
NEGOTIATIONS SUPPORT UNIT

TO: DR. SAEB ERAKAT
FROM: NSU
SUBJECT: TALKING POINTS FOR DAYTON MEETING
DATE: AUGUST 15, 2006

General

- We are concerned about the assistance promised to the PG, which has yet to be received.
- You've been to a series of meetings with the Israeli side on this issue, but we have not yet gotten a readout of any reactions to what has been presented.
- The Israelis had promised to put together a technical team to work with our team. This would be useful for strengthening the plan by addressing technical issues that require coordination and to improve management on both sides of the crossing. There has been no progress on this front.
- It is important to ensure that the implementation of the security plan for Karni and the reopening of the Karni Crossing is delinked from other matters related to Gaza.

Draft American paper

Background: Paper is regarding management of Karni Crossing. It is almost verbatim the Israeli non-paper submitted November 9th 2005 just before the Agreement on Movement and Access was agreed, with which Palestinians adamantly disagree. In fact, Israel had moved well beyond these positions by the time the AMA was concluded, as is evidenced by the AMA and the World Bank's technical elaboration of the Passages discussions, meant to reflect where the parties had reached at the conclusion of the discussions.

- The paper is not an appropriate starting point for discussions, as it reflects only an early Israeli position and ignores all of the prior and subsequent negotiations on the same topics. There are many points in the paper which were superseded, dismissed and completely rejected when Israel initially proposed them. It is also inconsistent with the World Bank technical elaboration.
- Many of the points in the draft reinforce the current problems that now cause the management of Karni to be a complete failure. For example, the paper:

- Reinforces the current practice of holding all trade hostage to Israeli perceptions of a security threat, without any limitations. This is PRECISELY the problem that we have spent the last two years trying to solve.
 - Allows Israel to continue to use “security” as a premise to use Karni as a political tool – i.e. opening and closing the crossing as a form of collective punishment.
- The paper is in direct contradiction to the USSC and Palestinian vision regarding third party role as it leaves no room for any third party role.
- In some places, the paper is in direct contradiction to the AMA in addition to declared Palestinian positions, which again indicates just how outdated the paper is.
- In general, this paper takes us back to the very beginning of the process before much of the negotiations and ignores much of the hard work so many parties have invested in this process.