

Agreement - Sharm El-Sheikh Memorandum - Non-UN document - Question of Palestine

The Sharm el-Sheikh Memorandum on Implementation Timeline of Outstanding Commitments of Agreements Signed and the Resumption of Permanent Status Negotiations

The Government of the State of Israel ("GOI") and the Palestine Liberation Organization ("PLO") commit themselves to full and mutual implementation of the Interim Agreement and all other agreements concluded between them since September 1993 (hereinafter "the prior agreements"), and all outstanding commitments emanating from the prior agreements. Without derogating from the other requirements of the prior agreements, the two Sides have agreed as follows:

1. Permanent Status negotiations:

- a. In the context of the implementation of the prior agreements, the two Sides will resume the Permanent Status negotiations in an accelerated manner and will make a determined effort to achieve their mutual goal of reaching a Permanent Status Agreement based on the agreed agenda i.e. the specific issues reserved for Permanent Status negotiators and other issues of common interest.
- b. The two Sides reaffirm their understanding that the negotiations on the Permanent Status will lead to the implementation of Security Council Resolutions 242 and 338;
- c. The two Sides will make a determined effort to conclude a Framework Agreement on all Permanent Status issues in five months from the resumption of the Permanent Status negotiations;
- d. The two Sides will conclude a comprehensive agreement on all Permanent Status issues within one year from the resumption of the Permanent Status negotiations;
- e. Permanent Status negotiations will resume after the implementation of the first stage of release of prisoners and the second stage of the First and Second Further Redeployments and not later than September 13, 1999. In the Wye River Memorandum, the United States has expressed its willingness to facilitate these negotiations.

2. Phase One and Phase Two of the Further Redeployments

The Israeli Side undertakes the following with regard to Phase One and Phase Two of the Further Redeployments:

- a. On September 5, 1999, to transfer 7% from Area C to Area B;
- b. On November 15, 1999, to transfer 2% from Area B to Area A and 3% from Area C to Area B;
- c. On January 20, 2000, to transfer 1% from Area C to Area A, and 5.1% from Area B to Area A.

3. Release of Prisoners

- a. The two Sides shall establish a joint committee that shall follow-up on matters related to release of Palestinian prisoners.

b. The Government of Israel shall release Palestinian and other prisoners who committed their offences prior to September 13, 1993, and were arrested prior to May 4, 1994. The Joint Committee shall agree on the names of those who will be released in the first two stages. Those lists shall be recommended to the relevant Authorities through the Monitoring and Steering Committee;

c. The first stage of release of prisoners shall be carried out on September 5, 1999 and shall consist of 200 prisoners. The second stage of release of prisoners shall be carried out on October 8, 1999 and shall consist of 150 prisoners;

d. The joint committee shall recommend further lists of names to be released to the relevant Authorities through the Monitoring and Steering Committee;

e. The Israeli side will aim to release Palestinian prisoners before next Ramadan.

4. Committees

a. The Third Further Redeployment Committee shall commence its activities not later than September 13, 1999;

b. The Monitoring and Steering Committee, all Interim Committees (i.e. CAC, JEC, JSC, legal committee, people to people), as well as Wye River Memorandum committees shall resume and/or continue their activity, as the case may be, not later than September 13, 1999. The Monitoring and Steering Committee will have on its agenda, inter alia, the Year 2000, Donor/PA projects in Area C, and the issue of industrial estates;

c. The Continuing Committee on displaced persons shall resume its activity on October 1, 1999 (Article XXVII, Interim Agreement);

d. Not later than October 30, 1999, the two Sides will implement the recommendations of the Ad-hoc Economic Committee (article III-6, WRM).

5. Safe Passage

a. The operation of the Southern Route of the Safe Passage for the movement of persons, vehicles, and goods will start on October 1, 1999 (Annex I, Article X, Interim Agreement) in accordance with the details of operation, which will be provided for in the Safe Passage Protocol that will be concluded by the two Sides not later than September 30, 1999;

b. The two Sides will agree on the specific location of the crossing point of the Northern Route of the Safe Passage as specified in Annex I, Article X, provision c-4, in the Interim Agreement not later than October 5, 1999;

c. The Safe Passage Protocol applied to the Southern Route of the Safe Passage shall apply to the Northern Route of the Safe Passage with relevant agreed modifications;

d. Upon the agreement on the location of the crossing point of the Northern Route of the Safe Passage, construction of the needed facilities and related procedures shall commence and shall be ongoing. At the same time, temporary facilities will be established for the operation of the Northern Route not later than four months from the agreement on the specific location of the crossing-point;

e. In between the operation of the Southern crossing point of the Safe Passage and the Northern crossing point of the Safe Passage, Israel will facilitate arrangements for the movement between the West Bank and the Gaza Strip, using non-Safe Passage routes other than the Southern Route

of the Safe Passage;

f. The location of the crossing points shall be without prejudice to the Permanent Status negotiations (Annex I, Article X, provision e, Interim Agreement).

6. Gaza Sea Port

The two Sides have agreed on the following principles to facilitate and enable the construction works of the Gaza Sea Port. The principles shall not prejudice or preempt the outcome of negotiations on the Permanent Status:

a. The Israeli Side agrees that the Palestinian Side shall commence construction works in and related to the Gaza Sea Port on October 1, 1999;

b. The two Sides agree that the Gaza Sea Port will not be operated in any way before reaching a joint Sea Port protocol on all aspects of operating the Port, including security;

c. The Gaza Sea Port is a special case, like the Gaza Airport, being situated in an area under the responsibility of the Palestinian Side and serving as an international passage. Therefore, until the conclusion of a joint Sea Port Protocol, all activities and arrangements relating to the construction of the Port shall be in accordance with the provisions of the Interim Agreement, especially those relating to international passages, as adapted in the Gaza Airport Protocol;

d. The construction shall ensure adequate provision for effective security and customs inspection of people and goods, as well as the establishment of a designated checking area in the Port;

e. In this context, the Israeli side will facilitate on an on-going basis the works related to the construction of the Gaza Sea Port, including the movement in and out of the Port of vessels, equipment, resources, and material required for the construction of the Port;

f. The two Sides will coordinate such works, including the designs and movement, through a joint mechanism.

7. Hebron Issues

a. The Shuhada Road in Hebron shall be opened for the movement of Palestinian vehicles in two phases. The first phase has been carried out, and the second phase shall be carried out not later than October 30, 1999;

b. The wholesale market-Hasbahe will be opened not later than November 1, 1999, in accordance with arrangements which will be agreed upon by the two Sides;

c. A high level Joint Liaison Committee will convene not later than September 13, 1999 to review the situation in the Tomb of the Patriarchs / Al Haram Al Ibrahimi (Annex I, Article VII, Interim Agreement and as per the January 15, 1998 US Minute of Discussion).

8. Security

a. The two Sides will, in accordance with the prior agreements, act to ensure the immediate, efficient and effective handling of any incident involving a threat or act of terrorism, violence or incitement, whether committed by Palestinians or Israelis. To this end, they will cooperate in the exchange of information and coordinate policies and activities. Each side shall immediately and effectively respond to the occurrence or anticipated occurrence of an act of terrorism, violence or incitement and shall take all necessary measures to prevent such an occurrence;

b. Pursuant to the prior agreements, the Palestinian side undertakes to implement its responsibilities for security, security cooperation, on-going obligations and other issues emanating from the prior agreements, including, in particular, the following obligations emanating from the Wye River Memorandum:

1. continuation of the program for the collection of the illegal weapons, including reports;
2. apprehension of suspects, including reports;
3. forwarding of the list of Palestinian policemen to the Israeli Side not later than September 13, 1999;
4. beginning of the review of the list by the Monitoring and Steering Committee not later than October 15, 1999.
9. The two Sides call upon the international donor community to enhance its commitment and financial support to the Palestinian economic development and the Israeli-Palestinian peace process.
10. Recognizing the necessity to create a positive environment for the negotiations, neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip in accordance with the Interim Agreement.
11. Obligations pertaining to dates, which occur on holidays or Saturdays, shall be carried out on the first subsequent working day.

This memorandum will enter into force one week from the date of its signature.¹

Made and signed in Sharm el-Sheikh, this fourth day of September 1999.

For the Government of the State of Israel

For the PLO

Witnessed by

For the Arab Republic of Egypt

For the United States of America

For the Hashemite Kingdom of Jordan

¹ It is understood that, for technical reasons, implementation of Article 2-a and the first stage mentioned in Article 3-c will be carried out within a week from the signing of this Memorandum.