

MEMORANDUM

TO: Col. Abu Osama

FROM: Negotiations Support Unit

DATE: July 6, 2001

RE: Palestinian and Israeli Compliance with Ceasefire

Background

There continues to be a concerted Israeli government attempt to portray the Palestinians as being completely in violation of the Tenet Work plan ("TWP"). In part, this is based on Israel's unilateral interpretation of the TWP as requiring 100% results. In conversations with U.S. diplomats, we have been told that the United States will interpret our compliance based on a "we'll know it when we see it" standard. This is in direct contradiction to previous U.S. assurances that Ambassador Burns and others will work with us to concretely define what a 100% effort would require. We have also been told that the United States is placing significant emphasis on our arrest policy.

In light of this new policy, the United States appears to require a seven day consecutive (and not cumulative) period of "quiet" OR "significant advancement on the arrest policy." This would be followed by a six-week cooling off period and then confidence building measures. We remain unclear on what the six-week cooling off period would require from us.

We have been told from the same sources that they clearly recognize that Israel is in violation of the TWP and that they distrust much of the information they have been given by the government of Israel concerning so-called "mortar firings" and "random shooting attacks" for which there is absolutely no evidence. There is also a recognition that Israel's lack of security cooperation with us has made it impossible for us to conduct investigations in Areas B and C. Nevertheless, we are still required to make a "greater effort" before the seven-day period can officially start in US eyes.

Request for information

Under these circumstances, it would be very helpful to us to have access to very specific information compiled by Preventive Security concerning our compliance and Israel's non-compliance with the TWP in order to promote the legal and policy argument through our political leaders to a variety of diplomatic audiences that we are actually in compliance with the TWP (at least to the extent physically possible).

We have identified a number of issues we think it would be useful on which to have information compiled regularly. We have listed them below as a series of questions. The list is not intended to be comprehensive of every measure required in the TWP. Specifically, we have not included a number of the joint measures required such as security related sharing of information with Israel on identifying key flash points, the

naming of key security personnel, and the development of joint Standard Operating Procedures. We would be happy to incorporate any changes you feel are appropriate. Please let us know if there is any information on which you would need political clearance. In answering each question, it is important the following information is included:

- what has been done;
- which agency conducted the action;
- who was the object of the action taken and their affiliation;
- where the action took place; and
- has this information been shared with the United States already.

On information concerning Israeli non-compliance, we could also use the following information:

- have the Israelis been informed of their non-compliance in the security meetings;
- has the United States or any other party been informed of Israeli non-compliance; and
- if Israeli non-compliance has occurred as a result of an Israeli action, then we need to know where and when the event occurred, the consequences of the Israeli action, and a description of the evidence related to the Israeli action.

Information on Israeli Non-Compliance

- Have the Israelis conducted any extra-judicial executions (assassinations)? If so, who has been assassinated (name, age, family history, picture) and where there any other victims of the assassination such as those killed or wounded who happened to be with the victim at the time of the crime?
- Have the Israelis released any Palestinians who have been arrested in security sweeps since September 28, 2000?
- Have the Israelis launched or threatened to launch any "proactive" security operations including attacks on Presidential facilities, on PNA security, intelligence or police organizations, PNA prisons, or against other civilian targets?
- Has Israel used lethal force (including the use of metal-cored rubber bullets) against unarmed Palestinian demonstrators (including stone-throwing children)? Again, we will need detailed information on the victims.
- Has Israel instituted any military police investigations concerning Palestinians killed or wounded by Israeli occupation forces since September 28?
- Has Israel agreed to undertake to pay compensation for damages caused by their illegal actions during the Intifada?
- Has Israel failed to stop settlers or other Israeli citizens from incitement, from planning or carrying out violence against Palestinians including destroying homes, roads, and other properties?