



Vice Prime Minister and Minister of Foreign Affairs

May 15, 2007

His Excellency Javier Solana
High Representative of the European Union
Brussels
Belgium

Dear Mr. Solana,

I refer to the Agreed Principles for Rafah Crossing of 15 November 2005 and the Agreed Arrangement on the European Border Assistance Mission at the Rafah Crossing Point on the Gaza-Egypt Border concluded on 25 November 2005 (the "Agreed Arrangement").

I have the honour, on behalf of the Government of Israel, to extend a formal invitation to the European Union to extend its third party (EU BAM) presence at the Rafah crossing point for an additional year, renewable for a further 6 months, commencing on 25 May 2007.

As agreed in consultations between us, the Government of Israel agrees to the extension of the EU BAM mandate in accordance with the arrangements established in the Agreed Arrangement, subject to the additional arrangements and improvements agreed between us and set out in the Annex to this letter.

The Government of Israel also reconfirms its commitment to the goals set out in the Agreed Arrangement and its willingness to faithfully implement its provisions in order to ensure the effective and continuous operation of the Rafah Crossing Point.

I would also like to confirm the Government of Israel's full support for the EU BAM and its commitment to facilitate its operation by granting EU BAM personnel the privileges and immunities as set out in the letter sent to you by Mr. Shimon Peres on 23 November 2005.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Tzipi Livni', written over a horizontal line.

Tzipi Livni

Annex: Agreed additional arrangements and improvements with attachments (4 pages)

Annex: Agreed additional arrangements and improvements

With a view to normalising the operation of the Rafah Crossing Point, and ensuring its effective and continuous operation in accordance with international standards and the agreements reached between the sides, it is agreed that the EU BAM presence and activity at Rafah Crossing Point be extended subject to and in accordance with the following principles:

1. Transfer of cash sums: Cash sums of over NIS 80,000 or its equivalent in any other currency shall be declared, in accordance with the attached letter from Dr. Saeb Erekat dated 4 May 2007, and shall not be permitted to pass through the Rafah Crossing Point.
2. Goods of concern: Goods of concern included on the lists agreed within the Security Working Group shall not be permitted to pass through the Rafah Crossing Point. Additional goods of concern may be added to these lists following agreement in the Security Working Group.
3. Persons of concern: As provided in the attached letter from Lieutenant-General Dayton to the parties dated 9 May 2007, persons of concern included on the list provided by the US Security Coordinator and entered in the Liaison Office computers, as updated from time to time, shall not be permitted to pass through the Crossing Point during the 6 hour consultation period established under the Agreed Principles for Rafah Crossing (APRC).

In any case of doubt or dispute as to whether an individual should be permitted to pass through the Crossing Point, the question will be resolved in accordance with the dispute resolution mechanism set out in Paragraph 4 of the Protocol on Security Implementation Procedures.

4. The existing procedures with regard to individuals not holding Palestinian ID cards falling in the exceptional categories will continue to apply. Under these arrangements, humanitarian cases in which entry is required as a matter of urgency in order to deal with a critical situation will be permitted to enter. A specific list of such cases will be agreed between the parties in the Security Working Group. Israel has reiterated its readiness to allow the entry of other individuals not holding Palestinian ID cards through the Kerem Shalom Crossing, unless imperative security reasons prevent such entry.
5. It is agreed that customs arrangements, including in relation to exports through Rafah and imports through Kerem Shalom, will operate in accordance with the provisions of the Protocol on Customs Arrangements. In this regard it has been agreed that all Palestinian customs officials will be employed by and responsible solely to the Palestinian crossings management authority subordinate to the office of the President of the Palestinian Authority.
6. The Rafah Crossing Point will operate in accordance with the provisions of the Protocol on Security Implementation Procedures. The list of VIP's entitled to

exceptional entry arrangements and other outstanding issues will be as agreed in the Security Working Group.

7. The Palestinian crossings management authority shall be responsible for the proper implementation of all applicable rules, regulations and obligations concerning the Rafah Crossing Point, including the principles set out in this Annex, and the EU BAM will have the authority to ensure such compliance. In any case of doubt regarding compliance with the APRC, the Security and Customs Protocols or this Annex, the EU BAM shall require re-examination or re-assessment, as provided for in the Agreed Arrangement. If the issue is not resolved, the person, luggage, vehicle or cargo in question will not be allowed to leave the premises of the Rafah Crossing Point, until the issue is resolved in accordance with the dispute resolution mechanism set out in Paragraph 4 of the Protocol on Security Implementation Procedures. It is agreed that in such cases the EU BAM will have the authority to suspend the operation of the Crossing Point, in whole or in part, as required.
8. The number of EU BAM personnel entitled to privileges and immunities as set out in the letter sent to the European Union by Mr. Shimon Peres on 23 November 2005 shall be increased to a number not exceeding 84.
9. The EU BAM will act with authority, including its authority to suspend the operation of the Crossing Point, in whole or in part, in order to ensure compliance with the understandings and principles set out in this Annex, including those set out in paragraphs 1, 2 and 3 above.

Attachments to this Annex:

- Letter from Dr. Saeb Erekat dated 4 May 2007
- Letter from Lieutenant-General Dayton dated 9 May 2007

9.MAY.2007 15:21

PRIME MINISTER

NO.406 P.2/2

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

PALESTINE LIBERATION ORGANIZATION
THE PALESTINIAN AUTHORITY
NEGOTIATIONS AFFAIRS DEPARTMENT



منظمة التحرير الفلسطينية
السلطة الوطنية الفلسطينية
دائرة شؤون المفاوضات

His Excellency
Consul General Jacob Waller
Consulate General of the United States
Jerusalem

4 May 2007

Dear Consul General,

On behalf of the Palestine Liberation Organization and the President of the Palestinian Authority, I would like to thank you again for your Government's continuous efforts to implement the Agreement on Movement and Access (AMA) and the Agreed Principles for Rafah Crossing (APRC).

We reassure you that the movement of money through the Rafah Crossing Point is being handled in accordance with the AMA, the APRC, the Protocol on Custom Arrangements, and in conformity with the agreed import policy under the Paris Protocol as well as international customs and anti-money laundering practice.

While such sums of money do not constitute personal affects as defined in Rule 1B of the tariff, we reiterate that such laws and regulations require that any cash exceeding 80,000NIS be declared. We will continue to seek regulatory ways to ensure that any attempts of passengers to enter the Rafah crossing with money is handled in accordance with the applicable laws, and will continue to work with the Egyptians and EUBAM to ensure that no problems with respect to such arise.

Sincerely Yours,

Dr. Sa'eb Erakat

Chief Negotiator

Head of the Negotiations Affairs Department,
P.L.O



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Embassy of the United States of America

Tel Aviv, Israel
May 9, 2007

Shalom Tourgeman
Foreign Policy Adviser to the Prime Minister
Prime Minister's Office
3 Kaplan Street
Jerusalem

via fax

Dear Mr. Tourgeman:

In my role as United States Security Coordinator and Chairman of the Security Working Group, and in coordination with Ambassador Jones and Consul General Wallis, I wish to inform you of procedures regarding persons of concern at the Rafah Crossing Point (RCP). An identical letter has been sent to the appropriate Palestinian interlocutors listed below.

After consultations with both parties, a list of persons of concern provided by my office will be entered into the computers (along with relevant software) at the Liaison Office in Kerem Shalom and updated as necessary to facilitate the identification of such persons attempting to use the RCP. If a person of concern so registered enters the RCP, the terminal operators will be alerted by the Liaison Office, thus enabling either party to invoke the six-hour procedure contained in the security section of the Agreed Principles for Rafah Crossing (APRC). As noted in the APRC, the person of concern will not be permitted to cross through the RCP during the consultation period, which shall not exceed six hours.

I invite the parties to provide me with input for this list of persons of concern in accordance with our recent discussions. The Office of the United States Security Coordinator, together with the U.S. Embassy in Tel Aviv and the U.S. Consulate General in Jerusalem, remains ready to facilitate efforts to implement the provisions of the APRC.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith W. Dayton".

Keith W. Dayton
Lieutenant General, U.S. Army
U.S. Security Coordinator