

Memorandum of Understanding
Between
Israel and the United States Regarding
Prevention of the Supply of Arms and Related Materiel to Terrorist Groups

Israel and the United States (the “Parties”),

Recalling the steadfast commitment of the United States to Israel's security, including secure, defensible borders, and to preserve and strengthen Israel's capability to deter and defend itself, by itself, against any threat or possible combination of threats;

Reaffirming that such commitment is reflected in the security, military and intelligence cooperation between the United States and Israel, the Strategic Dialogue between them, and the level and kind of assistance provided by the United States to Israel;

Taking note of the efforts of Egyptian President Mubarak, particularly the recognition that securing Gaza's border is indispensable to realizing a durable and sustainable end to fighting in Gaza;

Unequivocally condemning all acts, methods, and practices of terrorism as unjustifiable, wherever and by whomever committed and whatever the motivation, in particular, the recent rocket and mortar attacks and other hostile activity perpetrated against Israel from Gaza by terrorist organizations;

Recognizing that suppression of acts of international terrorism, including denying the provision of arms and related materiel to terrorist organizations, is an essential element for the maintenance of international peace and security;

Recognizing that the acquisition and use of arms and related materiel by terrorists against Israel were the direct causes of recent hostilities;

Recognizing the threat to Israel of hostile and terrorist activity from Gaza, including weapons smuggling and the build-up of terrorist capabilities, weapons and infrastructure; and understanding that Israel, like all nations, enjoys the inherent right of self defense, including the right to defend itself against terrorism through appropriate action;

Desiring to improve bilateral, regional and multilateral efforts to prevent the provision of arms and related materiel to terrorist organizations, particularly those currently operating in the Gaza Strip, such as Hamas;

Recognizing that achieving and maintaining a durable and sustainable cessation of hostilities is dependent upon prevention of smuggling and re-supply of weapons into Gaza for Hamas, a terrorist organization, and other terrorist groups, and affirming that Gaza should not be used as a base from which Israel may be attacked;

Recognizing also that combating weapons and explosives supply to Gaza is a multi-dimensional, results-oriented effort with a regional focus and international components working in parallel, and that this is a priority of the United States' and Israel's efforts, independently and with each other, to ensure a durable and sustainable end to hostilities;

Recognizing further the crucial need for the unimpeded, safe and secure provision of humanitarian assistance to the residents of Gaza;

Intending to work with international partners to ensure the enforcement of relevant United Nations Security Council Resolutions on counterterrorism in relation to terrorist activity in Gaza;

Have reached the following understandings:

1. The Parties will work cooperatively with neighbors and in parallel with others in the international community to prevent the supply of arms and related materiel to terrorist organizations that threaten either party, with a particular focus on the supply of arms, related materiel and explosives into Gaza to Hamas and other terrorist organizations.
2. The United States will work with regional and NATO partners to address the problem of the supply of arms and related materiel and weapons transfers and shipments to Hamas and other terrorist organizations in Gaza, including through the Mediterranean, Gulf of Aden, Red Sea and eastern Africa, through improvements in existing arrangements or the launching of new initiatives to increase the effectiveness of those arrangements as they relate to the prevention of weapons smuggling to Gaza. Among the tools that will be pursued are:

- Enhanced U.S. security and intelligence cooperation with regional governments on actions to prevent weapons and explosives flows to Gaza that originate in or transit their territories; including through the involvement of relevant components of the U.S. Government, such as U.S. Central Command, U.S. European Command, U.S. Africa Command, and U.S. Special Operations Command.
- Enhanced intelligence fusion with key international and coalition naval forces and other appropriate entities to address weapons supply to Gaza;
- Enhancement of the existing international sanctions and enforcement mechanisms against provision of material support to Hamas and other terrorist organizations, including through an international response to those states, such as Iran, who are determined to be sources of weapons and explosives supply to Gaza.

3. The United States and Israel will assist each other in these efforts through enhanced sharing of information and intelligence that would assist in identifying the origin and routing of weapons being supplied to terrorist organizations in Gaza.

4. The United States will accelerate its efforts to provide logistical and technical assistance and to train and equip regional security forces in counter-smuggling tactics, working towards augmenting its existing assistance programs.

5. The United States will consult and work with its regional partners on expanding international assistance programs to affected communities in order to provide an alternative income/employment to those formerly involved in smuggling.

6. The Parties will establish mechanisms as appropriate for military and intelligence cooperation to share intelligence information and to monitor implementation of the steps undertaken in the context of this Memorandum of Understanding and to recommend additional measures to advance the goals of this Memorandum of Understanding. In so far as military cooperation is concerned, the relevant mechanism will be the United States-Israel Joint Counterterrorism Group, the annual Military to Military discussion, and the Joint Political Military Group.

7. This Memorandum of Understanding of ongoing political commitments between the Parties will be subject to the laws and regulations of the respective parties, as applicable, including those governing the availability of funds and the sharing of information and intelligence.

This Memorandum of Understanding was signed on 16 January, 2009 at Washington, in duplicate, in the English language.

FOR ISRAEL:

FOR THE UNITED STATES: