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The Hebron Protocol

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SPECIAL DOCUMENT FILE

THE HEBRON PROTOCOL

A. ISRAEL AND THE PALESTINE LIBERATION ORGANIZATION, "GUIDELINES FOR HEBRON," ANNEX I, ARTICLE VII OF THE ISRAELI-PALESTINIAN INTERIM AGREEMENT ON THE WEST BANK AND THE GAZA STRIP, WASHINGTON, 28 SEPTEMBER 1995.

The original "agreement" on Israeli redeployment in Hebron was part of the Oslo II accords, which scheduled redeployment from seven West Bank cities. The Hebron redeployment was to have been completed in March 1996. Some spheres of civil control in Hebron had been transferred to the PA under the terms of Oslo II when the entire process was postponed by PM Shimon Peres to 12 June 1996, after the Israeli elections, as a result of the Palestinian suicide bombings of February and early March 1996. Following his election on 29 May 1996, PM Benjamin Netanyahu further delayed implementation of the agreement. The entire Oslo II text including annexes was made available by the Israeli embassy in Washington.

ARTICLE VII

GUIDELINES FOR HEBRON

1. a. There will be a redeployment of Israeli military forces in the city of Hebron except for places and roads where arrangements are necessary for the security and protection of Israelis and their movements. The areas of such redeployment are delineated by red and blue lines and shaded in orange stripes on a yellow background on attached map No. 9 (hereinafter "Area H-1").
 - b. This redeployment will be completed not later than six months after the signing of this Agreement.
 2. a. The Palestinian Police will assume responsibilities in Area H-1 similar to those in other cities in the West Bank.
 - b. All civil powers and responsibilities, set out in Annex III of this Agreement, will be transferred to the Council in the City of Hebron as in the other cities in the West Bank.
 - c. Palestinian police stations or posts will be established in Area H-1, manned by a total of up to 400 policemen, equipped with 20 vehicles and armed with 200 pistols, and 100 rifles for the protection of those stations.
 - d. The Palestinian Police shall operate freely in Area H-1. Any activity or movement by it outside this area will be carried out after coordination and confirmation through the DCO established in paragraph 6 of this Article.
 - e. The Imara will be turned over to the Palestinian side upon the completion of the redeployment and will become the headquarters of the Palestinian Police in the city of Hebron.
3. According to the DOP, Israel will continue to carry the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.
 4. a. In the area of the city of Hebron from which Israel military forces will not redeploy, as delineated by red and blue lines on attached map No. 9 (hereinafter "Area H-2"), Israel will retain all powers and responsibilities for internal security and public order.
 - b. In Area H-2, the civil powers and responsibilities will be transferred to the Council, except for those relating to Israelis and their property which shall continue to be exercised by Israeli Military Government.
 - c. In Area H-2, plainclothes unarmed municipal inspectors will monitor and enforce vis-à-vis Palestinians, compliance with the laws and regulations, within the civil powers and responsibilities transferred to the Council in Hebron.
 5. The municipality of Hebron will continue to provide all municipal services to all parts of the city of Hebron.
 6. a. A DCO will be located at Har Manoakh (Jabal Manoakh).

- b. Upon completion of the redeployment of Israeli military forces, a JMU will operate throughout the city of Hebron, including in the Old City, if required to do so by the abovementioned DCO.
 - c. A Joint Patrol will function in Hebron on the road from Ras e-Jura to the north of the Dura junction *via* E-Salaam road on Route No. 35.
 - d. Three months after the completion of the redeployment, the DCO will consider the reassignment of the Joint Patrol to other parts of Hebron.
7. Measures and procedures for normalizing life in the Old City and on the roads of Hebron will be taken immediately after the signing of this Agreement, as follows:
- a. opening of the wholesale market—Hasbahe, as a retail market;
 - b. removal of the barrier on the road leading from Abu Sneineh to Shuhada Road in order to facilitate the movement on these roads;
 - c. reopening of the main entrance to the Islamic College;
 - d. replacement of the closed roadblock at the Ras e-Jura junction by a normally open traffic supervision system;
 - e. replacement of the roadblock at the Harsina junction by a regular position;
 - f. opening of the route from the Sa'air Shiukh road to Hebron;
 - g. opening of the Tnuva Road; and
 - h. removal of the two barriers in the vicinity of the Raranta School near the North Dura junction.
8. A high level Joint Liaison Committee will be established in order to deal with the security situation in Hebron after completion of the redeployment.
9. a. Since the two sides are unable to reach agreement regarding the Tomb of the Patriarchs / Al Haram Al Ibrahim, they have agreed to keep the present situation as is.
- b. Three months after the redeployment, the high-level Joint Liaison Committee will review the situation.
10. There will be a Temporary International Presence in Hebron (TIPH). Both sides will agree on the modalities of the TIPH, including the number of its members and its area of operation.
11. Immediately after the completion of the redeployment, measures must be taken to ensure a stable and secure situation

throughout the Hebron area, free from efforts to undermine this Agreement or the peace process.

12. Hebron will continue to be one city, and the division of security responsibility will not divide the city.

B. ISRAEL AND THE PALESTINE LIBERATION ORGANIZATION, PROTOCOL CONCERNING THE REDEPLOYMENT IN HEBRON (AGREED VERSION), EREZ CROSSING, 15 JANUARY 1997.

The agreement was initialled at Erez crossing at 2:30 A.M. local time on 15 January (8:30 P.M. on 14 January EST) by chief negotiators Dan Shomron for the Israelis and Saeb Erekat for the Palestinians following last-minute negotiations between Israeli PM Netanyahu and PA President Arafat. The accord constitutes the technical modalities of implementing the guidelines for redeployment in Hebron set out in Oslo II, signed September 1995, which was supposed to have been completed in March 1996 but was delayed by the Labor government after the suicide bombings of February and March 1996. The Hebron protocol and its addenda were approved by the PLO Executive Committee and the PA cabinet on 15 January, and by the Israeli cabinet and Knesset on 16 January. The protocol was published in Palestine Report by the Jerusalem Media and Communication Center on 17 January 1997.

In accordance with the provisions of the Interim Agreement and in particular of Article VII of Annex I to the Interim Agreement, both Parties have agreed on this Protocol for the implementation of the redeployment in Hebron.

Security Arrangements Regarding Redevelopment in Hebron

1. Redevelopment in Hebron

The redeployment of Israeli Military Forces in Hebron will be carried out in accordance with the Interim Agreement and this Protocol. This redeployment will be completed not later than ten days from the signing of this Protocol. During these ten days both sides will exert every possible effort to prevent friction and any action that would prevent the redeployment. This redeployment shall constitute full implementation of the provisions of the Interim Agreement

with regard to the City of Hebron unless otherwise provided for in Article VII of Annex I to the Interim Agreement.

2. Security Powers and Responsibilities

a.1. The Palestinian Police will assume responsibilities in Area H-1 similar to those in other cities in the West Bank; and

[a.]2. Israel will retain all powers and responsibilities for internal security and public order in Area H-2. In addition, Israel will continue to carry the responsibility for overall security of Israelis.

b. In this context—both sides reaffirm their commitment to honor the relevant security provisions of the Interim Agreement, including the provisions regarding—Arrangements for Security and Public Order (Article XII of the Interim Agreement); Prevention of Hostile Acts (Article XV of the Interim Agreement); Security Policy for the Prevention of Terrorism and Violence (Article II of Annex I to the Interim Agreement); Guidelines for Hebron (Article VII of Annex I to the Interim Agreement); and Rules of Conduct in Mutual Security Matters (Article XI of Annex I to the Interim Agreement).

3. Agreed Security Arrangements

a. With a view to ensuring mutual security and stability in the City of Hebron, special security arrangements will apply adjacent to the areas under the security responsibility of Israel, in Area H-1, in the area between the Palestinian Police checkpoints delineated on the map attached to this Protocol as Appendix 1 (hereinafter referred to as “the attached map”) and the areas under the security responsibility of Israel.

b. The purpose of the abovementioned checkpoints will be to enable the Palestinian Police, exercising their responsibilities under the Interim Agreement, to prevent entry of armed persons and demonstrators or other people threatening security and public order, into the abovementioned area.

4. Joint Security Measures

a. The DCO [District Coordination Office] will establish a sub-office in the City of Hebron as indicated on the attached map.

b. JMU [Joint Mobile Units] will operate in Area H-2 to handle incidents that involve Palestinians only. The JMU movement will be detailed on the attached map. The DCO

will coordinate the JMU movement and activity.

c. As part of the security arrangements in the area adjacent to the areas under the security responsibility of Israel, as defined above, Joint Mobile Units will be operating in this area, with special focus on the following places: 1. Abu Sneinah; 2. Harat A-Sheikh; 3. Sha’aba; 4. The high ground overlooking new Route No. 35.

d. Two Joint Patrols will function in Area H-1:
[d.]1. a Joint Patrol which will operate on the road from Ras e-Jura to the north of the Dura junction via E-Salaam Road, as indicated on the attached map; and
[d.]2. a Joint Patrol which will operate on existing Route No. 35, including the eastern part of existing Route No. 35, as indicated on the attached map.

e. The Palestinian and Israeli side of the Joint Mobile Units in the City of Hebron will be armed with equivalent types of weapons (Mini-Ingraham submachine guns for the Palestinian side and short M16s for the Israeli side).

f. With a view to dealing with the special security situation in the City of Hebron, a Joint Coordination Center (hereinafter the “JCC”) headed by senior officers of both sides, will be established in the DCO at Har Manoah/Jabel Manoah. The purpose of the JCC will be to coordinate the joint security measures in the City of Hebron. The JCC will be guided by all the relevant provisions of the Interim Agreement, including Annex I and this Protocol. In this context, each side will notify the JCC of demonstrations and actions taken in respect of such demonstrations, and of any security activity, close to the areas under the responsibility of the other side, including in the area defined in Article 3(a) above. The JCC shall be informed of activities in accordance with Article 5(d)(3) of this Protocol.

5. The Palestinian Police

a. Palestinian police stations or posts will be established in Area H-1, manned by a total of up to 400 policemen, equipped with 20 vehicles and armed with 200 pistols, and 100 rifles for the protection of the police stations.

b. Four designated Rapid Response Teams (RRTs) will be established and stationed in Area H-1, one in each of the police stations,

as delineated on the attached map. The main task of the RRTs will be to handle special security cases. Each RRT shall be comprised of up to 16 members.

c. The above mentioned rifles will be designated for the exclusive use of the RRTs, to handle special cases.

d.1. The Palestinian Police shall operate freely in Area H-1.

[d.]2. Activities of the RRTs armed with rifles in the Agreed Adjacent Areas, as defined in Appendix 2, shall require the agreement of the JCC.

[d.]3. The RRTs will use the rifles in the rest of Area H-1 to fulfil their above mentioned tasks.

e. The Palestinian Police will ensure that all Palestinian policemen, prior to their deployment in the City of Hebron, will pass a security check in order to verify their suitability for service, taking into account the sensitivity of the area.

6. Holy Sites

a. Paragraphs 2 and 3(a) of Article 32 of Appendix 1 to Annex III of the Interim Agreement will be applicable to the following Holy Sites in Area H-1: 1. The Cave of Othniel Ben Knaz/El-Khalil; 2. Elonei Mamre/Haram Er-Rameh; 3. Eshel Avraham/Balotat Ibrahim; and 4. Maayan Sarah/Ein Sarah.

b. The Palestinian Police will be responsible for the protection of the above Jewish Holy Sites. Without derogating from the above responsibility of the Palestinian Police, visits to the above Holy Sites by worshippers or other visitors shall be accompanied by a Joint Mobile Unit, which will ensure free, unimpeded and secure access to the Holy Sites, as well as their peaceful use.

7. Normalization of Life in the Old City

a. Both sides reiterate their commitment to maintain normal life throughout the City of Hebron and to prevent any provocation or friction that may affect the normal life in the city.

b. In this context, both sides are committed to take all steps and measures necessary for the normalization of life in Hebron, including:

[b.]1. The wholesale market—Hasbahe—will be opened as a retail market in which goods will be sold directly to consumers from within the existing shops.

[b.]2. The movement of vehicles on the Shuhada Road will be gradually returned, within 4 months, to the same situation which existed prior to February 1994.

8. The Imara

The Imara will be turned over to the Palestinian side upon the completion of the redeployment and will become the headquarters of the Palestinian Police in the City of Hebron.

9. City of Hebron

Both sides reiterate their commitment to the unity of the City of Hebron, and their understanding that the division of security responsibility will not divide the city. In this context, and without derogating from the security powers and responsibilities of either side, both sides share the mutual goal that movement of people, goods and vehicles within and in and out of the city will be smooth and normal, without obstacles or barriers.

Civil Arrangements Regarding the Redeployment in Hebron

10. Transfer of Civil Powers and Responsibilities

a. The transfer of civil powers and responsibilities that have yet to be transferred to the Palestinian side in the city of Hebron (12 spheres) in accordance with Article VII of Annex I to the Interim Agreement shall be conducted concurrently with the beginning of the redeployment of Israeli military forces in Hebron.

b. In Area H-2, the civil powers and responsibilities will be transferred to the Palestinian side, except for those relating to Israelis and their property, which shall continue to be exercised by the Israeli Military Government.

11. Planning, Zoning and Building

a. The two parties are equally committed to preserve and protect the historic character of the city in a way which does not harm or change that character in any part of the city.

b. The Palestinian side has informed the Israeli side that in exercising its powers and responsibilities, taking into account the ex-

isting municipal regulations, it has undertaken to implement the following provisions:

1. Proposed construction of buildings above two floors (6 meters) within 50 meters of the external boundaries of the locations specified in the list attached to this Protocol as Appendix 3 (hereinafter referred to as "the attached list") will be coordinated through the DCL.
2. Proposed construction of buildings above three floors (9 meters) between 50 and 100 meters of the external boundaries of the locations specified in the attached list will be coordinated through the DCL.
3. Proposed construction of non-residential, non-commercial buildings within 100 meters of the external boundaries of the locations specified in the attached list that are designed for uses that may adversely affect the environment (such as industrial factories) or buildings and institutions in which more than 50 persons are expected to gather together will be coordinated through the DCL.
4. Proposed construction of buildings above two floors (6 meters) within 50 meters from each side of the road specified in the attached list will be coordinated through the DCL.
5. The necessary enforcement measures will be taken to ensure compliance on the ground with the preceding provisions.
6. This Article does not apply to existing buildings or to new construction or renovation for which fully approved permits were issued by the Municipality prior to January 15, 1997.

12. Infrastructure

- a. The Palestinian side shall inform the Israeli side, through the DCL, 48 hours in advance of any anticipated activity regarding infrastructure which may disturb the regular flow of traffic on roads in Area H-2 or which may affect infrastructure (such as water, sewage, electricity and communications) serving Area H-2.
- b. The Israeli side may request, through the DCL, that the Municipality carry out works regarding the roads or other infrastructure required for the well being of the Israelis in Area H-2. If the Israeli side offers to cover

the costs of these works, the Palestinian side will ensure that these works are carried out as a top priority.

- c. The above does not prejudice the provisions of the Interim Agreement regarding the access to infrastructure, facilities and installations located in the city of Hebron, such as the electricity grid.

13. Transportation

The Palestinian side shall have the power to determine bus stops, traffic arrangements and traffic signalization in the city of Hebron. Traffic signalization, traffic arrangements and the location of bus stops in Area H-2 will remain as they are on the date of the redeployment in Hebron. Any subsequent change in these arrangements in Area H-2 will be done in cooperation between the two sides in the transportation sub-committee.

14. Municipal Inspectors

- a. In accordance with paragraph 4.c of Article VII of Annex I of the Interim Agreement, plainclothes unarmed municipal inspectors will operate in Area H-2. The number of these inspectors shall not exceed 50.
- b. The inspectors shall carry official identification cards with a photograph issued by the Municipality.
- c. The Palestinian side may request the assistance of the Israel Police, through the DCL of Hebron, in order to carry out its enforcement activities in Area H-2.

15. Location of Offices of the Palestinian Council

The Palestinian side, when operating new offices in Area H-2, will take into consideration the need to avoid provocation and friction. Where establishing such offices might affect public order or security the two sides will cooperate to find a suitable solution.

16. Municipal Services

In accordance with paragraph 5 of Article VII of Annex I of the Interim Agreement, municipal services shall be provided regularly and continuously to all parts of the city of Hebron, at the same quality and cost. The cost shall be determined by the Palestinian side with respect to work done and materials consumed, without discrimination.

Miscellaneous**17. Temporary International Presence**

There will be a Temporary International Presence in Hebron (TIPH). Both sides will agree on the modalities of the TIPH, including the number of its members and its area of operation.

18. Annex I

Nothing in this Protocol will derogate from the security powers and responsibilities of either side in accordance with Annex I to the Interim Agreement.

19. Attached Appendices

The appendices attached to this Protocol shall constitute an integral part hereof.

Done at _____ this _____ day of _____ 1997.

For the Government of the State of Israel

For the PLO

Appendix 1

[Appendix 1 contains two maps of Hebron, reproduced below—Ed.]

Appendix 2**(Article 5)****AGREED ADJACENT AREA**

The Agreed Adjacent Area ("AAA") shall include the following:

1. An area defined by a line commencing from AAA Reference Point (RP) 100, proceeding along old Route No. 35 until RP 101, continuing by a straight line to RP 102, and from there connected by a straight line to RP 103.
2. An area defined by a line commencing at RP 104, following a straight line to RP 105, from there following a line immediately westward of checkpoints 4, 5, 6, 8, 9, 10, 11, 12 and 13, and from there connected by a straight line to RP 106.
3. An area defined by a line connecting RPs 107 and 108, passing immediately northward of checkpoint 15.

Appendix 3**(Article 12)****LIST OF LOCATIONS**

- The area of Al Haram Al Ibrahimy/the Tomb of the Patriarchs (including the mili-

tary and police installations in its vicinity)

- Al Hisba/Abraham Avinu
- Osama School/Beit Romano (including the military location in its vicinity)
- Al Daboya/Beit Hadasseh
- Jabla Al Rahama/Tel Rumeida
- The Jewish Cemeteries
- Dir Al Arbein/the Tomb of Ruth and Yishai
- Tel Al Jaabra/Givaat Avot Neighborhood (including the police station in its vicinity)
- The Road connecting Al Haram Al Ibrahimy/the Tomb of the Patriarchs and Qiryat Arba

Agreed Minute**(Article 7)**

The leaders agreed that the process of reopening the Shuhada Road will begin immediately, and will be fully completed within four months based on the premise that the preparations agreed between the two sides have been completed in accordance with the American plan.

American Plan on al-Shuhada Street

January 7, 1997

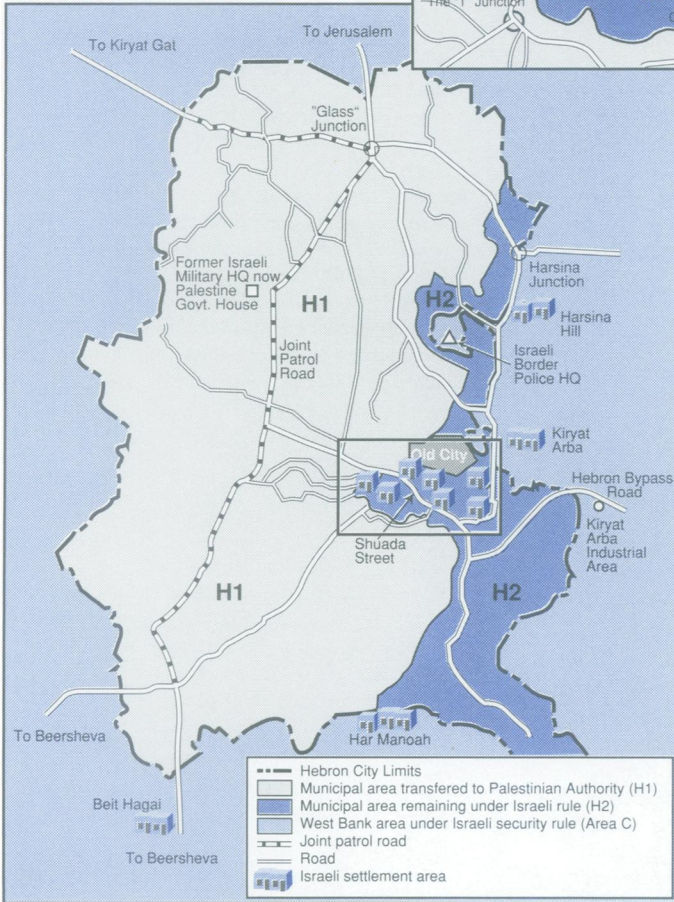
As part of its ongoing support for the peace process between Israelis and Palestinians, the United States intends to finance and supervise preparations to improve and facilitate the complete reopening of al-Shuhada Street in the City of Hebron. This work will take place in conjunction with the implementation of the "Protocol Concerning the Redeployment in Hebron" concluded between the two sides.

Description of Activity:

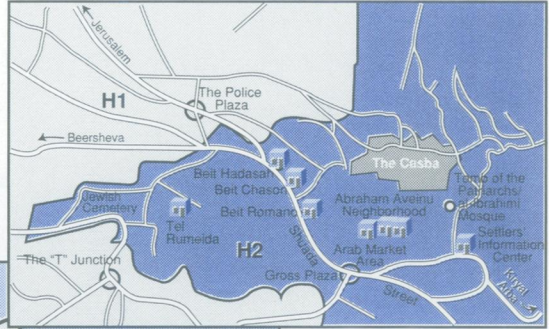
USAID intends to fund and manage the upgrading of utilities, primarily potable water lines and sanitary sewers, in the area of al-Shuhada Street to improve access to service. In conjunction with these improvements to utilities, USAID will direct renovation of the area within al-Shuhada Street to provide a safe and attractive environment for local businesses, pedestrians and vehicular traffic. The existing street will be completely reconstructed for a distance of approximately 700 meters including Gross square and also along a 200 meter spur of Rahme Road and a 100 meter spur leading to the Old City Gate. Major elements of this proposed activity as currently envisaged include:

- Reconstruction of water distribution mains, sanitary sewers and electrical lines

**Hebron
Redeployment Map – 1997**



City Center



- Installation of a new water transmission line
- Installation of a new storm drain system (if appropriate)
- Paving of street with asphalt (typically, width varies from 6 to 9 meters)
- Construction of concrete brick sidewalks (typically, 2 to 3 meters in width on each side of the street) with precast concrete curbs
- Construction of concrete brick median strips with precut concrete curbs in the street
- Installation of lampposts
- Erection of safety barriers at selected locations
- Sandblasting of stone exteriors of street-front shops, stone fences and stone masonry retaining walls
- Painting of shop doors
- Installation of awnings along streetfront shops and residences

- Installation of cast iron fencing along curbs
- Installation of litter baskets
- Installation of planters
- Installation of new traffic signs
- Painting of curbs
- Planting of small trees, shrubs and flowers.

This plan also includes the widening of the al-Shuhada Street in the vicinity of Beit Hadassah and Beit Schnerson. The details of this aspect of the plan include the following elements: the road in front of Beit Hadassah and Beit Schnerson will be widened to 13 meters; there will be sidewalks on each side of the street; each sidewalk will be separated from the street by a low stone wall with iron railings, no more than 1.25 meters high and 30 meters long; there will be equal roadways 3.55 meters wide in each direction; the two roadways will be divided by a security wall no more than 0.40 meters wide, 1.50 meters high and 30 meters long; there will be ten parking spaces on the northeast side of the street.

USAID expects that the renovation of al-Shuhada Street will commence in mid-January 1997 and will be completed as quickly as technical considerations permit. All activities will be subject to applicable laws and regulations. Continuing consultation will be held to address technical issues that may arise during the implementation of this plan.

**C. U.S. SPECIAL MIDDLE EAST
COORDINATOR DENNIS ROSS,
NOTE FOR THE RECORD, JERUSALEM, 15
JANUARY 1997.**

The Note for the Record, an official addendum to the Hebron protocol and an integral part of the deal, spells out the obligations of the two sides under Oslo. The protocol grew out of Palestinian concerns that Israel would fail to implement further provisions of Oslo once the pressure of Hebron was off and insistence upon a formal linkage between the issues. The Note for the Record was published in the New York Times on 17 January 1996.

The two leaders met on January 15, 1997, in the presence of the U.S. Special Middle East Coordinator. They requested him to prepare this Note for the Record to summarize what they agreed upon in their meeting.

Mutual Understandings

The two leaders agreed that the Oslo peace process must move forward and suc-

ceed. Both parties to the Interim Agreement have concerns and obligations. Accordingly, the two leaders reaffirmed their commitment to implement the Interim Agreement on the basis of reciprocity and, in this context, conveyed the following undertakings to each other:

Israeli Responsibilities

The Israeli side reaffirms its commitments to the following measures and principles in accordance with the Interim Agreement:

Issues for Implementation

1. **FURTHER REDEPLOYMENT PHASES.**

The first phase of redeployment will be carried out during the first week of March.

2. **PRISONER RELEASE ISSUES.** Prisoner release issues will be dealt with in accordance with the Interim Agreement's provisions and procedures, including Annex VII.

3. **OUTSTANDING INTERIM AGREEMENT ISSUES.** Negotiations on the following outstanding issues from the Interim Agreement will be immediately resumed. Negotiations on these issues will be conducted in parallel:

- a. Safe Passage
- b. Gaza Airport
- c. Gaza Port
- d. Passages
- e. Economic, financial, civilian and security issues
- f. People-to-people

4. **PERMANENT STATUS NEGOTIATIONS.** Permanent status negotiations will be resumed within two months after implementation of the Hebron protocol.

Palestinian Responsibilities

The Palestinian side reaffirms its commitment to the following measures and principles in accordance with the Interim agreement:

1. Complete the process of revising the Palestinian National Charter.
2. Fighting terror and preventing violence.
 - a. Strengthening security cooperation.
 - b. Preventing incitement and hostile propaganda, as specified in Article XXII of the Interim Agreement.
 - c. Combat systematically and effectively terrorist organizations and infrastructure.
 - d. Apprehension, prosecution and punishment of terrorists.
 - e. Requests for transfer of suspects and defendants will be acted upon in accordance

with Article II (7)(f) of Annex IV to the Interim Agreement.

f. Confiscating of illegal firearms.

3. Size of Palestinian Police will be pursuant to the Interim Agreement.

4. Exercise of Palestinian governmental activities, and location of Palestinian governmental offices, will be as specified in the Interim Agreement.

The aforementioned commitments will be dealt with immediately and in the parallel.

Other Issues

Either party is free to raise issues not specified above related to implementation of the Interim Agreement and obligations of both sides arising from the Interim Agreement.

Prepared by Ambassador Dennis Ross at the request of Prime Minister Benjamin Netanyahu and Rais Yasir Arafat.

D. U.S. SECRETARY OF STATE WARREN CHRISTOPHER, U.S. LETTER OF ASSURANCE TO ISRAEL, WASHINGTON, 15 JANUARY 1997.

Although not officially part of the Hebron agreement, Secretary Christopher's confidential letters of assurance—one to Prime Minister Netanyahu and the other to Arafat—were integral to the deal and were carefully negotiated with both parties. The letter to Netanyahu (the only one made public) was noteworthy particularly for setting the timetable for further withdrawals and for the controversy surrounding its reference to "U.S. views on Israel's process of redeploying its forces [and] designating specified military locations," widely interpreted to mean American recognition of Israel's right to decide unilaterally the extent of further redeployments. The Letter of Assurance, released by Israel, was published in the New York Times on 17 January 1997.

Dear Mr. Prime Minister,

I wanted personally to congratulate you on the successful conclusion of the "Protocol Concerning the Redeployment in Hebron." It represents an important step forward in the Oslo peace process and reaffirms my conviction that a just and lasting peace will be established between Israelis and Palestinians in the very near future.

In this connection, I can assure you that it remains the policy of the United States to support and promote full implementation of the Interim Agreement in all of its parts. We

intend to continue our efforts to help ensure that all outstanding commitments are carried out by both parties in a cooperative spirit and on the basis of reciprocity.

As part of this process, I have impressed upon Chairman Arafat the imperative need for the Palestinian Authority to make every effort to ensure public order and internal security within the West Bank and Gaza Strip. I have stressed to him that effectively carrying out this major responsibility will be a critical foundation for completing implementation of the Interim Agreement, as well as the peace process as a whole.

I wanted you to know that, in this context, I have advised Chairman Arafat of U.S. views on Israel's process of redeploying its forces, designating specified military locations and transferring additional powers and responsibilities to the Palestinian Authority. In this regard, I have conveyed our belief that the first phase of further redeployments should take place as soon as possible, and that all three phases of further redeployments should be completed within 12 months from the implementation of the first phase of the further redeployments but no later than mid-1998.

Mr. Prime Minister, you can be assured that the United States' commitment to Israel's security is ironclad and constitutes the fundamental cornerstone of our special relationship. The key element in our approach to peace, including the negotiations and implementation of agreements between Israel and its Arab partners, has always been a recognition of Israel's security requirements. Moreover, a hallmark of U.S. policy remains our commitment to work cooperatively to seek to meet the security needs that Israel identifies. Finally, I would like to reiterate our position that Israel is entitled to secure and defensible borders, which should be directly negotiated and agreed with its neighbors.

Sincerely,

WARREN CHRISTOPHER

E. PRESIDENT OF THE EU COUNCIL OF MINISTERS HANS VAN MIERLO, LETTER OF ASSURANCES TO PRESIDENT ARAFAT, THE HAGUE, NETHERLANDS, 15 JANUARY 1997.

The letter, signed by Dutch Foreign Minister Hans van Mierlo on behalf of the European Union's fifteen member states, was presented to Arafat on 15 January but was not made public until 3 February. It was first mentioned by Arafat at a joint

press conference held at The Hague with Dutch Prime Minister Wim Kok and Foreign Minister van Mierlo. According to a clarification by van Mierlo, the letter had been requested by Arafat and ultimately agreed to by the Israeli government, which asked that it be kept secret. According to EU Middle East peace coordinator Miguel Moratinos, the letter, drafted after consultations with the United States, helped "clinich" the Hebron accord. It was published in the Jerusalem Post on 10 February 1997.

Dear Mr. President,

In my capacity as president of the Council of Ministers of the European Union, allow me, first of all, to congratulate you on the occasion of the signing of the protocol in implementation of Israeli redeployment in Hebron and the connected documents.

As you are well aware, the European Union, through its special envoy to the Middle East peace process, has been in close contact with all the parties involved in order to help achieve this important breakthrough. The Hebron negotiations demonstrated that only the parties to the conflict can ultimately resolve their differences.

The European Union is convinced that you have reached a fair and balanced agreement which will favor further progress within the framework established by the Madrid conference and the Oslo agreements.

Be assured, Mr. President, that the European Union remains committed to the completion of a just, lasting and comprehensive peace in the Middle East. It will therefore use all its political and moral weight to ensure that all the provisions in the agreements already reached will be fully implemented on the basis of reciprocity by both Israeli and Palestinian sides in a timely fashion.

HANS VAN MIERLO

F. ISRAELI CABINET, CABINET COMMUNIQUÉ, JERUSALEM, 16 JANUARY 1997.

The communiqué was issued after a thirteen-hour cabinet meeting voted 11 to 7 (Benjamin Begin, Yuli Edelstein, Rafael Eitan, Zevulun Hammer, Yitzhak Levy, Limor Livnat, and Ariel Sharon) to endorse the Hebron accords. The major point of contention was the issue of further redeployments mentioned in the Note for the Record and the Letters of Assurance. The cabinet meeting was interrupted when

Israel Television reported that the U.S. State Department had declared that the extent of additional redeployments would be negotiated, prompting PM Netanyahu to seek clarifications from U.S. special envoy Ross (see Docs. F and G below). U.S. Ambassador to Israel Martin Indyk also stated that "it's clear in the agreement that Israel specifies the military locations, so the amount Israel hands over is Israel's decision" (Christian Science Monitor, 1/16). The cabinet communiqué was made available by the Embassy of Israel in Washington.

At a special Cabinet meeting held on Wednesday, 1.15.97, the Cabinet decided as follows:

1. To approve the Protocol Concerning the Redeployment in Hebron as well as the Note for the Record and the Agreed Minute, which were initiated by representatives of Israel and the Palestinians on 6 Shevat 5757, January 14, 1997.
2. The Government will act to maintain all the conditions and requirements necessary for the existence, security and consolidation of the Jewish community in Hebron.
3. Details of the further stages of the redeployment in Judea and Samaria will be determined by the Government of Israel.
4. The Government will soon begin to discuss the principles of the permanent status arrangements, with the aim of concluding its deliberations prior to the implementation of the second stage of the further redeployment, at the very latest.
5. The Government reiterates that a fundamental condition for the continuation of the [peace] process with the Palestinians is the mutual fulfillment of the obligations of both sides, as itemized in the Note for the Record of January 14, 1997. The Cabinet decision was adopted by a vote of 11 to 7. Upon the adoption of the decision, Minister Benjamin Begin announced his resignation from the Government.

G. U.S. SPECIAL MIDDLE EAST COORDINATOR DENNIS ROSS, U.S. STATEMENT ON FURTHER REDEPLOYMENTS, JERUSALEM, 15 JANUARY 1997.

The Ross letter of clarification, composed at the request of the Israeli cabinet (see above), was addressed to Cabinet Secretary Dan Nave. It was published in Hebrew in

Ha'Aretz on 16 January and reproduced in a back translation by Near East Report on 27 January 1997.

Sir:

You have asked about the time-frame intended by the term "mid-1998," which was used by Secretary of State Christopher in his letter to the Prime Minister regarding the further redeployments in the framework of the Interim Agreement.

This term was originally proposed by King Hussein and is intended to refer to a bridging period between May 1998 and September 1998. In the context of the U.S. proposal, it was proposed to use the term "the last part of 1998" to indicate the final date for the further redeployments. In the course of the negotiations with the King, the Prime Minister, Secretary of State Christopher, and Chairman Arafat, it was agreed on various occasions that the term "mid-1998" will cover a time-frame in the middle of the year and will not indicate a precise date. During the negotiations, the speakers specified the months of June, July, and August to illustrate how the term will be implemented on the ground.

Sincerely,

DENNIS ROSS

Special Middle East Coordinator

**H. U.S. STATE DEPARTMENT SPOKESMAN
NICHOLAS BURNS, STATEMENT ON
FURTHER REDEPLOYMENTS,
WASHINGTON, 15 JANUARY 1997.**

Burns's statement, issued as a result of the Israeli cabinet debate mentioned above, was reprinted in Near East Report on 27 January 1997.

Israel television has reported a statement attributed to a State Department spokesman concerning the process of Israel's further redeployments under the interim agreement. That report is erroneous.

The only U.S. comments on this issue are contained in two documents that will be submitted at the time that the agreement on Hebron redeployment is signed.

The Note for the Record, prepared by the United States at the request of the parties, makes clear that further redeployment phases are issues for implementation by Israel rather than issues for negotiation with the Palestinians.

The letters of assurance which Secretary Christopher intends to provide to both parties also refer to the process of further

redeployments as an Israeli responsibility which includes its designating specified military locations.

**I. ISRAELI PRIME MINISTER BENJAMIN
NETANYAHU, STATEMENT TO THE KNESSET
ON THE PROTOCOL CONCERNING
REDEPLOYMENT IN HEBRON, JERUSALEM,
16 JANUARY 1997.**

The prime minister's address was made available by the Embassy of Israel in Washington.

Mr. President, Mr. Speaker, Members of Knesset,

These are difficult days. Every step that we take in the city of the patriarchs and the matriarchs is difficult, even when we redeploy in Hebron. We are not leaving Hebron, we are not redeploying from Hebron. In Hebron, we touch on the very basis of our national consciousness, the bedrock of our existence. Everyone whose heart beats with national feeling, with Jewish feeling, cannot help but feel the weight of the responsibility placed on our shoulders, and the supreme obligation to preserve our heritage.

At the same time, we cannot ignore reality. I must say to the Members of the Knesset and the citizens of Israel, that we inherited a difficult reality. The agreements signed by the previous governments are binding upon the Government of Israel. We said this in the election campaign, we said this after the election campaign, before the establishment of the government and afterwards. These agreements which we inherited were framework agreements, full of breaches, and we criticized them—and rightly so—because they did not take into proper account the problem of security; they did not take into account the full significance of the agreements for our national security; they did not demonstrate sufficient concern for the fate of the settlers in Judea, Samaria and Gaza, including the fate of the Jewish community in Hebron.

We inherited difficult agreements. This is the reality. One could try to ignore it. We chose not to ignore this reality. These agreements comprised written texts; but worse, was the "oral law." At least part of the previous leadership—I do not wish to include them all sought to use these agreements to bring about objectives and goals which in my view are dangerous—potentially disastrous for our future. This was true both with regard to Hebron and with regard to the permanent status arrangements.

With regard to Hebron, we inherited a framework agreement full of holes. I want to clarify that this is an agreement of two to three pages, which comprises a list of general instructions. This is the "written law." I say that there was also an "oral law," in which at least part of the coalition—an important part—had the courage and the integrity to openly state their intention, their goal—in placards posted on streets and in buses. Part of the coalition did conceal its intention was to uproot the Jewish community in Hebron, to remove it. Some of the Labor ministers of the previous government did not conceal that this was their opinion, and the goal of the government.

I want to make this clear, not in order to indulge in polemics but to clarify a fundamental point: We are committed to the written agreements. We are not committed to the "oral law." Our viewpoint and our objectives are completely different. We do not want to remove the Jewish community from Hebron. We want to preserve and consolidate it. We do not want to remove ourselves from Hebron; we want to remain in Hebron. From this different objective are derived those items, those paragraphs, those components which were inserted into the agreement as a result of the negotiations. The agreement today is of course much broader, much more detailed.

But the major point that I wish to convey to the Members of Knesset with regard to our policy is that it is our different objective, in this case to remain in Hebron, that dictates in the details in the agreement before you. From this different objective, we saw to it that there would be areas of separation, we removed the rifles, we saw to it that there would be an IDF presence in the territories overlooking the Jewish community and the major routes, through joint patrols. We saw to it that the Jewish community would be protected from high Palestinian buildings that could threaten or encroach on Jewish homes. We saw to improved and more numerous security mechanisms between us and the Palestinian security forces in order to make possible a reality of security, a reality of living, a reality of development and consolidation for the Jewish community.

I can therefore say with confidence that this is an agreement that is better, more secure, more responsible than that which we inherited. But above all, I would like to appeal to the residents of Hebron. I know

that you are fearful today, and I would like to say to you, brothers and sisters, that we are concerned for you, that we do not see you as an insignificant appendage. We see you as dear brothers. We are concerned for each and every one of you. We do not see you as 400 insignificant Jews, but as our representatives.

I do not say today that there are no dangers. I do not say that this is a perfect agreement—it cannot be. We received it in its crude form as a flawed agreement. But neither do I say that we did not act to distance ourselves from dangers and to limit them. This is what we did. But in the last analysis, every agreement is dependent upon the goodwill of the signatories. I call from this podium upon the Palestinians and our Arab neighbors to support the agreement, to fulfill all its provisions, in order that security should be preserved. A better, more secure agreement is important to both sides. An agreement that will not be upheld, security that will founder will be bad for both sides.

Until now, Hebron has been a symbol of division and conflict because of the hostility between Palestinians and Israelis. Now we have an opportunity to prove that Hebron can also serve an opposite example one of cooperation, of co-existence, a paradigm of peace.

With the signing of the Hebron agreement, we are embarking on a fateful course, which will not be simple, whose final goal, on the conclusion of the negotiations on the permanent status arrangements, is to bring peace with security between us and the Palestinians.

I want to say again to the Members of Knesset. In this agreement, too, under the general framework of Oslo, we inherited an agreement which was not to our liking. The agreement was divided into a written text, which is binding, and an "oral law" whose purpose, at least for part of the leadership, a considerable part, would have produced negative results: withdrawal to the '67 lines, or almost; the establishment of a Palestinian state; and even the division of Jerusalem.

We are committed, of course, to the written agreements. We have demonstrated today that we are fulfilling our commitments. But our goals are different. We are using the time interval in the agreement to achieve our goals: to maintain the unity of Jerusalem, to ensure the security depth necessary for the defense of the State, to insist on the right of Jews to settle in their land, and to propose to

the Palestinians a suitable arrangement for self-rule but without the sovereign powers which pose a threat to the State of Israel.

This is the mandate which the government which I head received from the voters. With this, we will go forward. In following this course, not only is our goal different but also the way to achieve this goal, as is the way to move forward, to conduct negotiations.

We insisted on three fundamental principles in the course of the negotiations, both on Hebron and on the agreement to follow Hebron.

The first is the principle of reciprocity. We established the principle of reciprocity—in an official document—as a basic principle for the continuation of the process of the permanent status negotiations. This is now an integral part of the agreement. Both sides agreed on a list of mutual undertakings and clarified that the fulfillment of the agreement, the fulfillment of the understandings of one side will be dependent upon the fulfillment by the other side. I do not know any other interpretation of the word “agreement.” An agreement that obliges only the Israeli side, where only the Israeli side gives and the Palestinian side takes, is not an agreement. An agreement in which both sides accept the mutual commitment to fulfill obligations—this is an agreement. What we have today in the documents before you is the anchoring and formalization of the principle of reciprocity, for the first time since the Oslo agreements.

The second important issue that was clarified in the agreements and documents achieved in the course of these negotiations is that the implementation of the redeployments will be an Israeli decision that will not be a matter for negotiation with the Palestinians. This decision must comply with Israel's security considerations, as Israel sees fit. It is Israel that will define the security zones. But before this, it is Israel that will determine the nature and scope of the three redeployments—not only the first and second, but also the third. This is also the way in which the United States interprets the agreement. And I believe this is [a] very important distinction. For us, for the entire Knesset, there must be absolute consensus on the supreme importance that Israel will be able to define, accord to its own understanding, the security needs of the State of Israel and to carry out the further redeployments according to this understanding.

The third achievement, beyond the reciprocity and to Israeli definition of the redeployments, is the time frame. I believe that this is not something that stands alone. Rather, it allows us room for maneuver, room to test reality, room to test reciprocity in the fulfillment of the agreement.

These three elements are a significant change, and a change for the better, compared to our situation not long ago, only a few months ago. We were in the midst of an almost uncontrolled dash to the '67 lines. Nine months from today we might have found ourselves almost at these borders, with the only subject in effect remaining on the agenda—Jerusalem. This situation—I say to both the opposition and the coalition—we have changed completely. We will conduct negotiations with the time, the ability and the freedom for political maneuver that we did not enjoy before. We will conduct the negotiations carefully, responsibly, with discretion. I am convinced that our goals of preserving Jerusalem, preserving the security depth, preserving Israel's ability to defend itself, and a suitable arrangement with the Palestinians—I am convinced that these are goals which the large majority of the Israeli people support, and that the large majority of the people support the course which we have set, insisting on reciprocity and security.

In practical terms—not in the Hague court, but in the court of international opinion, and not only international opinion—it was until recently self-understood, almost an axiom, that the only item on the agenda was an agreement in which Israel must fulfill all its commitments and in which the other side owes nothing. All its commitments were ignored. What we have today in the international community, signed with an official seal, is an agreement which is binding, in which the principle of reciprocity is clear.

These agreements contain important improvements as well as the time in which we will be able to bring to completion the goal which we seek to attain, which I believe is shared by all Members of Knesset. I believe that the large majority of the people supports this course. I believe with all my heart that this is the only way to achieve the aspiration which we all share: peace with security, peace for generations and not for one year, peace for our children and also for our grandchildren. After the arguments will end, and after the smoke and dust will settle, I believe that we will achieve these goals.

**J. U.S. SPECIAL MIDDLE EAST
COORDINATOR DENNIS ROSS, ON-THE-
RECORD BRIEFING ON THE HEBRON
AGREEMENTS, WASHINGTON, 17 JANUARY
1997 (EXCERPTS).**

The briefing was made available by the State Department.

Ross: The last thing I would say is there obviously was a very different kind of American role in this negotiation than has been the case previously. It is not that we weren't actively involved throughout. It is not that we didn't intervene at critical moments to help overcome problems. The difference is, here, we were not an intermediary; we were, in fact, a broker. We were, in fact, a mediator. I think that occurred precisely because we started the negotiations at such a low ebb. They emerged out of the explosion in September. They emerged in the aftermath of the President's call for the summit here which was designed to break the cycle of violence and the cycle of grievance. We started, as I said, at a very low ebb. Because of that we had to fill in in a way that wasn't required before.

In the long run, it's not the kind of role that we want to be playing. We will stay heavily involved. We will do whatever is required in this process, but it will always be most important for the parties themselves to be able to identify the problems and solve them themselves. We'll be supportive in whatever ways we can, and we will do what they ask us to do. They clearly wanted us to play this role. But over time, I think it's better for everybody concerned if our role returns to that of being much more the facilitator, much more the supporter. That doesn't mean if they feel that they need us involved in a certain way, that we won't do it. But at least from a personal perspective, I would say that it's very important that they build on what this agreement has done. . . .

Q: Dennis, in the euphoria of this moment, a lot of people have been saying that there's no turning back; that this commits both sides unalterably to the ultimate conclusion, which is a settlement of Arab-Israeli difficulties, especially in terms of a Palestinian state. Is there any possibility of turning back?

Ross: I think, again, if you take a look at this agreement, it has two basic parts to it. First is the Hebron protocol. Hebron is a tremendously emotional and symbolic issue to both sides. It was, indeed, part of the Interim

Agreement, but it's clear that the original redeployment from Hebron was delayed more than once, and the fact that it was, is an indication that this was not such a simple thing to carry out.

So the fact that you see this hurdle being crossed, number one, and the fact that you see a clear road map for the future being laid out I think also demonstrates pretty clearly that we have a direction, and it ought to build the level of confidence that, in fact, that direction is one that can't be reversed. . . .

Q: At the risk of having you beat me up after school, I want to revisit the issue of the Secretary's letter to Prime Minister Netanyahu. Is it a fact that the total amount of land in the end to be turned over by the Israelis is solely a matter for Israeli discretion? And, if not, how is it to be determined?

Ross: Let's focus on what we have addressed and what we have not addressed. The issue of further redeployment under the terms of the Interim Agreement, is an Israeli responsibility. The Israelis are to designate the specified military locations. What we have sought to do in the letter of assurance that the Secretary provided is to make clear that the further redeployment process needs to go forward, all three phases must be completed, and they need to be completed within a timeframe that is sufficiently far in advance of the end of the interim period to permit the time for negotiations on permanent status issues so that you can take into account the results of the further redeployment in that period when you were negotiating permanent status issues, which, by the way, include borders.

Borders and further redeployment are not necessary [*sic*] synonymous. The further redeployment process is something that is to be completed well in advance of the time in which you were discussing a whole range of permanent status issues. What we have sought to do is focus much more on the process, get that process started, and have a general time frame for when it will be concluded.

What we have said is it should be concluded within 12 months of the conclusion of the first phase of further redeployment and not later than middle 1998. So our focus has been much more on the issue of the process—getting it started and knowing it will be concluded—and creating the time frame so that you can have a level of

confidence that the permanent status issues can be discussed in a context where the further redeployment has taken place.

Q: Dennis, could I follow up on that. Explain how that doesn't give Israel the ability to determine the contours, the territorial contours, of a final status agreement.

Ross: I just said the negotiations on borders is one of the permanent status issues that has to be address[ed], and there's no question that you're not going to have borders unless the borders have been agreed. But I would say you've got to look at this further redeployment as something that takes place and gets concluded well in advance of the time that the interim period is concluded, and by that time you should be in a position where you will be discussing all the permanent status issues.

One other point: We from our standpoint are focused on the process at this stage of further redeployment. We are not addressing the content of further redeployment.

Q: I think myself and others just don't understand how there can be negotiations when at the end of the day Israel has the exclusive right to decide.

Ross: You've got to take a look at this in terms of further redeployment and also at

the issue of borders. Borders are something to be negotiated.

Q: Two questions. First is the Christopher—or Secretary Christopher letter to Chairman Arafat. The fact that it was not published or exposed creates a certain feeling of a gray area or an opened-minded mechanism or two promises—open promises to the two sides which will be resolved eventually when we get to the bridge and we can cross the bridge. Why was that letter kept secret? The second—

Ross: Let me do them one at a time. Otherwise, I may not address them. The letters of assurance—the practice that we have followed with letters of assurance since the Madrid process is that as far as we were concerned, the fact of the letters was to be public, but the letters themselves were to remain confidential. That's the practice that we have followed since Madrid.

In the case of the Palestinians, they received their letter, and they have chosen to keep it confidential. In the case of the Israelis, they've chosen not to do so. The distinction here is a choice that was adopted by the Israelis. We have never in this history on our own published any of the letters of assurance that we've provided.