

Meeting Minutes
SWG Sub-Working Group on Goods of Concern
December 19, 2006 – Enbal Hotel, West Jerusalem

Attendance:

US	Col. Mike Pearson Col. Paul Evans (PE) Dov Schwartz Tamara and another woman (State Dept)
EU	Col. Patrick Delval (PD) Two others from EU BAM
Palestinians	Col. Hazem Atallah (HA) Rami and Bader (NSU)
Israelis	Oded Herman (MoD) (OH) David Benjamin (legal advisor MoD) (DB) Two others

HA pointed out in the introduction that any definition of goods of concern is conditional on the PA having the proper equipment and training to detect such substances. He said we cannot commit to what we lack the ability to perform. He asked that the EU help as part of its capacity building commitments at RCP.

The NSU explained that the scope of the SWG extends only to weapons and explosives, and that the agreements explicitly excluded dual use items and potentially hazardous substances from the scope of the SWG. The NSU also pointed out existing customs policy under Israeli laws and regulations (which apply given the Paris Protocol), demanding that the Israelis take into account the application of these rules, which largely remove the need for a list. If a list is to be developed, it should be based on these rules.

OH agreed that training and equipment are needed, but developing a list is also important, including the issue of hazardous and dual use materials. DB added that the Israelis are “compiling” a list but he was not sure when it will be finalised. On the scope the SWG, DB agreed with the NSU position that it is limited to weapons and explosives as per the Security Protocol, but said he understood that the Palestinians had backed down from that in the last SWG and expanded the scope to include dual use. The NSU replied that this is not true to our knowledge and is not reflected in the minutes.

DB responded positively to the NSU point regarding the application of Israeli import policy, but then said the Israelis are considering existing restrictions on entry of goods into the West Bank or at Karni as a “basis for discussion.” This point was rejected by the Palestinian side.

Next, the EU BAM were required to present “lessons learned” from the last 12 months of operations regarding confiscated goods of concern. PD said there were only 7 months of daily function, and the period after June is not representative. He handed out a 1 page report (list) of confiscated goods. It is available in NSU files.

PD said we need to start with a list in order to define what equipment, training and procedures are needed. He said the Egyptians should be involved at some point.

PE asked the Israelis if they can commit to have the list ready by next meeting (Jan 9, 07). OH said they will “do their best” and will “let you know in 2 weeks”.

HA repeated that in order to do the job correctly we need training and proper equipment before we deal with details of procedures.

PE raised the issue of procedures for seizure, storage and disposal of goods of concern.

DB mentioned the example of someone bringing in a machine gun. What happens? Is it destroyed? HA said it is confiscated and appropriated by the PG. DB raised the example of rifle scopes (mentioned in the EU BAM report, which says they were destroyed by EU BAM).

The Palestinian side agreed to work on procedures with the EU BAM, but the Israelis will not be part of this work. PE asked if procedures can be worked out by Jan 9. The NSU said the Palestinians will meet with the EU BAM and report on progress at next meeting (Jan 9).

NEXT STEPS:

- 1. EQUIPMENT: EU BAM and Israel to recommend equipment for detection of weapons and explosives based on international standards. (if possible by the Jan 9)**
- 2. LIST: Israel to submit a list of suggested goods of concern (if possible by Jan 9)**
- 3. PROCEDURES: Palestinians and EU BAM to work together on procedures and report on Jan 9.**