

**Université des Sciences sociales de Toulouse I**

**Faculté de Droit**

Doctorat en Droit international public

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**L'influence de la situation géopolitique au Moyen-  
Orient sur la génération des accords israélo-arabes depuis  
« Camp David I » : La frontière d'Israël  
(Annexes)**

*Thèse dirigée par M. le professeur Jean-Marie CROUZATIER*

Soutenue le 19 juin 2008

**JURY :**

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Ce volume contient *in extenso* la plupart des textes cités dans le premier volume. Ils ne sont pas nécessaires à la compréhension du sujet, car les points importants ont été directement traités dans l'étude. L'objectif de ces annexes est de permettre aux futurs étudiants intéressés par le sujet de ne pas avoir à mener un travail de recherche laborieux.

Les textes sont présentés chronologiquement par rapport à leur première apparition dans la recherche, le plus souvent une note de bas de page cite la référence sur le site de l'UNISPAL, d'autres ont été ajoutés comme le texte de la Conférence de Madrid à la page 263 du premier volume, par exemple. Les cartes relatives au premier tome sont à la fin de ce volume, classées chronologiquement.

## P. 105 : A/RES/273 (III) General Assembly

### **273 (III). Admission of Israel to membership in the United Nations**

*Having received* the report of the Security Council on the application of Israel for membership in the United Nations,<sup>1/</sup>

*Noting* that, in the judgment of the Security Council, Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter,

*Noting* that the Security Council has recommended to the General Assembly that it admit Israel to membership in the United Nations,

*Noting* furthermore the declaration by the State of Israel that it "unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a Member of the United Nations",<sup>2/</sup>

*Recalling* its resolutions of 29 November 1947 <sup>3/</sup> and 11 December 1948 <sup>4/</sup> and taking note of the declarations and explanations made by the representative of the Government of Israel <sup>5/</sup> before the *ad hoc* Political Committee in respect of the implementation of the said resolutions,

*The General Assembly,*

*Acting* in discharge of its functions under Article 4 of the Charter and rule 125 of its rules of procedure,

1. *Decides* that Israel is a peace-loving State which accepts the obligations contained in the Charter and is able and willing to carry out those obligations;

2. *Decides* to admit Israel to membership in the United Nations.

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<sup>1/</sup> See document A/818.

<sup>2/</sup> See document S/1093.

<sup>3/</sup> See Resolutions adopted by the General Assembly during its second session, pages 131-132.

<sup>4/</sup> See Resolutions adopted by the General Assembly during Part I of its third session, pages 21-25.

<sup>5/</sup> See documents A/AC.24/SR.45-48, 50 and 51.

## P. 110 : S/RES/46 (1948)-S723 Security Council

### **46 (1948). Resolution of 17 April 1948 [S/723]**

*The Security Council,*

*Considering* its resolution 43 (1948) of 1 April 1948 and the conversations held by its President with the representatives of the Jewish Agency for Palestine and the Arab Higher Committee with a view to arranging a truce between Arabs and Jews in Palestine,

*Considering* that, as stated in that resolution, it is of the utmost urgency to bring about the immediate cessation of acts of violence in Palestine and to establish conditions of peace and order in that country,

*Considering* that the United Kingdom Government, so long as it remains the Mandatory Power, is responsible for the maintenance of peace and order in Palestine and should continue to take all steps necessary to that end; and that, in so doing, it should receive the co-operation and support of the Security Council in particular as well as of all the Members of the United Nations,

1. *Calls upon* all persons and organizations in Palestine, and especially upon the Arab Higher Committee and the Jewish Agency, to take immediately, without prejudice to their rights, claims, or positions, and as a contribution to the well-being and permanent interests of Palestine, the following measures:

- (a) Cease all activities of a military or paramilitary nature, as well as acts of violence, terrorism and sabotage;
- (b) Refrain from bringing and from assisting and encouraging the entry into Palestine of armed bands and fighting personnel, groups and individuals, whatever their origin;
- (c) Refrain from importing or acquiring or assisting or encouraging the importation or acquisition of weapons and war materials;
- (d) Refrain, pending further consideration of the future Government of Palestine by the General Assembly, from any political activity which might prejudice the rights, claims, or position of either community;
- (e) Co-operate with the Mandatory authorities for the effective maintenance of law and order and of essential services, particularly those relating to transportation, communications, health, and food and water supplies;
- (f) Refrain from any action which will endanger the safety of the Holy Places in Palestine and from any action which would interfere with access to all shrines and sanctuaries for the purpose of worship by those who have an establis-

hed right to visit and worship at them;

2. *Requests* the United Kingdom Government, for so long as it remains the Mandatory Power, to use its best efforts to bring all those concerned in Palestine to accept the measures set forth under paragraph 1 above and, subject to retaining the freedom of action of its own forces, to supervise the execution of these measures by all those concerned, and to keep the Security Council and the General Assembly currently informed on the situation in Palestine;

3. *Calls upon* all Governments, and particularly those of the countries neighbouring Palestine, to take all possible steps to assist in the implementation of the measures set out under paragraph 1 above, and particularly those referring to the entry into Palestine of armed bands and fighting personnel, groups and individuals, and weapons and war materials.

*Adopted at the 283rd meeting by 9 votes to none, with 2 abstentions (Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics).*

## P. 123 : S/RES/62 (1948)-S/1080 Security Council

### **62 (1948). Resolution of 16 November 1948**

**[S/1080]**

*The Security Council,*

*Reaffirming* its previous resolutions concerning the establishment and implementation of the truce in Palestine, and recalling particularly its resolution 54 (1948) of 15 July 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter of the United Nations,

*Taking note* that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council in its resolution 44 (1948) of 1 April 1948,

*Without prejudice* to the actions of the Acting Mediator regarding the implementation of Security Council resolution 61 (1948) of 4 November 1948,

1. *Decides* that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;

2. *Calls upon* the parties directly involved in the conflict in Palestine, as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator, with a view to the immediate establishment of the armistice, including:

(a) The delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;

(b) Such withdrawal and reduction of their armed forces will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.

*Adopted at the 381st meeting. 1/*

1/ The draft resolution was voted on in parts. No vote was taken on the text as a whole.

P. 126 : S/1264/Corr. 1 of 23 February 1949

CORRIGENDUM TO  
CABLEGRAM DATED 23 FEBRUARY 1949 FROM THE  
ACTING MEDIATOR TO THE SECRETARY-GENERAL TRANSMITTING  
THE TEXT OF AN ARMISTICE AGREEMENT BETWEEN EGYPT AND ISRAEL

For the President of the Security Council:

"I have the honour to inform you that an armistice agreement between Egypt and Israel has been signed this morning, 24 February at Rhodes.

The text of the agreement is as follows:

EGYPTIAN-ISRAELI GENERAL ARMISTICE AGREEMENT  
PREAMBLE

The Parties to the present agreement, responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an Armistice; having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolutions of 4 and 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, in the full authority entrusted to them by their respective Governments, have agreed upon the following provisions:

Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the Armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties.
2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practiced in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

Article II

1. In pursuance of the foregoing principles and of the resolutions of the Security Council of 4 and 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.



2. No element of the land, sea or air military or para-military forces of either Part, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article VI of this Agreement except as provided in Article III of this Agreement; and elsewhere shall not violate the international frontier; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.

#### Article III

1. In pursuance of the Security Council's resolution of 4 November 1948, and with a view to the implementation of the Security Council's resolution of 16 November 1948, the Egyptian Military Forces in the AL FALUJA area shall be withdrawn.

2. This withdrawal shall begin on the day after that which follows the signing of this Agreement, at 0500 hours GMT, and shall be beyond the Egypt-Palestine frontier.

3. The withdrawal shall be under the supervision of the United Nations in accordance with the Plan of Withdrawal set forth in Annex I to this Agreement.

#### Article IV

With specific reference to the implementation of the resolutions of the Security Council of 4 and 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized.

2. It is also recognized that the basic purposes and spirit of the Armistice would not be served by the restoration of previously held military positions, changes from those now held other than as specifically provided for in this Agreement, or by the advance of the military forces of either side beyond positions held at the time this Armistice Agreement is signed.

3. It is further recognized that rights, claims or interests of a non-military character in the area of Palestine covered by this Agreement may be asserted by either Party, and that these, by mutual agreement being excluded from the Armistice negotiations, shall be, at the discretion of the Parties, the subject of later settlement. It is emphasized that it is not the purpose of this Agreement to establish, to recognize, to strengthen, or to weaken or nullify, in any way, any territorial, custodial or other rights, claims or interests which may be asserted by either Party in the area of Palestine or any part or locality thereof covered by this Agreement, whether such asserted rights, claims or interests derive from Security Council resolutions, including the resolution of 4 November 1948 and the Memorandum of 13 November 1948 for its implementation, or from any other source. The provisions of this Agreement are dictated exclusively by military considerations and are valid only for the period of the Armistice.

#### Article V

1. The line described in Article VI of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolutions of the Security Council of 4 and 16 November 1948.

2. The Armistice Demarcation Line is not to be construed in any sense as a political or territorial boundary, and is delineated without prejudice to rights, claims and positions of either Party to the Armistice as regards ultimate settlement of the Palestine question.

3. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move except as provided in Article III of this Agreement.

4. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article VI.

#### Article VI

1. In the GAZA-RAFAH area the Armistice Demarcation Line shall be as delineated in paragraph 2.B (i) of the Memorandum of 13 November 1948 on the implementation of the Security Council resolution of 4 November

1948, namely by a line from the coast at the mouth of Wadi Hasi in an easterly direction through Deir Suneid and across the Gaza-Al-Majdal Highway to a point of 3 kilometres east of the Highway, then in a southerly direction parallel to the Gaza-Al Majdal Highway, and continuing thus to the Egyptian frontier.

2. Within this line Egyptian forces shall nowhere advance beyond their present positions, and this shall include Beit Hanun and its surrounding area from which Israeli forces shall be withdrawn to north of the Armistice Demarcation Line, and any other positions within the line delineated in paragraph 1 which shall be evacuated by Israeli forces as set forth in paragraph 3.

3. Israeli outposts, each limited to platoon strength, may be maintained in this area at the following points: Deir Suneid, on the north side of the Wadi (MR 10751090); 700 x SW of Sa'ad (MR 10500982); Sulphur Quarries (MR 09870924); Tall-Jamma (MR 09720887); and KH AL Ma'in (MR 09320821). The Israeli outpost maintained at the Cemetery (MR 08160723) shall be evacuated on the day after that which follows the signing of this Agreement. The Israeli outpost at Hill 79 (MR 10451017) shall be evacuated not later than four weeks following the day on which this Agreement is signed. Following the evacuation of the above outposts, new Israeli outposts may be established at MR 08360700, and at a point due east of Hill 79 east of the Armistice Demarcation Line.

4. In the BETHLEHEM-HEBRON area, wherever positions are held by Egyptian forces, the provisions of this Agreement shall apply to the forces of both Parties in each such locality, except that the demarcation of the Armistice Line and reciprocal arrangements for withdrawal and reduction of forces shall be undertaken in such manner as may be decided by the Parties, at such time as an Armistice Agreement may be concluded covering military forces in that area other than those of the Parties to this Agreement, or sooner at the will of the Parties.

#### Article VII

1. It is recognized by the Parties to this Agreement that in certain sectors of the total area involved, the proximity of the forces of a third party not covered by this Agreement makes impractical the full application of all provisions of the Agreement to such sectors. For this reason alone, therefore, and pending the conclusion of an Armistice Agreement in place of the existing truce with that third party, the provisions of this Agreement relating to reciprocal reduction and withdrawal of forces shall apply only to the western front and not to the eastern front.

2. The areas comprising the western and eastern fronts shall be as defined by the United Nations Chief of Staff of the Truce Supervision Organization, on the basis of the deployment of forces against each other and past military activity or the future possibility thereof in the area. This definition of the western and eastern fronts is set forth in Annex II of this Agreement.

3. In the area of the western front under Egyptian control, Egyptian defensive forces only may be maintained. All other Egyptian forces shall be withdrawn from this area to a point or points no further east than El Arish-Abou Aoueingila.

4. In the area of the western front under Israeli control, Israeli defensive forces only, which shall be based on the settlements, may be maintained. All other Israeli forces shall be withdrawn from this area to a point or points north of the line delineated in paragraph 2.A of the Memorandum of 13 November 1948 on the implementation of the resolution of the Security Council of 4 November 1948.

5. The defensive forces referred to in paragraphs 3 and 4 above shall be as defined in Annex III to this Agreement.

#### Article VIII

1. The area comprising the village of El Auja and vicinity, as defined in paragraph 2 of this Article, shall be demilitarized, and both Egyptian and Israeli armed forces shall be totally excluded therefrom. The Chairman of the Mixed Armistice Commission established in Article X of this Agreement and United Nations Observers attached to the Commission shall be responsible for ensuring the full implementation of this provision.

2. The area thus demilitarized shall be as follows: From a point on the Egypt-Palestine frontier five (5) kilometres northwest of the intersection Rafah-El Auja road and the frontier (MR 08750468), southeast to Khashm El Mamdud (MR 09650414), thence southeast to Hill 405 (MR 10780285), thence southwest to a point on the Egypt-Palestine frontier five (5) kilometres southeast of the intersection of the old railway tracks and the frontier (MR 09950145), thence returning northwest along the Egypt-Palestine frontier to the point of origin.

3. On the Egyptian side of the frontier, facing the El Auja area, no Egyptian defensive positions shall be closer to El Auja than El Qouseima and Abou Aoueigila.

4. The road Taba-Qouseima-Auja shall not be employed by any military forces whatsoever for the purpose of entering Palestine.

5. The movement of armed forces of either Party to this Agreement into any part of the area defined in paragraph 2 of this Article, for any purpose, or failure by either Party to respect or fulfil any of the other provisions of this Article, when confirmed by the United Nations representatives shall constitute a flagrant violation of this Agreement.

#### Article IX

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall begin within ten days after the signing of this Agreement and shall be completed not later than twenty-one days following. Upon the signing of this Agreement, the Chairman of the Mixed Armistice Commission established in Article X of this Agreement, in consultation with the appropriate military authorities of the Parties, shall formulate a plan for the exchange of prisoners of war within the above period, defining the date and places of exchange and all other relevant details.

2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offense, shall be included in this exchange of prisoners.

3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.

4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention Relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.

5. The Mixed Armistice Commission established in Article X of this Agreement shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

#### Article X

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of seven members, of whom each Party to this Agreement shall designate three, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.

2. The Mixed Armistice Commission shall maintain its headquarters at El Auja, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.

3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.

4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting. On questions of principle, appeal shall lie to a Special Committee, composed of the United Nations Chief of Staff of the Truce Supervision Organization and one member each of the Egyptian and Israeli Delegations to the Armistice Conference at Rhodes or some other senior officer, whose decisions on all such questions shall be final. If no appeal against a decision of the Commission is filed within one week from the date of said decision, that decision shall be taken as final. Appeals to the Special Committee shall be presented to the United Nations Chief of Staff of the Truce Supervision Organization, who shall convene the Committee at

the earliest possible date.

5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.

6. The Commission shall be empowered to employ Observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.

7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.

8. Where interpretation of the meaning of a particular provision of this agreement is at issue, the Commission's interpretation shall prevail, subject to the right of appeal as provided in paragraph 4. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.

9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.

10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the areas covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be included.

11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### Article XI

No provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question.

#### Article XII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.

2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an Armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.

3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and II, at any time. In the absence of mutual agreement and after this Agreement has been effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising or suspending any of the provisions of this Agreement other than Articles I and II. Participation in such conference shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.

5. This Agreement supersedes the Egyptian-Israeli General Cease-Fire Agreement entered into by the Parties on 24 January 1949.

6. This Agreement is signed in quintuplicate, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and to the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator on Palestine.

IN FAITH WHEREOF the undersigned representatives of the Contracting Parties have signed hereafter, in the presence of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

DONE at Rhodes, Island of Rhodes, Greece, on the twenty-fourth of February nineteen forty-nine.

FOR AND ON BEHALF OF THE  
GOVERNMENT OF EGYPT

(Signed)  
Col. Seif El Dine  
Col. El Rahmany

FOR AND ON BEHALF OF THE  
GOVERNMENT OF ISRAEL

(Signed)  
Dr. Walter Eytan  
Col. Yigael Yadin  
Elias Sasson

## P. 126 : S/1296 of March 1949

### CABLEGRAM DATED 22 MARCH 1949 FROM THE ACTING MEDIATOR TO THE SECRETARY-GENERAL TRANSMITTING THE TEXT OF AN ARMISTICE AGREEMENT BETWEEN LEBANON AND ISRAEL

For the President of the Security Council:

"I have honour to inform the Security Council that a general armistice agreement, in pursuance of the resolution of the Security Council of sixteen November 1948, was signed by the delegations of Israel and Lebanon at Ras En Naqura on twentythree March 1949. The text of the agreement is as follows:

#### LEBANESE-ISRAELI GENERAL ARMISTICE AGREEMENT

#### PREAMBLE

The parties to the present agreement, responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an Armistice; having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolution 16 November 1948; and having appointed representatives empowered to negotiate and conclude an armistice agreement;

The undersigned representatives, having exchanged their full powers found to be in good and proper form, have agreed upon the following provisions:

#### Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the Armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties.
2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practised in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

## Article II

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized,
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question;
  - (a) The provisions of this agreement being dictated exclusively by military considerations.

## Article III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.
2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article V of this Agreement; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.
3. No warlike act or act of hostility shall be conducted from territory controlled by one of the parties to this Agreement against the other Party.

## Article IV

1. The line described in Article V of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolutions of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article V.

## Article V

1. The Armistice Demarcation Line should follow the international boundary between Lebanon and Palestine.
2. In the region of the Armistice Demarcation Line the military forces of the Parties shall consist of defensive forces only as is defined in the Annex to this Agreement.
3. Withdrawal of forces to the Armistice Demarcation Line and their reduction to defensive strength in accordance with the preceding paragraph shall be completed within ten days of the signing of this Agreement. In the

same way the removal of mines from mined roads and areas evacuated by either Party and the transmission of plans showing the location of such minefields to the other Party shall be completed within the same period.

#### Article VI

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall take place at Ras En Naqura within twenty-four hours of the signing of this Agreement.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offense, shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention Relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.
5. The Mixed Armistice Commission established in Article VII of this Agreement shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

#### Article VII

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of seven members, of whom each Party to this Agreement shall designate three, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at the frontier post North of Metulla and the Lebanese frontier post at En Naqoura, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of the work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.
4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ Observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.

8. Where interpretation of the meaning of a particular provision of this Agreement, other than the Preamble and Articles I and II, is at issue, the Commission's interpretation shall prevail, subject to the right of appeal as provided in paragraph 4. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.

9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.

10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the areas covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be employed.

11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### Article VIII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.

2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an Armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.

3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising or suspending any of the provisions of this Agreement other than Articles I and III. Participation in such conference shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.

5. This Agreement is signed in quintuplicate, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and to the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator in Palestine.

Done at Ras En Naqoura on 23 March 1949 in the presence of the Personal Deputy of the United Nations Acting Mediator in Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

FOR AND ON BEHALF OF THE  
GOVERNMENT OF LEBANON

FOR AND ON BEHALF OF THE  
GOVERNMENT OF ISRAEL

P. 126 : S/1302/Rev. 1 of 3 April 1949

**DOCUMENT S/1302/REV.1 1/**

**Cablegram dated 3 April 1949 from the United Nations Acting Mediator to the Secretary-General trans-**



**mitting the text of the General Armistice Agreement between the Hashemite Jordan Kingdom and Israel.**

[Original text: English]  
Rhodes, 3 April 1949

*For the President of the Security Council*

I have the honour to inform you that an armistice agreement between the Hashemite Jordan Kingdom and Israel has been signed this evening, 3 April 1949, at Rhodes. The text of the agreement follows.

Ralph J. BUNCHE  
*Acting Mediator*

**HASHEMITE JORDAN KINGDOM - ISRAEL:  
GENERAL ARMISTICE AGREEMENT**

Rhodes, 3 April 1949  
*Preamble*

The Parties to the present Agreement,

Responding to the Security Council resolution of 16 November 1948,<sup>2/</sup> calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an armistice;

Having decided to enter into negotiations under United Nations chairmanship concerning the implementation of the Security Council resolution of 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives of their respective Governments, having exchanged their full powers found to be in good and proper form, have agreed upon the following provisions:

**Article I**

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties;
2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term planned in this context has no bearing on normal staff planning as generally practised in military organizations;
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected;
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

**Article II**

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized;
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and

positions of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military considerations.

#### Article III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.

2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Lines set forth in articles V and VI of this Agreement; or enter into or pass through the air space of the other Party.

3. No warlike act or act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party.

#### Article IV

1. The lines described in articles V and VI of this Agreement shall be designated as the Armistice Demarcation Lines and are delineated in pursuance of the purpose and intent of the resolution of the Security Council of 16 November 1948.

2. The basic purpose of the Armistice Demarcation Lines is to delineate the lines beyond which the armed forces of the respective Parties shall not move.

3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Lines defined in articles V and VI.

#### Article V

1. The Armistice Demarcation Lines for all sectors other than the sector now held by Iraqi forces shall be as delineated on the maps 3/ in annex I to this Agreement, and shall be defined as follows:

(a) In the sector Kh Deir Arab (MR 1510-1574) to the northern terminus of the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area, the Armistice Demarcation Lines shall follow the truce lines as certified by the United Nations Truce Supervision Organization;

(b) In the Jerusalem sector, the Armistice Demarcation Lines shall correspond to the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area;

(c) In the Hebron-Dead Sea sector, the Armistice Demarcation Line shall be as delineated on map I and marked B in annex I to this Agreement;

(d) In the sector from a point on the Dead Sea (MR 1925-0958) to the southernmost tip of Palestine, the Armistice Demarcation Line shall be determined by existing military positions as surveyed in March 1949 by United Nations observers, and shall run from north to south as delineated on map I in annex I to this Agreement.

#### Article VI

1. It is agreed that the forces of the Hashemite Jordan Kingdom shall replace the forces of Iraq in the sector now held by the latter forces, the intention of the Government of Iraq in this regard having been communicated to the Acting Mediator in the message of 20 March from the Foreign Minister of Iraq authorizing the delegation of the Hashemite Jordan Kingdom to negotiate for the Iraqi forces and stating that those forces would be withdrawn.

2. The Armistice Demarcation Line for the sector now held by Iraqi forces shall be as delineated on map 1 in Annex I to this Agreement and marked A.

3. The Armistice Demarcation Line provided for in paragraph 2 of this article shall be established in stages as follows, pending which the existing military lines may be maintained:

(a) In the area west of the road from Baqa to Jaljulia, and thence to the east of Kafr Qasim: within five weeks of the date on which this Armistice Agreement is signed;

(b) In the area of Wadi Ara north of the line from Baqa to Zubeiba: within seven weeks of the date on which this Armistice Agreement is signed;

(c) In all other areas of the Iraqi sector: within fifteen weeks of the date on which this Armistice Agreement is signed.

4. The Armistice Demarcation Line in the Hebron-Dead Sea sector, referred to in paragraph (c) of article V of this Agreement and marked B on map 1 in annex I, which involves substantial deviation from the existing military lines in favour of the forces of the Hashemite Jordan Kingdom, is designated to offset the modifications of the existing military lines in the Iraqi sector set forth in paragraph 3 of this article.

5. In compensation for the road acquired between Tulkarem and Qalqiliya, the Government of Israel agrees to pay to the Government of the Hashemite Jordan Kingdom the cost of constructing twenty kilometres of first-class new road.

6. Wherever villages may be affected by the establishment of the Armistice Demarcation Line provided for in paragraph 2 of this article, the inhabitants of such villages shall be entitled to maintain, and shall be protected in, their full rights of residence, property and freedom. In the event any of the inhabitants should decide to leave their villages, they shall be entitled to take with them their livestock and other movable property, and to receive without delay full compensation for the land which they have left. It shall be prohibited for Israeli forces to enter or to be stationed in such villages, in which locally recruited Arab police shall be organized and stationed for internal security purposes.

7. The Hashemite Jordan Kingdom accepts responsibility for all Iraqi forces in Palestine.

8. The provisions of this article shall not be interpreted as prejudicing, in any sense, an ultimate political settlement between the Parties to this Agreement.

9. The Armistice Demarcation Lines defined in articles V and VI of this Agreement are agreed upon by the Parties without prejudice to future territorial settlements or boundary lines or to claims of either Party relating thereto.

10. Except where otherwise provided, the Armistice Demarcation Lines shall be established, including such withdrawal of forces as may be necessary for this purpose, within ten days from the date on which this Agreement is signed.

11. The Armistice Demarcation Lines defined in this article and in article V shall be subject to such rectification as may be agreed upon by the Parties to this Agreement, and all such rectifications shall have the same force and effect as if they had been incorporated in full in this General Armistice Agreement.

#### Article VII

1. The military forces of the Parties to this Agreement shall be limited to defensive forces only in the areas extending ten kilometres from each side of the Armistice Demarcation Lines, except where geographical considerations make this impractical, as at the southernmost tip of Palestine and the coastal strip. Defensive forces permissible in each sector shall be as defined in annex II to this Agreement. In the sector now held by Iraqi forces, calculations on the reduction of forces shall include the number of Iraqi forces in this sector.

2. Reduction of forces to defensive strength in accordance with the preceding paragraph shall be completed within ten days of the establishment of the Armistice Demarcation Lines defined in this Agreement. In the same way the removal of mines from mined roads and areas evacuated by either Party, and the transmission of plans showing the location of such minefields to the other Party, shall be completed within the same period.

3. The strength of the forces which may be maintained by the Parties on each side of the Armistice Demarcation Lines shall be subject to periodical review with a view toward further reduction of such forces by mutual agreement of the Parties.

#### Article VIII

1. A Special Committee, composed of two representatives of each Party designated by the respective Governments, shall be established for the purpose of formulating agreed plans and arrangements designed to enlarge the

scope of this Agreement and to effect improvements in its application.

2. The Special Committee shall be organized immediately following the coming into effect of this Agreement and shall direct its attention to the formulation of agreed plans and arrangements for such matters as either Party may submit to it, which, in any case, shall include the following, on which agreement in principle already exists: free movement of traffic on vital roads, including the Bethlehem and Latrun-Jerusalem roads, resumption of the normal functioning of the cultural and humanitarian institutions on Mount Scopus and free access thereto; free access to the Holy Places and cultural institutions and use of the cemetery on the Mount of Olives; resumption of operation of the Latrun pumping station; provision of electricity for the Old City; and resumption of operation of the railroad to Jerusalem.

3. The Special Committee shall have exclusive competence over such matters as may be referred to it. Agreed plans and arrangements formulated by it may provide for the exercise of supervisory functions by the Mixed Armistice Commission established in article XI.

#### Article IX

Agreements reached between the Parties subsequent to the signing of this Armistice Agreement relating to such matters as further reduction of forces as contemplated in paragraph 3 of article VII, future adjustments of the Armistice Demarcation Lines, and plans and arrangements formulated by the Special Committee established in article VIII, shall have the same force and effect as the provisions of this Agreement and shall be equally binding upon the Parties.

#### Article X

An exchange of prisoners of war having been effected by special arrangement between the Parties prior to the signing of this Agreement, no further arrangements on this matter are required except that the Mixed Armistice Commission shall undertake to re-examine whether there may be any prisoners of war belonging to either Party which were not included in the previous exchange. In the event that prisoners of war shall be found to exist, the Mixed Armistice Commission shall arrange for an early exchange of such prisoners. The Parties to this Agreement undertake to afford full co-operation to the Mixed Armistice Commission in its discharge of this responsibility.

#### Article XI

1. The execution of the provisions of this Agreement, with the exception of such matters as fall within the exclusive competence of the Special Committee established in article VIII, shall be supervised by a Mixed Armistice Commission composed of five members, of whom each Party to this Agreement shall designate two, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the observer personnel of that organization designated by him following consultation with both Parties to this Agreement.

2. The Mixed Armistice Commission shall maintain its headquarters at Jerusalem and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.

3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.

4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting.

5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.

6. The Commission shall be empowered to employ observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.

7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.

8. Where interpretation of the meaning of a particular provision of this Agreement, other than the preamble and articles I and II, is at issue, the Commission's interpretation shall prevail. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.

9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.

10. Members of the Commission and its observers shall be accorded such freedom of movement and access in the area covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations observers only shall be employed.

11. The expenses of the Commission, other than those relating to United Nations observers, shall be apportioned in equal shares between the two Parties to this Agreement.

## Article XII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.

2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this article.

3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising, or suspending any of the provisions of this Agreement other than articles I and III. Participation in such conference shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.

5. This Agreement is signed in quintuplicate 4/, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and to the United Nations Conciliation Commission on Palestine, and one copy to the United Nations Acting Mediator on Palestine.

DONE at Rhodes, Island of Rhodes, Greece, on the third of April one thousand nine hundred and forty-nine in the presence of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

For and on behalf of the  
Government of the Hashemite  
Jordan Kingdom

(Signed)

For and on behalf of the  
Government of Israel

(Signed)

Colonel Ahmed Sudki EL-JUNDI

Reuven SHILOAH

Lieutenant-Colonel Mohamed MAAYTE

Lieutenant-Colonel Moshe DAYAN

## Annex I

### MAPS DELINEATING ARMISTICE DEMARCATION LINES

[These maps follow annex II, and are explained in the [end]note [3] by the Secretariat to article V of the Agreement.]

## Annex II

### DEFINITION OF DEFENSIVE FORCES

I. For the purposes of this Agreement defensive forces shall be defined as follows:

#### 1. Land forces

(a) A standard battalion to consist of not more than 800 officers and other ranks, and to be composed of not more than:

(i) Four rifle companies with ordinary infantry equipment; rifles, LMG's, SMG's, light mortars, anti-tank rifles and PIAT.

The light mortars shall not be heavier than 2 inch.

The following number of weapons per battalion shall not be exceeded: 48 LMG's, 16 mortars 2 inch, 8 PIAT's;

(ii) One support company with not more than six MMG's, six mortars and not heavier than 3 inch, four anti-tank guns not heavier than six-pounders;

(iii) One headquarters company;

(b) The artillery and anti-aircraft artillery to be allotted to the defensive forces shall consist of the following type of weapons: field guns not heavier than twenty-five pounders, the anti-air-craft guns not heavier than forty millimetres.

#### 2. The following are excluded from the term "defensive forces":

(a) Armour, such as tanks of all types, armoured cars, Bren gun carriers, half-tracks, armoured vehicles or load carriers, or any other armoured vehicles;

(b) All support arms and units other than those specified in paragraphs 1(a) i and ii, and 1 (b) above;

(c) Service units to be agreed upon.

#### 3. Air forces

In the areas where defensive forces only are permitted airfields, airstrips, landing fields and other installations, and military aircraft shall be employed for defensive and normal supply purposes only.

II. The defensive forces which may be maintained by each Party in the areas extending ten kilometres from each side of the Armistice Demarcation Lines, as provided in paragraph 1 of article VI, shall be as follows for the sectors described in article V, paragraph 1:

1. Sector Kh Deir Arab (MR 1510-1574) to the northern terminus of the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area: one battalion each.

2. Jerusalem sector: two battalions each.
3. Hebron-Dead Sea sector: one battalion each.
4. Sector Engeddi to Eilat: three battalions each. In addition, each side will be allowed one squadron of light armoured cars consisting of not more than 13 light armoured cars or half tracks. The weapons permissible on these vehicles will be determined by the Mixed Armistice Commission.
5. Sector now held by Iraqi forces: five battalions each, and one squadron of armoured cars each.

*Notes*

1/ This document includes mimeographed documents S/1302, S/1302/Add.1, S/1302/Corr.1 and also annexes I and II of the Agreement.

2/ See *Official Records of the Security Council*, Third Year, No. 126 (381st meeting), page 53.

3/ *Note by the Secretariat*. The photo-offsets of the two officially signed maps comprising annex I will be found at the end of this fascicule. For purposes of reproduction, it has been necessary to present the map of Palestine (map 1) as a north sheet (part 1) and a south sheet (part 2). Map 2 is a survey map of Jerusalem which should be consulted in connexion with sub-paragraph (b) of article V. The line referred to in sub-paragraph (d) of article V begins on part 1 of map 1 (blue line south of the Jerusalem area) and continues south on part 2. For all other geographical references in articles V and VI, map 1, part 1 should be consulted. The truce lines referred to in sub-paragraph (a) of article V are the red and green lines on the latter map.

4/ All of the signed copies were in English, the English text being the only authentic one.

P. 127 : S/1353 of 20 July 1949

**COMMUNICATION DATED 20 JULY 1949 FROM THE UNITED NATIONS ACTING  
MEDIATOR ON PALESTINE TO THE ACTING SECRETARY-GENERAL  
TRANSMITTING THE TEXT OF AN ARMISTICE AGREEMENT  
BETWEEN ISRAEL AND SYRIA**

For the President of the Security Council:

"I have the honour to inform the Security Council that a General Armistice Agreement, in pursuance of the resolution of the Security Council of 16 November 1948, was signed by the delegations of Israel and Syria at Hill 232, near Mahanayim on 20 July 1949. The text of the Agreement is as follows:

# ISRAELI-SYRIAN GENERAL ARMISTICE AGREEMENT

## PREAMBLE

THE Parties to the present Agreement,

Responding to the Security Council resolution of 16 November 1948, calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an armistice;

Having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolution of 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, having exchanged their full powers found to be in good and proper form, have agreed upon the following provisions:

## ARTICLE I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties. The establishment of an armistice between their armed forces is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.
2. No aggressive action by the armed forces - land, sea or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practised in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.

## ARTICLE II

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized.
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military and not by political considerations.

## ARTICLE III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.
2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article V of this Agreement; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.
3. No warlike act or act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party or against civilians in territory under control of that Party.



#### ARTICLE IV

1. The line described in Article V of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolution of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article V, subject to the provisions of paragraph 5 of that Article.

#### ARTICLE V

1. It is emphasized that the following arrangements for the Armistice Demarcation Line between the Israeli and Syrian armed forces and for the Demilitarized Zone are not to be interpreted as having any relation whatsoever to ultimate territorial arrangements affecting the two Parties to this Agreement.
2. In pursuance of the spirit of the Security Council resolution of 16 November 1948, the Armistice Demarcation Line and the demilitarized Zone have been defined with a view toward separating the armed forces of the two Parties in such manner as to minimize the possibility of friction and incident, while providing for the gradual restoration of normal civilian life in the area of the Demilitarized Zone, without prejudice to the ultimate settlement.
3. The Armistice Demarcation Line shall be as delineated on the map attached to this Agreement as Annex I. The Armistice Demarcation Line shall follow a line midway between the existing truce lines, as certified by the United Nations Truce Supervision Organization for the Israeli and Syrian forces. Where the existing truce lines run along the international boundary between Syria and Palestine, the Armistice Demarcation Line shall follow the boundary line.
4. The armed forces of the two Parties shall nowhere advance beyond the Armistice Demarcation Line.
5. (a) Where the Armistice Demarcation Line does not correspond to the international boundary between Syria and Palestine, the area between the Armistice Demarcation Line and the boundary, pending final territorial settlement between the Parties, shall be established as a Demilitarized Zone from which the armed forces of both Parties shall be totally excluded, and in which no activities by military or para-military forces shall be permitted. This provision applies to the Ein Gev and Dardara sectors which shall form part of the Demilitarized Zone.  
  
(b) Any advance by the armed forces, military or para-military, of either Party into any part of the Demilitarized Zone, when confirmed by the United Nations representatives referred to in the following sub-paragraph, shall constitute a flagrant violation of this Agreement.  
  
(c) The Chairman of the Mixed Armistice Commission established in Article VII of this Agreement and United Nations Observers attached to the Commission shall be responsible for ensuring the full implementation of this Article.  
  
(d) The withdrawal of such armed forces as are now found in the Demilitarized Zone shall be in accordance with the schedule of withdrawal annexed to this Agreement (Annex II).  
  
(e) The Chairman of the Mixed Armistice Commission shall be empowered to authorize the return of civilians to villages and settlements in the Demilitarized Zone and the employment of limited numbers of locally recruited civilian police in the zone for internal security purposes, and shall be guided in this regard by the schedule of withdrawal referred to in sub-paragraph (d) of this Article.
6. On each side of the Demilitarized Zone there shall be areas, as defined in Annex III to this Agreement, in which defensive forces only shall be maintained, in accordance with the definition of defensive forces set forth in Annex IV to this Agreement.

## ARTICLE VI

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party, shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall take place at the site of the Armistice Conference within twenty-four hours of the signing of this Agreement.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offence, shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.
5. The Mixed Armistice Commission established in Article VII of this Agreement shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

## ARTICLE VII

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of five members, of whom each Party to this Agreement shall designate two, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at the Customs House near Jisr Banat Yakub and at Mahanayim, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.
4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by majority vote of the members of the Commission present and voting.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.

8. Where interpretation of the meaning of a particular provision of this Agreement, other than the Preamble and Article I and II, is at issue, the Commission's interpretation shall prevail. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.

9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.

10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the area covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be employed.

11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### ARTICLE VIII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.

2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.

3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising, or suspending any of the provisions of this Agreement other than Articles I and III. Participation in such conferences shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.

5. This Agreement, of which the English and French texts are equally authentic, is signed in quintuplicate. One copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator on Palestine.

DONE at Hill 232 near MAHANAYIM on the 20th July 1949, in the presence of the Personal Deputy of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

FOR AND ON BEHALF OF THE  
ISRAELI GOVERNMENT

Signed: Lieutenant-Colonel MORDEHAI MAKLEFF  
YENOSHUA PENMAN  
SHBTAI ROSENN

FOR AND ON BEHALF OF THE  
SYRIAN GOVERNMENT

Signed: Colonel FOZI SELO  
Lieutenant-Colonel  
MOHAMED NASSER  
Captain AFIF SIZRI

NOTE. Annexes I to IV to the above Agreement will be published upon receipt at headquarters.

P. 143 : S/RES/101(1953) S/3139 Rev. 2 of 24 November 1953

**101 (1953). Resolution of 24 November 1953**

**[S/3139/Rev.2]**

*The Security Council,*

*Recalling* its previous resolutions on the Palestine question, particularly resolutions 54 (1948) of 15 July 1948, 73 (1949) of 11 August 1949 and 93 (1951) of 18 May 1951 concerning methods for maintaining the armistice and resolving disputes through the Mixed Armistice Commission,

*Noting* the reports of 27 October 1953,<sup>1/</sup> and 9 November 1953 <sup>2/</sup> to the Security Council by the Chief of Staff of the United Nations Truce Supervision Organization in Palestine and the statements to the Council by the representatives of Jordan and Israel,

**A**

1. *Finds* that the retaliatory action at Qibya taken by armed forces of Israel on 14-15 October 1953 and all such actions constitute a violation of the cease-fire provisions of Security Council resolution 54 (1948) and are inconsistent with the parties' obligations under the General Armistice Agreement between Israel and Jordan <sup>3/</sup> and the Charter of the United Nations;

2. *Expresses the strongest censure* of that action, which can only prejudice the chances of that peaceful settlement which both parties, in accordance with the Charter, are bound to seek, and calls upon Israel to take effective measures to prevent all such actions in the future;

**B**

1. *Takes note* of the fact that there is substantial evidence of crossing of the demarcation line by unauthorized persons, often resulting in acts of violence, and requests the Government of Jordan to continue and strengthen the measures which it is already taking to prevent such crossings;

2. *Recalls* to the Governments of Israel and Jordan their obligations under Security Council resolutions and the General Armistice Agreement to prevent all acts of violence on either side of the demarcation line;

3. *Calls upon* the Governments of Israel and Jordan to ensure the effective co-operation of local security forces;

**C**

1. *Reaffirms* that it is essential, in order to achieve progress by peaceful means towards a lasting settlement of the issues outstanding between them, that the parties abide by their obligations under the General Armistice Agreement and the resolutions of the Security Council;

2. *Emphasizes* the obligation of the Governments of Israel and Jordan to co-operate fully with the Chief of Staff of the Truce Supervision Organization;

3. *Requests* the Secretary-General to consider, with the Chief of Staff, the best ways of strengthening the Truce Supervision Organization and to furnish such additional personnel and assistance as the Chief of Staff of the Truce Supervision Organization may require for the performance of his duties;

4. *Requests* the Chief of Staff of the Truce Supervision Organization to report within three months to the Security Council with such recommendations as he may consider appropriate on compliance with and enforcement of the General Armistice Agreements, with particular reference to the provisions of this resolution and taking into account any agreement reached in pursuance of the request by the Government of Israel <sup>4/</sup> for the convocation of a conference under article XII of the General Armistice Agreement between Israel and Jordan.

*Adopted at the 642nd meeting by 9 votes to none, with 2 abstentions (Lebanon, Union of Soviet Socialist Republics).*

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<sup>1/</sup> *Ibid.*, Eighth year, 630th meeting, paras. 10-68 and appendices I-III.

<sup>2/</sup> *Ibid.*, 635th meeting, annex.

<sup>3/</sup> *Ibid.*, Fourth Year, Special Supplement No. 1.

<sup>4/</sup> *Ibid.*, Eighth Year, Supplement for October, November and December 1953, document S/3140.

## P. 149 : A/RES/997 (ES-I) of 2 November 1956

### **Resolution 997 (ES-I)**

*The General Assembly,*

*Noting* the disregard on many occasions by parties to the Israel-Arab armistice agreements of 1949 of the terms of such agreements, and that the armed forces of Israel have penetrated deeply into Egyptian territory in violation of the General Armistice Agreement between Egypt and Israel of 24 February 1949,<sup>1/</sup>

*Noting* that armed forces of France and the United Kingdom of Great Britain and Northern Ireland are conducting military operations against Egyptian territory,

*Noting* that traffic through the Suez Canal is now interrupted to the serious prejudice of many nations,

*Expressing its grave concern* over these developments,

1. *Urges* as a matter of priority that all parties now involved in hostilities in the area agree to an immediate cease-fire and, as part thereof, halt the movement of military forces and arms into the area;
2. *Urges* the parties to the armistice agreements promptly to withdraw all forces behind the armistice lines, to desist from raids across the armistice lines into neighbouring territory, and to observe scrupulously the provisions of the armistice agreements;
3. *Recommends* that all Member States refrain from introducing military goods in the area of hostilities and in general refrain from any acts which would delay or prevent the implementation of the present resolution;
4. *Urges* that, upon the cease-fire being effective, steps be taken to reopen the Suez Canal and restore secure freedom of navigation;
5. *Requests* the Secretary-General to observe and report promptly on the compliance with the present resolution to the Security Council and to the General Assembly, for such further action as they may deem appropriate in accordance with the Charter;
6. *Decides* to remain in emergency session pending compliance with the present resolution.

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1/ Official Records of the Security Council, Fourth Year, Special Supplement No.3.

## P. 158 : S/RES/233 (1967) of 6 June 1967

### **Resolution 233 (1967) of 6 June 1967**

*The Security Council,*

*Noting* the oral report of the Secretary-General in this situation,

*Having heard* the statements made in the Council,

*Concerned* at the outbreak of fighting and with the menacing situation in the Near East,

1. *Calls upon* the Governments concerned to take forthwith as a first step all measures for an immediate cease-fire and for a cessation of all military activities in the area;

2. *Requests* the Secretary-General to keep the Council promptly and currently informed on the situation.

*Adopted unanimously at the 1348th meeting.*

## P. 158 : S/7951/Rev. 1 of 8 June 1967

### UNION OF SOVIET SOCIALIST REPUBLICS: DRAFT RESOLUTION

The Security Council,

Noting that Israel has disregarded the Security Council decisions calling for the cessation of military activities (S/RES/233 of 6 June 1967 and S/RES/234 of 7 June 1967),

Considering that Israel not only has not halted military activities but has made use of the time elapsed since the adoption of the aforementioned Council resolutions in order to seize additional territory of the United Arab Republic and Jordan,

Noting that even now Israel is continuing military activities instead of halting its aggression, thus defying the United Nations and all peace-loving States,

1. Vigorously condemn Israel's aggressive activities and its violations of the aforementioned Security council resolutions, of the United Nations Charter and of United Nations principles;

2. Demands that Israel should immediately halt its military activities against neighbouring Arab States and should remove all its troops from the territory of those States and withdraw them behind the armistice lines and respect the status of the demilitarized zones, as prescribed in the General Armistice Agreements.

## P. 159 : S/RES/234 (1967) of 7 June 1967

### **Resolution 234 (1967) of 7 June 1967**

*The Security Council,*

*Noting* that, in spite of its appeal to the Governments concerned to take forthwith as a first step all measures for an immediate cease-fire and for a cessation of all military activities in the Near East (resolution 233 (1967), military activities in the area are continuing,

*Concerned* that the continuation of military activities may create an even more menacing situation in the area,

1. *Demands* that the Governments concerned should as a first step cease fire and discontinue all military activities at 2000 hours GMT on 7 June 1967;

2. *Requests* the Secretary-General to keep the Council promptly and currently informed on the situation.

*Adopted unanimously at the 1350th meeting.*

### P. 159 : S/RES/235 (1967) of 9 June 1967

#### **Resolution 235 (1967) of 9 June 1967**

*The Security Council,*

*Recalling* its resolutions 233 (1967) of 6 June and 234 (1967) of 7 June 1967,

*Noting* that the Governments of Israel and Syria have announced their mutual acceptance of the Council's demand for a cease-fire,

*Noting* the statements made by the representatives of Syria and Israel,

1. *Confirms* its previous resolutions about immediate cease-fire and cessation of military action;

2. *Demands* that hostilities should cease forthwith;

3. *Requests* the Secretary-General to make immediate contacts with the Governments of Israel and Syria to arrange immediate compliance with the above-mentioned resolutions, and to report to the Security Council not later than two hours from now.

*Adopted unanimously at the 1352nd meeting.*

### P. 159 : S/RES/236 (1967) of 11 June 1967

#### **Resolution 236 (1967) of 11 June 1967**

*The Security Council,*

*Taking note* of the oral reports of the Secretary-General on the situation between Israel and Syria, made at the 1354th, 1355th, 1356th and 1357th meetings and the supplemental information supplied in documents S/7930



and Add.1-3,1/

1. *Condemns* any and all violations of the cease-fire;
2. *Requests* the Secretary-General to continue his investigations and to report to the Council as soon as possible;
3. *Affirms* that its demand for a cease-fire and discontinuance of all military activities includes a prohibition of any forward military movements subsequent to the cease-fire;
4. *Calls for* the prompt return to the cease-fire positions of any troops which may have moved forward subsequent to 1630 hours GMT on 10 June 1967;
5. *Calls for* full co-operation with the Chief of Staff of the United Nations Truce Supervision Organization and the observers in implementing the cease-fire, including freedom of movement and adequate communications facilities.

*Adopted unanimously at the 1357th meeting.*

#### P. 160 : S/RES/240 (1967) of 25 October 1967

##### **Resolution 240 (1967) of 25 October 1967**

*The Security Council,*

*Gravely concerned* over recent military activities in the Middle East carried out in spite of the Security Council resolutions ordering a cease-fire,

*Having heard* and considered the statements made by the parties concerned,

*Taking into consideration* the information on the said activities provided by the Secretary-General in documents S/7930/Add.43, Add.44, Add.45, Add.46, Add.47, Add.48 and Add.49,1/

1. *Condemns* the violations of the cease-fire;
2. *Regrets* the casualties and loss of property resulting from the violations;
3. *Reaffirms* the necessity of the strict observance of the cease-fire resolutions;
4. *Demands* of the Member States concerned to cease immediately all prohibited military activities in the area,

and to co-operate fully and promptly with the United Nations Truce Supervision Organization.

*Adopted unanimously at the 1371st meeting.*

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1/ Ibid.

P. 160 : S/7975 of 12 June 1967

A consulter directement à l'adresse suivante au format .pdf :

<http://domino.un.org/pdfs/S7975.pdf>

P. 161 : A/RES/2253 (ES-V) of 4 July 1967

**2253 (ES-V). Measures taken by Israel to change  
the status of the City of Jerusalem**

*The General Assembly,*

*Deeply concerned* at the situation prevailing in Jerusalem as a result of the measures taken by Israel to change the status of the City,

1. *Considers* that these measures are invalid;
2. *Calls upon* Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the General Assembly and the Security Council on the situation and on the implementation of the present resolution not later than one week from its adoption.

P. 163 : S/RES/242 (1967) of 22 November 1967

*Version anglaise :*

**Resolution 242 (1967)  
of 22 November 1967**

*The Security Council,*

*Expressing* its continuing concern with the grave situation in the Middle East,

*Emphasizing* the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

*Emphasizing further* that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

2. *Affirms further* the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

*Adopted unanimously at the 1382nd meeting.*

### *Version française :*

Le Conseil de sécurité,

Exprimant l'inquiétude que continue de lui causer la grave situation au Proche-Orient,

Soulignant l'inadmissibilité de l'acquisition de territoires par la guerre et la nécessité d'œuvrer pour une paix juste et durable permettant à chaque État de la région de vivre en sécurité,

Soulignant en outre que tous les États Membres, en acceptant la Charte des Nations unies, ont contracté l'engagement d'agir conformément à l'Article 2 de la Charte,

1. Affirme que l'accomplissement des principes de la Charte exige l'instauration d'une paix juste et durable au Proche-Orient qui devrait comprendre l'application des deux principes suivants :

i) Retrait des forces armées israéliennes des territoires occupés au cours du récent conflit ;

ii) Fin de toute revendication ou de tout état de belligérance, respect et reconnaissance de la souveraineté, de l'intégrité territoriale et de l'indépendance politique de chaque État de la région et de son droit de vivre en paix à l'intérieur de frontières sûres et reconnues, à l'abri de menaces ou d'actes de violence ;

2. Affirme d'autre part la nécessité

a) De garantir la liberté de navigation sur les voies d'eau internationales de la région ;

b) De réaliser un juste règlement du problème des réfugiés ;

c) De garantir l'inviolabilité territoriale et l'indépendance politique de chaque État de la région, par des mesures comprenant la création de zones démilitarisées ;

3. Prie le Secrétaire général de désigner un représentant spécial pour se rendre au Proche-Orient afin d'y établir et d'y maintenir des rapports avec les États concernés en vue de favoriser un accord et de seconder les efforts tendant à aboutir à un règlement pacifique et accepté, conformément aux dispositions et aux principes de la présente résolution ;

4. Prie le Secrétaire général de présenter aussitôt que possible au Conseil de sécurité un rapport d'activité sur les efforts du représentant spécial.

*Adoptée à l'unanimité à la 1382<sup>e</sup> séance.*

## P. 176 : S/RES/340 (1973) of 25 October 1973

### **Resolution 340 (1973) of 25 October 1973**

*The Security Council,*

*Recalling* its resolutions 338 (1973) of 22 October and 339 (1973) of 23 October 1973.

*Noting* with regret the reported repeated violations of the cease-fire in non-compliance with resolutions 338 (1973) and 339 (1973),

*Noting* with concern from the Secretary-General's report 1/ that the United Nations military observers have not yet been enabled to place themselves on both sides of the cease-fire line,

1. *Demands* that immediate and complete cease-fire be observed and that the parties return to the positions occupied by them at 1650 hours GMT on 22 October 1973;

2. *Requests* the Secretary-General, as an immediate step, to increase the number of United Nations military observers on both sides;

3. *Decides* to set up immediately, under its authority, a United Nations Emergency Force to be composed of personnel drawn from States Members of the United Nations except the permanent members of the Security Council, and requests the Secretary-General to report within 24 hours on the steps taken to this effect;

4. *Requests* the Secretary-General to report to the Council on an urgent and continuing basis on the state of implementation of the present resolution, as well as resolutions 338 (1973) and 339 (1973);

5. *Requests* all Member States to extend their full co-operation to the United Nations in the implementation of the present resolution, as well as resolutions 338 (1973) and 339 (1973).

*Adopted at the 1750th meeting by 14 votes to none. 2/*

1/ See *Official Records of the Security Council, Twenty-eighth Year, 1749th meeting.*

2/ One member (China) did not participate in the voting.

### P. 176 : S/PV.1750-S/INF/29 of 29 October 1973

At its 1751st meeting, on 26 October 1973, the Council decided (a) to authorize the Secretary-General to send an additional force from Cyprus, as an interim measure, should he consider it necessary, and (b) to ask the Secretary-General and the President of the Security Council to appeal to the parties to co-operate fully and effectively with the International Red Cross.

### P. 176 : S/RES/344 (1973) of 15 December 1973

#### **Resolution 344 (1973) of 15 December 1973**

*The Security Council,*

*Considering* that it has decided by its resolution 338 (1973) of 22 October 1973 that talks among the parties to the Middle East conflict for the implementation of resolution 242 (1967) of 22 November 1967 should be held under "appropriate auspices",

*Noting* that a peace conference on the Middle East situation is to begin shortly at Geneva under the auspices of the United Nations,

1. *Expresses the hope* that the Peace Conference will make speedy progress towards the establishment of a just and durable peace in the Middle East;
2. *Expresses its confidence* that the Secretary-General will play a full and effective role at the Conference, in accordance with the relevant resolutions of the Security Council and that he will preside over its proceedings, if the parties so desire;
3. *Requests* the Secretary-General to keep the Council suitably informed of the developments in negotiations at the Conference, in order to enable it to review the problems on a continuing basis;
4. *Requests* the Secretary-General to provide all necessary assistance and facilities for the work of the Conference.

*Adopted at the 1760th meeting by 10 votes to none with 4 abstentions (France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America)<sup>1/</sup>*

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<sup>1/</sup> One member (China) did not participate in the voting.

**P. 178 : S/11198/Add.1 of 23 January 1974**

LETTER DATED 23 JANUARY 1974 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letter of 18 January 1974 transmitting to you the text of the Agreement on the Disengagement of Forces in pursuance of the Geneva Peace Conference.

I have now received from the Commander of UNEF, Lieutenant-General Ensio Siilasvuo, the map mentioned in the Agreement. A reproduction of this map, in black and white, is enclosed. I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kurt WALDHEIM

**P. 178 : S/RES/346 (1974) of 8 April 1974**

**Resolution 346 (1974)  
of 8 April 1974**

*The Security Council,*

*Recalling* its resolutions 340 (1973) of 25 October and 341 (1973) of 27 October 1973 and the agreement reached by members of the Security Council on 2 November 1973,<sup>1/</sup>

*Having reviewed* the functioning of the United Nations Emergency Force set up under these resolutions as reported by the Secretary-General,

*Noting* from the report of the Secretary-General of 1 April 1974 (S/11248) that in the present circumstances the operation of the United Nations Emergency Force is still required,

1. *Expresses its appreciation* to the States which have contributed troops to the United Nations Emergency Force and to those which have made voluntary financial and material contributions for the support of the Force;
2. *Expresses its appreciation* to the Secretary-General for his efforts in implementing the decisions of the Security Council regarding the establishment and functioning of the United Nations Emergency Force;
3. *Commends* the United Nations Emergency Force for its contribution to efforts to achieve a just and durable peace in the Middle East;
4. *Notes* the Secretary-General's view that the disengagement of Egyptian and Israeli forces is only a first step towards the settlement of the Middle East problem and the continued operation of the United Nations Emergency Force is essential not only for the maintenance of the present quiet in the Egypt-Israel sector but also to assist, if required, in further efforts for the establishment of a just and durable peace in the Middle East and accordingly decides that, in accordance with the recommendation in paragraph 68 of the Secretary-General's report of 1 April

1974, the mandate of the United Nations Emergency Force, approved by the Security Council in its resolution 341 (1973), shall be extended for a further period of six months, that is, until 24 October 1974;

5. *Notes with satisfaction* that the Secretary-General is exerting every effort to solve in a satisfactory way the problems of the United Nations Emergency Force, including the urgent ones referred to in paragraph 71 of his report of 1 April 1974;

6. *Further notes with satisfaction* the Secretary-General's intention to keep under constant review the required strength of the Force with a view to making reductions and economies when the situation allows;

7. *Calls upon* all Member States, particularly the parties concerned, to extend their full support to the United Nations in the implementation of the present resolution;

8. *Requests* the Secretary-General to report to the Security Council on a continuing basis as requested in resolution 340 (1973).

*Adopted at the 1765th meeting by 13 votes to none.*<sup>2/</sup>

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<sup>1/</sup> *Ibid.*, *Twenty-eighth Year, Supplement for October, November and December 1973*, document S/11072.

<sup>2/</sup> Two members (China and Iraq) did not participate in the voting.

## P. 179 : S/RES/350 (1974) of 31 May 1974

### **Resolution 350 (1974) of 31 May 1974**

*The Security Council,*

*Having considered* the report of the Secretary-General contained in documents S/11302 and Add.1, and having heard his statement made at the 1773rd meeting of the Security Council,

1. *Welcomes* the Agreement on Disengagement between Israeli and Syrian Forces, negotiated in implementation of Security Council resolution 338 (1973) of 22 October 1973;

2. *Takes note* of the Secretary-General's report and the annexes thereto and his statement;

3. *Decides* to set up immediately under its authority a United Nations Disengagement Observer Force, and requests the Secretary-General to take the necessary steps to this effect in accordance with his above-mentioned report and the annexes thereto; the Force shall be established for an initial period of six months, subject to renewal by further resolution of the Security Council;

4. *Requests* the Secretary-General to keep the Security Council fully informed of further developments.

*Adopted at the 1774th meeting by 13 votes to none.*<sup>1/</sup>

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<sup>1/</sup> Two members (China and Iraq) did not participate in the voting.

P. 179 : S/RES/368 (1975) of 17 April 1975

**Resolution 368 (1975)**

*Adopted by the Security Council at its 1821st meeting  
on 17 April 1975*

*The Security Council,*

*Recalling* its resolutions 338 (1973), 340 (1973), 341 (1973), 346 (1974) and 362 (1974),

*Having considered* the report of the Secretary-General on the United Nations Emergency Force (S/11670 and Corr.1),

*Having noted* the developments in the situation in the Middle East,

*Expressing concern* over the prevailing state of tension in the area,

*Decides:*

- (a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);
- (b) To renew the mandate of the United Nations Emergency Force for a period of three months, that is, until 24 July 1975;
- (c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement Security Council resolution 338 (1973).

P. 193 : Framework for Peace in the Middle East (17 September 1978)

**Framework for Peace in the Middle East  
Signed in Washington D.C. 17 September, 1978**



Muhammad Anwar al-Sadat, President of the Arab Republic of Egypt, and Menachem Begin, Prime Minister of Israel, met with Jimmy Carter, President of the United States of America, at Camp David from September 5 to September 17, 1978, and have agreed on the following framework for peace in the Middle East. They invite other parties to the Arab-Israel conflict to adhere to it.

## **Preamble**

The search for peace in the Middle East must be guided by the following:

- The agreed basis for a peaceful settlement of the conflict between Israel and its neighbors is United Nations Security Council Resolution 242, in all its parts.
- After four wars during 30 years, despite intensive human efforts, the Middle East, which is the cradle of civilization and the birthplace of three great religions, does not enjoy the blessings of peace. The people of the Middle East yearn for peace so that the vast human and natural resources of the region can be turned to the pursuits of peace and so that this area can become a model for coexistence and cooperation among nations.
- The historic initiative of President Sadat in visiting Jerusalem and the reception accorded to him by the parliament, government and people of Israel, and the reciprocal visit of Prime Minister Begin to Ismailia, the peace proposals made by both leaders, as well as the warm reception of these missions by the peoples of both countries, have created an unprecedented opportunity for peace which must not be lost if this generation and future generations are to be spared the tragedies of war.
- The provisions of the Charter of the United Nations and the other accepted norms of international law and legitimacy now provide accepted standards for the conduct of relations among all states.
- To achieve a relationship of peace, in the spirit of Article 2 of the United Nations Charter, future negotiations between Israel and any neighbor prepared to negotiate peace and security with it are necessary for the purpose of carrying out all the provisions and principles of Resolutions 242 and 338.
- Peace requires respect for the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force. Progress toward that goal can accelerate movement toward a new era of reconciliation in the Middle East marked by cooperation in promoting economic development, in maintaining stability and in assuring security.
- Security is enhanced by a relationship of peace and by cooperation between nations which enjoy normal relations. In addition, under the terms of peace treaties, the parties can, on the basis of reciprocity, agree to special security arrangements such as demilitarized zones, limited armaments areas, early warning stations, the presence of international forces, liaison, agreed measures for monitoring and other arrangements that they agree are useful.

## **Framework**

Taking these factors into account, the parties are determined to reach a just, comprehensive, and durable settlement of the Middle East conflict through the conclusion of peace treaties based on Security Council resolutions 242 and 338 in all their parts. Their purpose is to achieve peace and good neighborly relations. They recognize that for peace to endure, it must involve all those who have been most deeply affected by the conflict. They therefore agree that this framework, as appropriate, is intended by them to constitute a basis for peace not only between Egypt and Israel, but also between Israel and each of its other neighbors which is prepared to negotiate peace with Israel on this basis. With that objective in mind, they have agreed to proceed as follows:

### **A. West Bank and Gaza**

1. Egypt, Israel, Jordan and the representatives of the Palestinian people should participate in negotiations on the resolution of the Palestinian problem in all its aspects. To achieve that objective, negotiations relating to the West Bank and Gaza should proceed in three stages:

- a. Egypt and Israel agree that, in order to ensure a peaceful and orderly transfer of authority, and taking into account the security concerns of all the parties, there should be transitional arrangements for the West Bank and Gaza for a period not exceeding five years. In order to provide full autonomy to the inhabitants, under these arrangements the Israeli military government and its civilian administration will be withdrawn as soon as a self-governing authority has been freely elected by the inhabitants of these areas to replace the existing military government. To negotiate the details of a transitional arrangement, Jordan will be invited to join the negotiations on the basis of this framework. These new arrangements should give due consideration both to the principle of self-government by the inhabitants of these territories and to the legitimate security concerns of the parties involved.
- b. Egypt, Israel, and Jordan will agree on the modalities for establishing elected self-governing authority in the West Bank and Gaza. The delegations of Egypt and Jordan may include Palestinians from the West Bank and Gaza or other Palestinians as mutually agreed. The parties will negotiate an agreement which will define the powers and responsibilities of the self-governing authority to be exercised in the West Bank and Gaza. A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations. The agreement will also include arrangements for assuring internal and external security and public order. A strong local police force will be established, which may include Jordanian citizens. In addition, Israeli and Jordanian forces will participate in joint patrols and in the manning of control posts to assure the security of the borders.
- c. When the self-governing authority (administrative council) in the West Bank and Gaza is established and inaugurated, the transitional period of five years will begin. As soon as possible, but not later than the third year after the beginning of the transitional period, negotiations will take place to determine the final status of the West Bank and Gaza and its relationship with its neighbors and to conclude a peace treaty between Israel and Jordan by the end of the transitional period. These negotiations will be conducted among Egypt, Israel, Jordan and the elected representatives of the inhabitants of the West Bank and Gaza. Two separate but related committees will be convened, one committee, consisting of representatives of the four parties which will negotiate and agree on the final status of the West Bank and Gaza, and its relationship with its neighbors, and the second committee, consisting of representatives of Israel and representatives of Jordan to be joined by the elected representatives of the inhabitants of the West Bank and Gaza, to negotiate the peace treaty between Israel and Jordan, taking into account the agreement reached in the final status of the West Bank and Gaza. The negotiations shall be based on all the provisions and principles of UN Security Council Resolution 242. The negotiations will resolve, among other matters, the location of the boundaries and the nature of the security arrangements. The solution from the negotiations must also recognize the legitimate right of the Palestinian peoples and their just requirements. In this way, the Palestinians will participate in the determination of their own future through:
- i. The negotiations among Egypt, Israel, Jordan and the representatives of the inhabitants of the West Bank and Gaza to agree on the final status of the West Bank and Gaza and other outstanding issues by the end of the transitional period.
  - ii. Submitting their agreements to a vote by the elected representatives of the inhabitants of the West Bank and Gaza.
  - iii. Providing for the elected representatives of the inhabitants of the West Bank and Gaza to decide how they shall govern themselves consistent with the provisions of their agreement.
  - iv. Participating as stated above in the work of the committee negotiating the peace treaty between Israel and Jordan.
- d. All necessary measures will be taken and provisions made to assure the security of Israel and its neighbors during the transitional period and beyond. To assist in providing such security, a strong local police force will be constituted by the self-governing authority. It will be composed of inhabitants of the West Bank and Gaza. The police will maintain liaison on internal security matters with the designated Israeli, Jordanian, and Egyptian officers.
- e. During the transitional period, representatives of Egypt, Israel, Jordan, and the self-governing authority will constitute a continuing committee to decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern may also be dealt with by this committee.
- f. Egypt and Israel will work with each other and with other interested parties to establish

agreed procedures for a prompt, just and permanent implementation of the resolution of the refugee problem.

#### **B. Egypt-Israel**

1. Egypt-Israel undertake not to resort to the threat or the use of force to settle disputes. Any disputes shall be settled by peaceful means in accordance with the provisions of Article 33 of the U.N. Charter.
2. In order to achieve peace between them, the parties agree to negotiate in good faith with a goal of concluding within three months from the signing of the Framework a peace treaty between them while inviting the other parties to the conflict to proceed simultaneously to negotiate and conclude similar peace treaties with a view the achieving a comprehensive peace in the area. The Framework for the Conclusion of a Peace Treaty between Egypt and Israel will govern the peace negotiations between them. The parties will agree on the modalities and the timetable for the implementation of their obligations under the treaty.

#### **C. Associated Principles**

1. Egypt and Israel state that the principles and provisions described below should apply to peace treaties between Israel and each of its neighbors - Egypt, Jordan, Syria and Lebanon.
2. Signatories shall establish among themselves relationships normal to states at peace with one another. To this end, they should undertake to abide by all the provisions of the U.N. Charter. Steps to be taken in this respect include:
  - a. full recognition;
  - b. abolishing economic boycotts;
  - c. guaranteeing that under their jurisdiction the citizens of the other parties shall enjoy the protection of the due process of law.
3. Signatories should explore possibilities for economic development in the context of final peace treaties, with the objective of contributing to the atmosphere of peace, cooperation and friendship which is their common goal.
4. Claims commissions may be established for the mutual settlement of all financial claims.
5. The United States shall be invited to participated in the talks on matters related to the modalities of the implementation of the agreements and working out the timetable for the carrying out of the obligations of the parties.
6. The United Nations Security Council shall be requested to endorse the peace treaties and ensure that their provisions shall not be violated. The permanent members of the Security Council shall be requested to underwrite the peace treaties and ensure respect or the provisions. They shall be requested to conform their policies an actions with the undertaking contained in this Framework.

**For the Government of Israel:** Menachem Begin

**For the Government of the Arab Republic of Egypt:** Muhammed Anwar al-Sadat

**Witnessed by:** Jimmy Carter, President of the United States of America

#### **Framework for the Conclusion of a Peace Treaty between Egypt and Israel**

In order to achieve peace between them, Israel and Egypt agree to negotiate in good faith with a goal of concluding within three months of the signing of this framework a peace treaty between them:

##### **It is agreed that:**

- The site of the negotiations will be under a United Nations flag at a location or locations to be mutually agreed.
- All of the principles of U.N. Resolution 242 will apply in this resolution of the dispute between Israel and Egypt.
- Unless otherwise mutually agreed, terms of the peace treaty will be implemented between two and three years after the peace treaty is signed.

The following matters are agreed between the parties:

1. the full exercise of Egyptian sovereignty up to the internationally recognized border between Egypt and mandated Palestine;
2. the withdrawal of Israeli armed forces from the Sinai;
3. the use of airfields left by the Israelis near al-Arish, Rafah, Ras en-Naqb, and Sharm el-Sheikh for civilian purposes only, including possible commercial use only by all nations;

4. the right of free passage by ships of Israel through the Gulf of Suez and the Suez Canal on the basis of the Constantinople Convention of 1888 applying to all nations; the Strait of Tiran and Gulf of Aqaba are international waterways to be open to all nations for unimpeded and nonsuspendable freedom of navigation and overflight;
5. the construction of a highway between the Sinai and Jordan near Eilat with guaranteed free and peaceful passage by Egypt and Jordan; and
6. the stationing of military forces listed below.

#### **Stationing of Forces**

No more than one division (mechanized or infantry) of Egyptian armed forces will be stationed within an area lying approximately 50 km. (30 miles) east of the Gulf of Suez and the Suez Canal.

Only United Nations forces and civil police equipped with light weapons to perform normal police functions will be stationed within an area lying west of the international border and the Gulf of Aqaba, varying in width from 20 km. (12 miles) to 40 km. (24 miles).

In the area within 3 km. (1.8 miles) east of the international border there will be Israeli limited military forces not to exceed four infantry battalions and United Nations observers.

Border patrol units not to exceed three battalions will supplement the civil police in maintaining order in the area not included above.

The exact demarcation of the above areas will be as decided during the peace negotiations.

Early warning stations may exist to insure compliance with the terms of the agreement.

United Nations forces will be stationed:

1. in part of the area in the Sinai lying within about 20 km. of the Mediterranean Sea and adjacent to the international border, and
2. in the Sharm el-Sheikh area to insure freedom of passage through the Strait of Tiran; and these forces will not be removed unless such removal is approved by the Security Council of the United Nations with a unanimous vote of the five permanent members.

After a peace treaty is signed, and after the interim withdrawal is complete, normal relations will be established between Egypt and Israel, including full recognition, including diplomatic, economic and cultural relations; termination of economic boycotts and barriers to the free movement of goods and people; and mutual protection of citizens by the due process of law.

#### **Interim Withdrawal**

Between three months and nine months after the signing of the peace treaty, all Israeli forces will withdraw east of a line extending from a point east of El-Arish to Ras Muhammad, the exact location of this line to be determined by mutual agreement.

**For the Government of Israel:** Menachem Begin

**For the Government of the Arab Republic of Egypt:** Muhammed Anwar al-Sadat

**Witnessed by:** Jimmy Carter, President of the United States of America

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Report of the Secretary-General  
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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 45/83 A of 13 December 1990. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-sixth session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 20 November 1990 to 15 November 1991. It should be pointed out, however, that the report does not address the situation between Iraq and Kuwait. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1991 for a further period of six months until 30 November 1991 (resolution 695 (1991)).

4. The activities of the Force since May 1990 are described in two reports of the Secretary-General to the Security Council, dated 23 November 1990 (S/21950 and Corr.1) and 21 May 1991 (S/22631 and Add.1). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the cooperation of the parties, and there have been no serious incidents.

### B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1991 for a further period of six months until 31 January 1992 (resolution 701 (1991)). UNIFIL currently has some 5,844 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from 25 July 1990 until 20 July 1991 are described in two reports of the Secretary-General to the Security Council, dated 23 January 1991 (S/22129 and Add.1) and 21 July 1991 (S/22829). In those reports, the Secretary-General stated that UNIFIL continued to exert its best efforts to ensure the peaceful character of its area of deployment despite many difficulties. Israel continued to control in southern Lebanon next to the armistice demarcation line an area manned by the Israel Defence Forces (IDF) and the de facto forces (DFF). Operations by resistance groups against IDF and OFF were met by retaliatory action by the latter, which frequently resulted in firings close to, and occasionally at, UNIFIL positions. The Secretary-General also referred in those reports to progress in the implementation of the Taif Agreement and the deployment of the Lebanese Army in southern Lebanon in areas adjacent to UNIFIL's area of operation. He noted that these positive developments improved the prospects that UNIFIL would be able to carry out its mandate, which includes assistance to the Government in ensuring the return of its effective authority in the area. He has expressed himself in favour of the progressive transfer to the Lebanese Army of responsibility for security in the areas at present controlled by UNIFIL.

8. The review of the scale and deployment of UNIFIL, which the members of the Security Council requested the Secretary-General to undertake, was issued as an addendum to the Secretary-General's report on the operation of UNIFIL on 28 January 1991 (S/22129/Add.1). The recommendations of the Secretariat review team, which the Secretary-General believed to be along the right lines, were that, for the time being, there should be no substantive change in UNIFIL's functions nor in its deployment, but that certain measures should be taken to streamline the Force. Those measures would produce a savings of some 10 per cent in the military strength of UNIFIL. The Security Council, in extending the mandate of UNIFIL on 31 July 1991 for a further six-month period, recalled that report "without prejudice to the views of Member States thereon" (resolution 701 (1991)).

### C. United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group at Beirut and the Observer Group in Egypt.

10. The Observer Group at Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 10 observers.

11. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six outposts in the Sinai.

## **III. SITUATION IN THE OCCUPIED TERRITORIES**

12. The General Assembly, at its forty-fifth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/45/576), which is composed of representatives of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 45/74 A to G on 11 December 1990. By these resolutions, the General Assembly, *inter alia*, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 45/74 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and strongly demanded

that Israel accept the de jure applicability of the Convention and comply with its provisions (resolution 45/74 B); demanded that Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 (resolution 45/74 C); deplored the arbitrary detention or imprisonment by Israel of thousands of Palestinians (resolution 45/74 D); demanded that the Government of Israel rescind the illegal measures taken in deporting Palestinians and that it facilitate their immediate return (resolution 45/74 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 45/74 F); and condemned Israeli policies and practices against Palestinian students and faculty members in educational institutions in the occupied Palestinian territory and demanded that Israel comply with the provisions of the Fourth Geneva Convention, rescind all actions and measures taken against those institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of those institutions (resolution 45/74 G).

13. During the period under review, the Security Council met in December 1990, January, March and May 1991 to discuss the situation in the occupied Arab territories. On 20 December 1990, the Security Council adopted resolution 681 (1990). In a Presidential statement prior to the vote (S/22027), the members of the Security Council reaffirmed their determination to support an active negotiating process, in which all relevant parties would participate, leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations, which should be based on resolutions 242 (1967) and 338 (1973) of the Security Council and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people. In this contest, they agreed that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict. However, the members of the Council were of the view that there was not unanimity as to when would be the appropriate time for such a conference. In the view of the members of the Council, the Arab-Israeli conflict was important and unique and must be addressed independently, on its own merits. In resolution 681 (1990) the Security Council expressed its grave concern over the rejection by Israel of Security Council resolutions 672 (1990) and 673 (1990); deplored the decision by Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories urged Israel to accept the de jure applicability of the Fourth Geneva Convention to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the Convention; called upon the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention; requested the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea expressed in his report (S/21919) of convening a meeting of the High Contracting Parties to the Convention and to discuss possible measures that might be taken by them under the Convention and, for that purpose, to invite the parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other related matters, and to report thereon to the Council; also requested the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in that regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish that task and to keep the Security Council regularly informed; and further requested the Secretary-General to submit a first progress report to the Council by the first week of March 1991 and every four months thereafter. The first report requested of the Secretary-General was circulated as document S/22472. On 4 January 1991, in a statement by the President (S/22046), the members of the Security Council expressed their deep concern about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which had led to scores of casualties among those civilians; deplored those actions, particularly the shooting of civilians; reaffirmed the applicability of the Fourth Geneva Convention to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and requested that Israel, the occupying Power, fully comply with the provisions of the Convention; reaffirmed their positions, most recently expressed in Security Council resolution 681 (1990), and supported the work of the Secretary-General in implementing that resolution; and further urged intensified efforts by all who could contribute to reducing conflict and tension in order to achieve peace in the area. In a statement by the President (S/22408) on 27 March 1991, the members of the Security Council expressed their grave concern about the continued deterioration of the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and especially about the serious situation resulting from the imposition of curfews by Israel; deplored the decision of 24 March 1991 by Israel to expel four Palestinian civilians in violation of the Fourth Geneva Convention, which was applicable to all the above-mentioned territories, and in contravention of relevant resolutions of the Council; also called upon Israel to desist from deporting Palestinians and to ensure the safe return of those deported; and decided to keep the situation under review. On 24 May 1991 the Security Council adopted resolution 694 (1991), by which the members of the Council declared that the action of the Israeli authorities of deporting four Palestinians on 18 May 1991 was in violation of the Fourth Geneva Convention, which was applicable to all the Palestinian territo-

ries occupied by Israel since 1967, including Jerusalem; deplored this action and reiterated that Israel, the occupying Power, should refrain from deporting any Palestinian civilian from the occupied territories and ensure the safe and immediate return of all those deported and decided to keep the situation under review.

14. On 15 February 1991, the Commission on Human Rights adopted resolutions 1991/1 A and B concerning the question of the violation of human rights in the occupied Arab territories, including Palestine. The Commission also adopted on 15 February 1991 resolution 1991/2, by which it determined that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the Syrian Arab Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect. Furthermore, the Commission on Human Rights adopted resolution 1991/3 concerning Israeli settlements in the occupied Arab territories, by which it reaffirmed that the installation of Israeli civilians in the occupied territories was illegal and constituted a violation of the relevant provisions of the Fourth Geneva Convention and urged the Government of Israel to abstain from installing settlers, including immigrants, in the occupied territories.

15. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 45/74 A. Between meetings, the Special Committee was kept informed of events taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. At its meetings, the Special Committee reviewed that information and assessed the human rights situation in the occupied territories. In accordance with resolution 45/74 A, the General Assembly at its forty-sixth session will have before it the periodic reports of the Special Committee (A/46/65 and A/46/282), as well as the Special Committee's twenty-third report (A/46/522).

16. During its forty-fifth session, the General Assembly also adopted resolution 45/183 of 21 December 1990 concerning assistance to the Palestinian people. The report requested in that resolution has been circulated as document A/46/204- E/1991/80.

#### IV. PALESTINE REFUGEE PROBLEM

17. Following its consideration, at its forty-fifth session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1989 to 30 June 1990, 1/ the General Assembly adopted 11 resolutions on this subject on 11 December 1990. In resolution 45/73 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) had not been effected, that no substantial progress had been made in the Programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1991; directed attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

18. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 45/73 B); assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 45/73 C); offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 45/73 D) Palestine refugees in the Palestinian territory occupied by Israel since 1967 (resolution 45/73 E); resumption of the ration distribution to Palestine refugees (resolution 45/73 F); return of population and refugees displaced since 1967 (resolution 45/73 G); revenues derived from Palestine refugees' properties (resolution 45/73 H); protection of Palestine refugees (resolution 45/73 I) the University of Jerusalem "Al-Quds" for Palestine refugees (resolution (45/73 J); and protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of UNRWA in the occupied



Palestinian territory (resolution 45/73 K). The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1990 to 30 June 1991. <sup>2/</sup> The reports of the Secretary-General under resolutions 45/73 D, E, F, G, H, I, J and K have been circulated as documents A/46/535, A/46/536, A/46/537, A/46/538, A/46/399, A/46/539, A/46/540 and A/46/541 respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 45/73 A and the report of the Working Group on the Financing of UNRWA under resolution 45/73 B have been circulated as documents A/46/373 and A/46/622, respectively.

## V. QUESTION OF PALESTINE

19. At its forty-fifth session, on 6 December 1990, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 45/67 A, the Assembly endorsed the recommendations contained in paragraphs 93 to 102 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; <sup>3/</sup> requested the Committee to continue to keep under review the situation relating to the question of Palestine, as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; <sup>4/</sup> and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 45/67 B, the Assembly requested the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continued to discharge the tasks detailed in previous relevant resolutions of the General Assembly, in consultation with the Committee. In resolution 45/67 C, the Assembly requested the Department of Public Information of the Secretariat, in full cooperation and coordination with the Committee, to continue its special information programme on the question of Palestine. In resolution 45/68, the Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which was the question of Palestine called once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The Assembly reaffirmed the following principles for the achievement of comprehensive peace; the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. It noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process; once again invited the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

20. The report requested of the Secretary-General in resolution 45/68 has been circulated as A/46/623-S/23204.

21. In resolution 45/69, the General Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenseless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth; demanded that Israel, the occupying Power, abide scrupulously by the Fourth Geneva Convention and desist immediately from those policies and practices which are in violation of the provisions of the Convention; called upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof; strongly deplored the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council reaffirmed that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changed the legal status of those territories; requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territo-

ry occupied by Israel since 1967, including Jerusalem; invited Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people; and requested the Secretary-General to examine the situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

22. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the forty-sixth session of the General Assembly appears in document A/46/35. 5/

## VI. SITUATION IN THE MIDDLE EAST

23. At its forty-fifth session, on 13 December 1990, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 45/83 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, 6/ and reiterated by the Extraordinary Summit Conference of Arab States, held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic cooperation between the United States of America and Israel of 30 November 1981 and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and the racist regime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 45/83 deal with Israeli policies in the Syrian Arab Golan and the other occupied territories (resolution 45/83 B) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 45/83 C).

24. Resolutions 45/83 A to C were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from the Member States was circulated as document A/46/586.

25. By a letter dated 22 March 1991 (S/22385) the Secretary-General officially informed the Security Council of his decision to appoint a successor to Ambassador Gunnar Jarring following his retirement as Special Representative to the Middle East. Effective that day, Ambassador Edouard Brunner of Switzerland was appointed as

Special Representative to the Middle East in accordance with paragraph 3 of Security Council resolution 242 (1967) of 22 November 1967.

## VII. OBSERVATIONS

26. Since its thirty-second session, in 1977, the General Assembly has annually adopted a resolution requesting that the Secretary-General submit to it, at its subsequent session, a comprehensive report covering the developments in the Middle East in all their aspects. Throughout my tenure, I have, at the conclusion of each of these comprehensive reports, taken the opportunity to offer some general observations about the circumstances prevailing in the Middle East and, in particular, to emphasize the need to find ways to overcome the obstacles that have, for decades, prevented the achievement of a just and lasting peace in the region. As Secretary-General, I could not but be deeply concerned about a situation in which, year after year, violence and instability persisted in an area that had already experienced five major wars, and where events and trends in one part of the region almost invariably have serious repercussions elsewhere. Time and again, my reports to both the General Assembly and the Security Council have emphasized that the absence of a generally accepted and active negotiating process could only lead to a deterioration of the situation on the ground and greater suffering for the peoples of the area.

27. Given the dangers inherent in a prolonged stalemate at the diplomatic level, I have always maintained that no effort should be spared in the search for a comprehensive settlement of the Arab-Israeli conflict and the issue that lies at its core: the yearning of the Palestinian people to exercise their legitimate political rights, including self-determination. In this connection, I have actively pursued the mandate that the General Assembly has, since 1983, entrusted to the Secretary-General with respect to the convening of an international peace conference on the Middle East. As requested, in consultation with the Security Council, I was continuously in contact with leaders from Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the Palestine Liberation Organization in an effort to facilitate the convening of the conference. It is important to note, as has been indicated in my reports on the matter, that whereas it was not possible to achieve agreement among the parties to participate in such a conference, the positions of the parties, and indeed of the Security Council itself, with respect to an international conference have evolved over the years.

28. In this latter connection, Member States will recall that, following several weeks of intensive consultations, members of the Security Council, in conjunction with the adoption of its resolution 681 (1990) on 20 December 1990, in a statement by the President (S/22027), *inter alia*, reaffirmed their determination to support an active negotiating process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations, which should be based on resolutions 242 (1967) and 338 (1973) and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people. In this context, the Council agreed that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

29. With the above-mentioned statement in mind and in the light of circumstances prevailing in the region, I decided to reactivate the mission of the Special Representative to the Middle East, as called for in paragraph 3 of Security Council resolution 242 (1967). The post had been served with great distinction by Ambassador Gunnar Jarring of Sweden in the years immediately following the adoption of resolution 242 (1967) in November 1967. While the mission had been dormant for a lengthy interval, it is important to recall that it was never officially ended. On 11 January 1991, Ambassador Jarring submitted his resignation, whereupon I announced my intention to designate a successor.

30. On 21 March 1991, I informed the Security Council, in informal consultations, of my decision to appoint Ambassador Eduard Brunner of Switzerland as my Special Representative to the Middle East. For their part, the members of the Council welcomed this step. At the same time, it should be added that in my remarks to the Council I acknowledged the importance of the initiative that had, at that stage, just been launched by the United States of America regarding the peace process. I reiterated that I had always supported bilateral initiatives in the search for a just and lasting peace in the Middle East and that, to this end, any step undertaken by Ambassador Brunner or myself would be aimed at assisting such efforts.

31. Accordingly, I followed with keen interest the intensive and often arduous bilateral diplomatic efforts of the past few months that culminated in agreement by the parties to enter into a negotiating process, under the co-sponsorship of the United States and the Soviet Union, aimed at achieving in the words of the letter of invitation to the peace conference - "a just, lasting and comprehensive peace settlement through direct negotiations on two

tracks, between Israel and the Arab States, and between Israel and the Palestinians". It is important to note, in this connection, that although it is being conducted outside the framework of the United Nations, this process has the support of the parties concerned and has as its basis Security Council resolutions 242 (1967) and 338 (1973), which have long been recognized as the cornerstone of a comprehensive settlement.

32. Given my enduring commitment to peace in the Middle East, I should like to conclude this report with a tribute to the historic conference that took place in Madrid from 30 October to 1 November 1991 and the initial round of bilateral discussions that followed. It is my earnest hope that the momentum that has been generated by the Madrid talks will be sustained and that the lasting peace that has so long been denied to all the peoples of the Middle East will indeed become a reality.

#### Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

2/ Ibid., Forty-sixth Session, Supplement No. 13 and corrigendum and addendum (A/46/13 and Corr.1 and Add.1).

3/ Ibid., Forty-fifth Session, Supplement No. 35 (A/45/35).

4/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

5/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 35 (A/46/35).

6/ See A/37/696-S/15510, annex.

### P. 272 : « Declaration of Principles on Interim Self-Government Arrangements » of 13 September 1993

GENERAL ASSEMBLY  
Forty-eighth session  
Agenda item 10  
REPORT OF THE SECRETARY-GENERAL ON THE  
WORK OF THE ORGANIZATION

SECURITY COUNCIL  
Forty-eighth year

Letter dated 8 October 1993 from the Permanent Representatives  
of the Russian Federation and the United States of America to  
the United Nations addressed to the Secretary-General

As co-sponsors of the peace process launched at Madrid in October 1991 and witnesses to the signing at Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, we have the honour to enclose the above document (see annex).

We would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT Ambassador  
Permanent Representative  
to the United Nations of the  
United States of America

(Signed) Yuliy M. VORONTSOV  
Ambassador  
Permanent Representative  
to the United Nations of  
the Russian Federation

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Letter dated 8 October 1993 from the Permanent  
Representative of Israel to the United Nations  
addressed to the Secretary-General

I have the honour to enclose the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Gad YAACOBI  
Ambassador  
Permanent Representative

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Letter dated 8 October 1993 from the Permanent  
Observer of Palestine to the United Nations  
addressed to the Secretary-General

I have the honour to enclose the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA  
Permanent Observer of Palestine  
to the United Nations

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## ANNEX

### Declaration of Principles on Interim Self-Government Arrangements

The Government of the State of Israel and the PLO team (in the Jordanian-Palestinian delegation to the Middle East Peace Conference) (the "Palestinian Delegation"), representing the Palestinian people, agree that it is time to put an end to decades of confrontation and conflict, recognize their mutual legitimate and political rights, and strive to live in peaceful coexistence and mutual dignity and security and achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process. Accordingly, the two sides agree to the following principles:

#### Article I

##### AIM OF THE NEGOTIATIONS

The aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, the elected Council (the "Council"), for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973). It is understood that the interim arrangements are an integral part of the whole peace process and that the negotiations on the permanent status will lead to the implementation of Security Council resolutions 242 (1967) and 338 (1973).

#### Article II

##### FRAMEWORK FOR THE INTERIM PERIOD

The agreed framework for the interim period is set forth in this Declaration of Principles.

#### Article III

##### ELECTIONS

1. In order that the Palestinian people in the West Bank and Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections will be held for the Council under agreed supervision and international observation, while the Palestinian police will ensure public order.
2. An agreement will be concluded on the exact mode and conditions of the elections in accordance with the protocol attached as Annex I, with the goal of holding the elections not later than nine months after the entry into force of this Declaration of Principles.
3. These elections will constitute a significant interim preparatory step toward the realization of the legitimate rights of the Palestinian people and their just requirements.

#### Article IV

##### JURISDICTION

Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations. The two sides view the West Bank and the Gaza Strip as a single territorial unit, whose integrity will be preserved during the interim period.

#### Article V

##### TRANSITIONAL PERIOD AND PERMANENT STATUS NEGOTIATIONS

1. The five-year transitional period will begin upon the withdrawal from the Gaza Strip and Jericho area.
2. Permanent status negotiations will commence as soon as possible, but not later than the beginning of the third

year of the interim period, between the Government of Israel and the Palestinian people's representatives.

3. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbours, and other issues of common interest.

4. The two parties agree that the outcome of the permanent status negotiations should not be prejudiced or preempted by agreements reached for the interim period.

#### Article VI

### PREPARATORY TRANSFER OF POWERS AND RESPONSIBILITIES

1. Upon the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and the Jericho area, a transfer of authority from the Israeli military government and its Civil Administration to the authorized Palestinians for this task, as detailed herein, will commence. This transfer of authority will be of a preparatory nature until the inauguration of the Council.

2. Immediately after the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and Jericho area, with the view to promoting economic development in the West Bank and Gaza Strip, authority will be transferred to the Palestinians in the following spheres: education and culture, health, social welfare, direct taxation and tourism. The Palestinian side will commence in building the Palestinian police force, as agreed upon. Pending the inauguration of the Council, the two parties may negotiate the transfer of additional powers and responsibilities, as agreed upon.

#### Article VII

### INTERIM AGREEMENT

1. The Israeli and Palestinian delegations will negotiate an agreement on the interim period (the "Interim Agreement").

2. The Interim Agreement shall specify, among other things, the structure of the Council, the number of its members, and the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Council. The Interim Agreement shall also specify the Council's executive authority, legislative authority in accordance with Article IX below, and the independent Palestinian judicial organs.

3. The Interim Agreement shall include arrangements, to be implemented upon the inauguration of the Council, for the assumption by the Council of all of the powers and responsibilities transferred previously in accordance with Article VI above.

4. In order to enable the Council to promote economic growth, upon its inauguration, the Council will establish, among other things, a Palestinian Electricity Authority, a Gaza Sea Port Authority, a Palestinian Development Bank, a Palestinian Export Promotion Board, a Palestinian Environmental Authority, a Palestinian Land Authority and a Palestinian Water Administration Authority and any other Authorities agreed upon, in accordance with the Interim Agreement, that will specify their powers and responsibilities.

5. After the inauguration of the Council, the Civil Administration will be dissolved, and the Israeli military government will be withdrawn.

#### Article VIII

### PUBLIC ORDER AND SECURITY

In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council will establish a strong police force, while Israel will continue to carry the responsibility for defending against external threats, as well as the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.

#### Article IX

##### LAWS AND MILITARY ORDERS

1. The Council will be empowered to legislate, in accordance with the Interim Agreement, within all authorities transferred to it.
2. Both parties will review jointly laws and military orders presently in force in remaining spheres.

#### Article X

##### JOINT ISRAELI-PALESTINIAN LIAISON COMMITTEE

In order to provide for a smooth implementation of this Declaration of Principles and any subsequent agreements pertaining to the interim period, upon the entry into force of this Declaration of Principles, a Joint Israeli-Palestinian Liaison Committee will be established in order to deal with issues requiring coordination, other issues of common interest and disputes.

#### Article XI

##### ISRAELI-PALESTINIAN COOPERATION IN ECONOMIC FIELDS

Recognizing the mutual benefit of cooperation in promoting the development of the West Bank, the Gaza Strip and Israel, upon the entry into force of this Declaration of Principles, an Israeli-Palestinian Economic Cooperation Committee will be established in order to develop and implement in a cooperative manner the programmes identified in the protocols attached as Annex III and Annex IV.

#### Article XII

##### LIAISON AND COOPERATION WITH JORDAN AND EGYPT

The two parties will invite the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives, on the one hand, and the Governments of Jordan and Egypt, on the other hand, to promote cooperation between them. These arrangements will include the constitution of a Continuing Committee that will decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern will be dealt with by this Committee.

#### Article XIII

##### REDEPLOYMENT OF ISRAELI FORCES

1. After the entry into force of this Declaration of Principles, and not later than the eve of elections for the Council, a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place, in addition to withdrawal of Israeli forces carried out in accordance with Article XIV.
2. In redeploying its military forces, Israel will be guided by the principle that its military forces should be redeployed outside populated areas.
3. Further redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police force pursuant to Article VIII above.

#### Article XIV

##### ISRAELI WITHDRAWAL FROM THE GAZA STRIP AND JERICHO AREA

Israel will withdraw from the Gaza Strip and Jericho area, as detailed in the protocol attached as Annex II.



#### Article XV

### RESOLUTION OF DISPUTES

1. Disputes arising out of the application or interpretation of this Declaration of Principles, or any subsequent agreements pertaining to the interim period, shall be resolved by negotiations through the Joint Liaison Committee to be established pursuant to Article X above.
2. Disputes which cannot be settled by negotiations may be resolved by a mechanism of conciliation to be agreed upon by the parties.
3. The parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled through conciliation. To this end, upon the agreement of both parties, the parties will establish an Arbitration Committee.

#### Article XVI

### ISRAELI-PALESTINIAN COOPERATION CONCERNING REGIONAL PROGRAMMES

Both parties view the multilateral working groups as an appropriate instrument for promoting a "Marshall Plan", the regional programmes and other programmes, including special programmes for the West Bank and Gaza Strip, as indicated in the protocol attached as Annex IV.

#### Article XVII

### MISCELLANEOUS PROVISIONS

1. This Declaration of Principles will enter into force one month after its signing.
2. All protocols annexed to this Declaration of Principles and Agreed Minutes pertaining thereto shall be regarded as an integral part hereof.

DONE at Washington, D.C., this thirteenth day of September 1993.

For the Government of Israel:

(Signed) Shimon PERES

For the PLO:

(Signed) Mahmud ABBAS

Witnessed by:

The United States of America

(Signed) Warren CHRISTOPHER

The Russian Federation

(Signed) Andrei V. KOZYREV

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### ANNEX I

#### Protocol on the Mode and Conditions of Elections

1. Palestinians of Jerusalem who live there will have the right to participate in the election process, according to an agreement between the two sides.
2. In addition, the election agreement should cover, among other things, the following issues:

- (a) The system of elections;
  - (b) The mode of the agreed supervision and international observation and their personal composition;
  - (c) Rules and regulations regarding election campaigns, including agreed arrangements for the organizing of mass media, and the possibility of licensing a broadcasting and television station.
3. The future status of displaced Palestinians who were registered on 4 June 1967 will not be prejudiced because they are unable to participate in the election process owing to practical reasons.

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## ANNEX II

### Protocol on Withdrawal of Israeli Forces from the Gaza Strip and Jericho Area

1. The two sides will conclude and sign within two months from the date of entry into force of this Declaration of Principles an agreement on the withdrawal of Israeli military forces from the Gaza Strip and Jericho area. This agreement will include comprehensive arrangements to apply in the Gaza Strip and the Jericho area subsequent to the Israeli withdrawal.
2. Israel will implement an accelerated and scheduled withdrawal of Israeli military forces from the Gaza Strip and Jericho area, beginning immediately with the signing of the agreement on the Gaza Strip and Jericho area and to be completed within a period not exceeding four months after the signing of this agreement.
3. The above agreement will include, among other things:
  - (a) Arrangements for a smooth and peaceful transfer of authority from the Israeli military government and its Civil Administration to the Palestinian representatives;
  - (b) Structure, powers and responsibilities of the Palestinian authority in these areas, except: external security, settlements, Israelis, foreign relations and other mutually agreed matters;
  - (c) Arrangements for the assumption of internal security and public order by the Palestinian police force consisting of police officers recruited locally and from abroad (holding Jordanian passports and Palestinian documents issued by Egypt). Those who will participate in the Palestinian police force coming from abroad should be trained as police and police officers;
  - (d) A temporary international or foreign presence, as agreed upon;
  - (e) Establishment of a joint Palestinian-Israeli Coordination and Cooperation Committee for mutual security purposes;
  - (f) An economic development and stabilization programme including the establishment of an Emergency Fund, to encourage foreign investment and financial and economic support. Both sides will coordinate and cooperate jointly and unilaterally with regional and international parties to support these aims;
  - (g) Arrangements for a safe passage for persons and transportation between the Gaza Strip and Jericho area.
4. The above agreement will include arrangements for coordination between both parties regarding passages:
  - (a) Gaza - Egypt;
  - (b) Jericho - Jordan.
5. The offices responsible for carrying out the powers and responsibilities of the Palestinian authority under this Annex II and Article VI of the Declaration of Principles will be located in the Gaza Strip and in the Jericho area pending the inauguration of the Council.

6. Other than these agreed arrangements, 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 in the interim period.

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### ANNEX III

#### Protocol on Israeli-Palestinian Cooperation in Economic and Development Programmes

The two sides agree to establish an Israeli-Palestinian Continuing Committee for Economic Cooperation, focusing, among other things, on the following:

1. Cooperation in the field of water, including a Water Development Programme prepared by experts from both sides, which will also specify the mode of cooperation in the management of water resources in the West Bank and Gaza Strip, and will include proposals for studies and plans on water rights of each party, as well as on the equitable utilization of joint water resources for implementation in and beyond the interim period.
2. Cooperation in the field of electricity, including an Electricity Development Programme, which will also specify the mode of cooperation for the production, maintenance, purchase and sale of electricity resources.
3. Cooperation in the field of energy, including an Energy Development Programme, which will provide for the exploitation of oil and gas for industrial purposes, particularly in the Gaza Strip and in the Negev, and will encourage further joint exploitation of other energy resources. This Programme may also provide for the construction of a petrochemical industrial complex in the Gaza Strip and the construction of oil and gas pipelines.
4. Cooperation in the field of finance, including a Financial Development and Action Programme for the encouragement of international investment in the West Bank and the Gaza Strip, and in Israel, as well as the establishment of a Palestinian Development Bank.
5. Cooperation in the field of transport and communications, including a Programme, which will define guidelines for the establishment of a Gaza Sea Port Area, and will provide for the establishing of transport and communications lines to and from the West Bank and the Gaza Strip to Israel and to other countries. In addition, this Programme will provide for carrying out the necessary construction of roads, railways, communications lines, etc.
6. Cooperation in the field of trade, including studies, and Trade Promotion Programmes, which will encourage local, regional and interregional trade, as well as a feasibility study of creating free trade zones in the Gaza Strip and in Israel, mutual access to these zones and cooperation in other areas related to trade and commerce.
7. Cooperation in the field of industry, including Industrial Development Programmes, which will provide for the establishment of joint Israeli-Palestinian Industrial Research and Development Centres, will promote Palestinian-Israeli joint ventures, and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, diamonds, computer and science-based industries.
8. A Programme for cooperation in, and regulation of, labour relations and cooperation in social welfare issues.
9. A Human Resource Development and Cooperation Plan, providing for joint Israeli-Palestinian workshops and seminars, and for the establishment of joint vocational training centres, research institutes and data banks.
10. An Environmental Protection Plan, providing for joint and/or coordinated measures in this sphere.
11. A Programme for developing coordination and cooperation in the field of communications and media.
12. Any other programmes of mutual interest.

## ANNEX IV

### Protocol on Israeli-Palestinian Cooperation concerning Regional Development Programmes

1. The two sides will cooperate in the context of the multilateral peace efforts in promoting a Development Programme for the region, including the West Bank and the Gaza Strip, to be initiated by the Group of Seven. The parties will request the Group of Seven to seek the participation in this Programme of other interested States, such as members of the Organisation for Economic Cooperation and Development, regional Arab States and institutions, as well as members of the private sector.

2. The Development Programme will consist of two elements:

(a) An Economic Development Programme for the West Bank and the Gaza Strip;

(b) A Regional Economic Development Programme.

A. The Economic Development Programme for the West Bank and the Gaza Strip will consist of the following elements:

(1) A Social Rehabilitation Programme, including a Housing and Construction Programme;

(2) A Small and Medium Business Development Plan;

(3) An Infrastructure Development Programme (water, electricity, transportation and communications, etc.);

(4) A Human Resources Plan;

(5) Other programmes.

B. The Regional Economic Development Programme may consist of the following elements:

(1) The establishment of a Middle East Development Fund, as a first step, and a Middle East Development Bank, as a second step;

(2) The development of a joint Israeli-Palestinian-Jordanian Plan for coordinated exploitation of the Dead Sea area;

(3) The Mediterranean Sea (Gaza) - Dead Sea Canal;

(4) Regional desalinization and other water development projects;

(5) A regional plan for agricultural development, including a coordinated regional effort for the prevention of desertification;

(6) Interconnection of electricity grids;

(7) Regional cooperation for the transfer, distribution and industrial exploitation of gas, oil and other energy resources;

(8) A Regional Tourism, Transportation and Telecommunications Development Plan;

(9) Regional cooperation in other spheres.

3. The two sides will encourage the multilateral working groups and will coordinate towards their success. The two parties will encourage inter-sessional activities, as well as pre-feasibility and feasibility studies, within the various multilateral working groups.

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Agreed Minutes to the Declaration of Principles  
on Interim Self-Government Arrangements

A. GENERAL UNDERSTANDINGS AND AGREEMENTS

Any powers and responsibilities transferred to the Palestinians pursuant to the Declaration of Principles prior to the inauguration of the Council will be subject to the same principles pertaining to Article IV, as set out in these Agreed Minutes below.

B. SPECIFIC UNDERSTANDINGS AND AGREEMENTS

Article IV

It is understood that:

1. Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, military locations and Israelis.
2. The Council's jurisdiction will apply with regard to the agreed powers, responsibilities, spheres and authorities transferred to it.

Article VI (2)

It is agreed that the transfer of authority will be as follows:

1. The Palestinian side will inform the Israeli side of the names of the authorized Palestinians who will assume the powers, authorities and responsibilities that will be transferred to the Palestinians according to the Declaration of Principles in the following fields: education and culture, health, social welfare, direct taxation, tourism and any other authorities agreed upon.
2. It is understood that the rights and obligations of these offices will not be affected.
3. Each of the spheres described above will continue to enjoy existing budgetary allocations in accordance with arrangements to be mutually agreed upon. These arrangements also will provide for the necessary adjustments required in order to take into account the taxes collected by the direct taxation office.
4. Upon the execution of the Declaration of Principles, the Israeli and Palestinian delegations will immediately commence negotiations on a detailed plan for the transfer of authority on the above offices in accordance with the above understandings.

Article VII (2)

The Interim Agreement will also include arrangements for coordination and cooperation.

Article VII (5)

The withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities not transferred to the Council.

Article VIII

It is understood that the Interim Agreement will include arrangements for cooperation and coordination between the two parties in this regard. It is also agreed that the transfer of powers and responsibilities to the Palestinian police will be accomplished in a phased manner, as agreed in the Interim Agreement.

### Article X

It is agreed that, upon the entry into force of the Declaration of Principles, the Israeli and Palestinian delegations will exchange the names of the individuals designated by them as members of the Joint Israeli-Palestinian Liaison Committee. It is further agreed that each side will have an equal number of members in the Joint Committee. The Joint Committee will reach decisions by agreement. The Joint Committee may add other technicians and experts, as necessary. The Joint Committee will decide on the frequency and place or places of its meetings.

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### ANNEX II

It is understood that, subsequent to the Israeli withdrawal, Israel will continue to be responsible for external security, and for internal security and public order of settlements and Israelis. Israeli military forces and civilians may continue to use roads freely within the Gaza Strip and the Jericho area.

DONE at Washington, D.C., this thirteenth day of September 1993.

For the Government of Israel:

(Signed) Shimon PERES

The United States of America

(Signed) Warren CHRISTOPHER

Witnessed By:

For the PLO:

(Signed) Mahmud ABBAS

The Russian Federation

(Signed) Andrei V. KOZYREV

## P. 299 : Echange de lettres de reconnaissance entre l'OLP et l'Etat d'Israël

### **Israel-PLO Recognition:**

#### **Exchange of Letters between PM Rabin and Chairman Arafat**

#### **1. LETTER FROM YASSER ARAFAT TO PRIME MINISTER RABIN:**

September 9, 1993

Yitzhak Rabin  
Prime Minister of Israel

Mr. Prime Minister,

The signing of the Declaration of Principles marks a new era in the history of the Middle East. In firm conviction thereof, I would like to confirm the following PLO commitments:

The PLO recognizes the right of the State of Israel to exist in peace and security.

The PLO accepts United Nations Security Council Resolutions 242 and 338.

The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to permanent status will be resolved through negotiations.

The PLO considers that the signing of the Declaration of Principles constitutes a historic event, inaugurating a new epoch of peaceful coexistence, free from violence and all other acts which endanger peace and stability. Accordingly, the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.

In view of the promise of a new era and the signing of the Declaration of Principles and based on Palestinian acceptance of Security Council Resolutions 242 and 338, the PLO affirms that those articles of the Palestinian Covenant which deny Israel's right to exist, and the provisions of the Covenant which are inconsistent with the commitments of this letter are now inoperative and no longer valid. Consequently, the PLO undertakes to submit to the Palestinian National Council for formal approval the necessary changes in regard to the Palestinian Covenant.

Sincerely,

*Yasser Arafat*  
Chairman  
The Palestine Liberation Organization

## **2. LETTER FROM YASSER ARAFAT TO NORWEGIAN FOREIGN MINISTER:**

September 9, 1993

His Excellency  
Johan Jorgen Holst  
Foreign Minister of Norway

Dear Minister Holst,

I would like to confirm to you that, upon the signing of the Declaration of Principles, the PLO encourages and calls upon the Palestinian people in the West Bank and Gaza Strip to take part in the steps leading to the normalization of life, rejecting violence and terrorism, contributing to peace and stability and participating actively in shaping reconstruction, economic development and cooperation.

Sincerely,

*Yasser Arafat*  
Chairman  
The Palestine Liberation Organization

## **3. LETTER FROM PRIME MINISTER RABIN TO YASSER ARAFAT:**

September 9, 1993

Yasser Arafat  
Chairman  
The Palestinian Liberation Organization

Mr. Chairman,

In response to your letter of September 9, 1993, I wish to confirm to you that, in light of the PLO commitments included in your letter, the Government of Israel has decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.

*Yitzhak Rabin*  
Prime Minister of Israel

P. 309 : A/49/300-S/939 of 5 August 1994

GENERAL ASSEMBLY  
Forty-ninth session  
Item 38 of the provisional agenda\*  
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL  
Forty-ninth year

**Letter dated 5 August 1994 from the Permanent Representatives of Israel, Jordan, the Russian Federation and the United States of America to the United Nations addressed to the Secretary-General**

We have the honour to enclose the text of the Washington Declaration, signed at Washington, D.C., on 25 July 1994, by the Governments of the Hashemite Kingdom of Jordan and of the State of Israel, and witnessed by the United States of America (see annex).

As the cosponsors of the peace process launched at Madrid in October 1991 and of the signatories to the document, we would be grateful if you would have the present letter and its annex circulated as an official document of the forty-ninth session of the General Assembly, under item 38 of the provisional agenda, and of the Security Council.

(Signed) Ambassador Gad YAACOB Permanent Representative of Israel to the United Nations	(Signed) Ambassador Adnan S. ABU ODEH Permanent Representative of Jordan to the United Nations
(Signed) Ambassador Madeleine K. AL- BRIGHT Permanent Representative of the United States to the United Nations	(Signed) Ambassador Yuliy M. VORONT- SOV Permanent Representative of the the Russian Federation to the United Nations



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\* A/49/150.

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## ANNEX

### Washington Declaration, signed at Washington, D.C., on 25 July 1994 by the Governments of Jordan and Israel and witnessed by the United States of America

A. After generations of hostility, blood and tears and in the wake of years of pain and wars, His Majesty King Hussein and Prime Minister Yitzhak Rabin are determined to bring an end to bloodshed and sorrow. It is in this spirit that His Majesty King Hussein of the Hashemite Kingdom of Jordan and Prime Minister and Minister of Defence, Mr. Yitzhak Rabin of Israel, met at Washington, D.C., today at the invitation of President William J. Clinton of the United States of America. This initiative of President William J. Clinton constitutes an historic landmark in the United States' untiring efforts in promoting peace and stability in the Middle East. The personal involvement of the President has made it possible to realize agreement on the content of this historic declaration. The signing of this declaration bears testimony to the President's vision and devotion to the cause of peace.

B. In their meeting, His Majesty King Hussein and Prime Minister Yitzhak Rabin jointly reaffirmed the five underlying principles of their understanding on an agreed common agenda designed to reach the goal of a just, lasting and comprehensive peace between the Arab States and the Palestinians, with Israel.

1. Jordan and Israel aim at the achievement of just, lasting and comprehensive peace between Israel and its neighbours and at the conclusion of a treaty of peace between both countries.

2. The two countries will vigorously continue their negotiations to arrive at a state of peace, based on Security Council resolutions 242 (1967) and 338 (1973) in all their aspects, and founded on freedom, equality and justice.

3. Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines. In addition, the two sides have agreed to act together to promote interfaith relations among the three monotheistic religions.

4. The two countries recognize their right and obligation to live in peace with each other as well as with all States within secure and recognized boundaries. The two States affirmed their respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area.

5. The two countries desire to develop good neighbourly relations of cooperation between them to ensure lasting security and to avoid threats and the use of force between them.

C. The long conflict between the two States is now coming to an end. In this spirit, the state of belligerency between Jordan and Israel has been terminated.

D. Following this declaration and in keeping with the agreed common agenda both countries will refrain from actions or activities by either side that may adversely affect the security of the other or may prejudice the final outcome of negotiations. Neither side will threaten the other by use of force, weapons or any other means against each other and both sides will thwart threats to security resulting from all kinds of terrorism.

E. His Majesty King Hussein and Prime Minister Yitzhak Rabin took note of the progress made in the bilateral negotiations within the Jordan-Israel track last week on the steps decided to implement the sub-agendas on borders, territorial matters, security, water, energy, environment and the Jordan Rift Valley.

In this framework, mindful of items of the agreed common agenda (borders and territorial matters) they noted that the boundary subcommission reached agreement in July 1994 in fulfilment of part of the role entrusted to it in the sub-agenda. They also noted that the subcommission for water, environment and energy agreed to recognize mutually, as a result of their negotiations, the rightful allocations of the two sides in Jordan River and Yarmouk River waters and to respect fully and comply with the negotiated rightful allocations, in accordance with agreed acceptable principles with mutually acceptable quality.

Similarly, His Majesty King Hussein and Prime Minister Yitzhak Rabin expressed their deep satisfaction and pride in the work of the trilateral commission in its meeting held in Jordan on Wednesday, 20 July 1994, hosted by the Jordanian Prime Minister, Dr. Abdessalam al-Majali, and attended by Secretary of State Warren Christopher and Foreign Minister Shimon Peres. They voiced their pleasure at the association and commitment of the United States in this endeavour.

F. His Majesty King Hussein and Prime Minister Yitzhak Rabin believe that steps must be taken both to overcome psychological barriers and to break with the legacy of war. By working with optimism towards the dividends of peace for all the people in the region, Jordan and Israel are determined to shoulder their responsibilities towards the human dimension of peacemaking. They recognize imbalances and disparities are a root cause of extremism which thrives on poverty and unemployment and the degradation of human dignity. In this spirit His Majesty King Hussein and Prime Minister Yitzhak Rabin have today approved a series of steps to symbolize the new era which is now at hand:

1. Direct telephone links will be opened between Jordan and Israel.
2. The electricity grids of Jordan and Israel will be linked as part of a regional concept.
3. Two new border crossings will be opened between Jordan and Israel - one at the southern tip of Aqaba-Eilat and the other at a mutually agreed point in the north.
4. In principle free access will be given to third country tourists travelling between Jordan and Israel.
5. Negotiations will be accelerated on opening an international air corridor between both countries.

6. The police forces of Jordan and Israel will cooperate in combating crime, with emphasis on smuggling and particularly drug smuggling. The United States will be invited to participate in this joint endeavour.

7. Negotiations on economic matters will continue in order to prepare for future bilateral cooperation including the abolition of all economic boycotts.

All these steps are being implemented within the framework of regional infrastructural development plans and in conjunction with the Jordan-Israel bilaterals on boundaries, security, water and related issues and without prejudice to the final outcome of the negotiations on the items included in the agreed common agenda between Jordan and Israel.

G. His Majesty King Hussein and Prime Minister Yitzhak Rabin have agreed to meet periodically or whenever they feel necessary to review the progress of the negotiations and express their firm intention to shepherd and direct the process in its entirety.

H. In conclusion, His Majesty King Hussein and Prime Minister Yitzhak Rabin wish to express once again their profound thanks and appreciation to President William J. Clinton and his Administration for their untiring efforts in furthering the cause of peace, justice and prosperity for all the peoples of the region. They wish to thank the President personally for his warm welcome and hospitality. In recognition of their appreciation to the President, His Majesty King Hussein and Prime Minister Yitzhak Rabin have asked President William J. Clinton to sign this document as a witness and as a host to their meeting.

(Signed) His Majesty King HUSSEIN		(Signed) Prime Minister Yit- zhak RABIN
	(Signed) President William J. CLINTON	

P. 308 : A/49/180-S/1994/727 of 20 June 1994

A la vue de l'importance du document (256 pages), à consulter directement sur le site de l'UNISPAL :

<http://domino.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/15af20b2f7f41905852560a7004ab2d5!OpenDocument>

P. 311 : A/51/889-S/1997/357 of 5 May 1997

GENERAL ASSEMBLY  
Fifty-first session  
Agenda item 10  
REPORT OF THE SECRETARY-GENERAL  
ON THE WORK OF THE ORGANIZATION

SECURITY COUNCIL  
Fifty-second year

Letter dated 27 December 1995 from the Permanent Representatives  
of the Russian Federation and the United States of America to  
the United Nations addressed to the Secretary-General

As co-sponsors of the peace process launched at Madrid in October 1991, and witnesses to the signing at Washington, D.C., on 28 September 1995, of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, by the Government of Israel and the Palestine Liberation Organization, we have the honour to enclose the above document (see annex).

We would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT  
Ambassador  
Permanent Representative of the United  
States of America to the United Nations

(Signed) Sergey V. LAVROV  
Ambassador  
Permanent Representative of the  
Russian Federation to the United Na-  
tions

Letter dated 28 December 1995 from the Permanent Representative of  
Israel to the United Nations addressed to the Secretary-General

I have the honour to enclose the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed at Washington, D.C., on 28 September 1995, by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America, the Russian Federation, Egypt, Jordan, Norway and the European Union (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Gad YAACOBI  
Ambassador  
Permanent Representative of  
Israel to the United Nations

Letter dated 19 December 1995 from the Permanent Observer  
of Palestine to the United Nations addressed to the  
Secretary-General

I have the honour to enclose the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed at Washington, D.C., on 28 September 1995, by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America, the Russian Federation, Egypt, Jordan, Norway and the European Union (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA  
Permanent Observer of  
Palestine to the United Nations

## ANNEX

### Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip\*

Washington, D.C., 28 September 1995

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\* The original annexes to the Agreement, including the maps, have been placed in the Treaty Section of the Office of Legal Affairs, and are available for consultation by interested Member States.

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The Government of the State of Israel and the Palestine Liberation Organization (hereinafter "the PLO"), the representative of the Palestinian people;

## PREAMBLE

<b>WITHIN REAFFIRMING</b>	framework of the Middle East peace process initiated at Madrid in October 1991; their determination to put an end to decades of confrontation and to live in peaceful coexistence, mutual dignity and security, while recognizing their mutual legitimate and political rights;
<b>REAFFIRMING</b>	their desire to achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process;
<b>RECOGNIZING</b>	that the peace process and the new era that it has created, as well as the new relationship established between the two Parties as described above, are irreversible, and the determination of the two Parties to maintain, sustain and continue the peace process;
<b>RECOGNIZING</b>	that the aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, <i>i.e.</i> the elected Council (hereinafter "the Council" or "the Palestinian Council"), and the elected Ra'ees of the Executive Authority, for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years from the date of signing the Agreement on the Gaza Strip and the Jericho Area (hereinafter "the Gaza-Jericho Agreement") on May 4, 1994, leading to a permanent settlement based on Security Council Resolutions 242 and 338;
<b>REAFFIRMING</b>	their understanding that the interim self-government arrangements contained in this Agreement are an integral part of the whole peace process, that the negotiations on the permanent status, that will start as soon as possible but not later than May 4, 1996, will lead to the implementation of Security Council Resolutions 242 and 338, and that the Interim Agreement shall settle all the issues of the interim period and that no such issues will be deferred to the agenda of the permanent status negotiations;
<b>REAFFIRMING</b>	their adherence to the mutual recognition and commitments expressed in the letters dated September 9, 1993, signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO;
<b>DESIROUS</b>	of putting into effect 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 DOP") and in particular Article III and Annex I concerning the holding of direct, free and general political elections for the Council and the Ra'ees of the Executive Authority in order that the Palestinian people in the West Bank, Jerusalem and the Gaza Strip may democratically elect accountable representatives;
<b>RECOGNIZING</b>	that these elections will constitute a significant interim preparatory step toward the realization of the legitimate rights of the Palestinian people and their just requirements and will provide a democratic basis for the establishment of Palestinian institutions;
<b>REAFFIRMING</b>	their mutual commitment to act, in accordance with this Agreement, immediately, efficiently and effectively against acts or threats of terrorism, violence or incitement, whether committed by Palestinians or Israelis;
<b>FOLLOWING</b>	the Gaza-Jericho Agreement, the Agreement on Preparatory Transfer of Powers and Responsibilities signed at Erez on August 29, 1994 (hereinafter "the Prepara-

tory Transfer Agreement"); and the Protocol on Further Transfer of Powers and Responsibilities signed at Cairo on August 27, 1995 (hereinafter "the Further Transfer Protocol"); which three agreements will be superseded by this Agreement;  
as follows:

**HEREBY AGREE**

## **CHAPTER I - THE COUNCIL**

### **ARTICLE I**

#### **Transfer of Authority**

1. Israel shall transfer powers and responsibilities as specified in this Agreement from the Israeli military government and its Civil Administration to the Council in accordance with this Agreement. Israel shall continue to exercise powers and responsibilities not so transferred.
2. Pending the inauguration of the Council the powers and responsibilities transferred to the Council shall be exercised by the Palestinian Authority established in accordance with the Gaza-Jericho Agreement, which shall also have all the rights, liabilities and obligations to be assumed by the Council in this regard. Accordingly, the term "Council throughout this Agreement shall, pending the inauguration of the Council be construed as meaning the Palestinian Authority.
3. The transfer of powers and responsibilities to the police force established by the Palestinian Council in accordance with Article XIV below (hereinafter "the Palestinian Police") shall be accomplished in a phased manner, as detailed in this Agreement and in the Protocol concerning Redeployment and Security Arrangements attached as Annex I to this Agreement (hereinafter "Annex I").
4. As regards the transfer and assumption of authority in civil spheres, powers and responsibilities shall be transferred and assumed as set out in the Protocol Conceding Civil Affairs attached as Annex III to this Agreement (hereinafter "Annex III").
5. After the inauguration of the Council the Civil Administration in the West Bank will be dissolved, and the Israeli military government shall be withdrawn. The withdrawal of the military government shall not prevent it from exercising the powers and responsibilities not transferred to the Council.
6. A Joint Civil Affairs Coordination and Cooperation Committee (hereinafter "the CAC"), Joint Regional Civil Affairs Subcommittees, one for the Gaza Strip and the other for the West Bank, and District Civil Liaison Offices in the West Bank shall be established in order to provide for coordination and cooperation in civil affairs between the Council and Israel, as detailed in Annex III.
7. The offices of the Council, and the offices of its Ra'ees and its Executive Authority and other committees, shall be located in areas under Palestinian territorial jurisdiction in the West Bank and the Gaza Strip.

### **ARTICLE II**

#### **Elections**

1. In order that the Palestinian people of the West Bank and the Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections will be held for the Council and the Ra'ees of the Executive Authority of the Council in accordance with the provisions set out in the Protocol concerning Elections attached as Annex II to this Agreement (hereinafter "Annex II").
2. These elections will constitute a significant interim preparatory step towards the realization of the legitimate rights of the Palestinian people and their just requirements and will provide a democratic basis for the establishment of Palestinian institutions.
3. Palestinians of Jerusalem who live there may participate in the election process in accordance with the provi-

sions contained in this Article and in Article VI of Annex II (Election Arrangements concerning Jerusalem).

4. The elections shall be called by the Chairman of the Palestinian Authority immediately following the signing of this Agreement to take place at the earliest practicable date following the redeployment of Israeli forces in accordance with Annex I, and consistent with the requirements of the election timetable as provided in Annex II, the Election Law and the Election Regulations, as defined in Article I of Annex II.

### **ARTICLE III**

#### **Structure of the Palestinian Council**

1. The Palestinian Council and the Ra'ees of the Executive Authority of the Council constitute the Palestinian Interim Self-Government Authority, which will be elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip for the transitional period agreed in Article I of the DOP.

2. The Council shall possess both legislative power and executive power, in accordance with Articles VII and IX of the DOP. The Council shall carry out and be responsible for all the legislative and executive powers and responsibilities transferred to it under this Agreement. The exercise of legislative powers shall be in accordance with Article XVIII of this Agreement (Legislative Powers of the Council).

3. The Council and the Ra'ees of the Executive Authority of the Council shall be directly and simultaneously elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip, in accordance with the provisions of this Agreement and the Election Law and Regulations, which shall not be contrary to the provisions of this Agreement.

4. The Council and the Ra'ees of the Executive Authority of the Council shall be elected for a transitional period not exceeding five years from the signing of the Gaza-Jericho Agreement on May 4, 1994.

5. Immediately upon its inauguration, the Council will elect from among its members a Speaker. The Speaker will preside over the meetings of the Council, administer the Council and its committees, decide on the agenda of each meeting, and lay before the Council proposals for voting and declare their results.

6. The jurisdiction of the Council shall be as determined in Article XVII of this Agreement (Jurisdiction).

7. The organization, structure and functioning of the Council shall be in accordance with this Agreement and the Basic Law for the Palestinian Interim Self-Government Authority, which Law shall be adopted by the Council. The Basic Law and any regulations made under it shall not be contrary to the provisions of this Agreement.

8. The Council shall be responsible under its executive powers for the offices, services and departments transferred to it and may establish, within its jurisdiction, ministries and subordinate bodies, as necessary for the fulfillment of its responsibilities.

9. The Speaker will present for the Council's approval proposed internal procedures that will regulate, among other things, the decision-making processes of the Council.

### **ARTICLE IV**

#### **Size of the Council**

The Palestinian Council shall be composed of 82 representatives and the Ra'ees of the Executive Authority, who will be directly and simultaneously elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip.

### **ARTICLE V**

#### **The Executive Authority of the Council**



1. The Council will have a committee that will exercise the executive authority of the Council, formed in accordance with paragraph 4 below (hereinafter "the Executive Authority").
2. The Executive Authority shall be bestowed with the executive authority of the Council and will exercise it on behalf of the Council. It shall determine its own internal procedures and decision making processes.
3. The Council will publish the names of the members of the Executive Authority immediately upon their initial appointment and subsequent to any changes.
4. a. The Ra'ees of the Executive Authority shall be an *ex officio* member of the Executive Authority.  
b. All of the other members of the Executive Authority, except as provided in subparagraph c. below, shall be members of the Council, chosen and proposed to the Council by the Ra'ees of the Executive Authority and approved by the Council.  
c. The Ra'ees of the Executive Authority shall have the right to appoint some persons, in number not exceeding twenty percent of the total membership of the Executive Authority, who are not members of the Council, to exercise executive authority and participate in government tasks. Such appointed members may not vote in meetings of the Council.  
d. Non-elected members of the Executive Authority must have a valid address in an area under the jurisdiction of the Council.

## **ARTICLE VI**

### **Other Committees of the Council**

1. The Council may form small committees to simplify the proceedings of the Council and to assist in controlling the activity of its Executive Authority.
2. Each committee shall establish its own decision-making processes within the general framework of the organization and structure of the Council.

## **ARTICLE VII**

### **Open Government**

1. All meetings of the Council and of its committees, other than the Executive Authority, shall be open to the public, except upon a resolution of the Council or the relevant committee on the grounds of security, or commercial or personal confidentiality.
2. Participation in the deliberations of the Council, its committees and the Executive Authority shall be limited to their respective members only. Experts may be invited to such meetings to address specific issues on an *ad hoc* basis.

## **ARTICLE VIII**

### **Judicial Review**

Any person or organization affected by any act or decision of the Ra'ees of the Executive Authority of the Council or of any member of the Executive Authority, who believes that such act or decision exceeds the authority of the Ra'ees or of such member, or is otherwise incorrect in law or procedure, may apply to the relevant Palestinian Court of Justice for a review of such activity or decision.

## **ARTICLE IX**

### **Powers and Responsibilities of the Council**

1. Subject to the provisions of this Agreement, the Council will, within its jurisdiction, have legislative powers as set out in Article XVIII of this Agreement, as well as executive powers.

2. The executive power of the Palestinian Council shall extend to all matters within its jurisdiction under this Agreement or any future agreement that may be reached between the two Parties during the interim period. It shall include the power to formulate and conduct Palestinian policies and to supervise their implementation, to issue any rule or regulation under powers given in approved legislation and administrative decisions necessary for the realization of Palestinian self-government, the power to employ staff, sue and be sued and conclude contracts, and the power to keep and administer registers and records of the population, and issue certificates, licenses and documents.

3. The Palestinian Council's executive decisions and acts shall be consistent with the provisions of this Agreement.

4. The Palestinian Council may adopt all necessary measures in order to enforce the law and any of its decisions, and bring proceedings before the Palestinian courts and tribunals.

5. a. In accordance with the DOP, the Council will not have powers and responsibilities in the sphere of foreign relations, which sphere includes the establishment abroad of embassies, consulates or other types of foreign missions and posts or permitting their establishment in the West Bank or the Gaza Strip, the appointment of or admission of diplomatic and consular staff, and the exercise of diplomatic functions.

b. Notwithstanding the provisions of this paragraph, the PLO may conduct negotiations and sign agreements with states or international organizations for the benefit of the Council in the following cases only:

(1) economic agreements, as specifically provided in Annex V of this Agreement;

(2) agreements with donor countries for the purpose of implementing arrangements for the provision of assistance to the Council;

(3) agreements for the purpose of implementing the regional development plans detailed in Annex IV of the DOP or in agreements entered into in the framework of the multilateral negotiations, and

(4) cultural, scientific and educational agreements.

c. Dealings between the Council and representatives of foreign states and international organizations, as well as the establishment in the West Bank and the Gaza Strip of representative offices other than those described in subparagraph 5.a above, for the purpose of implementing the agreements referred to in subparagraph 5.b above, shall not be considered foreign relations.

6. Subject to the provisions of this Agreement, the Council shall, within its jurisdiction, have an independent judicial system composed of independent Palestinian courts and tribunals.

## **CHAPTER 2 - REDEPLOYMENT AND SECURITY ARRANGEMENTS**

### **ARTICLE X**

#### **Redeployment of Israeli Military Forces**

1. The first phase of the Israeli military forces redeployment will cover populated areas in the West Bank - cities, towns, villages, refugee camps and hamlets - as set out in Annex I, and will be completed prior to the eve of the Palestinian elections, *i.e.*, 22 days before the day of the elections.

2. Further redeployments of Israeli military forces to specified military locations will commence after the inauguration of the Council and will be gradually implemented commensurate with the assumption of responsibility

for public order and internal security by the Palestinian Police, to be completed within 18 months from the date of the inauguration of the Council as detailed in Articles XI (Land) and XIII (Security), below and in Annex I.

3. The Palestinian Police shall be deployed and shall assume responsibility for public order and internal security for Palestinians in a phased manner in accordance with Article XIII (Security) below and Annex I.

4. Israel shall continue to carry the responsibility for external security, as well as the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.

5. For the purpose of this Agreement, "Israeli military forces" includes Israel Police and other Israeli security forces.

## **ARTICLE XI**

### **Land**

1. The two sides view the West Bank and the Gaza Strip as a single territorial unit, the integrity and status of which will be preserved during the interim period.

2. The two sides agree that West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations, will come under the jurisdiction of the Palestinian Council in a phased manner, to be completed within 18 months from the date of the inauguration of the Council, as specified below:

a. Land in populated areas (Areas A and B), including government and Waqf land, will come under the jurisdiction of the Council during the first phase of redeployment.

b. All civil powers and responsibilities, including planning and zoning, in Areas A and B, set out in Annex III, will be transferred to and assumed by the Council during the first phase of redeployment.

c. In Area C, during the first phase of redeployment Israel will transfer to the Council civil powers and responsibilities not relating to territory, as set out in Annex III.

d. The further redeployments of Israeli military forces to specified military locations will be gradually implemented in accordance with the DOP in three phases, each to take place after an interval of six months, after the inauguration of the Council, to be completed within 18 months from the date of the inauguration of the Council.

e. During the further redeployment phases to be completed within 18 months from the date of the inauguration of the Council, powers and responsibilities relating to territory will be transferred gradually to Palestinian jurisdiction that will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.

f. The specified military locations referred to in Article X, paragraph 2 above will be determined in the further redeployment phases, within the specified time-frame ending not later than 18 months from the date of the inauguration of the Council, and will be negotiated in the permanent status negotiations.

3. For the purpose of this Agreement and until the completion of the first phase of the further redeployments:

a. "Area A" means the populated areas delineated by a red line and shaded in brown on attached map No. 1;

b. "Area B" means the populated areas delineated by a red line and shaded in yellow on attached map No. 1, and the built-up area of the hamlets listed in Appendix 6 to Annex I; and

c. "Area C" means areas of the West Bank outside Areas A and B, which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in accordance with this Agreement.

## **ARTICLE XII**

## **Arrangements for Security and Public Order**

1. In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council shall establish a strong police force as set out in Article XIV below. Israel shall continue to carry the responsibility for defense against external threats, including the responsibility for protecting the Egyptian and Jordanian borders, and for defense against external threats from the sea and from the air, as well as the responsibility for overall security of Israelis and Settlements, for the purpose of safeguarding their internal security and public order, and will have all the powers to take the steps necessary to meet this responsibility.
2. Agreed security arrangements and coordination mechanisms are specified in Annex I.
3. A Joint Coordination and Cooperation Committee for Mutual Security Purposes (hereinafter "the JSC"), as well as Joint Regional Security Committees (hereinafter "RSCs") and Joint District Coordination Offices (hereinafter "DCOs"), are hereby established as provided for in Annex I.
4. The security arrangements provided for in this Agreement and in Annex I may be reviewed at the request of either Party and may be amended by mutual agreement of the Parties. Specific review arrangements are included in Annex I.
5. For the purpose of this Agreement, "the Settlements" means, in the West Bank - the settlements in Area C; and in the Gaza Strip - the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, as shown on attached map No. 2.

## **ARTICLE XIII**

### **Security**

1. The Council will, upon completion of the redeployment of Israeli military forces in each district, as set out in Appendix 1 to Annex I, assume the powers and responsibilities for internal security and public order in Area A in that district.
2. a. There will be a complete redeployment of Israeli military forces from Area B. Israel will transfer to the Council and the Council will assume responsibility for public order for Palestinians. Israel shall have the overriding responsibility for security; for the purpose of protecting Israelis and confronting the threat of terrorism.  
  
b. In Area B the Palestinian Police shall assume the responsibility for public order for Palestinians and shall be deployed in order to accommodate the Palestinian needs and requirements in the following manner:
  - (1) The Palestinian Police shall establish 25 police stations and posts in towns, villages, and other places listed in Appendix 2 to Annex I and as delineated on map No. 3. The West Bank RSC may agree on the establishment of additional police stations and posts, if required.
  - (2) The Palestinian Police shall be responsible for handling public order incidents in which only Palestinians are involved.
  - (3) The Palestinian Police shall operate freely in populated places where police stations and posts are located, as set out in paragraph b(1) above.
  - (4) While the movement of uniformed Palestinian policemen in Area B outside places where there is a Palestinian police station or post will be carried out after coordination and confirmation through the relevant DCO, three months after the completion of redeployment from Area B, the DCOs may decide that movement of Palestinian policemen from the police stations in Area B to Palestinian towns and villages in Area B on roads that are used only by Palestinian traffic will take place after notifying the DCO.
  - (5) The coordination of such planned movement prior to confirmation through the relevant DCO shall include a scheduled plan, including the number of policemen, as well as the type and number of weapons and vehicles intended to take part. It shall also include details of arrangements for ensuring continued coordination through appropriate communication links, the exact schedule of movement to the area of the planned operation, including

the destination and routes thereto, its proposed duration and the schedule for returning to the police station or post.

The Israeli side of the DCO will provide the Palestinian side with its response, following a request for movement of policemen in accordance with this paragraph, in normal or routine cases within one day and in emergency cases no later than 2 hours.

(6) The Palestinian Police and the Israeli military forces will conduct joint security activities on the main roads as set out in Annex I.

(7) The Palestinian Police will notify the West Bank RSC of the names of the policemen, number plates of police vehicles and serial numbers of weapons, with respect to each police station and post in Area B.

(8) Further redeployments from Area C and transfer of internal security responsibility to the Palestinian Police in Areas B and C will be carried out in three phases each to take place after an interval of six months, to be completed 18 months after the inauguration of the Council, except for the issues of permanent status negotiations and of Israel's overall responsibility for Israelis and borders.

(9) The procedures detailed in this paragraph will be reviewed within six months of the completion of the first phase of redeployment.

## **ARTICLE XIV**

### **The Palestinian Police**

1. The Council shall establish a strong police force. The duties, functions, structure, deployment and composition of the Palestinian Police, together with provisions regarding its equipment and operation, as well as rules of conduct, are set out in Annex I.

2. The Palestinian police force established under the Gaza-Jericho Agreement will be fully integrated into the Palestinian Police and will be subject to the provisions of this Agreement.

3. Except for the Palestinian Police and the Israeli military forces, no other armed forces shall be established or operate in the West Bank and the Gaza Strip.

4. Except for the arms, ammunition and equipment of the Palestinian Police described in Annex I, and those of the Israeli military forces, no organization, group or individual in the West Bank and the Gaza Strip shall manufacture, sell, acquire, possess, import or otherwise introduce into the West Bank or the Gaza Strip any firearms, ammunition, weapons, explosives, gunpowder or any related equipment, unless otherwise provided for in Annex I.

## **ARTICLE XV**

### **Prevention of Hostile Acts**

1. Both sides shall take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other, against individuals falling under the other's authority and against their property, and shall take legal measures against offenders.

2. Specific provisions for the implementation of this Article are set out in Annex I.

## **ARTICLE XVI**

### **Confidence Building Measures**

With a view to fostering a positive and supportive public atmosphere to accompany the implementation of this Agreement, to establish a solid basis of mutual trust and good faith, and in order to facilitate the anticipated

cooperation and new relations between the two peoples, both Parties agree to carry out confidence building measures as detailed herewith:

1. Israel will release or turn over to the Palestinian side, Palestinian detainees and prisoners, residents of the West Bank and the Gaza Strip. The first stage of release of these prisoners and detainees will take place on the signing of this Agreement and the second stage will take place prior to the date of the elections. There will be a third stage of release of detainees and prisoners. Detainees and prisoners will be released from among categories detailed in Annex VII (Release of Palestinian Prisoners and Detainees). Those released will be free to return to their homes in the West Bank and the Gaza Strip.

2. Palestinians who have maintained contact with the Israeli authorities will not be subjected to acts of harassment, violence, retribution or prosecution. Appropriate ongoing measures will be taken, in coordination with Israel, in order to ensure their protection.

3. Palestinians from abroad whose entry into the West Bank and the Gaza Strip is approved pursuant to this Agreement, and to whom the provisions of this Article are applicable, will not be prosecuted for offenses committed prior to September 13, 1993.

### **CHAPTER 3 - LEGAL AFFAIRS**

#### **ARTICLE XVII**

##### **Jurisdiction**

1. In accordance with the DOP, the jurisdiction of the Council will cover West Bank and Gaza Strip territory as a single territorial unit, except for:

a. issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis; and

b. powers and responsibilities not transferred to the Council.

2. Accordingly, the authority of the Council encompasses all matters that fall within its territorial, functional and personal jurisdiction, as follows:

a. The territorial jurisdiction of the Council shall encompass Gaza Strip territory, except for the Settlements and the Military Installation Area shown on map No. 2, and West Bank territory, except for Area C which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in three phases, each to take place after an interval of six months, to be completed 18 months after the inauguration of the Council. At this time, the jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.

Territorial jurisdiction includes land, subsoil and territorial waters, in accordance with the provisions of this Agreement.

b. The functional jurisdiction of the Council extends to all powers and responsibilities transferred to the Council, as specified in this Agreement or in any future agreements that may be reached between the Parties during the interim period.

c. The territorial and functional jurisdiction of the Council will apply to all persons, except for Israelis, unless otherwise provided in this Agreement.

d. Notwithstanding subparagraph a. above, the Council shall have functional jurisdiction in Area C, as detailed in Article IV of Annex III.

3. The Council has, within its authority, legislative, executive and judicial powers and responsibilities, as provided for in this Agreement.

4. a. Israel, through its military government, has the authority over areas that are not under the territorial jurisdiction

tion of the Council, powers and responsibilities not transferred to the Council and Israelis.

b. To this end, the Israeli military government shall retain the necessary legislative, judicial and executive powers and responsibilities, in accordance with international law. This provision shall not derogate from Israel's applicable legislation over Israelis *in personam*.

5. The exercise of authority with regard to the electromagnetic sphere and air space shall be in accordance with the provisions of this Agreement.

6. Without derogating from the provisions of this Article, legal arrangements detailed in the Protocol Concerning Legal Matters attached as Annex IV to this Agreement (hereinafter "Annex IV") shall be observed. Israel and the Council may negotiate further legal arrangements.

7. Israel and the Council shall cooperate on matters of legal assistance in criminal and civil matters through a legal committee (hereinafter "the Legal Committee"), hereby established.

8. The Council's jurisdiction will extend gradually to cover West Bank and Gaza Strip territory, except for the issues to be negotiated in the permanent status negotiations, through a series of redeployments of the Israeli military forces. The first phase of the redeployment of Israeli military forces will cover populated areas in the West Bank - cities, towns, refugee camps and hamlets, as set out in Annex I - and will be completed prior to the eve of the Palestinian elections, *i.e.* 22 days before the day of the elections. Further redeployments of Israeli military forces to specified military locations will commence immediately upon the inauguration of the Council and will be effected in three phases, each to take place after an interval of six months, to be concluded no later than eighteen months from the date of the inauguration of the Council.

## **ARTICLE XVIII**

### **Legislative Powers of the Council**

1. For the purposes of this Article, legislation shall mean any primary and secondary legislation, including, basic laws, laws, regulations and other legislative acts.

2. The Council has the power, within its jurisdiction as defined in Article XVII of this Agreement, to adopt legislation.

3. While the primary legislative power shall lie in the hands of the Council as a whole, the Ra'ees of the Executive Authority of the Council shall have the following legislative powers:

a. the power to initiate legislation or to present proposed legislation to the Council;

b. the power to promulgate legislation adopted by the Council; and

c. the power to issue secondary legislation, including regulations, relating to any matters specified and within the scope laid down in any primary legislation adopted by the Council.

4. a. Legislation, including legislation which amends or abrogates existing laws or military orders, which exceeds the jurisdiction of the Council or which is otherwise inconsistent with the provisions of the DOP, this Agreement, or of any other agreement that may be reached between the two sides during the interim period, shall have no effect and shall be void *ab initio*.

b. The Rateses of the Executive Authority of the Council shall not promulgate legislation adopted by the Council if such legislation falls under the provisions of this paragraph.

5. All legislation shall be communicated to the Israeli side of the Legal Committee.

6. Without derogating from the provisions of paragraph 4 above, the Israeli side of the Legal Committee may refer for the attention of the Committee any legislation regarding which Israel considers the provisions of paragraph 4 apply, in order to discuss issues arising from such legislation. The Legal Committee will consider the legislation referred to it at the earliest opportunity.

## **ARTICLE XIX**

### **Human Rights and the Rule of Law**

Israel and the Council shall exercise their powers and responsibilities pursuant to this Agreement with due regard to internationally-accepted norms and principles of human rights and the rule of law.

## **ARTICLE XX**

### **Rights, Liabilities and Obligations**

1. a. The transfer of powers and responsibilities from the Israeli military government and its civil administration to the Council, as detailed in Annex III, includes all related rights, liabilities and obligations arising with regard to acts or omissions which occurred prior to such transfer. Israel will cease to bear any financial responsibility regarding such acts or omissions and the Council will bear all financial responsibility for these and for its own functioning.

b. Any financial claim made in this regard against Israel will be referred to the Council.

c. Israel shall provide the Council with the information it has regarding pending and anticipated claims brought before any court or tribunal against Israel in this regard.

d. Where legal proceedings are brought in respect of such a claim, Israel will notify the Council and enable it to participate in defending the claim and raise any arguments on its behalf.

e. In the event that an award is made against Israel by any court or tribunal in respect of such a claim, the Council shall immediately reimburse Israel the full amount of the award.

f. Without prejudice to the above, where a court or tribunal hearing such a claim finds that liability rests solely with an employee or agent who acted beyond the scope of the powers assigned to him or her, unlawfully or with willful malfeasance, the Council shall not bear financial responsibility.

2. a. Notwithstanding the provisions of paragraphs 1.d through 1.f above, each side may take the necessary measures, including promulgation of legislation, in order to ensure that such claims by Palestinians, including pending claims in which the hearing of evidence has not yet begun, are brought only before Palestinian courts or tribunals in the West Bank and the Gaza Strip, and are not brought before or heard by Israeli courts or tribunals.

b. Where a new claim has been brought before a Palestinian court or tribunal subsequent to the dismissal of the claim pursuant to subparagraph a. above, the Council shall defend it and, in accordance with subparagraph 1.a above, in the event that an award is made for the plaintiff, shall pay the amount of the award.

c. The Legal Committee shall agree on arrangements for the transfer of all materials and information needed to enable the Palestinian courts or tribunals to hear such claims as referred to in subparagraph b. above, and, when necessary, for the provision of legal assistance by Israel to the Council in defending such claims.

3. The transfer of authority in itself shall not affect rights, liabilities and obligations of any person or legal entity, in existence at the date of signing of this Agreement.

4. The Council, upon its inauguration, will assume all the rights, liabilities and obligations of the Palestinian Authority.

5. For the purpose of this Agreement, "Israelis" also includes Israeli statutory agencies and corporations registered in Israel.

## **ARTICLE XXI**



### **Settlement of Differences and Disputes**

Any difference relating to the application of this Agreement shall be referred to the appropriate coordination and cooperation mechanism established under this Agreement. The provisions of Article XV of the DOP shall apply to any such difference which is not settled through the appropriate coordination and cooperation mechanism, namely:

1. Disputes arising out of the application or interpretation of this Agreement or any related agreements pertaining to the interim shall be settled through the Liaison Committee.
2. Disputes which cannot be settled by negotiations may be settled by a mechanism of conciliation to be agreed between the Parties.
3. The Parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled through conciliation. To this end, upon the agreement of both Parties, the Parties will establish an Arbitration Committee.

## **CHAPTER 4 - COOPERATION**

### **ARTICLE XXII**

#### **Relations between Israel and the Council**

1. Israel and the Council shall seek to foster mutual understanding and tolerance and shall accordingly abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.
2. Israel and the Council will ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will refrain from the introduction of any motifs that could adversely affect the process of reconciliation.
3. Without derogating from the other provisions of this Agreement, Israel and the Council shall cooperate in combating criminal activity which may affect both sides, including offenses related to trafficking in illegal drugs and psychotropic substances, smuggling, and offenses against property, including offenses related to vehicles.

### **ARTICLE XXIII**

#### **Cooperation with Regard to Transfer of Powers and Responsibilities**

In order to ensure a smooth, peaceful and orderly transfer of powers and responsibilities, the two sides will cooperate with regard to the transfer of security powers and responsibilities in accordance with the provisions of Annex I, and the transfer of civil powers and responsibilities in accordance with the provisions of Annex III.

### **ARTICLE XXIV**

#### **Economic Relations**

The economic relations between the two sides are set out in the Protocol on Economic Relations, signed in Paris on April 29, 1994, and the Appendices thereto, and the Supplement to the Protocol on Economic Relations, all attached as Annex V, and will be governed by the relevant provisions of this Agreement and its Annexes.

### **ARTICLE XXV**

#### **Cooperation Programs**

1. The Parties agree to establish a mechanism to develop programs of cooperation between them. Details of such cooperation are set out in Annex VI.
2. A Standing Cooperation Committee to deal with issues arising in the context of this cooperation is hereby established as provided for in Annex VI.

## **ARTICLE XXVI**

### **The Joint Israeli-Palestinian Liaison Committee**

1. The Liaison Committee established pursuant to Article X of the DOP shall ensure the smooth implementation of this Agreement. It shall deal with issues requiring coordination, other issues of common interest and disputes.
2. The Liaison Committee shall be composed of an equal number of members from each Party. It may add other technicians and experts as necessary.
3. The Liaison Committee shall adopt its rules of procedures, including the frequency and place or places of its meetings.
4. The Liaison Committee shall reach its decisions by agreement.
5. The Liaison Committee shall establish a subcommittee that will monitor and steer the implementation of this Agreement (hereinafter "the Monitoring and Steering Committee"). It will function as follows:
  - a. The Monitoring and Steering Committee will, on an ongoing basis, monitor the implementation of this Agreement, with a view to enhancing the cooperation and fostering the peaceful relations between the two sides.
  - b. The Monitoring and Steering Committee will steer the activities of the various joint committees established in this Agreement (the JSC, the CAC, the Legal Committee, the Joint Economic Committee and the Standing Cooperation Committee) concerning the ongoing implementation of the Agreement, and will report to the Liaison Committee.
  - c. The Monitoring and Steering Committee will be composed of the heads of the various committees mentioned above.
  - d. The two heads of the Monitoring and Steering Committee will establish its rules of procedures, including the frequency and places of its meetings.

## **ARTICLE XXVII**

### **Liaison and Cooperation with Jordan and Egypt**

1. Pursuant to Article XII of the DOP, the two Parties have invited the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives on the one hand, and the Governments of Jordan and Egypt on the other hand, to promote cooperation between them. As part of these arrangements a Continuing Committee has been constituted and has commenced its deliberations.
2. The Continuing Committee shall decide by agreement on the modalities of admission of persons displaced from the West Bank and the Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder.
3. The Continuing Committee shall also deal with other matters of common concern.

## **ARTICLE XXVIII**

### **Missing Persons**

1. Israel and the Council shall cooperate by providing each other with all necessary assistance in the conduct of searches for missing persons and bodies of persons which have not been recovered. as well as by providing information about missing persons.

2. The PLO undertakes to cooperate with Israel and to assist it in its efforts to locate and to return to Israel Israeli soldiers who are missing in action and the bodies of soldiers which have not been recovered.

## **CHAPTER 5 - MISCELLANEOUS PROVISIONS**

### **ARTICLE XXIX**

#### **Safe Passage between the West Bank and the Gaza Strip**

Arrangements for safe passage of persons and transportation between the West Bank and the Gaza Strip are set out in Annex I.

### **ARTICLE XXX**

#### **Passages**

Arrangements for coordination between Israel and the Council regarding passage to and from Egypt and Jordan, as well as any other agreed international crossings, are set out in Annex I.

### **ARTICLE XXXI**

#### **Final Clauses**

1. This Agreement shall enter into force on the date of its signing.

2. The Gaza-Jericho Agreement, except for Article XX (Confidence-Building Measures), the Preparatory Transfer Agreement and the Further Transfer Protocol will be superseded by this Agreement.

3. The Council, upon its inauguration, shall replace the Palestinian Authority and shall assume all the undertakings and obligations of the Palestinian Authority under the Gaza-Jericho Agreement, the Preparatory Transfer Agreement, and the Further Transfer Protocol.

4. The two sides shall pass all necessary legislation to implement this Agreement.

5. Permanent status negotiations will commence as soon as possible, but not later than May 4, 1996, between the Parties. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.

6. Nothing in this Agreement shall prejudice or preempt the outcome of the negotiations on the permanent status to be conducted pursuant to the DOP. Neither Party shall be deemed, by virtue of having entered into this Agreement, to have renounced or waived any of its existing rights, claims or positions.

7. Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.

8. The two Parties view the West Bank and the Gaza Strip as a single territorial unit, the integrity and status of which will be preserved during the interim period.

9. The PLO undertakes that, within two months of the date of the inauguration of the Council, the Palestinian National Council will convene and formally approve the necessary changes in regard to the Palestinian Covenant, as undertaken in the letters signed by the Chairman of the PLO and addressed to the Prime Minister of

Israel, dated September 9, 1993 and May 4, 1994.

10. Pursuant to Annex I, Article IX of this Agreement, Israel confirms that the Permanent checkpoints on the roads leading to and from the Jericho Area (except those related to the access road leading from Mousa Alami to the Allenby Bridge) will be removed upon the completion of the first phase of redeployment.

11. Prisoners who, pursuant to the Gaza-Jericho Agreement, were turned over to the Palestinian Authority on the condition that they remain in the Jericho Area for the remainder of their sentence, will be free to return to their homes in the West Bank and the Gaza Strip upon the completion of the first phase of redeployment.

12. As regards relations between Israel and the PLO, and without derogating from the commitments contained in the letters signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO, dated September 9, 1993 and May 4, 1994, the two sides will apply between them the provisions contained in Article XXII, paragraph 1, with the necessary changes.

13.a. The Preamble to this Agreement, and all Annexes, Appendices and maps attached hereto, shall constitute an integral part hereof.

b. The Parties agree that the maps attached to the Gaza-Jericho Agreement as:

a. map No. 1 (The Gaza Strip), an exact copy of which is attached to this Agreement as map No. 2 (in this Agreement "map No. 2");

b. map No. 4 (Deployment of Palestinian Police in the Gaza Strip), an exact copy of which is attached to this Agreement as map No. 5 (in this Agreement "map No. 5"); and

c. map No. 6 (Maritime Activity Zones), an exact copy of which is attached to this Agreement as map No. 8 (in this Agreement "map No. 8");

are an integral part hereof and will remain in effect for the duration of this Agreement.

14. While the Jeftlik area will come under the functional and personal jurisdiction of the Council in the first phase of redeployment, the area's transfer to the territorial jurisdiction of the Council will be considered by the Israeli side in the first phase of the further redeployment phases.

Done at Washington DC, this 28th day of September, 1995.

(Signed) Yitshak RABIN  
(Signed) Shimon PERES  
For the Government of the  
State of Israel

(Signed) Yasser ARAFAT  
For the PLO

Witnessed by

(Signed) William J. CLINTON  
(Signed) Warren CHRISTOPHER  
The United States of America  
(Signed) Amre MOUSSA  
The Arab Republic of Egypt  
(Signed) Bjørn Tore GODAL  
The Kingdom of Norway

(Signed) Andrei V. KOZYREV  
The Russian Federation  
(Signed) Hussein IBN TALAL  
The Hashemite Kingdom of Jordan  
(Signed) Felipe GONZALEZ  
The European Union

P. 327 : S/PRST/1998/21 of 13 July 1998

**STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL**

At the 3904th meeting of the Security Council, held on 13 July 1998, in connection with the Council's consideration of the item entitled "The situation in the occupied Arab territories", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the letters dated 18 and 22 June 1998 (S/1998/535 and S/1998/557), as well as the letters dated 8, 9 and 15 June 1998 (S/1998/481, S/1998/487 and S/1998/511), from the Permanent Observer of Palestine to the United Nations, and the letter dated 23 June 1998 (S/1998/558) from the Permanent Representative of the Sudan to the United Nations on behalf of the States members of the League of Arab States relating to the issue of Jerusalem.

"The Security Council recognizes the importance and sensitivity of the issue of Jerusalem to all parties and expresses its support for the decision of the Palestine Liberation Organization and the Government of Israel, in accordance with the Declaration of Principles of 13 September 1993, that the permanent status negotiations shall cover the issue of Jerusalem. The Council therefore calls upon the parties to avoid actions which might prejudice the outcome of these negotiations.

"In the context of its previous relevant resolutions, the Security Council considers the decision by the Government of Israel on 21 June 1998 to take steps to broaden the jurisdiction and planning boundaries of Jerusalem a serious and damaging development. The Council therefore calls upon the Government of Israel not to proceed with that decision and also not to take any other steps which would prejudice the outcome of the permanent status negotiations. Further, the Council also calls upon Israel to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

"The Security Council supports the efforts of the United States aimed at breaking the stalemate in the peace process, calls upon the parties to respond positively to these efforts, notes that the Palestinian side has already given agreement in principle to the United States proposals, and expresses the hope that the permanent status negotiations can resume and progress can be made towards the achievement of a just, lasting and comprehensive peace based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

"The Security Council will keep Israeli actions under review."

P. 327 : A/ES-10/273 of 13 July 2004

Tenth emergency special session

Agenda item 5

Illegal Israeli actions in Occupied East Jerusalem  
and the rest of the Occupied Palestinian Territory

**Letter dated 13 July 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Malaysia to the United Nations addressed to the President of the General Assembly**

On behalf of the Chairman of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to refer to the letter dated 12 July 2004 addressed to you by H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein, Ambassador and Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations, in his capacity as Chair-

man of the Arab Group for the month of July 2004 and on behalf of the States members of the League of Arab States. I have the further honour to convey to you the support of the Non-Aligned Movement for the request of the Arab Group to resume the meetings of the tenth emergency special session of the General Assembly in order to consider the Advisory Opinion of the International Court of Justice of 9 July 2004 on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory.

(Signed) **Yean Yoke Heng**  
Chargé d'affaires a.i.

Permanent Mission of Malaysia to the United Nations in New York,  
on behalf of the Chairman of the Coordinating Bureau  
of the Non-Aligned Movement

## P. 339 : Agreement – Sharm el-Sheikh Memorandum – Non-UN Document (4 September 1999)

### **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 Ibrahim (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.<sup>1</sup>

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

<sup>1</sup> 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.

## P. 352 : The Moratinos « Non-Paper » on Taba negotiations – Non-UN Document (27 January 2001)

**Taba, January 2001**

### **Introduction**

This EU non-paper has been prepared by the EU Special Representative to the Middle East Process, Ambassador Moratinos, and his team after consultations with the Israeli and Palestinian sides, present at Taba in January 2001. Although the paper has no official status, it has been acknowledged by the parties as being a relatively fair description of the outcome of the negotiations on the permanent status issues at Taba. It draws attention to the extensive work which has been undertaken on all permanent status issues like territory, Jerusalem, refugees and security in order to find ways to come to joint positions. At the same time it shows that there are serious gaps and differences between the two sides, which will have to be overcome in future negotiations. From that point of view, the paper reveals the challenging task ahead in terms of policy determination and legal work, but it also shows that both sides have traveled a long way to accommodate the views of the other side and that solutions are possible.

### **1. Territory**

The two sides agreed that in accordance with the UN Security Council Resolution 242, the June 4 1967 lines would be the basis for the borders between Israel and the state of Palestine.

#### **1.1 West Bank**

For the first time both sides presented their own maps over the West Bank. The maps served as a basis for the discussion on territory and settlements. The Israeli side presented two maps, and the Palestinian side engaged on this basis. The Palestinian side presented some illustrative maps detailing its understanding of Israeli interests in the West Bank.

The negotiations tackled the various aspects of territory, which could include some of the settlements and how the needs of each party could be accommodated. The Clinton parameters served as a loose basis for the discussion, but differences of interpretations regarding the scope and meaning of the parameters emerged. The Palestinian side stated that it had accepted the Clinton proposals but with reservations.

The Israeli side stated that the Clinton proposals provide for annexation of settlement blocs. The Palestinian side did not agree that the parameters included blocs, and did not accept proposals to annex blocs. The Palestinian side stated that blocs would cause significant harm to the Palestinian interests and rights, particularly to the Palestinians residing in areas Israel seeks to annex.

The Israeli side maintained that it is entitled to contiguity between and among their settlements. The Palestinian side stated that Palestinian needs take priority over settlements. The Israeli maps included plans for future development of Israeli settlements in the West Bank. The Palestinian side did not agree to the principle of allowing further development of settlements in the West Bank. Any growth must occur inside Israel.

The Palestinian side maintained that since Israel has needs in Palestinian territory, it is responsible for proposing the necessary border modifications. The Palestinian side reiterated that such proposals must not adversely affect the Palestinian needs and interests.

The Israeli side stated that it did not need to maintain settlements in the Jordan Valley for security purposes, and its proposed maps reflected this position.

The Israeli maps were principally based on a demographic concept of settlements blocs that would incorporate approximately 80 percent on the settlers. The Israeli side sketched a map presenting a 6 percent annexation, the outer limit of the Clinton proposal. The Palestinian illustrative map presented 3.1 percent in the context of a land swap.

Both sides accepted the principle of land swap but the proportionality of the swap remained under discussion. Both sides agreed that Israeli and Palestinian sovereign areas will have respective sovereign contiguity. The Israeli side wished to count "assets" such as Israelis "safe passage/corridor" proposal as being part of the land swap, even though the proposal would not give Palestine sovereignty over these "assets". The Israeli side adhered to a maximum 3 percent land swap as per Clinton proposal.

The Palestinian maps had a similar conceptual point of reference stressing the importance of a non-annexation of any Palestinian villages and the contiguity of the West Bank and Jerusalem. They were predicated on the principle of a land swap that would be equitable in size and value and in areas adjacent to the border with Palestine, and in the same vicinity as the annexed by Israel. The Palestinian side further maintained that land not under Palestinian sovereignty such as the Israeli proposal regarding a "safe passage/corridor" as well as economic interests are not included in the calculation of the swap.

The Palestinian side maintained that the "No-Man's-Land" (Latrun area) is part of the West Bank. The Israelis did not agree.

The Israeli side requested an additional 2 percent of land under a lease arrangement to which the Palestinians responded that the subject of lease can only be discussed after the establishment of a Palestinian state and the transfer of land to Palestinian sovereignty.

## **1.2 Gaza Strip**

Neither side presented any maps over the Gaza Strip. It was implied that the Gaza Strip will be under total Palestinian sovereignty, but details have still to be worked out. All settlements will be evacuated. The Palestinian side claimed it could be arranged in 6 months, a timetable not agreed by the Israeli side.

## **1.3 Safe passage/corridor from Gaza to the West Bank**

Both sides agreed that there is going to be a safe passage from the north of Gaza (Beit Hanun) to the Hebron district, and that the West Bank and the Gaza Strip must be territorially linked. The nature of the regime governing the territorial link and sovereignty over it was not agreed.

## **2. Jerusalem**

### **2.1 Sovereignty**

Both sides accepted in principle the Clinton suggestion of having a Palestinian sovereignty over Arab neighborhoods and an Israeli sovereignty over Jewish neighborhoods. The Palestinian side affirmed that it was ready to discuss Israeli request to have sovereignty over those Jewish settlements in East Jerusalem that were constructed after 1967, but not Jebel Abu Ghneim and Ras al-Amud. The Palestinian side rejected Israeli sovereignty over settlements in the Jerusalem Metropolitan Area, namely of Ma'ale Adumim and Givat Ze'ev.

The Palestinian side understood that Israel was ready to accept Palestinian sovereignty over the Arab neighborhoods of East Jerusalem, including part of Jerusalem's Old City. The Israeli side understood that the Palestinians were ready to accept Israeli sovereignty over the Jewish Quarter of the Old City and part of the American Quarter.

The Palestinian side understood that the Israeli side accepted to discuss Palestinian property claims in West Jerusalem.

### **2.2 Open City**

Both sides favored the idea of an Open City. The Israeli side suggested the establishment of an open city whose geographical scope encompasses the Old City of Jerusalem plus an area defined as the Holy Basin or Historical Basin.

The Palestinian side was in favor of an open city provided that continuity and contiguity were preserved. The Palestinians rejected the Israeli proposal regarding the geographic scope of an open city and asserted that the open city is only acceptable if its geographical scope encompasses the full municipal borders of both East and West Jerusalem.

The Israeli side raised the idea of establishing a mechanism of daily coordination and different models were suggested for municipal coordination and cooperation (dealing with infrastructure, roads, electricity, sewage, waste removal etc). Such arrangements could be formulated in a future detailed agreement. It proposed a "soft border regime" within Jerusalem between Al-Quds and Yerushalaim that affords them "soft border" privileges. Furthermore the Israeli side proposed a number of special arrangements for Palestinian and Israeli residents of the Open City to guarantee that the Open City arrangement neither adversely affect their daily lives nor compromise each party sovereignty over its section of the Open City.

### **2.3 Capital for two states**

The Israeli side accepted that the City of Jerusalem would be the capital of the two states : Yerushalaim, capital of Israel and Al-Quds, capital of the state of Palestine. The Palestinian side expressed its only concern, namely that East Jerusalem is the capital of the state of Palestine.

### **2.4 Holy/Historical Basin and the Old City**

There was an attempt to develop an alternative concept that would relate to the Old City and its surroundings, and the Israeli side put forward several alternative models for discussion, for example, setting up a mechanism for close coordination and cooperation in the Old City. The idea of a special police force regime was discussed but not agreed upon.

The Israeli side expressed its interest and raised its concern regarding the area conceptualized as the Holy Basin (which includes the Jewish Cemetery on the Mount of Olives, the City of David and Kivron Valley). The Palestinian side confirmed that it was willing to take into account Israeli interests and concerns provided that these places remain under Palestinian sovereignty. Another option for the Holy Basin, suggested informally by the Israeli side, was to create a special regime or to suggest some form of internationalization for the entire area or a joint regime with special cooperation and coordination. The Palestinian side did not agree to pursue any of these ideas, although the discussion could continue.

### **2.5 Holy Sites : Western Wall and the Wailing Wall**

Both parties have accepted the principle of respective control over each side's respective holy sites (religious control and management). According to this principle, Israel's sovereignty over the Western Wall would be recognized although there remained a dispute regarding the delineation of the area covered by the Western Wall and especially the link to what is referred to in Clinton's ideas as the space sacred to Judaism of which it is part.

The Palestinian side acknowledged that Israel has requested to establish an affiliation to the holy parts of the Western Wall, but maintained that the question of the Wailing Wall and/or Western Wall has not been resolved. It maintained the importance of distinguishing between the Western Wall and the Wailing Wall segment thereof, recognized in the Islamic faith as the Buraq Wall.

### **2.6 Haram al-Sharif/Temple Mount**

Both sides agreed that the question of Haram al-Sharif/Temple Mount has not been resolved. However, both sides were close to accepting Clinton's ideas regarding Palestinian sovereignty over Haram al-Sharif notwithstanding Palestinian and Israeli reservations.

Both sides noted progress on practical arrangements regarding evacuations, building and public order in the area of the compound. An informal suggestion was raised that for an agreed period such as three years, Haram al-

Sharif/Temple Mount would be under international sovereignty of the P5 plus Morocco (or other Islamic presence), whereby the Palestinians would be the "Guardian/Custodians" during this period. At the end of this period, either the parties would agree on a new solution or agree to extend the existing arrangement. In the absence of an agreement, the parties would return to implement the Clinton formulation. Neither party accepted or rejected the suggestion.

### **3. Refugees**

Non-papers were exchanged, which were regarded as a good basis for the talks. Both sides stated that the issue of the Palestinian refugees is central to the Israeli-Palestinian relations and that a comprehensive and just solution is essential to creating a lasting and morally scrupulous peace. Both sides agreed to adopt the principles and references which could facilitate the adoption of an agreement.

Both sides suggested, as a basis, that the parties should agree that a just settlement of the refugee problem in accordance with the UN Security Council Resolution 242 must lead to the implementation of UN General Assembly Resolution 194.

#### **3.1 Narrative**

The Israeli side put forward a suggested joint narrative for the tragedy of the Palestinian refugees. The Palestinian side discussed the proposed narrative and there was much progress, although no agreement was reached in an attempt to develop a historical narrative in the general text.

#### **3.2 Return, repatriation and relocation and rehabilitation**

Both sides engaged in a discussion of the practicalities of resolving the refugee issue. The Palestinian side reiterated that the Palestinian refugees should have the right of return to their homes in accordance with the interpretation of UNGAR 194. The Israeli side expressed its understanding that the wish to return as per wording of UNGAR 194 shall be implemented within the framework of one of the following programs :

##### **A. Return and repatriation**

1. to Israel
2. to Israel swapped territory
3. to the Palestine state.

##### **B. Rehabilitation and relocation**

1. Rehabilitation in host country.
2. Relocation to third country.

Preference in all these programs shall be accorded to the Palestinian refugee population in Lebanon. The Palestinian side stressed that the above shall be subject to the individual free choice of the refugees, and shall not prejudice their right to their homes in accordance with its interpretation of UNGAR 194.

The Israeli side, informally, suggested a three-track 15-year absorption program, which was discussed but not agreed upon. The first track referred to the absorption to Israel. No numbers were agreed upon, but with a non-paper referring to 25,000 in the first three years of this program (40,000 in the first five years of this program did not appear in the non-paper but was raised verbally). The second track referred to the absorption of Palestinian refugees into the Israeli territory, that shall be transferred to Palestinian sovereignty, and the third track referring to the absorption of refugees in the context of family reunification scheme.

The Palestinian side did not present a number, but stated that the negotiations could not start without an Israeli opening position. It maintained that Israel's acceptance of the return of refugees should not prejudice existing programs within Israel such as family reunification.

### **3.3 Compensation**

Both sides agreed to the establishment of an International Commission and an International Fund as a mechanism for dealing with compensation in all its aspects. Both sides agreed that "small-sum" compensation shall be paid to the refugees in the "fast-track" procedure, claims of compensation for property losses below certain amount shall be subject to "fast-track" procedures.

There was also progress on Israeli compensation for material losses, land and assets expropriated, including agreement on a payment from an Israeli lump sum or proper amount to be agreed upon that would feed into the International Fund. According to the Israeli side the calculation of this payment would be based on a macro-economic survey to evaluate the assets in order to reach a fair value. The Palestinian side, however, said that this sum would be calculated on the records of the UNCCP, the Custodian for Absentee Property and other relevant data with a multiplier to reach a fair value.

### **3.4 UNRWA**

Both sides agreed that UNRWA should be phased out in accordance with an agreed timetable of five years, as a targeted period. The Palestinian side added a possible adjustment of that period to make sure that this will be subject to the implementation of the other aspects of the agreement dealing with refugees, and with termination of Palestinian refugee status in the various locations.

### **3.5 Former Jewish refugees**

The Israeli side requested that the issue of compensation to former Jewish refugees from Arab countries be recognized, while accepting that it was not a Palestinian responsibility or a bilateral issue. The Palestinian side maintained that this is not a subject for a bilateral Palestinian-Israeli agreement.

### **3.6 Restitution**

The Palestinian side raised the issue of restitution of refugee property. The Israeli side rejected this.

### **3.7 End of claims**

The issue of the end of claims was discussed, and it was suggested that the implementation of the agreement shall constitute a complete and final implementation of UNGAR 194 and therefore ends all claims.

## **4. Security**

### **4.1 Early warning stations**

The Israeli side requested to have 3 early warning stations on Palestinian territory. The Palestinian side was prepared to accept the continued operations of early warning stations but subject to certain conditions. The exact mechanism has therefore to be detailed in further negotiations.

### **4.2 Military capability of the state of Palestine**

The Israeli side maintained that the state of Palestine would be non-militarized as per the Clinton proposals. The Palestinian side was prepared to accept limitation on its acquisition of arms, and be defined as a state with limited arms. The two sides have not yet agreed on the scope of arms limitations, but have begun exploring different options. Both sides agree that this issue has not been concluded.

### **4.3 Air space control**

The two sides recognized that the state of Palestine would have sovereignty over its airspace. The Israeli side agreed to accept and honor all of Palestine civil aviation rights according to international regulations, but sought a unified air control system under overriding Israel control. In addition, Israel requested access to Palestinian airspace for military operations and training.

The Palestinian side was interested in exploring models for broad cooperation and coordination in the civil aviation sphere, but unwilling to cede overriding control to Israel. As for Israeli military operations and training in Palestinian airspace, the Palestinian side rejected this request as inconsistent with the neutrality of the state of Palestine, saying that it cannot grant Israel these privileges while denying them to its Arab neighbors.

#### **4.4 Time table for withdrawal from the West Bank and Jordan Valley**

Based on the Clinton proposal, the Israeli side agreed to a withdrawal from the West Bank over a 36-month period with an additional 36 months for the Jordan Valley in conjunction with an international force, maintaining that a distinction should be made between withdrawal in the Jordan Valley and elsewhere.

The Palestinian side rejected a 36-month withdrawal process from the West Bank expressing concern that a lengthy process would exacerbate Palestinian-Israeli tensions. The Palestinian side proposed an 18 months withdrawal under the supervision of international forces. As to the Jordan Valley the Palestinian side was prepared to consider the withdrawal of Israeli armed forces for an additional 10-month period. Although the Palestinian side was ready to consider the presence of international forces in the West Bank for a longer period, it refused to accept the ongoing presence of Israeli forces.

#### **4.5 Emergency deployment (or emergency locations)**

The Israeli side requested to maintain and operate five emergency locations on Palestinian territory (in the Jordan Valley) with the Palestinian response allowing for maximum of two emergency locations conditional on a time limit for the dismantling. In addition, the Palestinian side considered that these two emergency locations be run by international presence and not by the Israelis. Informally, the Israeli side expressed willingness to explore ways that a multinational presence could provide a vehicle for addressing the parties' respective concerns.

The Palestinian side declined to agree to the deployment of Israeli armed forces on Palestinian territory during emergency situations, but was prepared to consider ways in which international forces might be used in that capacity, particularly within the context of regional security cooperation efforts.

#### **4.6 Security cooperation and fighting terror**

Both sides were prepared to commit themselves to promoting security cooperation and fighting terror.

#### **4.7 Borders and international crossings**

The Palestinian side was confident that Palestinian sovereignty over borders and international crossing points would be recognized in the agreement. The two sides had, however, not yet resolved this issue including the question of monitoring and verification at Palestine's international borders (Israeli or international presence).

#### **4.8 Electromagnetic sphere**

The Israeli side recognized that the state of Palestine would have sovereignty over the electromagnetic sphere, and acknowledged that it would not seek to constrain Palestinian commercial use of the sphere, but sought control over it for security purposes.

The Palestinian side sought full sovereign rights over the electromagnetic sphere, but was prepared to accommodate reasonable Israeli needs within a cooperative framework in accordance with international rules and regulations.

#### **Dispute over Ma'aleh Adumim**

The importance of Israel's recognition of the June 4, 1967 border is that since 1967 (and even today), Israel's official position has been that UN Security Council Resolution 242 mandates withdrawal from "territories" conquered in the Six Day War. The Arab position, in contrast, is that the resolution requires withdrawal from "the territories." Israel's official refusal to recognize the June 4, 1967 borders is currently an obstacle to Foreign Minister Shimon Peres in his efforts to reach an agreement with the chairman of the Palestinian Legislative Council, Ahmed Qureia (Abu Ala). There is no Palestinian confirmation of Peres' claim that the Palestinians have accepted the formulation that a final-status agreement will be based on Resolution 242.

Israel agreed to recognize the June 4, 1967 border as the basis for the border between Israel and Palestine after the Palestinians agreed in principle to discuss territorial swaps in the West Bank, as proposed by Clinton, that would enable Israel to annex parts of the West Bank adjacent to the Green Line (but not parts of Gaza). The maps presented by the Palestinians at Taba gave Israel 3.1 percent of the West Bank. That is less than the lower limit proposed in the Clinton plan (under which the Palestinians would receive 94 to 96 percent of the West Bank). Israel demanded 6 percent - the upper boundary of the Clinton plan - plus an additional 2 percent in the context of a leasing agreement. The Palestinians also rejected Israel's demand that the "no man's land" around Latrun not be considered part of the West Bank.

According to the document, Israel gave up all the Jordan Valley settlements, focusing instead on its security interests in that area. The dispute centered around the large stretch of territory between Ma'aleh Adumim and Givat Ze'ev, which contains both a fairly large Palestinian population and East Jerusalem's most important land reserves. The Palestinians retracted their earlier readiness to include these two settlements in the settlement blocs to be annexed to Israel after realizing that Israel also insisted on annexing the large tract that joins them - which would mean that Palestinian citizens would suddenly find themselves in sovereign Israeli territory. Barak instructed his chief negotiator, Gilad Sher, to tell the Palestinians that the map presented by then foreign minister Shlomo Ben-Ami, which reduced the area of the settlement bloc (including the Ma'aleh Adumim-Givat Ze'ev tract) to only 5 percent of the West Bank, had no validity.

Another dispute that remained unresolved stemmed from Israel's refusal to accept the Palestinian demand for a 1:1 ratio between the area of the West Bank annexed to Israel and the parts of Israel that would be given to the Palestinians in exchange. Israel proposed a ratio of 1:2, in its favor. In addition, the Palestinians rejected Israel's proposal that the Halutza Dunes in the Negev, the area of the "safe passage" between the West Bank and Gaza, and the part of Ashdod Port that would be set aside for Palestinian use all be considered part of the land swap. They insisted that the land they received be contiguous with either the West Bank or Gaza, and that it not include any land that was merely set aside for their use, over which they would not have sovereignty. (Akiva Eldar)

### **How long is the Western Wall ?**

The Clinton proposal paved the way for understandings in Jerusalem, but it also created the principal dispute between the two parties.

An agreement was reached that East Jerusalem, which would be called Al-Quds, would be the capital of Palestine. Understandings were also reached regarding a division of East Jerusalem's neighborhoods such that Jewish neighborhoods would remain under Israeli sovereignty (other than Har Homa, which the first Jewish families are just moving into now, and Ras al-Amud), while Arab neighborhoods would be transferred to Palestinian sovereignty. In addition, it was agreed that parts of the Old City - the Muslim Quarter, the Armenian Quarter and part of the Armenian Quarter - would be to the Palestinians.

But the Clinton proposal did not help the parties to draw mutually accepted borders between the Open City - to which both sides agreed - and the surrounding Palestinian areas, on one side, and Israeli areas, on the other. The Open City is territory that citizens of both countries can enter without passing through any checkpoints. The Palestinians wanted it to encompass all of Jerusalem, while the Israelis wanted it limited to the Old City only.

And the Clinton proposal complicated negotiations on the most sensitive issue : the Western Wall. Clinton had referred to "the holy parts" of the Wall, thereby creating an opening for the Palestinian claim that only the exposed part of the Wall (the Wailing Wall) is considered holy to the Jews, and therefore only this part should be left under Israeli sovereignty. Palestinians claimed the Western Wall tunnels were part of Haram al-Sharif (the Temple Mount).



Since the Taba talks ended, many meetings and seminars have taken place in an effort to close the gaps, attended by politicians and experts from both sides and from other countries as well.

### **Symbols of sovereignty**

Israel insisted that it retain sovereignty over the "safe passage" between Gaza and the West Bank, with the Palestinians receiving only usage rights to the land. With respect to air space, however, Israel adopted a more generous approach to the sovereignty issue. Nevertheless, it demanded rights to the use of Palestinian air space, including for air force training exercises.

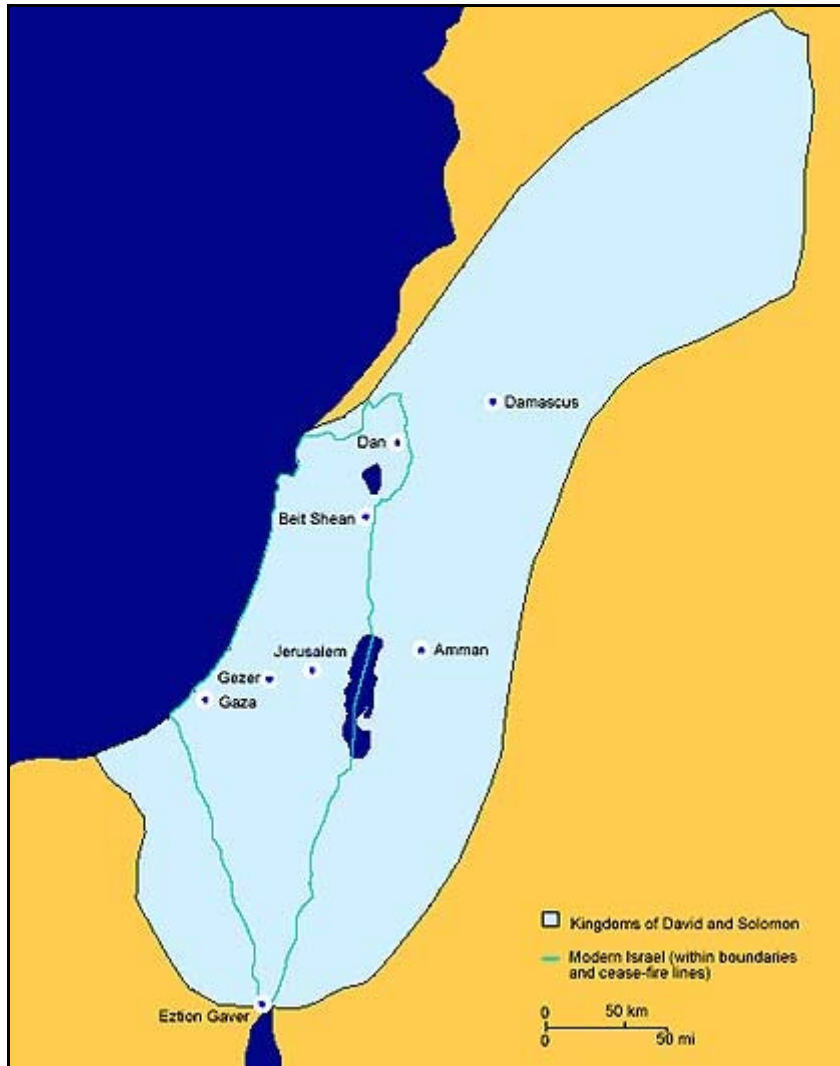
The document reveals that the Palestinians expressed a willingness to accept the principle of limitations on their armaments and even took Israel's security needs into account (they agreed to three early warning stations and two "emergency locations," compared to the five "emergency locations" Israel had sought in addition to the early warning stations).

But in all matters relating to the symbols of sovereignty, the Palestinians took a harder line. They therefore insisted that an international force man the "emergency locations," rather than an Israeli one. And the issue of control over Palestine's international border remained unresolved for the same reason : the question of who would man the border control posts.

*published in Ha'aretz on 14 February 2002*

# Cartes

## Royaume de David et Salomon (De 1077 à 997 avant JC)



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/The+Kingdom+of+David+and+Solomon+-+1077+-+997+BCE.htm>)

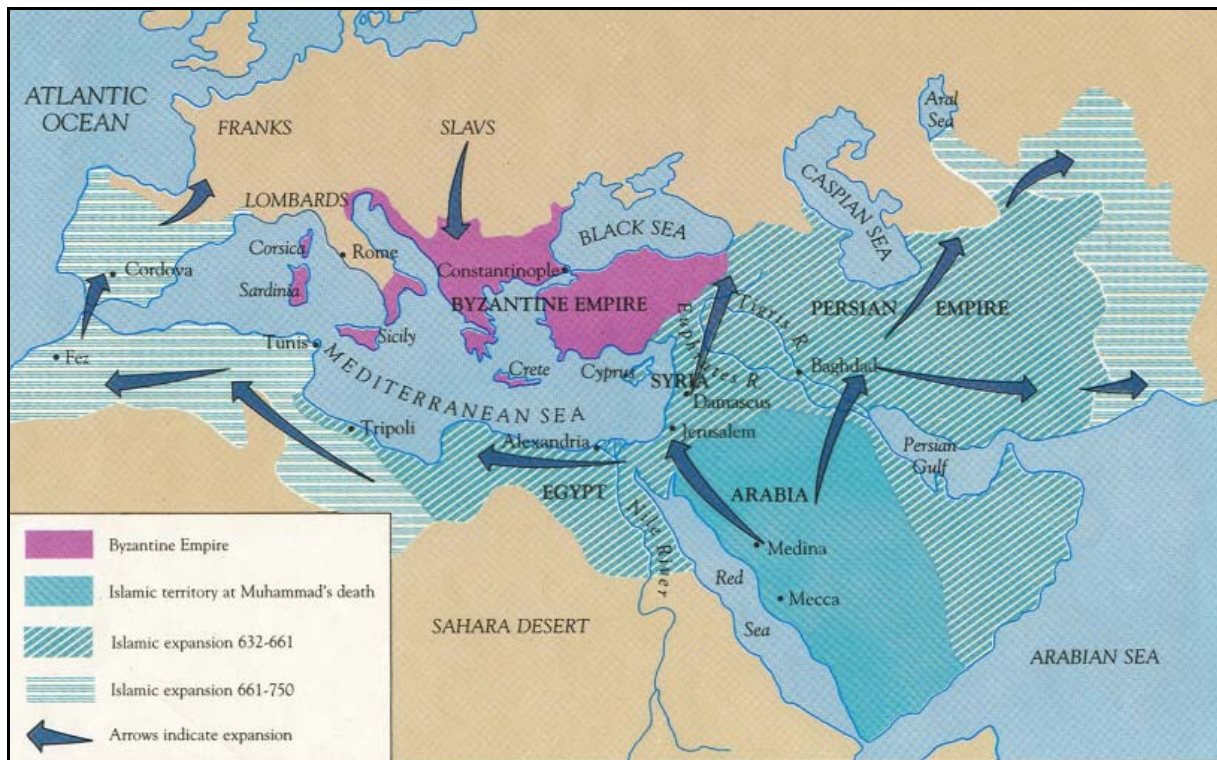
Royaume d'Hérode (De 30 avant JC à 70)



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Kingdom+of+Herod-+30+BCE+to+70+CE.htm>)

## Expansion de l'Islam à partir de 632 :



Source : Université de l'Utah, Etats-Unis d'Amérique

(<http://www.usu.edu/markdamen/1320Hist&Civ/slides/14islam/mapspreadofislam.jpg>)

Empire ottoman à partir du XIV<sup>e</sup> siècle et son expansion ultérieure :

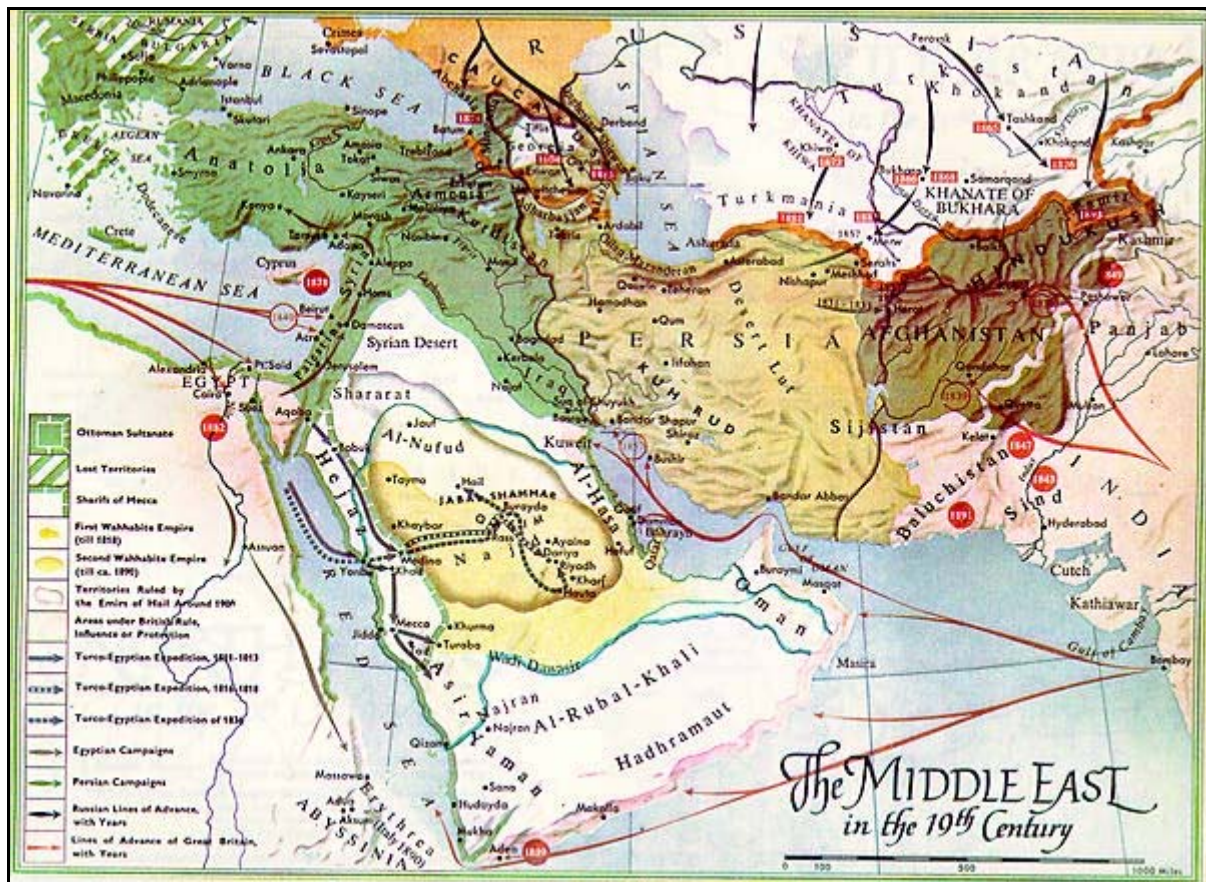


Source : Leonard Helfgott, sur le site de l'Université Occidentale de l'Etat de Washington, Etats-Unis d'Amérique

(<http://www.ac.wvu.edu/~helfgott/maps-ottoman-empire.htm>)



## Le Moyen-Orient au XIX<sup>e</sup> siècle :



Source : Université de Pennsylvanie, Etats-Unis d'Amérique

(<http://ccat.sas.upenn.edu/~rs143/Resources/Pics/rels143a.jpg>)

Mandat britannique sur la Palestine de 1921 à 1948 :



*Source : Ministère des Affaires étrangères israélien*

*([www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/British+Mandate.htm](http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/British+Mandate.htm))*

Plan de partition de l'ONU de 1947 :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/1947+UN+Partition+Plan.htm>)



Lignes d'armistice de 1949 à 1967 :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/1949-1967+Armistice+Lines.htm>)

Raids des combattants palestiniens de 1951 à 1956 en territoire israélien :



Source : Agence Juive pour Israël

(<http://www.jafi.org.il/education/100/maps/fed.html>)

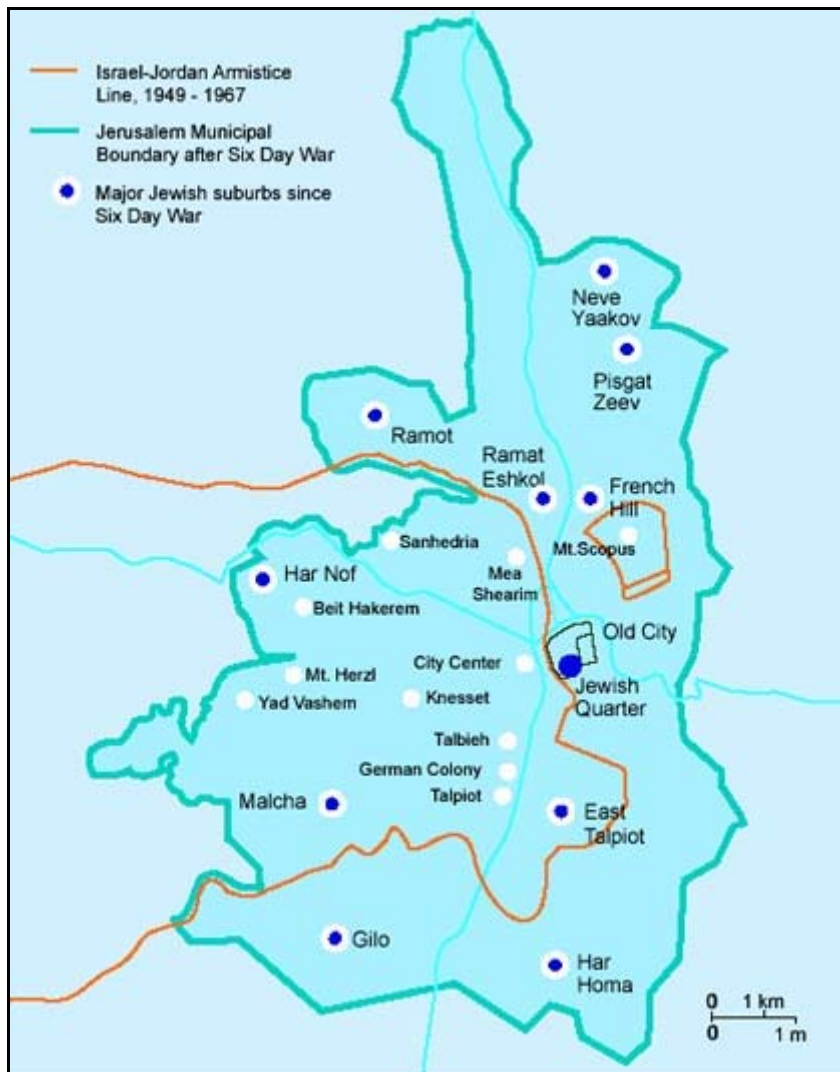
Situation après la guerre des Six jours (10 juin 1967) :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/June+10-+1967-+Israel+After+the+Six+Day+War.htm>)

Jérusalem après la guerre des Six jours :



Source : Ministère des Affaires étrangères israélien

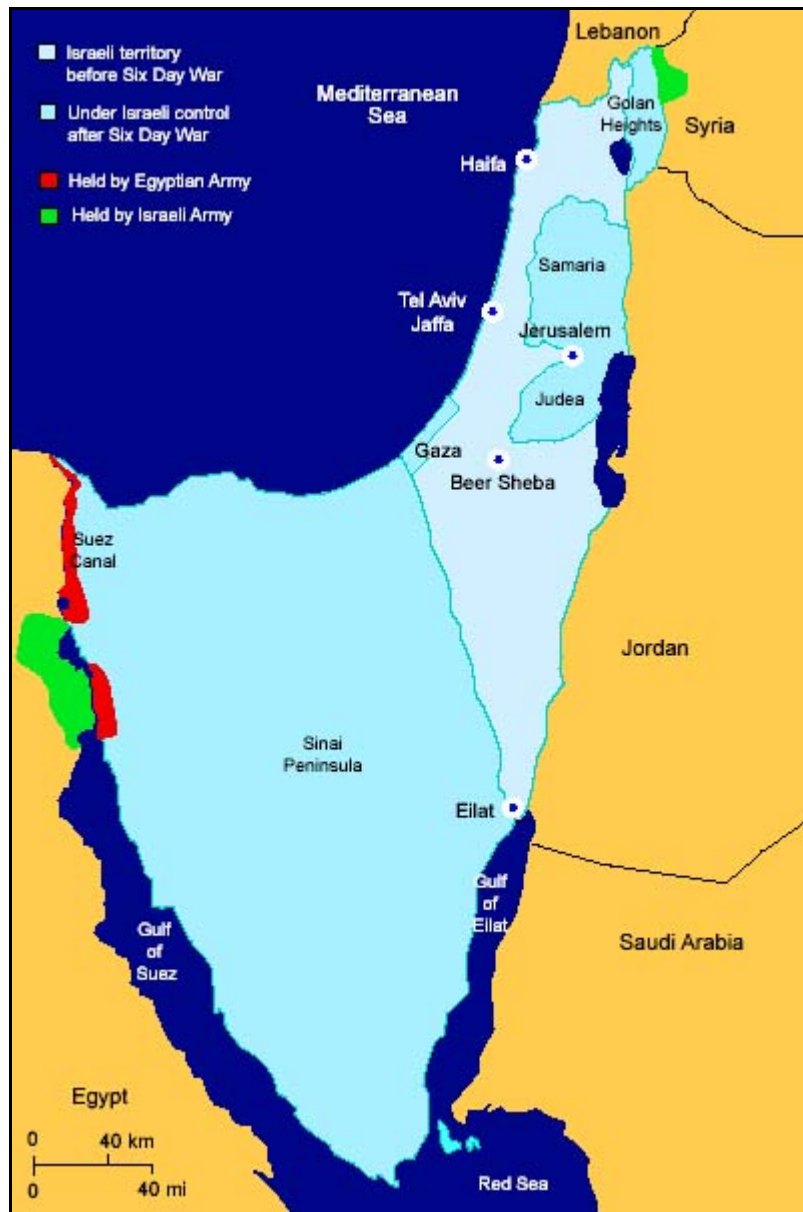
(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Jerusalem+After+the+Six+Day+War+-1967-.htm>)

Camps de réfugiés palestiniens gérés par l'UNRWA, situation en novembre 1993 :



Source : Jewish Virtual Library (American-Israeli Cooperative Enterprise)  
(<http://www.jewishvirtuallibrary.org/jsourc/History/unrwamap.html>)

Guerre de Yom Kippour d'octobre 1973 :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Yom+Kippur+War+Cease-Fire+Lines-+October+24-+1973.htm>)

Traité de paix israélo-égyptien et redéploiement (1980-1982) :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Sinai+Redeployment-+1980-1982.htm>)



*Colonies israéliennes dans la bande de Gaza, décembre 1993 :*

Israeli Settlements in the Gaza Strip, December 1993



Source : Bibliothèque en ligne de l'Université du Texas, Etats-Unis d'Amérique  
 ([http://www.lib.utexas.edu/maps/middle\\_east\\_and\\_asia/gazastrip.jpg](http://www.lib.utexas.edu/maps/middle_east_and_asia/gazastrip.jpg))



Plan de désengagement de 2005 :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Israels+Disengagement+Plan+2005.htm>)

Etat d'Israël aujourd'hui dans ses frontières et les lignes de cessez-le-feu :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Modern+Israel+-+within+boundaries+and+cease-fire+li.htm>)

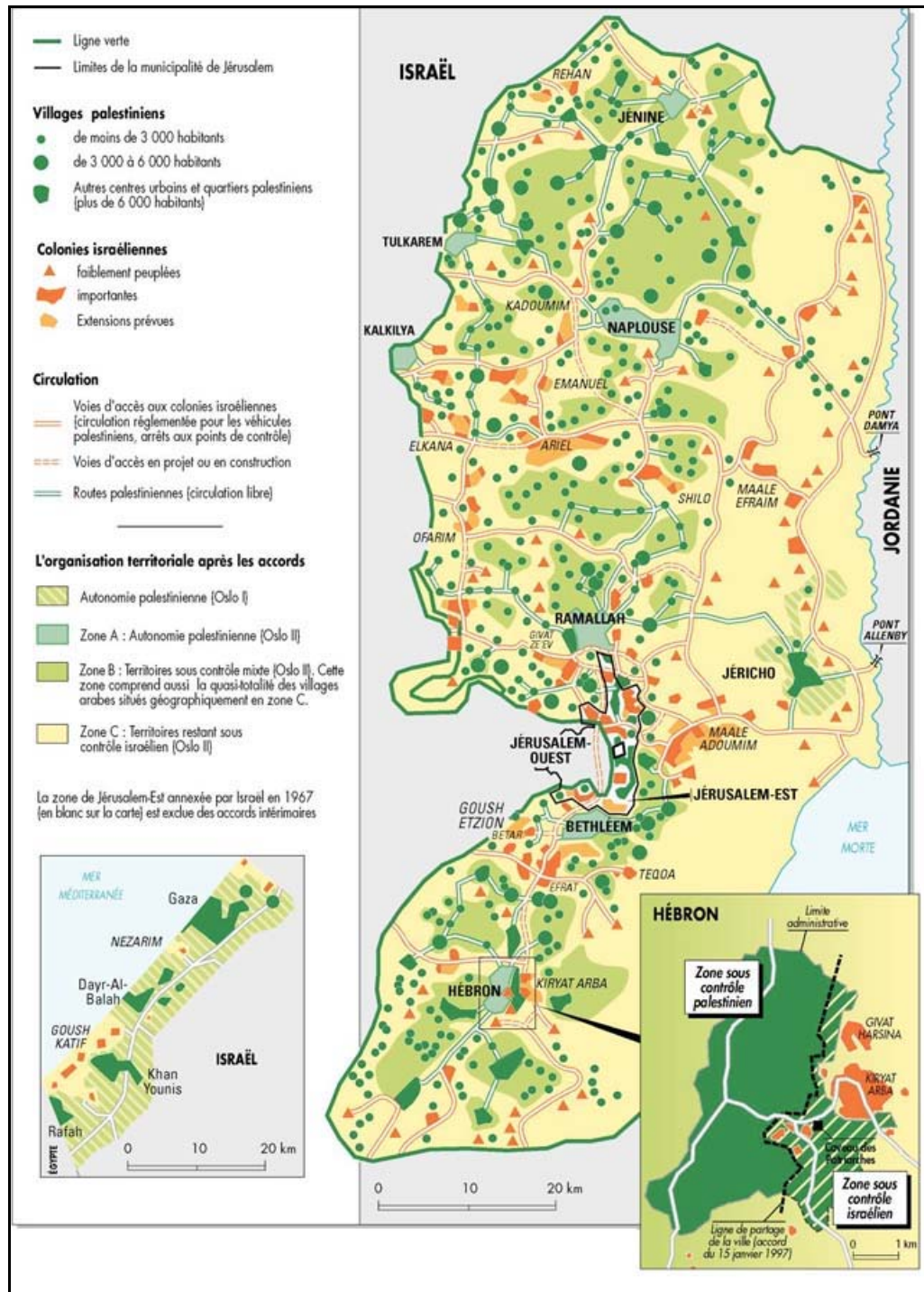
Partage en zones de la Cisjordanie d'après les accords signés dans les années 90 :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Judea+and+Samaria.htm>)

Les accords d'Oslo II (28 septembre 1995), Jan de Jong et Philippe Rekacewicz  
(Le Monde Diplomatique, avril 1997) :

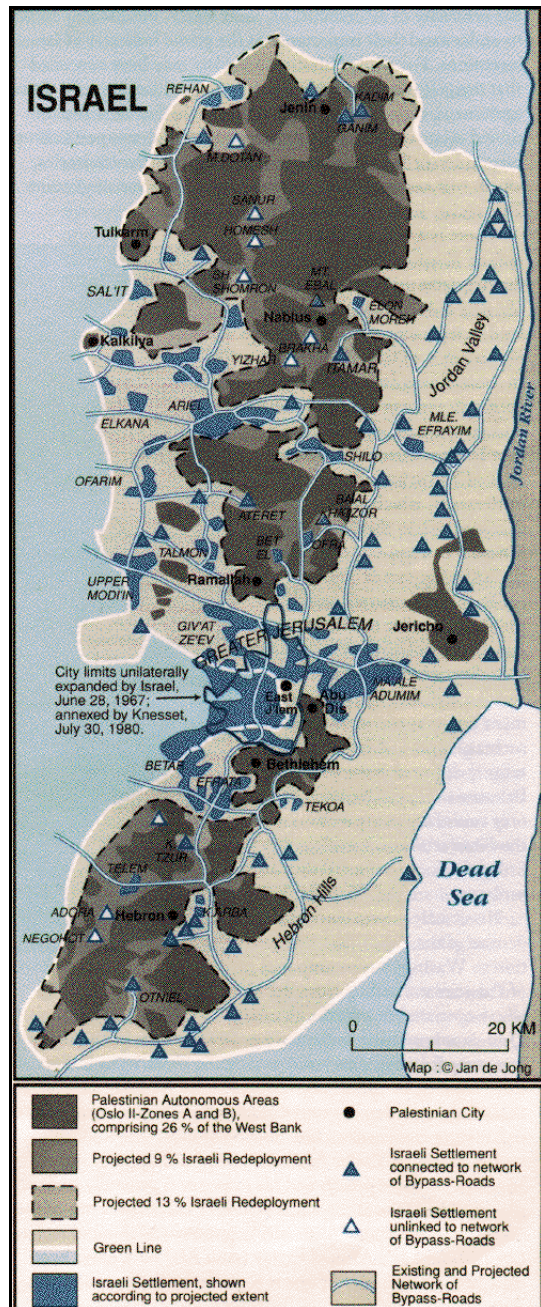


Source : Le Monde Diplomatique, avril 1997

(<http://www.monde-diplomatique.fr/cartes/cisjordanieoslo2>)



Redéploiement israélien de juillet 1998 après les négociations de Wye Plantation, Aspen, Etats-Unis d'Amérique :



Source : Jewish Virtual Library (American-Israeli Cooperative Enterprise)  
(<http://www.jewishvirtuallibrary.org/jsource/Peace/redepmap98.html>)

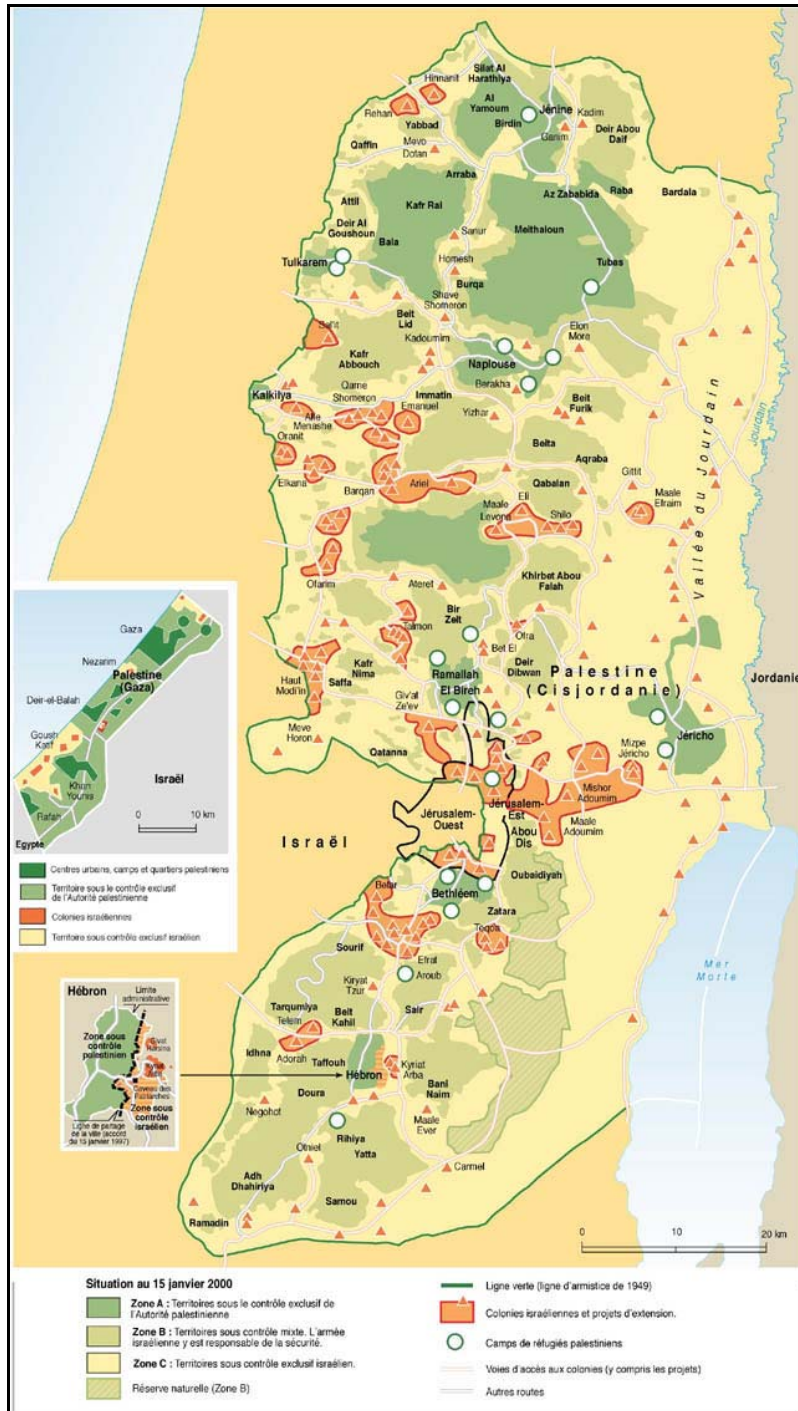
L'accord de Charm El-Cheikh (4 septembre 1999), Jan de Jong et Philippe Re-  
kacewicz (Le Monde Diplomatique, janvier 2000) :



Source : Le Monde Diplomatique, janvier 2000

(<http://www.monde-diplomatique.fr/cartes/cisjordaniecharm1999>)

Un Etat palestinien morcelé par les colonies, Philippe Rekacewicz (Le Monde Diplomatique, février 2000) :

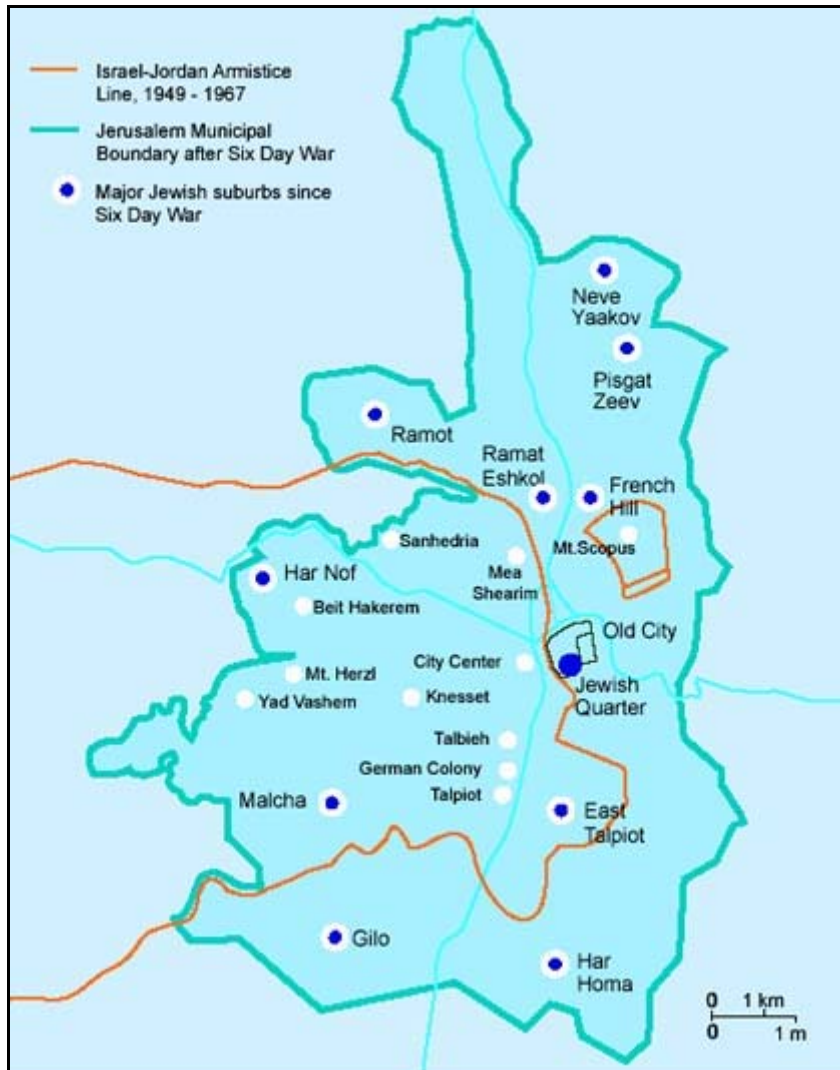


Source : Le Monde Diplomatique, février 2000

(<http://www.monde-diplomatique.fr/cartes/cisjordaniedpl2000>)



Ville de Jérusalem avant et après la guerre des Six jours :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Jerusalem.htm>)



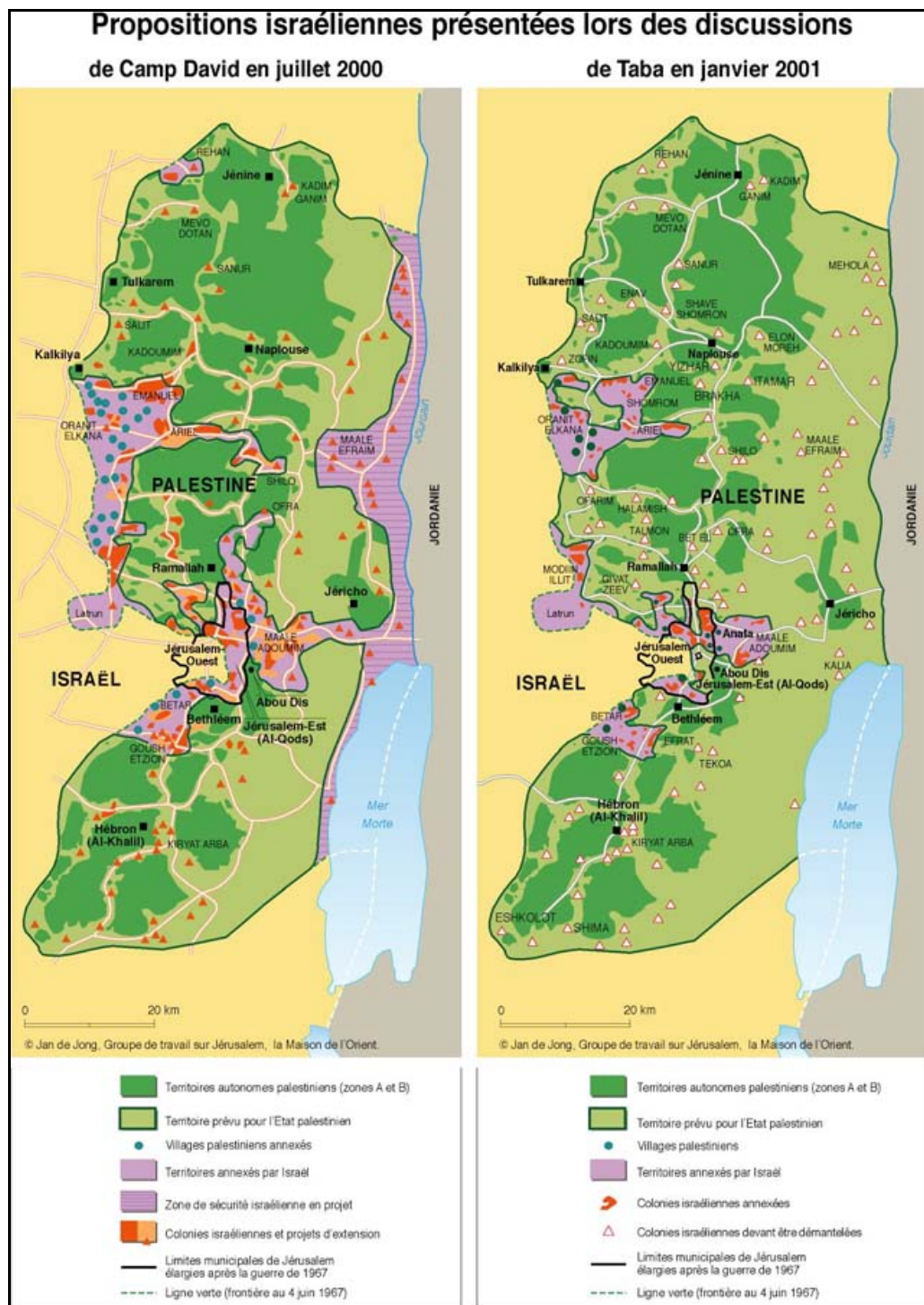
Vieille ville de Jérusalem :



Source : Ministère des Affaires étrangères israélien

(<http://www.mfa.gov.il/MFA/Facts+About+Israel/Israel+in+Maps/Old+City+of+Jerusalem.htm>)

*Propositions israéliennes, de Camp David (2000) à Taba (2001), Jan de Jong et Philippe Rekacewicz (Le Monde Diplomatique, septembre 2001) :*



Source : *Le Monde Diplomatique*, septembre 2001  
 (<http://www.monde-diplomatique.fr/cartes/tab2001>)

Les propositions de Genève pour la Cisjordanie (2003), Philippe Rekacewicz  
(Le Monde Diplomatique, décembre 2003) :

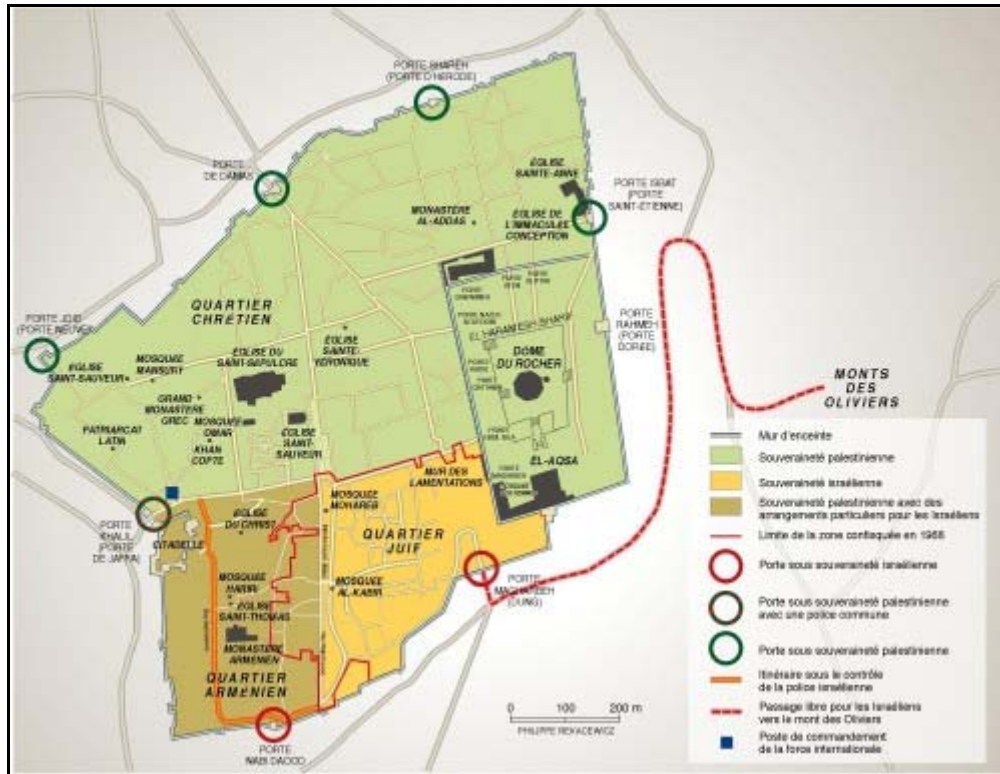


Source : Le Monde Diplomatique, décembre 2003

(<http://www.monde-diplomatique.fr/cartes/propositionsgeneve2003>)



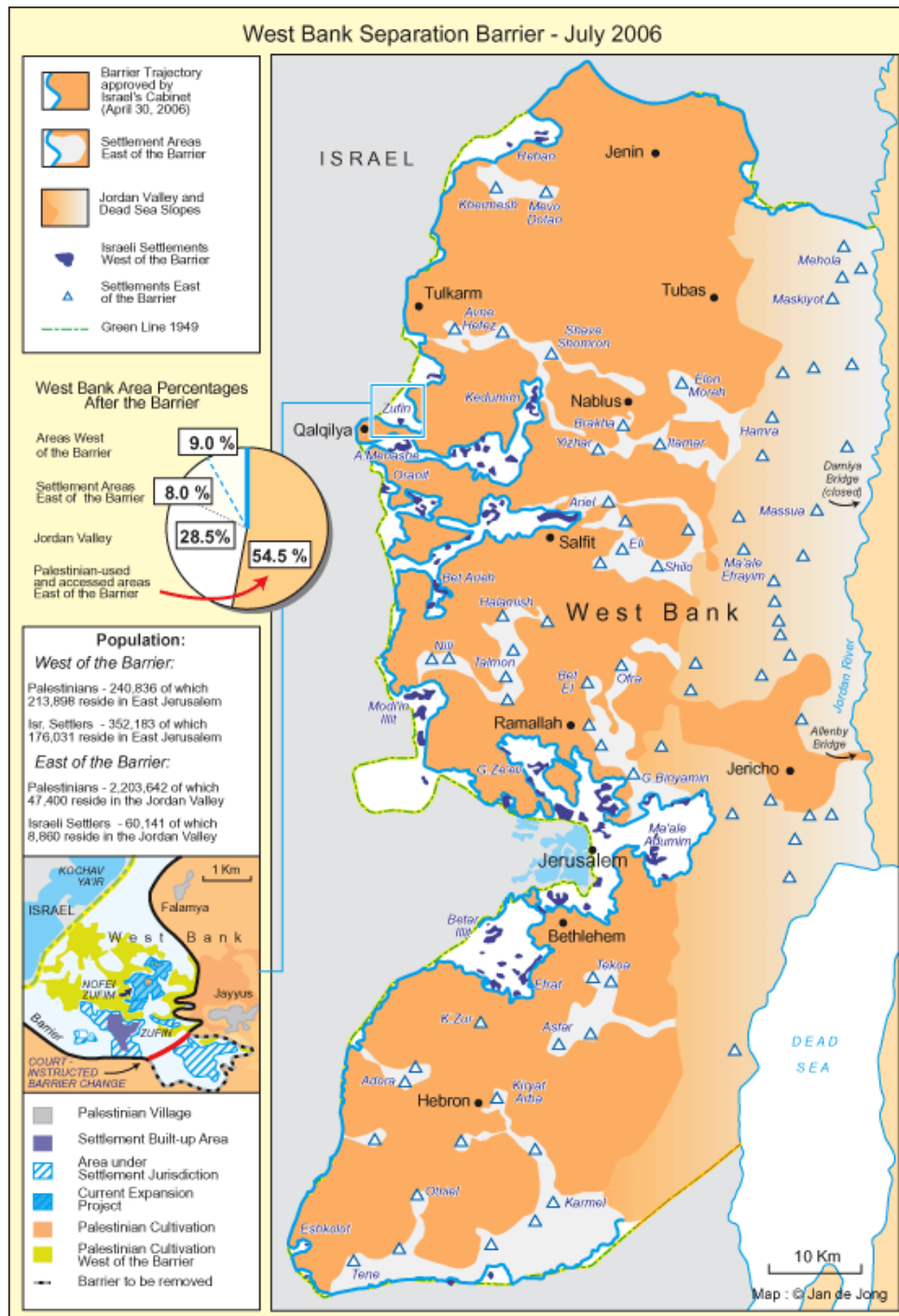
Propositions de Genève pour la vieille ville de Jérusalem (2003), Philippe Rekawicz (Le Monde Diplomatique, décembre 2003) :



Source : Le Monde Diplomatique

(<http://www.monde-diplomatique.fr/cartes/propositionsjerusalem2003>)

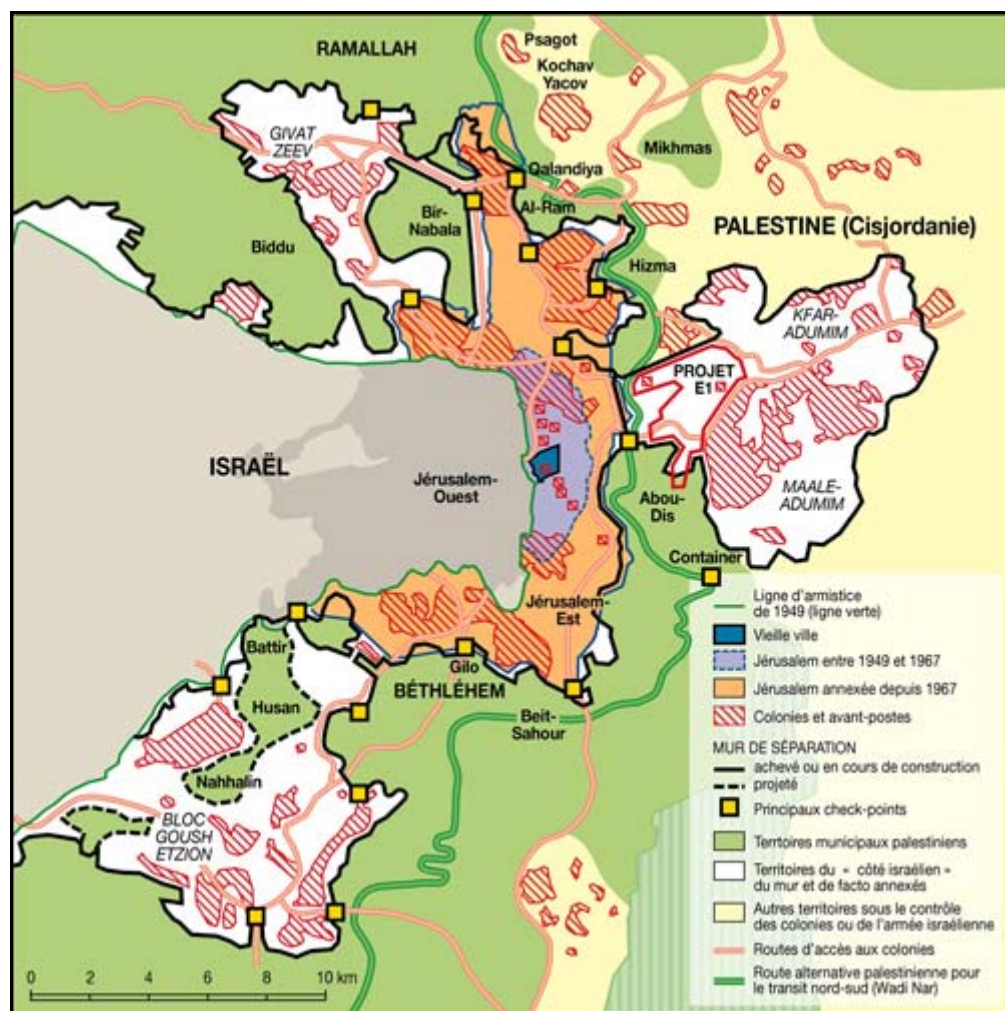
## Barrière de Séparation en juillet 2006 :



Source : Foundation for Middle East Peace

([http://www.fmep.org/maps/map\\_data/west\\_bank/west\\_bank\\_separation\\_barrier-july2006.gif](http://www.fmep.org/maps/map_data/west_bank/west_bank_separation_barrier-july2006.gif))

*Comment Israël confisque Jérusalem-Est (II), Philippe Rekacewicz et Dominique Vidal (Le Monde Diplomatique, février 2007) :*



Source : *Le Monde Diplomatique*, février 2007  
 (<http://www.monde-diplomatique.fr/cartes/jerusalem2>)

Nota Bene : Toutes les références cartographiques et leurs liens internet ont été revérifiés en mai 2008.