוד יותר את סמכויות
הסגן הפלסטיני ע"י העברת סמכויות נוספות לידי מנכ"ל הטרמינל
הישראלי, או לידי הסגן הישראלי.

בברכה,

יואל זינגר

התקיים: ד' אג"ח
אג"ת - תא"ל שטאובר (אנא העבר לכל הגורמים המתוראים על ידך)
משרד רוח"מ - מר ג'ק נריה

February 3, 1994

The Davos Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. The size of the Jericho Area will be as depicted on the map attached to this Agreement.
2. In addition, while not part of the Jericho Area:
 - a. Pending the entry into force of the Interim Agreement, [I: religious affairs in] [P: civilian and religious affairs of] Nebi Mousa will be under the auspices of the Palestinian Authority.
 - b. During religious events [I: that take place three times a year,] Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.
 - c. Palestinian private projects, as well as joint ventures in accordance with the Declaration of Principles, will be implemented [I: at an agreed location] [P: at agreed locations] on the shore of the Dead Sea.
 - d. Safe passage will be provided from the Jericho Area to Nebi Mousa, al-Maghtas and the agreed location [P: locations] on the shore of the Dead Sea for the above mentioned purposes. Details regarding the safe passage arrangements will be included in the Gaza-Jericho Agreement.
3. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of Israel.

The Gaza Strip

1. The Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the Israeli military installation area along the Egyptian border [I: and the Dagon military area] in the Gaza Strip will be as indicated on the attached map. In the areas delineated in yellow on the attached map, responsibility will be shared as follows: Israel will have the responsibility and powers for security and the Palestinian Authority will have the responsibility and powers for [I: civil affairs] [P: civil administration], subject to the Gaza-Jericho Agreement. In addition, cooperation and coordination in security matters, including joint patrols, as agreed, will be implemented.
2. Without derogating from Palestinian authority:
 - (a) The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, including the adjacent areas upon which the security of traffic along these roads is dependent, [I: will be under Israel's security responsibility] and Israel will have all the necessary powers in order to conduct independent security activity, including Israeli patrols, therein.
 - (b) Joint Israeli-Palestinian patrols will operate along these roads and the adjacent areas. Such joint patrols will be lead by the Israeli vehicle.
 - (c) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, any continued handling of the incident falling within Palestinian responsibility to the Palestinian Police.
 - (d) Overpasses will be constructed on intersections between the lateral roads and the main north-south road.

- (e) [I: Upon the request of Israel and as coordinated through the JSCCC] [P: In coordination with Israel], the Palestinian police will be deployed in the adjacent areas along the lateral roads in order to help protect these roads.
- (f) These arrangements will be reviewed by the JSCCC after one year from the date of completion of the withdrawal of Israeli forces from the Gaza Strip.

3. [I: The Gaza-Jericho Agreement will include, among other things, agreed zoning arrangements restricting the construction of buildings and installations in the areas delineated in yellow on the attached map and in the areas adjacent to the lateral roads.]

Other Issues

The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement. The Interim Agreement, including modalities for elections and redeployment of forces in the West Bank, will be negotiated in Washington, D.C.

February 3, 1993

DRAFT

2. Control and Management of the Passages

a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:

- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
- (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

[I: b. Israel will be responsible for security throughout the passage, including the terminal. In line with the above, the terminal will be managed as follows:

- (1) There will be a general manager who will be responsible for the administration (personnel and logistics) and security of the terminal. The general manager will be an Israeli member of the Liaison Bureau.
- (2) This general manager will have two deputies who will be subordinate to the general manager: an Israeli deputy who will deal with the administrative management of the Israeli Wing, and a Palestinian deputy who will deal with the administrative management of the Palestinian Wing.
- (3) Notwithstanding the above -
 - (a) each side will be responsible for the equipment installed by it in the terminal;

- (b) Israeli personnel functioning inside the Palestinian Wing will be subordinate to the Israeli deputy; and
- (c) logistical systems (such as electricity and water) that serve both Wings will be dealt with by the general manager.

(4) The general manager will continue to use Palestinian contractors in order to provide bus services and other administrative services currently provided by Palestinian contractors.

(5) There will be maximum coordination between the two sides with regard to the management of the terminal.]

[P: b. (To be provided.)]

- c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.
- d. (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).
- (2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after verification [I: by Israeli authorities] that such passengers hold all of the necessary documentation [I: and approvals for exiting the area to Jordan or Egypt.]
- e. [P: A Palestinian policeman will be present at the crossing barrier.]



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OFFICE OF THE LEGAL ADVISER, MINISTRY OF FOREIGN AFFAIRS, JERUSALEM



היוועץ המשפטיא
טל' 3761

כ"ב נשבט תשנ"ד
3 בפברואר 1994

893604

אל: סגן הרמטכ"ל

מאת: היועץ המשפטיא

הנדון: הסכם דברות

בהתשך לסקומים בדיון שהתקיימים היות אצל סגן הרמטכ"ל הנסי מצ"ב
טיוטה חדשה של הסקם דברות. בפרק העוסק ברצועה עדות הכתתי את
שינויים הבאים:

א. בסעיף 1 החזרתי את התחישות לאזרור דגון, לפי הסיכום,
נורח על אזרור דגון רק אם הצד השני יקבל את עמדתנו בעניין
ככishi הרוחב באופן מלא.

ב. בסעיף 2 (א), הוסתי סיג לפועלות המשטרה הפלסטינית
באזרורים הסמוכים לציריו הרוחב (רק לפי בקשת ישראל ובתואם
באמצעות ועדת הקישור).

ג. הוסתי סעיף 3 הקובע כי הסכם עזה-יריחו יכלול הדרי
دونינה שיטולי הగבולות ביןויי "בשתיים האוחבים" ובאזורים
הסמוכים לציריו הרוחב.

כמו כן הנסי מצ"ב נסח חדש של הפרק העוסק בנהול הטרמינלים.
שינויים שהנחתתי בפרק זה נועדו לצמצם עוד יותר את סמכויות
סגן הפלסטיני ע"י העברת סמכויות נספנות לידי מנכ"ל הטרמינל
ישראל, או לידי הסגן הישראלי.

בברכה,

רואל זינגר

התקיים: ד' אג"ת

8ב"ת - מא"ל שטאור (אג"א העבר לכל הגורמים המהוונים על ידה)
משרד רוח"מ - מר ג'ק גרייה

The Gaza Strip

1. The Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the Israeli military installation area along the Egyptian border [I: and the Dagon military area] in the Gaza Strip will be as indicated on the attached map. In the areas delineated in yellow on the attached map, responsibility will be shared as follows: Israel will have the responsibility and powers for security and the Palestinian Authority will have the responsibility and powers for [I: civil affairs] [P: civil administration], subject to the Gaza-Jericho Agreement. In addition, cooperation and coordination in security matters, including joint patrols, as agreed, will be implemented.
2. Without derogating from Palestinian authority:
 - (a) The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, including the adjacent areas upon which the security of traffic along these roads is dependent, [I: will be under Israel's security responsibility] and Israel will have all the necessary powers in order to conduct independent security activity, including Israeli patrols, therein.
 - (b) Joint Israeli-Palestinian patrols will operate along these roads and the adjacent areas. Such joint patrols will be lead by the Israeli vehicle.
 - (c) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, any continued handling of the incident falling within Palestinian responsibility to the Palestinian Police.
 - (d) Overpasses will be constructed on intersections between the lateral roads and the main north-south road.

- (e) [I: Upon the request of Israel and as coordinated through the JSCCC] [P: In coordination with Israel], the Palestinian police will be deployed in the adjacent areas along the lateral roads in order to help protect these roads.
- (f) These arrangements will be reviewed by the JSCCC after one year from the date of completion of the withdrawal of Israeli forces from the Gaza Strip.

3. [I: The Gaza-Jericho Agreement will include, among other things, agreed zoning arrangements restricting the construction of buildings and installations in the areas delineated in yellow on the attached map and in the areas adjacent to the lateral roads.]

Other Issues

The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement. The Interim Agreement, including modalities for elections and redeployment of forces in the West Bank, will be negotiated in Washington, D.C.

February 3, 1993

DRAFT

2. Control and Management of the Passages

a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:

- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
- (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

[I: b. Israel will be responsible for security throughout the passage, including the terminal. In line with the above, the terminal will be managed as follows:

- (1) There will be a general manager who will be responsible for the administration (personnel and logistics) and security of the terminal. The general manager will be an Israeli member of the Liaison Bureau.
- (2) This general manager will have two deputies who will be subordinate to the general manager: an Israeli deputy who will deal with the administrative management of the Israeli Wing, and a Palestinian deputy who will deal with the administrative management of the Palestinian Wing.
- (3) Notwithstanding the above -
 - (a) each side will be responsible for the equipment installed by it in the terminal;

- (b) Israeli personnel functioning inside the Palestinian Wing will be subordinate to the Israeli deputy; and
- (c) logistical systems (such as electricity and water) that serve both Wings will be dealt with by the general manager.
- (4) The general manager will continue to use Palestinian contractors in order to provide bus services and other administrative services currently provided by Palestinian contractors.
- (5) There will be maximum coordination between the two sides with regard to the management of the terminal.]

[P: b. (To be provided.)]

- c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.
- d.
 - (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).
 - (2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after verification [I: by Israeli authorities] that such passengers hold all of the necessary documentation [I: and approvals for exiting the area to Jordan or Egypt.]
- e. [P: A Palestinian policeman will be present at the crossing barrier.]

February 3, 1994

The Davos Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. The size of the Jericho Area will be as depicted on the map attached to this Agreement.
2. In addition, while not part of the Jericho Area:
 - a. Pending the entry into force of the Interim Agreement, [I: religious affairs in] [P: civilian and religious affairs of] Nebi Mousa will be under the auspices of the Palestinian Authority.
 - b. During religious events [I: that take place three times a year,] Palestinians will have the right to religious pilgrimage to the al-Maghias under the Palestinian flag.
 - c. Palestinian private projects, as well as joint ventures in accordance with the Declaration of Principles, will be implemented [I: at an agreed location] [P: at agreed locations] on the shore of the Dead Sea.
 - d. Safe passage will be provided from the Jericho Area to Nebi Mousa, al-Maghias and the agreed location [P: locations] on the shore of the Dead Sea for the above mentioned purposes. Details regarding the safe passage arrangements will be included in the Gaza-Jericho Agreement.
3. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of Israel.

January 27, 1994
Revised Version

The Davos Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. [I: The size of the Jericho Area will be as depicted on the map provided by the Israeli side to the Palestinian side in Taba.] [P: Similar to the withdrawal procedures in the Gaza Strip, Jericho and Auja area will extend to the electronic security barrier, without including Israeli settlements.]
2. In addition, [I: without derogating from Israel's jurisdiction] [P: while not integrally part of the Jericho Area]:
 - a. [I: Religious affairs in] [P: Pending the entry into force of the Interim Agreement, civilian administration of] Nebi Musa will be under the auspices of the Palestinian Authority.
 - b. During religious events that take place three times a year, [I: Palestinian pilgrimage to al-Maghtas under the Palestinian flag will be allowed.] [P: Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.]
 - c. [I: Israel will provide safe passage from the Jericho area to Nebi Musa and al-Maghtas for these purposes.] [P: Safe passage will be provided to Nebi Musa and al-Maghtas.]

- d. [I: Joint plans for the Dead Sea stipulated in the D.O.P. will be respected. The first joint venture will be a hotel to be constructed at an agreed location on the shore of the Dead Sea.] [P: Safe passage will be provided to agreed locations on the Dead Sea, where Palestinian private projects and joint-ventures will be constructed.]]
3. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of Israel.

The Gaza Strip

1. [I: The Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the military locations in the Gaza Strip will be as indicated on the map provided by the Israeli side to the Palestinian side in Taba.]]
2. The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, [I: including the adjacent areas upon which the security of traffic along these roads is dependent,] will be under Israel's security responsibility. Joint Israeli-Palestinian patrols will operate along these roads and the adjacent areas. [I: In addition, Israel will conduct security activity, including independent Israeli patrols, along these roads and the adjacent areas, and will have all the necessary powers for this security activity.]]

Other Issues

1. The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement.
2. The possibility of conducting municipal elections in the Gaza Strip and the Jericho Area before the elections for the Palestinian Council will be explored.

January 27, 1994
Revised Version

ARTICLE --

Passages

1. General

- a. While Israel remains responsible for external security, including along the [I: border with Egypt and the line with Jordan] [P: borders between Egypt and the Gaza Strip and between Jordan and the West Bank], border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied by the parties, with the necessary adjustments, to agreed seaports, airports or other agreed international crossings, such as the Abdullah and Damya bridges.
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.

- e. In each border crossing there will be one terminal under [I: Israeli] [P: Israeli-Palestinian coordinated] management and control. This terminal will consist of two wings. The first wing will serve [I: persons holding identity cards issued by the Israel Ministry of the Interior, as well as persons who reside in Israeli settlements in the West Bank and Gaza Strip] [P: Israelis] and tourists to Israel (hereinafter "the Israeli Wing.") The second wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing").
[I: There will be a closed Israeli inspection area as set out below.]
- f. [I: The arrangements included in this Article regarding the terminals will not apply with respect to the Israeli Wing.]
- g. Special arrangements will apply to V.I.P.s. The liaison bureau to be established pursuant to paragraph 5 below will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

- a. The entire passage [I: falls within the exclusive jurisdiction and responsibility of Israel.] [P: will be run in coordination between Israel and the Palestinian Authority.]
- b. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:
 - (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
 - (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

- c. Except for the agreed services to be provided by Palestinian contractors within the Palestinian Wing, the management, maintenance and security of the terminals will be provided [I: by Israel] [P: in coordination between Israel and the Palestinian Authority].
- d. Outside the terminal, the current procedures and arrangements shall continue to apply throughout the passage.
- e.
 - (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip without any interference from Israeli authorities (safe passage).
 - (2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after verification by Israeli authorities that such passengers hold all of the necessary documentation and approvals for exiting the area to Jordan or Egypt.
- f. [P: A Palestinian policeman will be present at the crossing barrier.]

3. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

- a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised flag.
- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and place it on a conveyor belt. Each side will be able to inspect such luggage inside its own inspection area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner. [P: The Israeli side will also invite a Palestinian policeman to be present when opening the luggage for inspection.]

- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.
- d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control.
 - The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will [I] first pass via a Palestinian counter, where their documents will be checked. [I: Then they will continue via an Israeli counter, where their documents will be checked. The Israeli officials sitting behind this counter will be invisible to the passengers.] [P: Their identity may be checked indirectly by an Israeli officer in an invisible way.]
 - The second lane will serve Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents will be checked. Then they will continue via an Israeli counter, where their documents will be checked. The two counters will be separated by [I: opaque] [P: tinted] glass and a revolving door.
 - The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

- e. In the event of suspicion regarding passengers in any of the three lanes described in paragraph d. above, [I: the Israeli side may question a passenger in the closed Israeli inspection area] [P: the passenger may be questioned jointly in a closed inspection area]. If, at the conclusion of this questioning, the suspicion has not been removed, either side may apprehend such passengers, in which case it will notify the other side of the apprehension. In case of a Palestinian suspect being apprehended by Israel, a Palestinian policeman will be asked to meet with the suspect. Any further treatment of the apprehended person will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).
- f. Each side will have the authority to veto the entry of persons who are not legal residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank.

- g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area, [I: where the procedures set out in (to be agreed upon in Paris) will be carried out.] [P: Customs handling of luggage and goods that will be done by the Palestinians will be done in accordance with the Paris agreement.]
- h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

P [I: In cases where the Israeli side vetoes the entry of a passenger after that passenger has received an entry permit from the Palestinian side, the Israeli side will detach the stamped entry permit from the passenger's documentation. Thereafter, that passenger will be escorted out of the terminal and sent back to Jordan or Egypt.]

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC via the Regional Sub-Committee and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area.

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.
- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to three months or any authorized extension thereof [I: granted by the Palestinian Authority and approved by Israel.] [P: The Palestinian Authority may extend this three-month period for an additional period of up to six months. Any further extensions require the approval of Israel.]
- e. The Palestinian Authority will ensure that visitors will not overstay the duration of their entry permit and authorized extensions.
- f. [I: All Palestinian policemen or other Palestinian officials present at the terminal will be unarmed.] [P: Palestinian policemen present at the terminal can be armed with handgun. Other Palestinian officials present at the terminal will be unarmed.]

January 27, 1994
Revised Version

The Davos Agreement

Passages

The two sides agreed on the attached text to be included in the Gaza-Jericho Agreement.

The Jericho Area

1. [I: The size of the Jericho Area will be as depicted on the map provided by the Israeli side to the Palestinian side in Taba.] [P: Similar to the withdrawal procedures in the Gaza Strip, Jericho and Auja area will extend to the electronic security barrier, without including Israeli settlements.]

2. [I: without derogating from Israel's jurisdiction] [P: while not integrally part of the Jericho Area]:

- [I: Religious affairs in] [P: Pending the entry into force of the Interim Agreement, civilian administration of] Nebi Musa will be under the auspices of the Palestinian Authority.
- During religious events that take place three times a year, [I: Palestinian pilgrimage to al-Maghtas under the Palestinian flag will be allowed.] [P: Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.]
- [I: Israel will provide safe passage from the Jericho area to Nebi Musa and al-Maghtas for these purposes.] [P: Safe passage will be provided to Nebi Musa and al-Maghtas.]

d. [I: Joint plans for the Dead Sea stipulated in the D.O.P. will be respected. The first joint venture will be a hotel to be constructed at an agreed location on the shore of the Dead Sea.] [P: Safe passage will be provided to agreed locations on the Dead Sea, where Palestinian private projects and joint-ventures will be constructed.]

3. Religious affairs in the "Shalom Al Israel" Synagogue in Jericho will be under the auspices of Israel.

The Gaza Strip

1. [I: The Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, and the military locations in the Gaza Strip will be as indicated on the map provided by the Israeli side to the Palestinian side in Taba.]

2. The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Nahal Oz-Karni-Nezzarim road, [I: including the adjacent areas upon which the security of traffic along these roads is dependent,] will be under Israel's security responsibility. Joint Israeli-Palestinian patrols will operate along these roads and the adjacent areas. [I: In addition, Israel will conduct security activity, including independent Israeli patrols, along these roads and the adjacent areas, and will have all the necessary powers for this security activity.]

Other Issues

1. The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement.
2. The possibility of conducting municipal elections in the Gaza Strip and the Jericho Area before the elections for the Palestinian Council will be explored.

January 27, 1994
Revised Version

ARTICLE --

Passages

1. General

- a. While Israel remains responsible for external security, including along the [I: border with Egypt and the line with Jordan] [P: borders between Egypt and the Gaza Strip and between Jordan and the West Bank], border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied [by the parties], with the necessary adjustments, to agreed seaports, airports or other agreed international crossings, [such as the Abdullah and Damya bridges.]
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.

e. In each border crossing there will be one terminal under [I: Israeli] [P: Israeli-Palestinian coordinated] management and control. This terminal will consist of two wings. The first wing will serve [I: persons holding identity cards issued by the Israel Ministry of the Interior, as well as persons who reside in Israeli settlements in the West Bank and Gaza Strip] [P: Israelis] and tourists to Israel (hereinafter "the Israeli Wing.") The second wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). [I: There will be a closed Israeli inspection area as set out below.]

[I: The arrangements included in this Article regarding the terminals will not apply with respect to the Israeli Wing.]

Special arrangements will apply to V.I.P.s. The liaison bureau to be established pursuant to paragraph 5 below will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

a. The entire passage [I: falls within the exclusive jurisdiction and responsibility of Israel.] [P: will be run in coordination between Israel and the Palestinian Authority.]

b. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:

- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
- (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.

c. Except for the agreed services to be provided by Palestinian contractors within the Palestinian Wing, the management, maintenance and security of the terminals will be provided [I: by Israel] [P: in coordination between Israel and the Palestinian Authority].

d. Outside the terminal, the current procedures and arrangements shall continue to apply throughout the passage.

(1) Once [incoming] passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip without any interference from Israeli authorities (safe passage).

(2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after verification by Israeli authorities that such passengers hold all of the necessary documentation and approvals for exiting the area to Jordan or Egypt.

f. [P: A Palestinian policeman will be present at the crossing barrier.]

Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised flag.

b. Before entering the Palestinian Wing, passengers will identify their personal luggage and place it on a conveyor belt. Each side will be able to inspect such luggage inside its own inspection area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner. [P: The Israeli side will also invite a Palestinian policeman to be present when opening the luggage for inspection.]

c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers ~~will be~~ will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.

131
Foreign
visitors
and
their
visitors

d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control.

Exclusively] ←

131
Foreign
visitors
and
their
visitors

The first lane will be used by Palestinian residents of the Gaza Strip and Jericho Area. These passengers will [I: first] pass via a Palestinian counter, where their documents will be checked. [I: Then they will continue via an Israeli counter, where their documents will be checked. The Israeli officials sitting behind this counter will be invisible to the passengers.] [P: Their identity may be checked indirectly by an Israeli officer in an invisible way.]

131

Other] ←

The second lane will serve Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents will be checked. Then they will continue via an Israeli counter, where their documents will be checked. The two counters will be separated by [I: opaque] [P: tinted] glass and a revolving door.

The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

e. In the event of suspicion regarding passengers in any of the three lanes described in paragraph d. above, [I: the Israeli side may question a passenger in the closed Israeli inspection area] [P: the passenger may be questioned jointly in a closed inspection area]. [If, at the conclusion of this questioning, the suspicion has not been removed, either side may apprehend such passengers,] in which case it will notify the other side of the apprehension. In case of a Palestinian suspect being apprehended by Israel, a Palestinian policeman will be asked to meet with the suspect. [Any further treatment of the apprehended person will be in accordance with Annex III (Protocol Concerning Legal Arrangements in Criminal Matters).]

infra *pro* *maxima* *polys* *polys*

Each side will have the authority to veto the entry of Palestinian residents of the Gaza Strip and WB or their visitors

Each side will have the authority to veto the entry of persons who are not ~~legal~~ residents of the Gaza Strip and West Bank.
[and their visitors: ספְּרָטְרָמְמָה אֶלְגָּלִים]

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" shall mean persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank.

- g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area, [I: where the procedures set out in (to be agreed upon in Paris) will be carried out.] [P: Customs handling of luggage and goods that will be done by the Palestinians will be done in accordance with the Paris agreement.]
- h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

הנְּפָלָגִים וְנְגִילָּם כִּי בְּבִזְבָּחָה כִּי בְּבִזְבָּחָה כִּי בְּבִזְבָּחָה

[I: In cases where the Israeli side vetoes the entry of a passenger after that passenger has received an entry permit from the Palestinian side, the Israeli side will detach the stamped entry permit from the passenger's documentation. Thereafter, that passenger will be escorted out of the terminal and sent back to Jordan or Egypt.]

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

11, 8 11

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the CAC via the Regional Sub-Committee and to the relevant RCCO.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and Jericho Area. [and will be responsible for the security of the terminal]

- c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in (the Annex developed by the civilian committee). [Pending] the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.
- d. Visitors to the Gaza Strip and Jericho Area will be permitted to remain in these areas for a period of up to three months or any authorized extension thereof [I: granted by the Palestinian Authority and approved by Israel.] [P: The Palestinian Authority may extend this three-month period for an additional period of up to six months. Any further extensions require the approval of Israel.]
- e. The Palestinian Authority will ensure that visitors will not overstay the duration of their entry permit and authorized extensions.
- f. [I: All Palestinian policemen or other Palestinian officials present at the terminal will be unarmed.] [P: Palestinian policemen present at the terminal can be armed with handgun. Other Palestinian officials present at the terminal will be unarmed.]

ירושלים, י"א בשבט התשנ"ד
23 בינואר 1994

אל: ראש הממשלה
מנכ"ל

מאת: ז'ק נריה

הערות ל"טיותת הסכם" אוסלו מ- 22 ינואר 94

מצאתי לנכון להעביר לך העורתי למסמך שניisch יואל זינגר והמאנד בתוכו הבהירות
ככollow שהחצנו בין שר החוץ פרט לערפה בפגישותיהם באוסלו. המסמך הועבר לידי ב-
23 ינואר משלחתו של סגן הרמטכ"ל.

היהתי מעיר את הדברים שלhalbן אילו הוזמנתי לישיבה שהתקיימה אצלך בנושא זה אתמול
22 ינואר.

בנוגע למעברים

הדבר הבולט בסוגיית המעברים היא הידרות כל התייחסות לנושא בתוך הטרמינל ולתווך
הישראלית הטריטוריאלית. באשר ליתר הסעיפים:

סעיף 1 מחזק ומעגן את אחריותה הבלעדית של ישראל לבטחון חוץ מול מצרים וירדן
בניגוד לסטטוסיים שהיו עד כה ובהם הותנה אחריותה הבטחונית של ישראל
במיוחד הזמן (WHILE).

סעיף 2 ישראל מסכימה לנתח נוספת של אחריות פלסטינית במקומות ע"י הסכמתה לאחריות
פלסטינית לשירותים שיינטנו באגף הפלסטיני - שתי הערות:-

א. הניסוח לא ברור. מדובר על המעברים בלבד אלנבי ורפייח כמכלול בעוד
האחריות הפלסטינית היא באגף הפלסטיני. האם פירוש הדבר שהאחריות
לשירותים מוגבלת אך ורק לחלק הפלסטיני בטרמינל?

ב. מה פירוש "שירותים"?

סעיף 3 בעוד סעיף 3 קובע כי אחוריותה של ישראל היא כוללת בנושא בטחון, הסעיף מדבר על כך "שהצד הפלסטיני לא ירש כניסה או חזרה אל תוך האזורים של אנשים שכולים להיות סיכון בטחוני". מה פירוש? מהיכן ימנעו הפלסטינים חזרה? מהגבול? (הרי אנו ישבים שם) האם פירושו שהפלסטינים יהיו גם שם. אם התשובה היא שלילית, צריך לציין שאחריות הפלסטינית מוגבלת להרשות כניסה או הסתננות בטרמינל ומאחריו קו היערכות של צה"ל בגבול.

סעיף 4 סעיף זה מותיר עמיות ביחס לסוג התיעוד הפלסטיני. מן הפטש ניתן להבini כי הפליטים הם אלה שיוציאו את התיעוד. האמנס? לא ברור גם באיזה תיעוד מדובר? האם בתעודות מסע, בתעודות זהות, דרכונים, רישונות למיניהם; ואיזה כוורת ישאו מסמכים אלה?

סעיף 5 מה פירוש, "מעבר בטוח" בין הגדר האלקטרונית לטרמינל של נهر הירדן. האם פירושו שככל פליטי (כולל מבוקשים) ינה מחסינות? מה קורה בקטע (000 מ') בין הטרמינל לגשר?

אזור ירי

6. תוספות שלא היו עד כה:

א. הסכמה לקיום אירועים דתיים מספר פעמים בשנה בנבי מוסא.

ב. אין הגבלה בזמן ולמספר הפעמים שניתן יהיה לקים טksi עליה לרגל באזור הטבילה ב- מע'טס.

ג. גם כאן נקבע "מעבר בטוח" למע'טס ולنبي מוסא - האם מדובר גם בהגדרה בשטח של כבישים מסויימים, אזורים מסויימים שהם יהיו בהכרח גם "סיפ פסג"?

ד. מיקומו של המלון המשותף בצד ים המלח אינו "אידיאלי" מבחינה בטחונית.

גוש קטיף

א. אזור גוש קטיף הגובל ל- 36 קמ"ר - הרבה פחות ממה שכלל ביום השטח + מואסי.

ב. הסכמה פלטינית לאחריות הבטחונית של ישראל על הכבישים הניצבים בין הגוש לישראל - היא בחחלה ויתור פליטני. האם תמורתו ישראל תסיר תביעה ל"דגון"?

גושאים אחרים

7. הוסכם כי "ההעברה מוקדמת של הסמכויות" תידון לאחר סיום Completion היחסים (ולא יישום) על עזה-יריחו. כלומר, יש הסכמתה הישראלית לקיצור הזמן.
8. הסכמת ניהול בחריות לעיריות בעזה ויריחו לפני הבחירה למועצת הפלסטינית. אלמנט שלא הופיע עד כה.
9. הקמת קרון لتמכיזב השותף של ה- A.P. אלמנט חדשני.

PLA 223-73-1/3 3/1/2003
DRAFT

Oslo, 22.1.1994

The Oslo Agreement.

The Israeli foreign minister, Shimon Peres, and the Chairman of the PLO, Yasser Arafat, met in Oslo and agreed on the following package deal regarding the Gaza-Jericho Agreement:

Passages

1. Israel will be responsible for external security along the Egyptian border and the line with Jordan.
2. Without derogating from Israel's overall responsibility and security control over the Rafah and Allenby bridge passages, the Palestinian side will be responsible for ~~the services provided in the Palestinian wing.~~
3. The Palestinian side will not allow immigration into the areas, including through the passages, except with the agreement of the Israeli side, nor will the Palestinian side allow entry or infiltration into the areas of persons who may pose security risks.
4. Palestinian documentation will be based on the Israeli population registry.
5. Passengers will enjoy safe passage between the electronic fence and the Jordan bridge terminal. Safe to where and when?

The Jericho Area.

1. The size of the Jericho Area will be 52 sq.km. as depicted on the map provided by the Israeli side to the Palestinian side in Taba.
2. In addition:
 - a. Religious affairs in Nebi Musa will be under the auspices of the Palestinian Authority during religious events that take place several times a year.
 - b. Palestinian pilgrimage to al-Maghtas under the Palestinian flag will be allowed.
 - c. Israel will provide safe passage to Nebi Musa and al-Maghtas for these purposes.
 - d. Joint plans in the Dead Sea stipulated in the DCP will be respected. The first joint-venture will be a jointly-

2/3

owned hotel on the northern shore of the Dead-Sea. Details of this joint-venture will be worked out in the economic committee in Paris.

The Gaza Strip.

1. The Gush Katif settlement area, including its security perimeter will consist of an area encompassing 36 sq.km. as indicated on the map provided by the Israeli side to the Palestinian side in Taba.
2. The three lateral roads connecting the Israeli settlements in the Gaza strip to Israel, including the adjacent areas upon which the security of traffic along these roads is dependent, will be under Israel's security responsibility.

Other Issues.

1. The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement negotiations.
2. The two sides will explore the possibility of conducting municipal elections in the Gaza Strip and Jericho Area before the elections for the Palestinian Council.
3. The Israeli side and the Palestinian side will cooperate in seeking contributions to a special fund to be set up in the memory of the late Norwegian foreign minister, Jochen Jorgen Holst. The contributions will be used as start up money to finance the current expenses of the PA.
4. The Palestinian side states that, except for the elements included in this package deal, it has no other demands regarding the passages and the Jericho Area.
5. This agreement is subject to approval by the Israeli prime-minister.

3/3

20 January 1994
Revised Merged Version

ARTICLE --

[I: Passages to and from Egypt and Jordan]
[P: Passages: Jericho-Jordan and Rafah-Egypt]

1. General

a. While Israel remains responsible for external security along the border with Egypt and the cease-fire line with Jordan, border crossing shall take place according to the following arrangements. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Israeli-Palestinian Declaration of Principles, while providing full security for both.

[P: The two sides reaffirm their commitment to maintaining peaceful borders with Egypt and Jordan, encouraging the flow of trade and investments and the establishment of free trade zones, and airports.]

[I: b. The arrangements included in this Article shall apply to the following border crossing terminals:

- (1) the Allenby Bridge terminal; and
- (2) the Rafah terminal.]

[I: c. The two parties may, by agreement, apply the arrangements described in this Article with necessary modifications to other agreed international crossings.]

[P: c. The same arrangements will apply to the Rafah border crossing and the Jordan bridge crossings. They will also apply, with the necessary adjustments, to entry through seaports and airports, once they are established.]

- d. There will be maximum coordination between the two sides.
- e. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this effect, the mechanism created will rely heavily on brief and modern procedures.
- f. In each border crossing there will be one terminal, consisting of two wings, as shown on the attached scheme No. --. The first wing will serve Israelis and tourists to Israel and will be under [I: independent and exclusive Israeli management and control] [P: Israeli control] (hereinafter "the Israeli Wing"). The second wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing").
- g. Special arrangements will apply to V.I.P.s. The liaison bureau to be established pursuant to paragraph 4 below will define the scope of this group and the nature of these special arrangements.

2. Arrangements for Entry from Egypt and Jordan Through the Palestinian Wing

- a. A Palestinian policeman and flag will be posted at the entrance to the Palestinian Wing.

- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and place it on a conveyor belt, [I: which will pass through an Israeli inspection area and subsequently through a Palestinian inspection area. Each side will be able to inspect such luggage inside its own wing inspection area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner.] [P: Both sides may ask for luggage inspection. Suspected luggage will be opened in the presence of their owners by a Palestinian officer, in the presence of an Israeli officer.]
- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Palestinians and their visitors will be inspected by a Palestinian policeman, in the presence of an Israeli policeman, [I: who will be entitled to direct the inspection.] Accompanying personal belongings may also be inspected at this point.
- d. Having completed the above phase, persons entering the Palestinian Wing will pass through either of [I: two] [P: three] lanes [I: for the purpose of identification and document control.]

[P: - The first lane will be used by Palestinians living in the Gaza Strip and Jericho Area. These passengers will go through a Palestinian window where their documents will be checked and stamped. Their identity may be checked by an Israeli officer in an invisible way.]

- The [I: first] [P: second] lane will serve Palestinian residents of the [I: Gaza Strip and] West Bank. These passengers will first pass via a Palestinian counter, where their documents will be checked [P: and stamped]. Then they will continue via an Israeli counter, where their documents will be checked [I: and stamped]. The two counters will be separated by [I: opaque] [P: tinted] glass [I: and a revolving door. In the event of suspicion, the Israeli side may question a person in a separate office adjacent to the counter. Either side may apprehend persons passing through the terminal, in which case it will notify the other side of the apprehension.]

The [I: second] [P: third] lane will serve visitors to the Gaza Strip and West Bank. An identical procedure will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

[I: e. Each side will have the authority to veto the entry of Palestinian residents of the Gaza Strip and West Bank or their visitors.]

[P: e. Denial of entry of a visitor by any of the sides may be referred to the liaison bureau to be established pursuant to paragraph 4 below action. Visitors may be denied entry, if any of the two sides denies request to the liaison bureau.]

f. Following the above procedure, the passengers will collect their luggage and proceed to the customs area, [I: where the procedures set out in (to be agreed upon in Paris) will be carried out.] [P: Customs handling of luggage and goods that will be done by the Palestinians will be done in accordance with the Paris agreement.]

[I: g. Persons leaving the terminal will pass through a gate where Israeli soldiers will be posted.]

3. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

[I: a. Passengers exiting to Egypt or Jordan through the terminal will pass through a gate where Israeli soldiers will be posted.]

b. [I: Such persons will enter the terminal without their luggage.] Thereafter, the same procedures described in paragraph 2 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

4. Liaison Bureau

a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through [I: the Palestinian Wing] [P: the crossing point], issues requiring coordination, and differences regarding the implementation of these arrangements. [I: Without derogating from Israel's responsibility for security,] the bureau will also deal with incidents. [P: Note: This should be the first item.]

b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location at each crossing point.

c. [I: This bureau will be subordinate to the CAC via the Regional Sub-Committee and to the relevant RCCO.] [P: Note: The Palestinian side would prefer to defer discussion on this issue.]

5. Miscellaneous

[I: a. The passage of goods, buses, trucks and privately-owned vehicles will be in accordance with the current arrangements, unless otherwise agreed in the JSCCC.]

[I: b. Pending the completion of construction of the terminals by Israel, the entry from and the exit to Egypt and Jordan shall be in accordance with the current arrangements.]

[I: c. In order to cross through the crossing points in and out of the Gaza Strip and Jericho Area, residents of these areas will use documents as detailed in Annex II, Article II, paragraph 6.m. Other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.]

[I: d. Persons from countries not having diplomatic relations with Israel who visit the Gaza Strip and Jericho Area must hold a passport or a travel document accompanied by a valid Israeli entry visa or a valid entry permit issued by Israel.

Persons from countries having diplomatic relations with Israel who visit the Gaza Strip and Jericho Area must hold a passport or a travel document accompanied by a valid visa, or without a visa if exempted by Israeli regulations.]

e. Visitors to the Gaza Strip and West Bank will be permitted to remain in these areas only for the period specified in their entry permit or any valid extension thereof granted by the Palestinian Authority [I: and approved by Israel.]

[I: f. The Palestinian Authority will ensure that visitors will not overstay the duration of their entry permit.]

[I: g. All Palestinian policemen present at the crossing points will be unarmed.]

End Note:

The two sides disagree on the issue of management and control of the total passage (from bridge to outside of the security zones). The position of the Israeli side is that the passage, including the terminal, should be under exclusive Israeli jurisdiction and responsibility. The position of the Palestinian side is that management and control should be joint. This issue will be dealt with separately.

January 20th, 1994

Managing the Total Passage

1. The passage is defined here to mean the area from the crossing barrier at the border (or bridge, or plane landing, or seafront landing) passing through the terminal and extending to the exit from the terminal in the Gaza Strip, or to the Jericho Area.
2. The passage is a total system through which joint management and joint responsibility must be practiced in full coordination between the parties without derogating from Israeli responsibility ~~to~~ external security.
(f)
3. Palestinian presence throughout the passage starts with a Palestinian officer present at the crossing barrier, together with a raised Palestinian flag.
4. The Palestinian-Israeli Liaison Bureau effects modalities providing for the joint management of the terminal including its parking lot.
5. The road from the bridge to the terminal and from the terminal to the Jericho ~~border~~ should be kept as a safe passage to all passengers with the minimum of security activities. The passage must be kept free and operating 24 hours a day, 365 days a year. Any emergency closure must be coordinated through the Liaison Bureau.
6. A joint mobile unit should be stationed at the electronic fence approaching the Jericho Area to provide quick emergency service in case of security problems or accidents on the road.
7. Palestinian contractors (public or private) should continue to provide bus services, towing trucks, road repair services and other administrative services on these roads.

January 19th, 1994

Passages: Jericho-Jordan and Rafah - Egypt

SW 1) It was agreed that, while Israel remains responsible for external security along the present lines, the crossing of the borders can be arranged as follows:

2 P^o 10 The object of the agreement on border crossings is to create a mechanism that facilitates the entry and exit of Palestinians of the West Bank and Gaza Strip, Palestinian visitors from outside, Israelis and other visitors, reflecting the new reality created by the Israeli-Palestinian DOP, while providing full security to the two sides.

Y¹ L^o 10 2) The two sides reaffirm their commitment to the maintenance of peaceful borders with Egypt and Jordan, in which trade and investments flow, looking for joint economic projects on these borders, free trade zones and airports.

Ch^o 3) There will be maximum coordination between the two sides.

C¹ L^o 10 4) The two sides are determined to do their utmost in order to maintain the dignity of persons passing through the border crossing. To this effect, the mechanism created will rely heavily on electronic checking, minimize physical handling and utilize brief and modern procedures.

Y¹ L^o 10 5) Special arrangements will apply to VIP's C¹ 26 NO^o ins

Y¹ L^o 10 6) There will be only one terminal in each border crossing.

C¹ L^o 10 7) Security check of luggage and unaccompanied goods will consist of one conveyor-belt with access to both sides. Customs handling of luggage and goods that will be done by the Palestinians will be done in accordance with the Paris agreement. will be done as follows

C¹ L^o 10 8) The same arrangements will apply to the Rafah border crossing and the Jordan bridge crossings. They will also apply, with the necessary adjustments, to entry through seaports and airports, once they are established.

NY 9) In each border crossing there will be one terminal, consisting of two wings, as shown on the attached scheme No.-. The first wing will serve Israelis and tourists to Israel and will be under Israeli control, (hereinafter "The Israeli Wing"). The second wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter " Palestinian Wing").

10A mis and out of contact

10) Arrangements for Entry from Egypt and Jordan Through the

Palestinian Wing.

A. A Palestinian policeman and flag will be posted at the entrance to the Palestinian Wing.

*P 11/2
P 20/1 6*
B. Before entering, passengers will identify their personal luggage and place them on a conveyor - belt. Both sides may ask for luggage inspection. Suspected luggage will be opened in the presence of their owners and checked by a Palestinian officer, in the presence of an Israeli officer.

*P 11/1
P 20/1 6 07*
C. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Palestinians and their visitors will be inspected by a Palestinian policeman, in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point. *WYMCAN YB. h ym apse 10/1*

*P 11/1
P 20/1 6 07*
D. After entering, passengers will be invited to pass through one of three lanes:

*P 11/1
P 20/1 6 07*
- The first lane will be used by Palestinians living in the Gaza Strip and Jericho Area. These passengers will go through a Palestinian window where their documents will be checked and stamped. Their identity may be checked by an Israeli officer in an invisible way.

*P 11/1
P 20/1 6 07*
- The second lane will be used by Palestinians living in the West Bank. These passengers will first go through a Palestinian window where their documents will be checked and stamped. Then they will go through an Israeli window which is separated from a Palestinian window by tinted glass.

*P 11/1
P 20/1 6 07*
- The third lane will be used by Palestinian and other visitors to the West Bank and Gaza. These passengers will pass through an Israeli window first. Then, they will go through a Palestinian window where their documents will be checked and stamped to allow them entry. Denial of entry of a visitor by any of the sides may be referred to the Palestinian- Israeli Liaison Office for action. Visitors may be denied entry, if any of the two sides denies request to the Liaison Committee.

*P 11/1
P 20/1 6 07*
11. Arrangements for exit to Egypt and Jordan through the Palestinian Wing :

*P 11/1
P 20/1 6 07*
The same arrangements in point no. 10 above will apply but in reverse order.

*P 11/1
P 20/1 6 07*
12. The Joint Israeli-Palestinian Security Committee will supervise these border crossing arrangements, set criteria and requirements

for admission, deal with differences regarding implementation, and periodically review these arrangements.

Points of Disagreement

1. Israeli side does not accept the separation of Gaza and Jericho residents and their different checking regime (invisible Israeli control). It suggests they are to be treated in a similar way to the West Bank residents.
2. Israeli side insists on its position of questioning suspected persons and searching their luggage in a closed Israeli area. Palestinian side disagrees, and insists on a joint Palestinian-Israeli action. In case of material evidence incriminating the suspected person he should be turned over to the Palestinian Authorities for legal action.
3. Management and control of the total passage (from bridge to outside the security zones) will be treated in a separate paper.

1/27 11/18 1982

Mr. Doreen and Mark

ירושלים, י"א בשבט התשנ"ד
23 בינואר 1994

אל: ראש הממשלה
מנכ"ל

מאת: ז'ק נריה

הערות ל"טיותת הסכם" אוסלו מ- 22 ינואר 94

מצאתי לנכון להעיר לך העורתי למסמך שנייסח יואל זינגר והמאגד בתוכו החבנות כביכול שהחago בין שר החוץ פרס לערפה בפניותיהם באוסלו. המסמך הועבר לידי ב- 23 ינואר משלצתו של סגן הרמטכ"ל.

היהתי מעיר את הדברים שלhalbו אילו הוזמנתי לישיבה שהתקיימה אצלך בנושא זה אתמול 22 ינואר.

בנושא למעברים

הדבר הבולט בסוגיית המעברים היא הידורות כל התייחסות לנעשה בתוך הטרמינל ולתווך הישראלית הסטרילי. באשר ליתר הסעיפים:

סעיף 1 מחזק ומעגן את אחריותה הבלעדית של ישראל לבטחון חוץ מול מצרים וירדן בנגדם לסטטוסיים שהיו עד כה ובהם הותנה אחריותה הבטחונית של ישראל במייד הזמן (WHILE).

סעיף 2 ישראל מסכימה לנתח נוסף של אחריות פלסטינית במקומות ע"י הסכמתה לאחריות פלסטינית לשירותים שיינטנו באגף הפלסטיני - שתי הערות:-

א. הניסוח לא ברור. מדובר על המעברים באנבי ורפי כמכלול בעודיות הפלסטינית היא באגף הפלסטיני. האם פירוש הדבר שהאחריות לשירותים מוגבלת אך ורק לחלק הפלסטיני בטרמינל?

ב. מה פירוש "שירותים"?

סעיף 3 בעוד סעיף 3 קובע כי אחוריותה של ישראל היא כוללת בנושא בטחון, הסעיף מדבר על כך "שהצד הפלסטיני לא ירשה כניסה או חדרה אל תוך האזורים של אנשים שיכולים להיות סיכון בטחוני". מה פירוש? מהיכן ימנעו הפלסטינים חדרה? מהגבול? (הרי אנו ישבים שם) האם פירושו שהפלסטינים יהיו גם שם. אם התשובה היא שלילית, צריך לציין שהאחריות הפלסטינית מוגבלת להרשות כניסה או הסתננות בטרמינל ומאחריו קו היערכות של צה"ל בגבול.

סעיף 4 סעיף זה מותיר עמיות ביחס לסוג התיעוד הפלסטיני. מן הפטש ניתן להבini כי הפליטים הם אלה שיוציאו את התיעוד. האמנס? לא ברור גם באיזה תיעוד מדובר? האם בטעות מסע, בטעות זהות, דרכונים, רישונות למיניהם; ואיזה כוורת ישאו מסמכים אלה?

סעיף 5 מה פירוש, "מעבר בטוח" בין הגדר האלקטרונית לטרמינל של נهر הירדן. האם פירושו שככל פליטי (כולל מבודדים) יהנה מחסינות? מה קורה בקטיע (900 מ') בין הטרמינל לגשר?

אזור ירי

6. תוספות שלא היו עד כה:-

א. הסכמה לקיום ארועים דתיים מספר פעמים בשנה בנבי מוסא.

ב. אין גבלה בזמן ולמספר הפעמים שניתן יהיה לקים טksi עליה לרגל באזור הטבילה ב- מיעטס.

ג. גם כאן נקבע "מעבר בטוח" למעטס ולنبي מוסא - האם מדובר גם בהגדלה בשטח של כבישים מסויימים, אזורים מסויימים שם יהיה בהכרח גם "סיפ פסג"?

ד. מיקומו של המלון המשותף בцеון ים המלח אינו "אידיאלי" מבחינה בטחונית.

גוש קטיף

א. אזור גוש קטיף הוגבל ל- 36 קמ"ר - הרבה פחות ממה שכלל ביום השטח + מואסי.

ב. הסכמה פלטינית לאחוריות הבטחונית של ישראל על הכבישים הניצבים בין הגוש לישראל - היא בחחלת ויתור פלטיני. האם תמורתו ישראל תסיר תביעה ל"דגון"?

נושאים אחרים

7. הוסכם כי "ההעברה מוקדמת של הסמכויות" תידון לאחר סיום Completion ה הסכם (ולא יישום) על עזה-יריחו. ככלומר, יש הסכמה ישראלית לקיצור הזמן.
8. הסכמה לניהול בחירות לעיריות בעזה ויריחו לפני הבחירות למועצה הפלסטינית. אלמנט שלא הופיע עד כה.
9. הקמת קרן לתקציב השותף של ה- A.P. אלמנט חדשני.

DRAFT

Oslo, 22.1.1994

The Oslo Agreement

The Israeli foreign minister, Shimon Peres, and the Chairman of the PLO, Yasser Arafat, met in Oslo and agreed on the following package deal regarding the Gaza-Jericho Agreement.

Passages

1. Israel will be responsible for external security along the Egyptian border and the line with Jordan.
2. Without derogating from Israel's overall responsibility and security control over the Rafah and Allenby bridge passages, the Palestinian side will be responsible for the services provided in the Palestinian wing.
3. The Palestinian side will not allow immigration into the areas, including through the passages, except with the agreement of the Israeli side, nor will the Palestinian side allow entry or infiltration into the areas of persons who may pose security risks.
4. Palestinian documentation will be based on the Israeli population registry.
5. Passengers will enjoy safe passage between the electronic fence and the Jordan bridge terminal. Safe to 4000 m

The Jericho Area.

1. The size of the Jericho Area will be 52 sq.km. as depicted on the map provided by the Israeli side to the Palestinian side in Taba.
2. In addition;
 - a. Religious affairs in Nebi Musa will be under the auspices of the Palestinian Authority during religious events that take place several times a year.
 - b. Palestinian pilgrimage to al-Maghtas under the Palestinian flag will be allowed.
 - c. Israel will provide safe passage to Nebi Musa and al-Maghtas for these purposes.
 - d. Joint plans in the Dead Sea stipulated in the DCP will be respected. The first joint-venture will be a jointly-

2/3

owned hotel on the northern shore of the Dead-Sea. Details of this joint-venture will be worked out in the economic committee in Paris.

The Gaza Strip.

1. The Gush Katif settlement area, including its security perimeter will consist of an area encompassing 36 sq. km., as indicated on the map provided by the Israeli side to the Palestinian side in Taba.
2. The three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, including the adjacent areas upon which the security of traffic along these roads is dependent, will be under Israel's security responsibility.

Other Issues.

1. The early empowerment agreement will be negotiated in Taba, after the completion of the Gaza-Jericho Agreement negotiations.
2. The two sides will explore the possibility of conducting municipal elections in the Gaza Strip and Jericho Area before the elections for the Palestinian Council.
3. The Israeli side and the Palestinian side will cooperate in seeking contributions to a special fund to be set up in the memory of the late Norwegian foreign Minister, Jochen Jørgen Holst. The contributions will be used as start up money to finance the current expenses of the PA.
4. The Palestinian side states that, except for the elements included in this package deal, it has no other demands regarding the passages and the Jericho Area.
5. This agreement is subject to approval by the Israeli prime-minister.

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סודי -

סיכום פגישת אצל ראש הממשלה בנושא השיחות הכלכליות בפари
יום א' 15.1.94

משתתפים: ראש הממשלה, שר האוצר, הרמטכ"ל, ס/הרמטכ"ל, מותפ"ש, הממשלה על התקציבים, עוזץ ערן - מ. החוץ, אבי בן בסט - בנק ישראל, ישראל עוז - משרד האוצר, דני יתום מזק"צ לרה"מ ווח"מ.

הממשלה על התקציבים דיווח על התפתחות השיחות הכלכליות:

בתחום המונטרי: מטבע, שיעורי נזילות, ואי אפלית בנקים ישראלים.

בתחום הפיסקל: מיסים ישראלים על פלשתינים בהתחלוות, מזוח ירושלים, מיסים של פלשתינים המועסקים בישראל. סמכות לשינויים בשיעורי מכס רשות מוצרים שאבות הפלשתינים לקבוע מכס (בשר לא כשר וחיטה) ושליטה בمعברים.

בתחום הסחר: עובדים, התשכניות עבר, חקלאות (פתיחה חופשית למעט 5 מוצרים בהם תהיה פתיחה הדרגתית) יבוא ממדינות שלישיות.

בתחום הכללי: הסכם על כל השטחים ולא רק עזה ויריחו.

ראש הממשלה סיכם:

1. יש לוודה יכולת בקרה בمعברים (כולל בנמל עזה).
2. סוגית מטבע ובנק מרכזי - לא לסכם.

רשם אילן פלטו.

העתק: ראש הממשלה
שר האוצר
מנכ"ל משרד ראש הממשלה
הממשלה על התקציבים
ס/הרמטכ"ל
מתאים פוליה בשטחים
✓ זק נריה - כאן

ירושלים, י' בשבט התשנ"ד
18 בינואר 1994

אל: רוח"מ

מאת: ז'ק נריה

להלן מאנון שחק (18 ינואר)

אתמול בערב נפגש אמןון שחק עם מל לוין ודניס רוס, בביתו של עודד ערן. נכון גם אורי סביר.

להלן דברים ששמע ממל לוין:

א. אל גור שיגר לתוניס משלחת בראשות מל לוין. המשלחת הייתה מורכבת ממשקיעים אמריקניים ממוצא יהודי וערבי.

ב. נפגש עם ערפאת לשעתים.

ג. מל לוין סייר שערפאת נקט ב�� קשות, מה שמעניין אותו זה סמלים לאומיים; לא התעניין בכלכלה למרות שנאמר לו שמסתמנת דעיכה בנסיבות של המשקיעים הזרים להשקיע בשטחים.

ד. מל לוין הדגיש את העובדה שערפאת התבטה כי הוא מאוכזב מראש הממשלה אשר הקשיש עמדותיו. הוא החליט ללבת על פרס.

דניס רוס התעניין בנושא משאל העם והאם ההודעה על כך הייתה מתוכננת מראש. התרשמותו שלא כך. הוא עומד לעשות בכך שימוש אצל סוריה ע"מ להוכיח רצינות כוונות ישראל.

דניס עומד לחדש את הקשר הטלפוני עם ערפאת. אגב, הוא נמצא בקשר מתמיד עם אורי סביר.

דניס אמר שעס קידוש השיחות בוושינגטון הולכת אורה"ב להגבר מעורבותה ע"מ שלא לחת למומנטום לדעון.

לחערכת דניס סוריה תהיה מוכנה ללבת עד הסוף ללא הפלסטינים שיסתפקו ב- DOP.

דניס הודיע להם על הפגישה הצפופה בין ערפאת לクリיסטופר בסוף השבוע באוסלו.



ש מ ו ר

היועץ המשפטי
טל' 303761

א' בשבט תשל"ד
13 בינואר 1994

865471

אל: סגן הרמטכ"ל

מאת: היועץ המשפטי

הנדון: שיחה עם נביל שעת בעניין המשך
הטופול בהסכם עזה-יריחו

בשוצ' יום רביעי, ה-12 בינואר 1994, לקרהת סיום השיחות בטבהה, לפי בקשתו של נביל שעת, נפגשו סגן הרמטכ"ל והח"מ עם נביל שעת וסמייל מנג'זר לשיחת ראשונית בעניין המשך הטופול בגין הסכם עזה-יריחו.

כזכור, כבר ביום הראשון של הסכוב הנווכחי של שיחות טבהה סוכם, לפי הצעתו של נביל שעת, כי תוקם קבוצת עבודה מיוחדת (בנוסף לשתי קבוצות הנסוח של הנספח הבהירוני והנספח האזרחי) לנסוח גוף ההסכם. עוד סוכם אז כי מאוחר וחברי קבוצת הנסוח של ההסכם חברים גם בקבוצות הנסוח האחרות, לא תפגש קבוצת הנסוח של ההסכם במקביל למפגשי הקבוצות האחרות, אלא רק בזמניהם שהקבוצות האחרות תתפוננה מעבודתן. כאמור, הפגישת הראשונה בעניין גוף הסכם התקיימה ביום רביעי בערב. בפגישה זו הציע נביל שעת כי לפני שנתחיל לעסוק בתוכן טיעוני ההסכם, נסכם קודם את מבנה ההסכם. כמובן, נגייס להסכמה באשר לכוורות טיעוני ההסכם וסדר הופעתם בהסכם. נביל שעת נימק את הצעתו זו בכך שכרגע חתימות של שני הצדדים אינן מאורגנות באופן זהה מבחינות סדר הטיעונים, אף כי הם ניסו לבנות את הטיעות שלהם באופן דומה ככל האפשר לטיעותם של השניים. כמויל מנג'זר אף הראה לנו (אם כי לא מסר עומק) ניר שמן הכנינו ובו השוואת בינו הטיעות שלנו לטיעותם שליהם. שעת הוסיף כי הסכמה על מבנה זהה תקל עליינו להתמקד בתכנים. השבנו כי ההצעה מקובלת עליינו, בכוון לכך שהמבנה שיטוסכם יהיה אדר-פרנדום, כאשר כל צד שומר לעצמו את הזכות להציג שינויים בסדר הטיעונים ובכוורותיהם, ולהוסיף או להוריד טיעונים.

nebile Shurat Biqsh bi-nachal miyad be-uboda ul-mabna ha-hesekim. hashbano ci- ha-cheniono teiyotah chadsha shel ha-hesekim, avotah namsor lehem b-mefesh ha-ba. la-pi-ek, ai- tos le-hachil be-uboda aragono mabna ha-hesekim ul-yosid teiyotah ha-kordmat sh-nemsera. qhem, sh-ken chlo bi-yinotim shinuviim r-bim.



לאור זאת, סוכם כי אנו נשלח להם בפקס (או נמסור ביום שני עם תחילת המפגש) את תוכן העניינים של טיפולת ההסכם שלנו והם יכינו וימסרו לנו נייר דומה ביחס לTriStateה שלהם על יסוד ניירות אלה, ננסח להגינות להסכם בעניין מבנה ההסכם.

לאחר מכן, התיחס נבייל שעת לנושא התקנון ובניה שנדרכו בפגישת שהשתפות ג'ימייל טרייף, נבייל שעת, אמןון שחק וגדי זוהר. בזוכור, בפגישת זו סוכם כי תחילה אישור של תכניות המתאר יהיה זהה לתהילה אישור חוזים. בהקשר זה ביקש נבייל שעת כי, לאחר שנמסם את מבנה הסכם עזה-יריחו, נדונו תחילה בתוכנו של הסעיף העומק בסמכות החקיקה של הרשות הפלסטינית. שעת הסביר כי סיכום מוקדם של סעיף זה יאפשר גם למסם את הנושא התקנון והבנייה, וכך ניתן יהיה להציג הישג מסוות של סיום הטעול בכל הנושאים האזרחיים. השבנו כי נראה כי עדינו ישנים נושאים אזרחיים נוספים שטרם סוכמו. יחד עם זאת, הצהרנו כי אין מניעה מבחינהתנו למתיחל המומ"מ על הסכם עזה יריחו בטיפול בסעיף העומק בסמכות החקיקה של הרשות הפלסטינית.

בברכה,

אל ע. ז.

יואל זינגר

העתק: ר' אג"ת

אג"ת - רח"ט תכנון אסטרטגי

תא"ל דוד אגמון

רמנא"ז איו"ש, תא"ל גדי זוהר

משרד רה"מ - תא"ל ג'ק נריה

93 י"



ס. 1. ד. 1

היו"ע המשפטיה
טל' 303761

א' בשבט תשל"ז
13 בינואר 1994

לע' 1
לע' 2
לע' 3

865939

אל: סגן הרמטכ"ל

מאת: היו"ע המשפטיה

הנדון: נום חדש של טיוות הסכם עזה-יריחו

ז. כללי

בז'וכור, במחלה המפגש האחרון בטאבה סוכם כי בשבוע הבא נמסור לידי המשלחת הפלסטינית נום חדש של הטיוות הישראלית של הסכם עזה-יריחו. אני מצ"ב נום חדש של טיוותה כאמור.

ז. השינויים העיקריים בטיוות הסכם

לחילן נפרט את השינויים העיקריים שהוכנסו בטיוות הסכם בעקבות הנרות שהושמעו במשרד המשפטים בראשות שר המשפטים ושינויים בנוסח הסעיף הכלכלי שהוגש ע"י משרד האוצר (מספר הסעיפים מתיחס לטיוותה הגוזמת מיום 5.1.94).

א. סעיף I (שלבי הנסיגה)

1. פסקה 5 - פיסקה זו נועדה למנוע טינה אפשרית פלסטינאית, בהסתמך על סעיף צוו"ז של ה-ק.ו.ס, שקראת הבחרות למומצת האוטונומיה, על צה"ל יהיה לבצע הרכבות מחדש (REDEPLOYMENT) נוספת.

בדיוונים במשרד המשפטים הובע החשש שעל פי הניסוח הנוכחי של הפסקה ומיקומה, לא יוכל לעורוך מחדש את הרכבות אחורי נסיגת הראשונית (אף לא בשל צרכים בטחוניים). התעוררה גם השאלה האם ברור מהסעיף כי כוחות צה"ל אמנים יערכו מחדש בשטח. לאור זאת, שינוינו את נום פיסקה 5 וככלנו אותה כחלק נום בפסקה 3.



2. **פסקה 6** - על פי הניסוח הנוכחי ניתן היה לטעון שהפסיקת אפשרותה תנוונה על הדרכים בלבד, אך לא בשיחסים הפתוחים שמנבר לככינים, כגון: באטריה תיירות, והפסיקת חלה רק על כוחות צבא ולא על שאר כוחות הבטחון. על כן אנו בוחנים האפשרות שבנספח זו, בפסקה הדונה בענייני התיירות, יירשם שלישראלים יהיה חופש גישה גם לאטריה תיירות. כמו כן, הוספנו סיפה לפיסקה שמקילה את שאר כוחות הבטחון במינו אński צבא.

סעיף זז (העברה סמכויות)

1. **פסקה 1** - על פי המלצת הפק"ר ובאישור שר המשפטים שוניה הניסוח כך שיאמר שמוסצת האוטונומיה HEREBY ESTABLISHED ניסוח זה יאפשר לטענו כי החסכם ולא אש"פ" הוא מקור הסמכות של מוסצת האוטונומיה.

2. **פסקאות 4 ו-5** - בנוסח הגודם פסקאות אלה הופיעו בין העברת הסמכויות בזאת, שניה מתבצע המנהל האזרחי לחולתו' והamodel הצבאי נסוג, ובין אזור יריחו, שבו מנא"ז איו"ש והamodel הצבאי באיו"ש רק יחדלו להפעיל סמכויותיהם. על פי הצעת שר המשפטים סוכם שלא להפריד בין שני האזרחים ולציוו שבשניהם הממשל הצבאי יסוג ומנהל האזרחי יתבצע (פסקה 4 תוקנה בהתאם ופסקה 5 בוטלה).

סעיף זז (סדר ציבורי ובטחון)

1. **פסקה 2** - בעקבות סיכום ס/הרמטכ"ל לככול בהסכם הגדרה ברורה של אחריות לבטחון החוץ, הוכנעה ההגדרה בפסקה 2 כפי שנוסחה במהלך מפגש טבה האזרחי, והפסיקת קיימת תהיה השלישית ותוקנה בהתאם.

2. **פסקה 6** - בפסקה זו, המטילה איסור על יבוא, שימוש וכו' של נשים וחומר נפץ, ככלנו בגדיר האיסור גם את ה-A.C. וברשותם האיסורים ככלנו גם אבק שריפה (שלא נכלל באנג'לית במינו) חומר נפץ). מכיוון שאיסור השימוש בחומר נפץ עלמן תפקוד סביר מה-A.C. (פעילות במחיצות, סלילת כבישים וכו'), ככלנו סייג שה-SCCC תוכל להתר שימוש בחומר נפץ ואבק שריפה. נזדה על אישורכם לתוספת זו.

סעיף זז (היקף הסמכויות)

1. **פסקה 1.א (סמכות פונקציונלית)**. על פי הסכם במשרד המשפטים בצענו תיקון קל בנוסח הטעיף שנועד להרחיב הפתוח לטעון שבידנו הסמכויות השיווריות.

2. **פסקה 5** - הגדרת "תאגיד ישראלי" הורחבה גם לתאגיד שיווטר מ-50% מזכויות הצבעה שבו מוחזקות בידי ישראליים.

סעיף זז (חקיקה)

3. **פסקה 3** - מקב מיקומה וניסוחה, מלולה הייתה פסקה זו לחתוף כמגבילה את סמכות הפיקוח הירושלמי על החקיקה של A.C. רק לקרים שהחקיקה תואמת את תנאי החסכם, ואם איננה תואמת, סמכות הפיקוח איננה קיימת. על מנת למנוע פרשנות כזו:



1. נוסח הסעיף תוקן בהתאם.
2. פסקה 5 הועברה לאחררי פסקה 2, מכיוון שבנץ' היא משלימה אותה.

סעיף ז' (יחסים כלכליים)

קבילנו ממשרד האוצר נוסח חדש ומגיף יותר של הסעיף המחליף את הסעיף הנוכחי. נוסח זה תוקן על ידיינו והוכנס כסעיף ז' לטווחה המציג. אלו מתייחסים להעדות ואישור משרד האוצר.

סעיף ז'ז' (ישוב סכסוכים)

פסקה 2 - הניסוח הנוכחי לא הסדר שני מביבים:
1. כאשר העובדות בשטח לא מאפשרות להחזיר המבוקק לקדומו.

2. כאשר המבוקק "לפנוי ההפורה" לא ידוע או לא מוסכם.

לפי הצעת שר המשפטים, בנסיבות החדש הוסנו משפט לפיו בביבים הנ"ל הוועדה המשותפת האזרחים תחליט מה לעשות.

סעיף א' (יחסים בין ישראל וה-א.ק.)

1. פסקה 1 - הוצע לחיבב גם את אש"י (במכתב הלועזי) להמנע מתעללה עוינית כנגד ישראל באוון דומה להתחייבות ה-א.ק. ההצעה נתקבלה והנוסח יועבר בנספח.

2. פסקה 2.ט. - העברנו פסקה זו לסעיף הכללי (ז'), פסקה 12. ממשרד המשפטים ובמשרד הבטחון חרושים שהניסוח הנוכחי עלול לאפשר לפוליטינאים להשתחט במכרז מערצת הבטחון. הוצע למצוות את הסעיף כך שיחול רק על נושאי חרם ולא על כל מקרה של חפלה כלכלית, כפי המבוקק בנוסח הנוכחי. משרד האוצר התבקש להחליט בנקודה זו.

3. פסקה 3 - בדיעון ממשרד המשפטים הוצע שלא לסגור את רשותת התהומות לשתי"פ ולשנות את סדר פיסקאות המשנה. חנסנו שינויים אלה. כמו כן, חידנו את הנוסח כך שיובהר כי מדובר בשתי"פ למניעת פעילות פלילתית שיכולה לפגוע הן בישראל והן בעזה ויריחו.

4. פסקה 4 - מטרת הפיסקה הייתה למנוע טענה שהנסיגת וההעברת הסמכויותינו מני היסוד את המבוקש המשפטית בעזה וביריחו ועל כן בטלן החובות והזכויות של פרטיהם, אירוגוניהם וכו'. ממשרד המשפטים הציעו לחבר פסקה זו יחד עם פסקה 5 של סעיף ז' לנספח ז', העוסקת בשמרות חבות וזכויות ביחס למשדי המנא"ז שיועברו לידי מועצת האוטונומיה. זאת zwar, חיברנו יחד את פסקה 4 הנ"ל עם פסקה 5 של סעיף ז' לנספח ז' בסעיף חדש (ז'ז') שנראה "משמעות זכויות". את פסקה 5 סיינו בכך שהוא לא תגבור על הסדרים מיוחדים שנקבעו בנספח ז'.

סעיף ז'ז' (עדדים לבניית אימונו)

נמחקו פיסקאות 2 ו-3 מכיוון שהן נכללות כבר בפסקה 1.



III. נושאים טרם טורלו

בהמשך לטיף 3 במכתבנו מס' 855632 מיום 1.1.94, ברכוננו לציין
שהנושאים הבאים טרם נפתרו:

טעיף ג' למכתבנו - זכויות אדם (טעיף א') - כזכור לאחר לבטים
החלפנו את הסעיף הארוך המקורי בסעיף מצומצם, ובגשו התיחסות
מערכת הבטחון. טרם קיבלנו התיחסות זו. בהקשר זה, רואי לציין
שבטיבתו האחרונה שהגינו הפלסטינים מזוין טעיף דומה העוסק
בזכויות אדם. לאור זאת, נראה שאין מניעה לחשair נסח הסעיף
הנוכחי.

**טעיף ד' למכתבנו - השתפות פלסטינים במכרזים של מערכת
הבטחון** - ס' וא, פיסקה 12, עולג להתפרש כמפורט לפלסטינים
להתמודד גם במכרזיו מערכת הבטחון. מתבקשת תשובת משרד האוצר כמו
גם תגובתו לבקשת הפלסטינים לציין שני צול אוצרות טבע מקרקטית
היאם יהיה בידם.

טעיף י"א למכתבנו - העברת הסמכויות בתחום האזרחי - סוכט
בדיוון אצל ר' אגי' עם תא"ל גדי זוהר והח'ם שאנו נכיין נסח חדש
של נספח זו. נסח כזה נמצא בתחום הכהנה והוא יופץ להعروתיכם
ביום א' הגרוב.

טעיף י"ד למכתבנו - עזרה משפטית בעניינים פליליים (נספח זז)
טעיף זז פיסקה 5.א.) - טרם נתקבלה הכרעה במשרד המשפטים לגבי
הנרת היוצאת המשפטית למשרד המשפטה שלא לחיל טעיף העברת מידע
על אזרחים ישראליים. עו"ד מני מזוז: נודה על טעולך בנושא.

טעיף ט"ו למכתבנו - סמכויות במשפט האזרחי - טרם הגים אלפיינו
הנספח הדן במשפט האזרחי (נספח זז). עו"ד מני מזוז: אני השלים
הנספח בדחיפות.

טעיף ט"ז למכתבנו - הנספחים הכלכליים - עו"ד תמר הקר: אנה
העבורי אלפיינו את הסעיפים שסוכמו וגם את עמדותיכם בנקודות
סוכמו על מנת שנוכל לככלם בטיחות המקפת שנגישי לפלסטינים
בשבוע הבא.

בברכה,

יולע זינגר

העת: ר' אגי'
תא"ל צבי שטאובר, רח"ט טכנון אסטרטגי, אגי' (העב' נא לגורמי
מערכת הבטחון)

93"ג
גב' תמר הקר, היועמ"ש, משרד האוצר (העב' נא לגורמי משרד
האוצר)

מר מני מזוז, משרד המשפטים (העב' נא לגורמי משרד המשפטים)
מר ג'ק נריה, משרד רה"ם

7/7/93

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AGREEMENT ON THE GAZA STRIP AND JERICHO AREA



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AGREEMENT
ON THE GAZA STRIP AND JERICHO AREA

The Government of the State of Israel and the P.L.O.,
representing the Palestinian people;

PREAMBLE

Within the framework of the Middle East peace
process initiated at Madrid in October 1991;

Pursuant to the Declaration of Principles on
Interim Self-Government Arrangements signed at
Washington, D.C. on September 13, 1993 and the
Agreed Minutes thereto (hereinafter "the
Declaration of Principles");

Reaffirming their adherence to the commitments
included in the letters of September 9, 1993 of
the Prime Minister of Israel and the Chairman of
the P.L.O.;

Hereby agree to the following arrangements
regarding the Gaza Strip and Jericho Area:

Article I

Scheduled Withdrawal of Israeli Military Forces

1. Israel will implement ~~a~~ withdrawal of Israeli
military forces from the Gaza Strip, and from the
Jericho area as defined in the Protocol attached
as Annex I (hereinafter "the Jericho Area"),
beginning immediately with the signing of this
Agreement and to be completed within four months
after the signing of this Agreement.

2. The withdrawal will take place in accordance with the phased schedule included in Annex I and as indicated on the maps attached thereto.
3. Israeli military forces will remain as necessary in order to carry out Israel's responsibility for external security and for internal security and public order of Israelis and settlements in accordance with the provisions of this Agreement. Subject to the provisions of this Agreement, the redeployment of Israeli military forces to the locations specified on map No. --, to be implemented concurrently with the withdrawal of Israeli military forces, will constitute full realization of Article XIII of the Declaration of Principles.
4. Israel may employ Israel Police and other Israeli security forces for any function allocated in this agreement to Israeli military forces.
5. Israeli military forces and civilians may continue to use roads freely within the Gaza Strip and the Jericho Area. This paragraph will also apply to Israel Police and other Israeli security forces referred to in paragraph 4. above.

Article II

Transfer of Powers and Responsibilities to the Palestinian Authority

1. Israel will transfer the agreed powers and responsibilities set out in the Protocol attached as Annex II from the Israeli military government and its Civil Administration to a Palestinian Authority, hereby established. This transfer of powers and responsibilities will take place as described in Annex II.
2. The Palestinian Authority will have the structure described in Annex II, Article 1 and will be comprised of the members listed therein.

3. Arrangements for a smooth and peaceful transfer of the agreed powers and responsibilities are set out in Annex II.
4. After the completion of the Israeli withdrawal and the transfer of powers and responsibilities as detailed in paragraph 1 above and Annex II, the Civil Administration in the Gaza Strip and Jericho Area will be dissolved and the Israeli military government will be withdrawn from these areas. The withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities not transferred to the Palestinian Authority.
5. A Joint Civil Affairs Coordination and Cooperation Committee and two Joint Regional Civil Affairs Sub-Committees for the Gaza Strip and Jericho Area will respectively be established in order to provide for coordination and cooperation in civil affairs between the Palestinian Authority and Israel, as detailed in Annex II.
6. The Palestinian Authority will function until it is superseded by the Council elected pursuant to the Declaration of Principles.
7. The offices of the Palestinian Authority will be located in the Gaza Strip and Jericho Area pending the inauguration of the Council elected pursuant to the Declaration of Principles.

Article III

Public Order and Security

1. In order to guarantee public order and internal security for the Palestinians in the Gaza Strip and the Jericho Area, the Palestinian Authority will establish a strong police force. The composition, structure, size, functions, equipment and armament, as well as the deployment of the Palestinian police force, are detailed in Annex I.

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~~2. Israel will continue to carry the sole responsibility for defending against external threats of any kind. In this regard, Israel will, **inter alia**, bear the responsibility for protecting the borders with Egypt and Jordan, and defending against external maritime and aerial threats. Israel will retain all the necessary powers for this end.~~

3. Israel will continue to carry the responsibility for overall security of Israelis and settlements for the purpose of safeguarding their internal security and public order.

4. A joint Coordination and Cooperation Committee for mutual security purposes, as well as three joint Coordination and Cooperation Offices for the Gaza region, the Khan Yunis region, and the Jericho Area respectively, will be established as provided for in Annex I.

5. In order to provide maximum security for both Israelis and Palestinians, agreed security arrangements will be established, including joint patrols and joint mobile units, described in detail in Annex I.

6. Except for the Palestinian Police force referred to in this Article, no other armed Palestinian force shall be established or operate in the Gaza Strip and Jericho Area.

7. Except for the arms, ammunition and equipment of the Palestinian Police as described in Annex I, Article XI, neither the Palestinian Authority, nor the Palestinian Police, nor any organization or individual under the jurisdiction of the Palestinian Authority will manufacture, acquire, possess, import or otherwise introduce into the Gaza Strip or Jericho Area any firearms, ammunition, weapons, explosives, gunpowder, or any related equipment.

Notwithstanding the above, the Palestinian Authority may grant licenses permitting the use of explosives and gunpowder for civilian use, subject to the approval of the joint Coordination and Cooperation Committee for Mutual Security Purposes.

8. The security arrangements provided for in this Agreement may, at the request of either Party, be reviewed and amended by mutual agreement of the Parties.

Article IV

Jurisdiction

1. The jurisdiction of the Palestinian Authority will encompass matters that fall within its territorial, functional and personal jurisdiction, as follows:
 - a. The territorial jurisdiction will cover Gaza Strip and Jericho Area territory, as delimited in the maps attached to this Agreement, except for Israeli settlements and military locations as defined in Annex I, Article II, and the attached maps Nos. 1 and 2.
 - b. The functional jurisdiction will encompass those agreed powers and responsibilities to be transferred to the Palestinian Authority as described in Annex II. Powers and responsibilities not agreed to be transferred as described in Annex II, including those related to foreign relations, internal security and public order of Israelis, external security and Israelis shall not fall within this jurisdiction.
 - c. The personal jurisdiction will extend to all persons within the areas referred to above, except for Israelis.
2. Israeli settlements, military locations and Israelis, as well as powers and responsibilities not transferred to the Palestinian Authority, will continue to be covered by Israeli jurisdiction. Israel will retain all powers and responsibilities in this regard.

3. Israel and the Palestinian Authority will cooperate on matters of legal assistance in criminal and civil matters.
4. In criminal matters, the provisions of this Article shall be subject to the specific legal arrangements detailed in the Protocol attached as Annex III. Specific legal arrangements concerning civil matters shall be agreed to between Israel and the Palestinian Authority.
5. For the purpose of this Agreement, "Israelis" shall include all persons residing in the settlements, Israeli citizens and residents, legal entities incorporated in Israel, legal entities under the control or management of Israelis, or in which at least fifty percent (50%) of the voting rights or shares are held by Israelis directly or indirectly, and tourists arriving from Israel or travelling to Israel through the Gaza Strip and Jericho Area.

Article V

Legislative Powers of the Palestinian Authority

1. The Palestinian Authority may promulgate legislation within its jurisdiction.
2. The legislation promulgated by the Palestinian Authority shall be consistent with the provisions of this Agreement.
3. Legislation which exceeds the jurisdiction of the Palestinian Authority, as described in paragraph 1 above, or which is inconsistent with the provisions of this Agreement, shall be null and void.
4. Legislation promulgated by the Palestinian Authority will enter into force upon affirmation by a Joint Israeli-Palestinian Committee, which will be set up for this purpose.

5. The Joint Committee's review of such legislation will be limited to ascertaining that the proposed legislation does not exceed the jurisdiction of the Palestinian Authority and is not otherwise inconsistent with the provisions of this Agreement.
7. Laws and military orders in effect in the Gaza Strip and Jericho Area prior to the signing of this Agreement shall remain in force, unless amended or abrogated in accordance with this Agreement.

Article VI

Economic Relations

With a view to increasing their mutual economic benefits, Israel and the Palestinian Authority will seek to foster cooperation and coordination in the various economic spheres as detailed in this Article.

1. Open Trade Regime

An open trade regime will be maintained between Israel and the Gaza Strip and Jericho Area, enabling movement of goods and services in accordance with the arrangements detailed in this Agreement and its Annexes.

2. Labor

- a. Principles and arrangements for the movement of labor between Israel and the Gaza Strip and Jericho Area are set out in Annex --, Article
- b. The social rights of Palestinians who will be employed in Israel will be protected according to arrangements detailed therein.

3. Import Policy and Fiscal Issues

- a. Principles and arrangements governing customs and import policy are set out in Annex --, Article --.
- b. Principles and arrangements governing the import of goods from Arab states are set out in Annex --, Article --.
- c. Principles and arrangements governing direct taxation on local products are set out in Annex --, Article --.
- d. Principles and arrangements governing indirect taxation on local products are set out in Annex --, Article --.

4. Agriculture

- a. The agriculture sector will constitute an integral part of the open trade regime.
- b. Each side will permit free and unrestricted access for agricultural produce to each other's markets, subject to the temporary exceptions listed in Annex --, Article --.
- c. The importation and transportation of livestock and poultry, animal products and biological products, and of plants and parts thereof (including fruits and vegetables), will be carried out according to the principles and arrangements detailed in Annex --, Article --.

5. Industry

Principles and arrangements for the free movement of industrial goods between Israel and the Gaza Strip and Jericho Area are set out in Annex --, Article --.

6. Tourism

- a. Both Parties recognize the importance of tourism for the economies of Israel and of the Gaza Strip and Jericho Area and agree to cooperate in this field in order to increase their mutual economic benefits from this industry and to facilitate the smooth and efficient flow of tourists between Israel and the Gaza Strip and Jericho Area.
- b. In order to achieve these goals, arrangements regarding tourism are set out in Annex --, Article --.

7. Banking and Financial Activities

The Parties recognize that a modern and stable banking system is important for economic welfare and advancement. Principles and arrangements regarding the development of the banking system and its ties with other banks, as well as principles and arrangements for the conduct of financial activity in the Gaza Strip and Jericho Area are detailed in Annex --, Article --.

8. Environment Protection and Public Health

- a. The Parties acknowledge the need to protect the environment and prevent its degradation for the purpose of preserving the well being of the public and for the conservation of natural and cultural resources and to attain economic growth based on the principles of sustainable development.
- b. Both Parties recognize the interdependence of the ecosystems and environment of Israel and the Gaza Strip and Jericho Area, and agree to act and cooperate in order to protect them and to prevent environmental risks, hazards and nuisances.
- c. In order to achieve these goals, arrangements regarding environment policies and public health are set out in Annex --, Article --.

9. Road Accident Insurance

In order to facilitate the smooth passage of traffic between Israel and the Gaza Strip and Jericho Area, arrangements concerning compulsory insurance and compensation in cases of road accidents are set out in Annex --.

10. Set-Off of Monetary Obligations

Mutual liquidated monetary obligations between Israel and the Palestinian Authority may be set off by notice of one side to the other.

For the purposes of this Article, each side shall include all legal entities incorporated therein, or under its control or management.

Any such set-off may be implemented between the two sides through the Joint Economic Committee established in this Article.

11. Joint Economic Committee and Sub-Committees

- a. The Parties will hereby establish a Joint Economic Committee (hereinafter "the JEC") to coordinate and monitor the implementation of this Article and the Annexes referred to therein.
- b. The JEC will set up sub-committees in order to deal with specific spheres and matters covered in the Annexes referred to in this Article.
- c. The JEC and its sub-committees will determine by agreement their mode of procedure and operations.

12. Prevention of Discrimination

Subject to the provisions of this Agreement, Israel and the Palestinian Authority will:

- a. refrain from any act or omission which has as its object or effect the prevention, restriction or distortion of trade and economic relations with each other;

- b. refrain from any boycott against individuals, corporations, private and public sector institutions and departments of the other side; and
 - c. take all possible administrative and legal measures to prevent such activity by individuals and bodies within their jurisdiction.
- 1. Subject to the provisions of this Agreement, Israel and the Palestinian Authority will maintain an open trade regime between them, allowing the free movement of goods, services and labor, as provided for in the Protocols attached as Annex Nos. IV, V, VI and VII.
- 2. Israel and the Palestinian Authority will employ one customs and import policy, with the necessary adjustments, as provided for in Annex Nos. IV, V, VI and VII.
- 3. Banking and financial activities in the Gaza Strip and Jericho Area will be in accordance with the provisions of Annex V.
- 4. A Joint Economic Committee will be established in order to coordinate and monitor the implementation of Annex Nos. IV, V, VI and VII. This Joint Committee will determine by agreement its procedures and mode of operation.

Article VII

Passages

Arrangements concerning safe passage between the Gaza Strip and Jericho Area, as well as arrangements for coordination between Israel and the Palestinian Authority regarding the Gaza-Egypt and Jericho-Jordan passages, are set out in Annex II.

Article VIII

Settlement of Differences and Disputes

1. If a difference or dispute arises concerning a conflict between Israeli security powers and responsibilities pursuant to Article III, paragraph 2. of this Agreement, and any other power or responsibility, Israel's security powers and responsibilities shall take precedence pending the resolution of the difference or the dispute and Israel may act to restore the situation prior to the action or omission which brought about the difference or the dispute.
2. In cases not covered by paragraph 1 above, where there is a difference or dispute concerning the interpretation or application of this Agreement, the status quo prior to the actions or the omissions which brought about the difference or dispute shall prevail pending a resolution of the issue. In the event that the status quo prior to these actions or omissions is unclear or cannot be reinstated, the joint Civil Affairs Coordination and Cooperation Committee referred to in Annex II, Article III, will decide as to the situation that will prevail pending the resolution of the issue.
3. Differences occurring during the course of the implementation of this Agreement shall be dealt with initially in the appropriate coordination and liaison mechanism set up under this Agreement. Any such difference not settled shall be governed by the provisions of Article XV of the Declaration of Principles.

Article IX

Human Rights and the Rule of Law

Subject to the provisions of this Agreement, Israel and the Palestinian Authority will exercise their powers and responsibilities, pursuant to this Agreement, with due regard to accepted norms of human rights and the rule of law.

ARTICLE X

Relations Between Israel and the Palestinian Authority

1. Israel and the Palestinian Authority shall seek to foster mutual understanding and tolerance and will accordingly abstain from hostile propaganda and incitement of any nature against each other and will take all possible administrative and legal measures to prevent such propaganda and incitement by any organizations, groups or individuals within their jurisdiction.
2. Israel and the Palestinian Authority will cooperate in taking all necessary measures to combat criminal activity which may affect both sides including, *inter alia*;
 - a. offenses related to the possession of and trafficking in illicit drugs;
 - b. smuggling;
 - c. offenses related to vehicles, such as theft of vehicles and vehicle parts; and
 - d. other offenses related to property.

Article XI

Prevention of Hostile Acts

Without derogating from Article III, paragraph 2 above, the Palestinian Authority will take all measures necessary in order to prevent terrorism, crime and hostilities directed against Israel, Israelis, Israeli property, Israeli settlements or military locations, including infrastructures serving such settlements or locations, and will punish offenders.

Article XII

Missing Israelis

Notwithstanding any provisions of this Agreement, Israel shall have the right to conduct searches within the Gaza Strip and Jericho Area for missing Israelis. Such searches will be conducted in coordination with the Palestinian Authority which will provide full assistance in this regard.

Article XIII

Confidence Building Measures

Israel and the Palestinian Authority will implement confidence building measures, including the release of detainees and prisoners held by Israel, and the protection of persons who have or are believed to have cooperated or collaborated with Israel as detailed in the Protocol attached as Annex VIII.

Article XIV

Preservation of Rights, Liabilities and Obligations

1. Neither this Agreement nor its implementation will in themselves terminate, change or otherwise interfere with the rights, liabilities and obligations of any persons or legal entities which arose prior to the entry into force of this Agreement, whether such persons or entities are within or outside the Gaza Strip and Jericho Area.
2. Unless otherwise determined in Annex II, Article II, the transfer of the agreed powers and responsibilities set out in Annex II will include all rights, liabilities and obligations of the Israeli military government and its Civil Administration arising with regard to acts or omissions which occurred prior to the transfer, whether such rights, liabilities or obligations matured before or after the transfer.

Article XV

Final Clauses

1. This Agreement will enter into force on the date of its signing.
2. The arrangements established by this Agreement will last until superseded by the Interim Agreement referred to in the Declaration of Principles.
3. The five-year transitional period referred to in the Declaration of Principles will commence upon the completion of the withdrawal from the Gaza Strip and the Jericho Area.
4. As part of Israel's responsibility for security in accordance with this Agreement, in the event of the outbreak of hostilities, or the imminent threat of such hostilities, Israel may temporarily take all measures necessary to respond to such events, including the temporary introduction of military forces, until the termination of the hostilities or the removal of the threat.
5. Israel states that it has erected a security fence around the Gaza Strip. The Parties agree that, during the transitional period, the fence will remain in place and will be authoritative only for the purpose of this Agreement.
6. Nothing in this Agreement will prejudice or preempt the outcome of the negotiations on the Interim Agreement or on the permanent status to be conducted pursuant to the Declaration of Principles.
7. Other than as provided for in this Agreement, the status of the Gaza Strip and Jericho Area will continue to be an integral part of the West Bank and Gaza Strip, and will not be changed for the period of this Agreement.

8. The Preamble to this Agreement, as well as all Annexes, Appendices and maps attached thereto, shall constitute an integral part thereof.

Done at _____ this _____ of _____ 1994.

For the Government of the _____ For the P.L.O.
State of Israel