

The Cabinet Resolution Regarding the Disengagement Plan

6 Jun 2004

(as published by the Prime Minister's Office)

Addendum A - Revised Disengagement Plan -
Main Principles

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Addendum A - Revised Disengagement Plan - Main Principles

1. Background - Political and Security Implications

The State of Israel is committed to the peace process and aspires to reach an agreed resolution of the conflict based upon the vision of US President George Bush.

The State of Israel believes that it must act to improve the current situation. The State of Israel has come to the conclusion that there is currently no reliable Palestinian partner with which it can make progress in a two-sided peace process. Accordingly, it has developed a plan of revised disengagement (hereinafter - the plan), based on the following considerations:

One. The stalemate dictated by the current situation is harmful. In order to break out of this stalemate, the State of Israel is required to initiate moves not dependent on Palestinian cooperation.

Two. The purpose of the plan is to lead to a better security, political, economic and demographic situation.

Three. In any future permanent status arrangement, there will be no Israeli towns and villages in the Gaza Strip. On the other hand, it is clear that in the West Bank, there are areas which will be part of the State of Israel, including major Israeli population centers, cities, towns and villages, security areas and other places of special interest to Israel.

Four. The State of Israel supports the efforts of the United States, operating alongside the international community, to promote the reform process, the construction of institutions and the improvement of the economy and welfare of the Palestinian residents, in order that a new Palestinian leadership will emerge and prove itself capable of fulfilling its commitments under the Roadmap.

Five. Relocation from the Gaza Strip and from an area in Northern Samaria should reduce friction with the Palestinian population.

Six. The completion of the plan will serve to dispel the claims regarding Israel's responsibility for the Palestinians in the Gaza Strip.

Seven. The process set forth in the plan is without prejudice to the relevant agreements between the State of Israel and the Palestinians. Relevant arrangements shall continue to apply.

Eight. International support for this plan is widespread and important. This support is essential in order to bring the Palestinians to implement in practice their obligations to combat terrorism and effect reforms as required by the Roadmap, thus enabling the parties to return to the path of negotiation.

2. Main Elements

A. The process:

The required preparatory work for the implementation of the plan will be carried out (including staff work to determine criteria, definitions, evaluations, and preparations for required legislation).

Immediately upon completion of the preparatory work, a discussion will be held by the Government in order to make a decision concerning the relocation of settlements, taking into consideration the circumstances prevailing at that time – whether or not to relocate, and which settlements.

The towns and villages will be classified into four groups, as follows:

- 1) Group A - Morag, Netzarim, Kfar Darom
- 2) Group B - the villages of Northern Samaria (Ganim, Kadim, Sa-Nur and Homesh).
- 3) Group C - the towns and villages of Gush Katif
- 4) Group D - the villages of the Northern Gaza Strip (Elei Sinai, Dugit and Nissanit)

It is clarified that, following the completion of the aforementioned preparations, the Government will convene periodically in order to decide separately on the question of whether or not to relocate, with respect to each of the aforementioned groups.

3. The continuation of the aforementioned process is subject to the resolutions that the Government will pass, as mentioned above in Article 2, and will be implemented in accordance with the content of those resolutions.

3.1 The Gaza Strip

1) The State of Israel will evacuate the Gaza Strip, including all existing Israeli towns and villages, and will redeploy outside the Strip. This will not include military deployment in the area of the border between the Gaza Strip and Egypt ("the Philadelphi Route") as detailed below.

2) Upon completion of this process, there shall no longer be any permanent presence of Israeli security forces in the areas of Gaza Strip territory which have been evacuated.

3.2 The West Bank

3) The State of Israel will evacuate an area in Northern Samaria (Ganim, Kadim, Sa-Nur and Homesh), and all military installations in this area, and will redeploy outside the vacated area.

4) Upon completion of this process, there shall no longer be any permanent presence of Israeli security forces in this area.

5) The move will enable territorial contiguity for Palestinians in the Northern Samaria area.

6) The State of Israel will assist, together with the international community, in improving the transportation infrastructure in the West Bank in order to facilitate the contiguity of Palestinian transportation.

7) The process will facilitate normal life and Palestinian economic and commercial activity in the West Bank.

3.3 The intention is to complete the planned relocation process by the end of 2005.

B. The Security Fence:

The State of Israel will continue building the Security Fence, in accordance with the relevant decisions of the Government. The route will take into account humanitarian considerations.

3. Security Situation Following the Relocation

One. The Gaza Strip:

- 1) The State of Israel will guard and monitor the external land perimeter of the Gaza Strip, will continue to maintain exclusive authority in Gaza air space, and will continue to exercise security activity in the sea off the coast of the Gaza Strip.
- 2) The Gaza Strip shall be demilitarized and shall be devoid of weaponry, the presence of which does not accord with the Israeli-Palestinian agreements.
- 3) The State of Israel reserves its fundamental right of self-defense, both preventive and reactive, including where necessary the use of force, in respect of threats emanating from the Gaza Strip.

Two. The West Bank:

- 1) Upon completion of the evacuation of the Northern Samaria area, no permanent Israeli military presence will remain in this area.
- 2) The State of Israel reserves its fundamental right of self-defense, both preventive and reactive, including where necessary the use of force, in respect of threats emanating from the Northern Samaria area.
- 3) In other areas of the West Bank, current security activity will continue. However, as circumstances require, the State of Israel will consider reducing such activity in Palestinian cities.
- 4) The State of Israel will work to reduce the number of internal checkpoints throughout the West Bank.

4. Military Installations and Infrastructure in the Gaza Strip and Northern Samaria

In general, these will be dismantled and evacuated, with the exception of those which the State of Israel decides to transfer to another party.

5. Security Assistance to the Palestinians

The State of Israel agrees that by coordination with it, advice, assistance and training will be provided to the Palestinian security forces for the implementation of their obligations to combat terrorism and maintain public order, by American, British, Egyptian, Jordanian or other experts, as agreed therewith. No foreign security presence may enter the Gaza Strip and/or the West Bank without being coordinated with and approved by the State of Israel.

6. The Border Area Between the Gaza Strip and Egypt (Philadelphi Route)

The State of Israel will continue to maintain a military presence along the border between the Gaza Strip and Egypt (Philadelphi Route). This presence is an essential security requirement. At certain locations, security considerations may require some widening of the area in which the military activity is conducted.

Subsequently, the evacuation of this area will be considered. Evacuation of the area will be dependent, inter alia, on the security situation and the extent of cooperation with Egypt in establishing a reliable alternative arrangement.

If and when conditions permit the evacuation of this area, the State of Israel will be willing to consider the possibility of the establishment of a seaport and airport in the Gaza Strip, in accordance with arrangements to be agreed with Israel.

7. Real Estate Assets

In general, residential dwellings and sensitive structures, including synagogues, will not remain. The State of Israel will aspire to transfer other facilities, including industrial, commercial and agricultural ones,

to a third, international party which will put them to use for the benefit of the Palestinian population that is not involved in terror.

The area of the Erez industrial zone will be transferred to the responsibility of an agreed upon Palestinian or international party.

The State of Israel will explore, together with Egypt, the possibility of establishing a joint industrial zone on the border of the Gaza Strip, Egypt and Israel.

8. Civil Infrastructure and Arrangements

Infrastructure relating to water, electricity, sewage and telecommunications will remain in place.

In general, Israel will continue, for full price, to supply electricity, water, gas and petrol to the Palestinians, in accordance with current arrangements.

Other existing arrangements, such as those relating to water and the electro-magnetic sphere shall remain in force.

9. Activity of Civilian International Organizations

The State of Israel recognizes the great importance of the continued activity of international humanitarian organizations and others engaged in civil development, assisting the Palestinian population.

The State of Israel will coordinate with these organizations arrangements to facilitate their activities.

The State of Israel proposes that an international apparatus be established (along the lines of the AHLC), with the agreement of Israel and international elements which will work to develop the Palestinian economy.

10. Economic Arrangements

In general, the economic arrangements currently in operation between the State of Israel and the Palestinians shall remain in force. These arrangements include, inter alia:

One. The entry and exit of goods between the Gaza Strip, the West Bank, the State of Israel and abroad.

Two. The monetary regime.

Three. Tax and customs envelope arrangements.

Four. Postal and telecommunications arrangements.

Five. The entry of workers into Israel, in accordance with the existing criteria.

In the longer term, and in line with Israel's interest in encouraging greater Palestinian economic independence, the State of Israel expects to reduce the number of Palestinian workers entering Israel, to the point that it ceases completely. The State of Israel supports the development of sources of employment in the Gaza Strip and in Palestinian areas of the West Bank, by international elements.

11. International Passages

a. The International Passage Between the Gaza Strip and Egypt

1) The existing arrangements shall continue.

2) The State of Israel is interested in moving the passage to the "three borders" area, south of its current location. This would need to be effected in coordination with the Government of Egypt. This move would enable the hours of operation of the passage to be extended.

b. The International Passages Between the West Bank and Jordan:

The existing arrangements shall continue.

12. Erez Crossing Point

The Erez crossing point will be moved to a location within Israel in a time frame to be determined separately by the Government.

13. Conclusion

The goal is that implementation of the plan will lead to improving the situation and breaking the current deadlock. If and when there is evidence from the Palestinian side of its willingness, capability and implementation in practice of the fight against terrorism, full cessation of terrorism and violence and the institution of reform as required by the Road Map, it will be possible to return to the track of negotiation and dialogue.

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Addendum C - Format of the Preparatory Work for the Revised Disengagement Plan

1. A process of relocation involves many significant personal repercussions for the relocated residents. In implementing the plan, the Government of Israel is obliged to consider the implications for the relocated residents, assist them, and ease the process for them as much as possible. The difficulties and sensitivities involved in the process must be born in mind by the Government and by those who implement the process.

2. The Government of Israel attributes great importance to conducting a dialogue with the population designated for relocation, regarding various issues relating to the implementation of the plan - including with respect to relocation and compensation - and will act to conduct such a dialogue.

Establishing an Organizational Framework

3. An organizational framework will be established with the purpose of addressing and assisting in all matters related to the implementation of the plan.

4. The Ministerial Committee for National Security (The Security Cabinet) will accompany and direct the Revised Disengagement Plan, including acceleration of the construction of the Security Fence, with the exception of the decisions concerning relocation (Article 2.A (2) and (3) in Addendum A).

The Security Cabinet will be responsible for the implementation of this Government Resolution.

5. A Steering Committee is hereby established that will be responsible for coordinating the issues pertaining to the Revised Disengagement Plan. The Steering Committee will report to the Security Cabinet on its activities, and bring before it issues which require a decision by the political echelon. The Steering Committee will include the following members:

- One. Head of the National Security Council - Chairman
- Two. Representatives of the Ministry of Defense, the IDF and the Israel Police
- Three. Director-General of the Prime Minister's Office
- Four. Director General of the Ministry of Finance
- Five. Director General of the Ministry of Justice
- Six. Director General of the Ministry of Foreign Affairs
- Seven. Director General of the Ministry of Industry, Trade and Labor

Eight. Director General of the Ministry of Agriculture and Rural Development
Nine. Director General of the Ministry of National Infrastructures
Ten. Director General of the Ministry of the Interior
Eleven. Director General of the Ministry of Construction and Housing

6. A Committee on Relocation, Compensation, and Alternative Settlement is hereby established which will be charged with the task of preparing legislation regarding relocation and compensation, as well as details of the principles and indexes for compensation, including incentives, advance payments, and compensatory aspects of relocation alternatives in priority areas, in accordance with Government policy. The Committee's recommendations will be presented to the Security Cabinet and serve as a basis for the draft bill on this issue.

This committee will constitute the exclusive authorized body for the coordination and conducting of dialogue with the population designated for relocation and compensation, and with all other bodies related to the issue of compensation - until the completion of the legislation. The Committee will be able to establish professional sub-committees, as it deems necessary, for the sake of fulfilling its tasks. The committee will include the following members:

One. Director General of the Ministry of Justice - Chairman
Two. Representative of the Ministry of Finance
Three. Representative of the Ministry of Industry, Trade and Labor
Four. Representative of the Ministry of Agriculture and Rural Development
Five. Representative of the Prime Minister's Office

7. The Jewish Agency for Israel, as a body involved in settlement, will act in accordance with instructions from the Steering Committee and in coordination with the Committee on Relocation, Compensation and Alternative Settlement. The role of the Jewish Agency will be to carry out the activities required for alternative settlement, either agricultural or communal, for those among the relocated civilian population who so desire.

8. a. An Executive Administration is hereby established in the Prime Minister's Office which will be subordinate to the Steering Committee. Its task will be to implement this Government Resolution with regard to the relocation of civilians and compensation.

Two. The Executive Administration will be authorized to grant advance payments to those eligible for compensation - which will be counted against the compensation to be owed to them - according to terms that will be determined by the Committee on Relocation, Compensation, and Alternative Settlement, and in accordance with the instructions and procedures established by the said Committee.

Three. The Head of the Executive Administration will hold the rank of Ministry Director General.

9. All Government ministries and other governmental bodies will forward, without delay, all information required for the aforementioned organizational frameworks to fulfill their tasks.

Legislation

10. a. The Ministry of Justice will formulate and the Prime Minister will submit, as soon as possible, a draft bill to the Ministerial Committee for Legislation, which will include provisions regarding relocation and compensation for those eligible, as well as the authority necessary for this purpose.

Two. Soon thereafter, the Government will submit the bill to the Knesset.

Three. The IDF Military Commanders in the Areas will issue the Security Legislation necessary for the implementation of the Government's Resolutions.

Budget

11. a. Within one month of the adoption of this Resolution, the Director of the Budget Division of the Ministry of Finance, in coordination with the Director General of the Prime Minister's Office and the Director General of the Ministry of Justice, will allocate the required budget and other resources necessary for the Steering Committee, the Committee on Relocation, Compensation and Alternative Settlement, the Executive Administration and the Jewish Agency to carry out their activities.

Two. The 2005 Budget and subsequent budgets will be adjusted periodically to conform with the process and Government Resolutions on this issue.

Three. For the sake of commencing its activities, the Executive Administration will be allocated, in the first stage, 10 staff positions.

Transition Instructions

12. During the interim period from the date this Resolution is passed, the following instructions will apply to the towns, villages and areas included in the plan (hereafter - the towns and villages), for the purpose of making preparations on the one hand, while maintaining normal and continuous daily life on the other:

One. Municipal and communal activities related to the course of normal life and services to which residents are entitled will continue unaffected, including services provided by the regional council, as well as security, education, welfare, telecommunications, mail, public transportation, electricity, water, gas, petrol, health services, banks and all other services customarily provided to towns and villages prior to this Resolution.

Two. Government plans for construction and development that have yet to commence will not be advanced for implementation.

Three.

Four. Nothing stated in this Resolution is intended to undermine Government Resolution no. 150, dated August 2, 1996, regarding other areas. The aforementioned Government Resolution no. 150 will also apply to towns and villages for the purpose of approval prior to planning and land allocation.

Exceptional Cases Committee

13. An Exceptional Cases Committee will be established which will be authorized to permit the implementation of any plan which was frozen, in accordance with the provisions above, and authorized to decide not to advance plans even if their implementation has already commenced, following an examination of each individual case, and in keeping with criteria that it shall establish.

The Exceptional Cases Committee will be headed by the Director General of the Prime Minister's Office, and will include the Directors General of the Ministries of Finance and Justice.

Decisions of the Exceptional Cases Committee may be appealed to the Security Cabinet, in any instance where they are brought before it by a member of the Government.

Principles for Compensation

14. a. The date which determines the right for compensation is the date of the adoption of this Government Resolution.

b. Those entitled to compensation will receive fair and suitable compensation, as will be set out in the law legislated for this purpose.