

## **UPDATE ON AMA AND GAZA CROSSINGS**

### **March 7 2007**

#### **The AMA in General:**

- **Israel continues to openly flout its obligations under the AMA**, with no positive movement on any aspect of the AMA.
- **Without implementation of the AMA, the economic situation will continue to deteriorate**, exacerbating the political and social instability and allowing Israel to continue its collective punishment of the Palestinian people.
- **Palestinians are exerting all efforts to move the implementation of the AMA forward**, including by participating in good faith in all forums relating to its implementation. [SEE ANNEX ON WORKING GROUPS ON AMA IMPLEMENTATION]

#### **Rafah Crossing Point:**

- **Since June of last year, the crossing has been closed most of the time**, mainly due to Israeli measures in violation of the agreements. This has resulted in the isolation of Gaza from the outside world and exacerbation of the serious humanitarian crisis.
- **Rafah Crossing must open continuously and operate normally** as per the agreements to allow movement of Palestinians (particularly students, expatriate workers and emergency medical cases).
- **Israel continues to refuse to sign the Customs Protocol** to the Rafah Agreement, and refuses to allow Kerem Shalom Crossing to open for its sole purpose – to allow for imports from or through Egypt. This has led to attempts to bring commercial imports through Rafah, causing major operational problems, all of which would be resolved by opening Kerem Shalom.
- **Rafah Crossing has yet to be opened to exports to or through Egypt**. Any obstacles to exports from Gaza to Egypt through Rafah should be immediately removed. The Palestinians have raised this issue with Egypt in the past and received a positive response; however, it is not being implemented on the ground.

***[Background: Current EU BAM mandate ends on May 24 2007. The EU wants to renew the mandate and intends to renegotiate the agreements. It has indicated that the same general mandate will be kept. However, they are trying to make renewal contingent on normalisation of operations at Rafah].***

### **Karni Crossing Point:**

- **For much of this year Karni Crossing has been closed** almost entirely to exports from the Gaza Strip, and with only a trickle of imports into Gaza being allowed to pass. **Karni must be re-opened immediately.** The closure of Karni violates the AMA, particularly the agreement that the “passages will operate continuously.” It was agreed that a crossing would not close unless there was a specific threat to that crossing, and that should a crossing be closed it would reopen as soon as possible. Neither of these are the case at Karni, which Israel closes regularly for punitive reasons.
- **The Karni crossing is crucial as it is currently the only crossing with sufficient capacity,** when fully utilised, to handle the trade needs of Gaza. It also provides the closest link between the Gaza Strip and the West Bank.
- **Palestinians are taking concrete steps to improve their side of the crossing** and have worked actively with the USSC team on a comprehensive Security Plan for Karni, training and deployment of security force under the Presidential Guard, as well as reform of the General Administration for Crossings and Borders. Short term and urgently needed improvements are well underway, to be followed by long-term upgrades, all within the purview of the Security Plan.
- **As part of the Karni Security Plan, Palestinians welcome international monitors at Karni,** whose role would be to monitor and assist in ensuring proper security and management measures by all sides. The EU BAM presence at Rafah has set a good precedent; we have therefore sought EU assistance in this regard.
- **The humanitarian crisis** in the Gaza is in large part due to Israel’s prolonged and unjustified closure of Karni. The best way to rectify this crisis is to open Karni immediately.

### **Kerem Shalom Crossing:**

*From Egypt*

- **Israel must sign the Customs Protocol and open Kerem Shalom Crossing for imports from or through Egypt immediately.** Refusal to do this is a breach of the APRC. This is particularly egregious because the substance of the protocol has already been agreed by all parties.
- **Palestinians welcome the import of goods from Egypt through Kerem Shalom,** and are ready to assume their posts at Kerem Shalom and clear all such imports, including any humanitarian goods arriving from Egypt, in accordance with the agreements and the Customs Protocol. Parties agree, including the EU, that opening Kerem Shalom is the key to resolving most security threats and smuggling activities at Rafah.

*From Israel*

- **Palestinians will not engage on allowing goods from Israel in or out through Kerem Shalom.** Constant attempts by Israel to bypass agreements and carry this out have been, and continue to be rejected by the Palestinians.

**Erez Crossing:**

- **The Erez crossing is not on the 1967 border.** Palestinians will not engage on the issue of Erez as a crossing point for goods, even on a humanitarian basis, unless and until they receive a written acknowledgement by Israel that such engagement does not prejudice the Palestinian position vis-à-vis the 1967 border in Gaza.

*[NOTE: there are three reasons why this is important: (1) the border issue influences borders throughout Palestine in the long term, (2) a change in position now, even if it is slight, would be particularly harmful after holding the position on the 1967 border so strongly thus far, and (3) the structures available/planned at Erez for the movement of goods are worse than those found at Karni, and are contrary to Palestinian interests.]*

**ANNEX**  
**AMA WORKING GROUPS RELATING TO GAZA**  
*March 2007*

**Crossings Steering Committee (CSC)**

- *Involved parties:* Palestinians (Dr. Saeb Erekat\*, Mohammad Mustafa, Rafiq Husseini, Private Sector Reps, Hazem Attallah (PG), Musbah Buheisi (PG), Nazmi Muhanna, Salim Abu Safieh, Nasser Sarraj, Hatem Yousef (Customs), NSU, occasionally attended by members of USSC (observer)
- *Role:* Internal Palestinian coordination of crossings-related work

**Coordination and Evaluation Committee (CEC)**

- *Involved parties:* EUBAM\*; EU (observer); Palestinians; Israelis; USSC (observer); US Consulate (observer); US Embassy (observer)
- *Role:* Follow up on technical issues relating to the EU BAM role in the implementation of the Rafah Agreements

**Security Working Group (SWG)**

- *Involved parties:* USSC\*; US Consulate; US Embassy; EU (observer); Palestinians; Israelis; Egyptians; EUBAM (observer)

- *Role:* Follow up on policy issues arising from the implementation of the Rafah Agreements

**The following sub-working groups were established under the CEC and SWG:**

**“Goods of Concern” / Weapons and Explosives**

- *Involved parties:* USSC\*; Palestinians; Israelis; EUBAM (observer)
- *Role:* Identifying and defining weapons and explosives pursuant to the Security Implementation Protocol and agreeing procedures

**Procedures for Hazardous Materials**

- *Involved parties:* Palestinians; EUBAM (joint lead)
- *Role:* Identifying procedures for dealing with hazardous and potentially hazardous materials pursuant to the Security Implementation Protocol

**Exceptional Categories**

- *Involved parties:* EUBAM\*; Palestinians; Israelis
- *Role:* Agreeing to definition of exceptional categories allowed to traverse the RCP pursuant to the Rafah Agreement

**“Persons of Concern”**

- *Involved parties:* USSC\*; Palestinians; Israelis
- *Role:* exact mandate not clearly agreed

**Crisis Management**

- *Involved parties:* Palestinians\*; Egyptians; EUBAM
- *Role:* Agreeing to procedures to apply in crisis situations pursuant to the Security Implementation Protocol

\* Indicates lead party