

Sharm el-Sheikh Memorandum- text and speeches at the signing ceremony- 4 September 1999

34. The Sharm el-Sheikh Memorandum, text and speeches at the signing ceremony, 4 September 1999.

In an effort to break the deadlocked Israel-PA negotiations, the parties met in Sharm el-Sheikh in the presence of Secretary Albright, President Mubarak and King Abdullah, and signed an agreement which called for the Israeli withdrawal from a further 11% of the West Bank; the release of 350 Palestinian prisoners; the opening of safe passages between the West Bank and Gaza; and a seaport to be built in Gaza. There was also a timetable for final status talks to deal with Jerusalem, borders, refugees and settlements. A framework agreement on permanent status (FAPS) was to be achieved by February 2000 and permanent agreement by September 2000. Text of the Memorandum and speeches follow:

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: continuation of the program for the collection of the illegal weapons, including reports; apprehension of suspects, including reports; forwarding of the list of Palestinian policemen to the Israeli Side not later than September 13, 1999; 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.

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

Speech by Egyptian President Hosni Mubarak at the Signing of the Sharm

el-Sheikh Memorandum

September 4, 1999

Ladies and gentlemen, after long days and nights of serious negotiations and hard work, it was finally possible to reach agreement on a formula for a timetable for the implementation of the Wye Plantation Accord.

There were moments of loss of hope. However, reason and mutual accommodation prevailed at the end. All the parties realized fully that the road is still a long one and that the difficulties which lie ahead would be great. But with vision and determination, the success which has been achieved in the past few days can be built on.

It is our earnest hope that the implementation of this new agreement will proceed promptly and without much contention. This will require from all of us vigilance, mutual understanding and good faith.

The paramount goal is to reach a just agreement on the final status of the West Bank and Gaza. We will remain actively involved and engaged in support of the negotiations that will lead to the goal during the months ahead. What is needed in order to enable the parties to achieve their goal is to build bridges of confidence between them. This is a factor which will serve the rights and interests of both parties. Likewise it is an important requirement to create the right atmosphere to achieve meaningful progress on the other tracks.

The parties directly involved have exerted tremendous effort in order to make this achievement possible. But others contributed generously to this process too. Secretary Albright played an important role which reflected President Clinton's commitment to peace and reconciliation in the Middle East. The European Union took helpful positions as well. As we did for years, we shall be most willing to help whenever this is made possible by the parties themselves.

We look forward to the days ahead with hope and optimism. We are confident that both the Palestinians and the Israeli people desire to live in peace and dignity. They have suffered long enough from bloodshed and tension. They are entitled to a new era of co-existence and peaceful interaction. Let us all vow to turn a new chapter in the history of this troubled region. God willing, we shall prevail. Thank you very much.

Speech by Prime Minister Barak at the Signing of the Sharm el-Sheikh Memorandum

September 4, 1999

President Mubarak, His Majesty King Abdullah, Chairman Arafat, Secretary Albright, ladies and gentlemen,

Today we embark on a new road, which will hopefully lead us within five months to a major milestone, a framework agreement for permanent status. Today we are paving the way to the end of a century of conflict between us and the Palestinians. Reaching within a year the permanent status agreement, which resolves all outstanding issues, is bound to present us with numerous problems and obstacles and crises. But together, as partners, with trust, goodwill, consultation and above all determined leadership, we will prevail and achieve peace, security and prosperity for our peoples.

Tonight I wish to pay tribute to the memory of my mentor and friend, the late Prime Minister Yitzhak Rabin, whose legacy of peace and security will continue to guide us throughout the peace process.

I have said all along that my government is committed to the full implementation of the Wye River Memorandum. The logic for today's accord is rooted in our desire to implement Wye in such a way that enhances the prospects of arriving at the permanent status talks with a minimum of pitfalls and landmines along the road. This is a common Palestinian-Israeli interest. Indeed, I believe that this accord facilitates a smooth transition from the Wye River Memorandum to permanent status negotiations.

I am committed to the security of Israel and will do my utmost to enhance it. I also want every Palestinian to feel secure and prosperous. Thus, we must prevent terrorism from derailing our peace efforts and fight it with all our might. The process of peace does not tolerate threats of violence and any kind of acts of terrorism.

I wish to say to our Palestinian neighbors: The bitter conflict between us has brought great suffering to both our peoples. I am not only aware of the suffering of my people, but also of that of the Palestinians. There is no sense in settling accounts over past mistakes, as we cannot change the past. But we do have an historic opportunity to shape a better future for our children and grandchildren, and for generations to come. My desire is to bring an end to violence and suffering and to work with the Palestinian leadership under Chairman Yasser Arafat, in partnership, respect, and in a forward-looking manner, in order to jointly arrive at a fair settlement for co-existence in peace, prosperity, and good neighborliness in this beloved land where our two peoples will always live.

We wish to resume the peace process with Syria and Lebanon as well. From here I call upon President Assad to put aside all past disagreements and together find the appropriate way to resume peace negotiations. Peace between

Syria and Israel is an especially important element of the needs of both sides. We intend to pursue the peace process on all tracks. All are equally important and vital in order to arrive at a comprehensive and stable peace in the Middle East.

The accord we sign today is the result of the major common effort of both Israel and the Palestinians. Chairman Arafat has proven to be a leader determined to protect the rights of his people, but at the same time committed to the constant search for peace. Both Chairman Arafat and the late Prime Minister Yitzhak Rabin laid the foundation for the peace of the brave.

We would like this evening to thank all those who have contributed and will continue to contribute to the success of the process, particularly President Clinton, a great leader of the United States of America, and Secretary Albright; our host, President Mubarak; and King Abdullah. We attach great importance to the support given under the leadership of President Mubarak to the resumption of the peace process.

Mr. President, Your Majesty, Mr. Chairman, Madame Secretary, we are at the threshold of the 21st century and the new millennium. The people of the Middle East are ready for the dawn of a new era. I believe in a vision of peace and security, which ensures the needs of all parties and is achieved through dialogue, mutual respect, and good neighborliness. I believe that it is our duty, leaders of all parties, to pave the way and lead our peoples to the common destination of peace, security, and prosperity, without deviating from this clear goal. We must rise to the occasion, and for the sake of our fathers and mothers, children and grandchildren, turn the vision of a comprehensive peace into a lasting reality.