

13 GOI, Second Statement, para 4.

14 GOI, First Statement, para 19.

15 PLO, Third Submission, p. 25.

16 Id., pp. 46-50.

17 Id., pp. 27-28.

18 PLO, Second Submission, p. 14.

19 Id., pp. 14-15.

20 GOI, Second Statement, para 82.

21 GOI, First Statement, para 99.

22 GOI Second Statement, para 19, referring to the Exchange of Notes Between the Prime Minister of Israel and the Chairman of the PLO, 9- 10 September 1993.
23 Id., para 21.

24 Testimony before the United States House of Representatives Committee on Appropriations, 102nd Congress, May 22, 1991.

25 On March 21, 1980, Secretary of State Cyrus Vance, speaking on behalf of the Carter Administration, stated: "U.S. policy toward the establishment of Israeli settlements in the occupied territories is unequivocal and has long been a matter of public record. We consider it to be contrary to international law and an impediment to the successful conclusion of the Middle East peace process." On September 1, 1982, President Ronald Reagan announced what came to be known as The Reagan Plan for the Middle East, stating that: "[T]he immediate adoption of a settlements freeze by Israel, more than any other action, could create the confidence needed for wider participation in these talks. Further settlement activity is in no way necessary for the security of Israel and only diminishes the confidence of the Arabs that a final outcome can be freely and fairly negotiated."

On December 16, 1996, at a press conference, President Bill Clinton stated: "It just stands to reason that anything that preempts the outcome [of the negotiations] .. cannot be helpful in making peace. I don't think anything should be done that would be seen as preempting the outcome." Asked if he viewed the settlements as an obstacle to peace, President Clinton replied, "Absolutely. Absolutely."

On April 5, 2001, a U.S. State Department spokesman, speaking for the current administration, stated: "Continuing settlement activity does risk inflaming an already volatile situation in the region"; he described that activity as "provocative."

26 There are 400 settlers in the "H2" sector of central Hebron, and 6,000 in the Kiryat Arba settlement on the eastern edge of the city. See "An Introduction to the City of Hebron," published by the Temporary International Presence in Hebron.
27 Central Intelligence Agency, The World Factbook 2000

28 Ha'aretz, English Language Edition, April 10, 2001, p. 5.

29 GOI, First Statement, para 286.

30 Id., para 189.

31 B'Tselem, *Illusions of Restraint: Human Rights Violations During the Events in the Occupied Territories*, 29 September-2 December 2000, December 2000, p. 4.
32 GOI, First Statement, para 306. "The stated policy of the IDF is that whenever a Palestinian in the Occupied Territories dies at the hands of a soldier, an investigation is to be made by the Department of Military Police Investigations (MPI), except in cases defined as 'hostile terrorist activity.'" See B'Tselem, *Illusions of Restraint*, p. 24. See also, Alex Fishman, "The Intifada, the IDF and Investigations," *Yediot Aharonot* (in English, Richard Bell Press, 1996, Ltd.), January 19, 2001.

33 GOI, Second Statement, para 69-80.

34 PLO, Third Submission, p. 69.

35 Id., p. 60.

36 GOI, Second Statement, para 78.

37 GOI, First Statement, para 305.

38 Israel Defense Forces, *The Ethical Code of the Israel Defense Forces*.

39 See, e.g., U.S. Department of State, *Country Reports on Human Rights Practices, 2000 (Occupied Territories)*. See also, B'Tselem, *Illusions of Restraint*, pp. 15-16, reporting on the alleged practice of separating rubber bullets into individual rounds, as opposed to firing them properly in a bound cluster of three. Separation increases range and lethality.

40 GOI, Second Statement, para 92.

41 Id., para 89.

Tenet Plan, 13 June 2001

The security organizations of the Government of Israel (GOI) and of the Palestinian Authority (PA) reaffirm their commitment to the security agreements forged at Sharm el-Sheikh in October 2000, embedded in the Mitchell Report of April 2001.

Israeli-Palestinian ceasefire and security plan, proposed by CIA director George Tenet, which took effect on 13 June 2001

The operational premise of the work plan is that the two sides are committed to a mutual, comprehensive cease-fire, applying to all violent activities, in accordance with the public declaration of both leaders. In addition, the joint security committee referenced in this work plan will resolve issues that may arise during the implementation of this work plan.

The security organizations of the GOI and PA agree to initiate the following specific, concrete, and realistic security steps immediately to re-establish security cooperation and the situation on the ground that existed prior to 28 September.

1. The GOI and the PA will immediately resume security cooperation.

A senior-level meeting of Israeli, Palestinian, and U.S. security officials will be held immediately and will reconvene at least once a week, with mandatory participation by designated senior officials.

Israeli-Palestinian District Coordination Offices (DCOs) will be reinvigorated. They will carry out their daily activities, to the maximum extent possible, according to the standards established prior to September 28, 2000. As soon as the security situation permits, barriers to effective cooperation - which include the erection of walls between the Israeli and Palestinian sides - will be eliminated and joint Israeli-Palestinian patrols will be reinitiated.

U.S.-supplied video conferencing systems will be provided to senior-level Israeli and Palestinian officials to facilitate frequent dialogue and security cooperation.

2. Both sides will take immediate measures to enforce strict adherence to the declared cease-fire and to stabilize the security environment.

Specific procedures will be developed by the senior-level security committee to ensure the secure movement of GOI and PA security personnel traveling in areas outside their respective control, in accordance with existing agreements.

Israel will not conduct attacks of any kind against the Palestinian Authority Ra'is facilities: the headquarters of Palestinian security, intelligence, and police organization; or prisons in the West Bank and Gaza.

The PA will move immediately to apprehend, question, and incarcerate terrorists in the West Bank and Gaza and will provide the security committee the names of those arrested as soon as they are apprehended, as well as a readout of actions taken.

Israel will release all Palestinians arrested in security sweeps who have no association with terrorist activities.

In keeping with its unilateral cease-fire declaration, the PA will stop any Palestinian security officials from inciting, aiding, abetting, or conducting attacks against Israeli targets, including settlers.

In keeping with Israel's unilateral cease-fire declaration, Israeli forces will not conduct "proactive" security operations in areas under the control of the PA or attack innocent civilian targets.

The GOI will re-institute military police investigations into Palestinian deaths resulting from Israel Defence Forces actions in the West Bank and Gaza in incidents not involving terrorism.

3. Palestinian and Israeli security officials will use the security committee to provide each other, as well as designated U.S. officials, information on terrorist threats, including information on known or suspected terrorist operation in - or moving to - areas under the other's control.

Legitimate terrorist and terror threat information will be acted upon immediately, with follow-up actions and results reported to the security committee.

The PA will undertake pre-emptive operations against terrorists, terrorist safe houses, arms depots, and mortar factories. The PA will provide regular progress reports of these actions to the security committee.

Israeli authorities will take action against Israeli citizens inciting, carrying out, or planning to carry out violence against Palestinians, with progress reports on these activities provided to the security committee.

4. The PA and GOI will move aggressively to prevent individuals and groups from using areas under their respective control to carry out acts of violence. In addition, both sides will take steps to ensure that areas under their control will not be used to launch attacks against the other side nor be used as refuge after attacks are staged.

The security committee will identify key flash points, and each side will inform the other of the names of senior security personnel responsible for each flash point.

Joint Standard Operating Procedures (SOP's) will be developed for each flash point. These SOP's will address how the two sides handle and respond to security incidents; the mechanisms for emergency contact; and the procedures to deescalate security crises.

Palestinian and Israeli security officials will identify and agree to the practical measures needed to enforce "no demonstration zones" and "buffer zones" around flash points to reduce opportunities for confrontation. Both sides will adopt all necessary measures to prevent riots and to control demonstration, particularly in flash-point areas.

Palestinian and Israeli security officials will make a concerted effort to locate and confiscate illegal weapons, including mortars, rockets, and explosives, in areas under their respective control. In addition, intensive efforts will be made to prevent smuggling and illegal production of weapons. Each side will inform the security committee of the status and success of these efforts.

The Israeli Defence Forces (IDF) will adopt additional non-lethal measures to deal with Palestinian crowds and demonstrators, and more generally, seek to minimize the danger to lives and property of Palestinian civilians in responding to violence.

5. The GOI and the PA, through the auspices of the senior-level security committee, will forge - within one week of the commencement of security committee meetings and resumption of security cooperation - an agreed-upon schedule to implement the complete redeployment of IDF forces to positions held before September 28, 2000.

Demonstrable on-the-ground redeployment will be initiated within the first 48 hours of this one-week period and will continue while the schedule is being forged.

6. Within one week of the commencement of security committee meetings and resumption of security cooperation, a specific timeline will be developed for the lifting of internal closures as well as for the reopening of internal roads, the Allenby Bridge, Gaza Airport, the Port of Gaza,

and border crossings. Security checkpoints will be minimized according to legitimate security requirements and following consultation between the two sides.

Demonstrable on-the-ground actions on the lifting of the closures will be initiated within the first 48 hours of this one-week period and will continue while the timeline is being developed.

The parties pledge that even if untoward events occur, security cooperation will continue through the joint security committee.