

Meeting Notes
CEC December 20 2006

Attendance:

EU: General Pietro Pistolese (PP)
Patrick Delval
Mario
Stefan
Nigel
Two others

Palestinians: Dr. Saeb Erekat (SE)
Nazmi Muhanna (NM)
Col. Hazem Atallah
Salim Abu Safieh
NSU advisors

Israelis: Haggai Alon (HA)
Oded Herman
Nir Press (NP)

US: Col. Paul Rupp (PR)
Norm Olsen
Thomas Duffy (TD)
Dov Schwarz
Col. Paul Evans
Amy Schedlbauer

The EUBAM noted with approval the Palestinian request to circulate minutes to previous meetings in order to have an official record of the proceedings. The parties then agreed to the final draft of this meeting's agenda.

Following introductory remarks, SE circulated 3 documents to the delegations:

1. Palestinian definitions of "excepted categories"
2. Letter to Mishlev on customs
3. Palestinian customs form

PP led a review of the last meeting's agreed actions:

3.1. **Normalisation:** The issue of the pilgrimage was discussed. SE stressed the need to insure full operations during the period when the pilgrims return. PP asked for specific dates. While stressing the need to fully normalise operations at RCP, SE eventually provided the dates between Dec 29 2006 and Jan 9 2007 as the period during which it will be crucial to keep the crossing open.

3.2. **Registry:** The Israeli side provided the Palestinians with a CD containing an Israeli registry of Palestinian ID holders on the previous day. This was a result of meetings between COGAT and SE. SE said we will study the registry to see if it complies with the requirements of the agreement (i.e. that it contains all Palestinian ID card numbers including those residing outside the WB and GS). It was noted that this disk was the same information handed to Dahlan in Nov 2005.

PP asked if the US was involved in the meetings as was agreed in the last CEC meeting. HA said no: the Israelis submitted the information without US involvement.

HA asked when Palestinians would use the Israeli registry. SE noted the agreement says we would use the Palestinian registry, and just take Israeli information into account.

Regarding the **excepted categories**, SE asked the parties to study the Palestinian submission re definitions in order to discuss later. PP asked for Israeli input. HA replied that he preferred to have joint meetings with the Palestinians, to engage in a “process” to agree on the definitions before the next CEC meeting. PP pointed out that the parties had agreed to a different process. HA said there is no problem for a representative of EU BAM to be present. SE said this is a sensitive issue, and we have submitted our definitions, so study them and then let’s discuss.

3.3. **Customs:** SE explained that the new form (distributed to the delegations) has been officially introduced at the crossing. He further explained that **money transfers** are being resolved with Egypt whereby the Egyptians will apply the same procedure as with Haniye (i.e. requiring deposit in a bank). This should be the procedure for all officials carrying cash in excess of 80,000NIS.

HA noted that KD had undertaken to clarify the issue at the political level. He said while Israel has links with its Egyptian counterparts, he needs a formal confirmation from KD, and indeed from all the parties regarding this issue. Specifically, he asked about the nature of the procedures on the Egyptian side: where are the items checked? What bank are they deposited in? Will the Egyptians force passengers who managed to arrive at the crossing with the cash to return? Etc.

PR asked SE who from the Egyptian side has been dealing with this. SE said it was Nader (the CG to Israel?) SE confirmed that Egypt has stated this will be the policy for all officials. PR said he will work with US embassy to confirm this with the Egyptians, and coordinate procedure with them and the PG.

3.4. **Optic fibre cable:** SE said there have been meetings on this issue with Mishlev. Jawwal is meeting tomorrow with him to discuss when they will go to fix the line. NP confirmed this. Both agreed things were in order on this issue. (NOTE: Israel had committed to fix the line itself.)

Regarding the **import of Egyptian donations**, the EU BAM delegation stated that the problem has been solved except for one bus and one tractor. The scanners are scheduled

to arrive on Dec 25. HA explained that the problem with the bus and tractor is that they do not comply with international standards applied in Israel for vehicles. Because of the Paris Protocol, an exemption is required from an Israeli ministry to allow them in. He said he is working on getting the exemption.

Next, the parties discussed the items on this meeting's agenda: (the statements and submissions of the EU BAM on each item were handed out and are available – the notes below will not repeat them unless necessary for context).

3.1 Adherence to APRC re operation: SE reiterated the objective of normal operations, and not operation on specific occasions (e.g. the pilgrimage season). Once the money transfer issue is resolved, there is no longer any excuse for Israel to close the crossing. He reiterated that Israel, under the agreement, has no right to determine that the crossing should be closed, nor did the EUBAM (except for technical malfunctions). HA mentioned several factors preventing normal operations: the registry, transfer of cash, the broken fibre optic line. He said once these issues are resolved, we will be able to come to a “formula” for normalisation.

SE said the destroyed materials (cameras, computers ...) will be replaced immediately. Assuming Egypt adheres to the new policy on money transfer, then continuing to close the crossing will only strengthen Hamas. HA said he hoped to resolve the “5 or 6 obstacles” ASAP before normalisation.

3.2. expiry of excepted categories: both parties agreed with EU BAM pragmatic approach to keep the established arrangements in place for the moment pending resolution of other problems with the excepted categories. SE noted that the Palestinians agree with extending the duration for 6 months. HA asked for a working team to discuss issues relating to the categories, but agreed to “working with what we have” till then. When asked to clarify how many sub-groups Israel was proposing, HA said there were two: SE meeting with Mishlev regarding the registry, and a CEC working group for the excepted categories.

3.3. Registry: (as noted above)

3.4. Definitions for excepted categories (as noted above)

3.5. Customs: SE pointed out 3 matters under this item:

1. Customs protocol: Israel has yet to sign and implement (opening of Kerem Shalom for imports). HA said he will exercise efforts to sign the protocol ASAP, unless confronted by problems he “cannot yet detect”.

2. Exports to Egypt: Egypt is yet to implement a way of allowing this to happen. NM explained some technical aspects of the problem, yet again.

3. Vehicles and inspection: EU BAM has failed to live up to its commitments to build capacity that would allow for the movement of vehicles. PP responded that the equipment

has been partially delivered, and much of it need to be transported to RCP. There are problems with security conditions in order to safely move equipment and have technicians install it at the crossing. He said the work is ongoing to get this done.

3.6. Fibre optic cable (as noted above); **donations** (as noted above)

3.8. Analysis of events of Dec 14 at RCP

PP said EU BAM has sent a letter to the PA regarding the failure to inspect the luggage, which is a breach of the agreement. SE acknowledged the failure.

HA thanked the EU BAM for its “performance under fire”. SE noted that Palestinians deeply regret the events. He explained how he was in contact with all sides to facilitate the safe and peaceful return of Haniye.

PP described the events from his perspective (details in the EU BAM written submissions). SE described the developments from the Palestinian perspective. He said the parties fell into a trap, which could have been averted. He said he asked PP to keep the crossing open but that the Israelis had signalled Haniye was carrying \$280M, which was untrue as all the bags were thoroughly checked by the Egyptians and the \$32M deposited in the Arab League Bank account. He said the whole situation could have been avoided had the other parties cooperated with us.

HA addressed the US delegation, reminding it that the AMA falls “under the US”. He said that information sharing is important for Israeli decision-making, and that US input is needed quickly regarding events such as happened in Egypt. TD asked what kind of information, as the US should stick to its established protocols.

3.8 Procedure for “suspension” of operations (this item was added to the agenda just before the meeting)

PP introduced the issue (see EU BAM written submissions). SE said we should all stick to the agreements, which only allow suspension of operations by the EU BAM for technical malfunctions. PP said there was a failure to check the luggage. SE replied that this was an abnormal situation, and that there were assurances that the Egyptians had checked everything fully before Haniye crossed. So these were special circumstances. PP said that Haniye had crossed before the shooting. A discussion ensued regarding the particular events. PP concluded by remarking that the second time the EU BAM returned to the crossing was with the reassurances of the President.

HA said there was a need to “upgrade the mandate” of the EUBAM/existing agreements and arrangements in light of the recent events. He proposed an “intimate” working group to be approved by KD and to include the Egyptians. It would deal with “mutual crisis management” -- issues like: What is a suspension? How is it undertaken? What are the mechanisms? This can be agreed as part of KD “security committee” (SWG?). We can do

this in a matter of weeks, he said, and achieve crisis management together. The internal working group would deal with “mutual suspension situations”.

PP said officials on the ground at the crossing need procedures for suspension. He said EU BAM did not close RCP because of Israeli demand, but because of the circumstances, and that he needed information and direction before returning.

SE reiterated the need to stick to the agreement. The Palestinians will not renegotiate procedures. There are procedures for crisis management (liaison office) that can be improved.

DATE OF NEXT CEC MEETING: PP set it for Feb. 12, 2007. None of the parties objected.

HA asked to raise issues under the “Miscellaneous” item of the agenda, asking about potential movement of EU BAM to Egypt. PP dismissed this as a bilateral issue outside the scope of the CEC. HA responded that he would look at the issue and give his response.