

Minutes from Plenary Session
Post Annapolis
Monday, 21st June 2008, 3h00pm
Inbal Hotel, room 902, West Jerusalem

Attendees:

Palestinian

- Ahmed Querei (AA)
- Dr. Saeb Erekat (SE)
- Zeinah Salahi (ZS)

Israeli

- FM Tzipi Livni (TL)
- Tal Becker (TB)
- Udi Dekel (UD)

Meeting Summary (*not verbatim*):

TL:

- Did she say what she expects? On the 30th?

AA:

- She wants an agreement by the end of the year. I tried to tell her assistants let's look at the alternatives. They said she doesn't want to hear the word "alternatives".

TL:

- Your boss either.

AA:

- Lets look at the gaps.

TL:

- We know the gaps.

AA:

- No...

SE:

- It's true – he doesn't believe my assessment.

AA:

- I want to hear from you. I have a suggestion – let's draft the entire agreement. We can do it, then we can go through it...
- But let me ask first – do you want an agreement? Is it an Israeli priority?

TL:

- By definition an agreement is an Israeli priority. We have [internal politics]. It is our priority to continue to advance this. It is our priority to prevent failure. There are some problems with facts on the ground...

AA:

- You mean settlements, roadblocks, etc.?

TL:

- No – this is yours – I heard this from Gordon Brown. [Noting criticism Israel received on settlement expansion, etc.]

TB:

- He got the powerpoint.

TL:

- If it reflects Israeli needs, not positions...

AA:

- If we look at Israeli needs – they will never be satisfied.

TL:

- We feel the same about your positions. [TL notes that it would be good to hear Palestinian understanding of Israeli positions.]
- We stopped confiscation of land in the last year. It's the only thing we have done, but...

SE:

- He has a point. It's not about just presenting Israeli positions and Palestinian positions. He'll let me do it [present positions] – but this approach is much better – to sit and draft together. There are there ways [to proceed]:
 - Exchange papers – lock in [positions] as we are doing.
 - The Matrix
 - The integrated approach with I's and P's.
- If we had not had to go to Washington, we would have gotten much further. Look at the examples of the Culture of Peace, state to state, etc.
- The best way to reach an agreement is the integrated approach. The differences and the options will be clear. You cannot waste an agreement because you will see it [i.e. how close it could be].

TL:

- I think that there is a gap in our positions and the way they are perceived by you. This is why it is good for me to hear. In Berlin we discussed the nature of the agreement. Concrete enough on issues that are important to us. Issues you need in more details, and issues we need in more details. At the end of the day there will

be issues that we can't bridge by just putting something on paper. Others can be. The implementation will be in an annex later.

- Question – when you are thinking about any agreement – what are the things in a list that are crucial for you in an agreement?
- For example – my understanding is that on borders you need to know where the borders are. The connection between the West Bank and the Gaza Strip. And where the swaps are.
- For us, on security we need the answer to – army, list of arms, passages, airport and seaport, electromagnetic spectrum, airspace [SE – the nine issues...].
- Let's say we reach an agreement on limited arms or demilitarization. It is not enough because we need to know [these other things].
- We need to know that the agreement is the end of conflict. In other words, what needs to be in an agreement for the end of conflict? For example, water is for you, but not for us.
- Culture of peace is important, but I don't think it is a deal breaker.
- Economy – is what is there enough?
- Prisoners, you need.
- Passages is something that we didn't start to work on. We need to agree today a team to work on it.
- Settlements – do we need a reference to the process after an agreement for evacuation? This is something that can be done. That can help...

AA:

- We need seven packages.
- General provisions – they worked on it. We can add, correct, etc.
- Borders and Territory – within that we can set as sub-issues, settlements (once we define the border what is in, is inside, what is out is outside.)

TL:

- I need to understand – in order to have a treaty, I need to know the borders of a future Palestinian state – as a Palestinian?
- You say you need to address Jerusalem as well.

AA:

- But there are many details on settlements. How much time you need for an evacuation.

TL:

- I'm trying to understand the structure and connect it to the essence.

AA:

- Timeline

TL:

- Ok on timeline in terms of gradual withdrawal.

- Jerusalem?

AA:

- Within the territory and the borders.

TL:

- The holy basin...?

AA:

- We'll talk about the holy places – we can come to details on how to cooperate. Yaani, there are two sides to Jerusalem. Territory and the modalities, which includes the holy places, etc. [lists some examples of types of modalities].

TL:

- But are these needed in the treaty?

AA:

- Yes!

TL:

- I'm just trying to understand the basics for what needs to be...
- You rejected a committee on the holy basin?

[Palestinian side indicates rejection.]

AA:

- Water – two sides. Shared resources must be discussed. Western aquifer – part in each territory, the Jordan River is shared. What's in Palestine is Palestinian.

TL:

- What needs to be in the agreement? Resolution of the issue of water.

AA:

- Passages.

TL:

- What on the passages?

AA:

- What needs to be in the monitoring of the passages, etc.
- Security – I think they talked. We need the details.

TL:

- On security, you don't need anything. We need something.

AA:

- We need security for our people. We need a third party.

TL:

- But you know the details that we need?

AA:

- Yes...

TL:

- Why the eagerness of the third party? Why is it so important for you?

AA:

- It is important for both. It will give us more satisfaction on security and you. [i.e. to prevent an Israeli presence.]

TL:

- Your position on security is that you don't want Israeli uniforms on Palestinian territory, so it's not about the third party. [AA agrees.] But if we reach an understanding that it [the third party] doesn't help you, we don't need it?
- Let's assume that we don't have any security needs, except no Palestinian army. Let's assume that the future Palestinian state is without soldiers. Palestinian or Israeli. You need the 3rd party?

SE:

- Yes.

TL:

- Explain.

AA:

- We need, as a state, good security to maintain the rule of law and fight terror. And so we need a third party for at least part of the time.

TL:

- Why do you need them?

AA:

- On borders, on passages...

TL:

- Why on borders?

AA:

- We want to defend ourselves.

[Israeli side has side discussion.]

AA:

- The fourth is on refugees.

TL:

- I'm not sure I understand your position better, but this is for Amos and Hazem to continue.
- Hazem is away for two weeks.

AA:

- The work will go on.

SE:

- We've explained many times – the third party is not there to fight Israelis. We never said that. Capacity building, monitoring implementation, crossings –

TL:

- You want to monitor it? Or you want them to?

AA:

- Both.

SE:

- You are not the only party on my border. Egypt. Jordan. I don't have what they have [in terms of capacity/weapons].

TL:

- This is new – it was not raised in the past? At Camp David?

SE:

- Yes, I raised it with Clinton. And we agreed on US troops!

AA:

- In Stockholm, Camp David, Taba...

TL:

- Amos is ok. He has a sense of urgency to address these issues now.

TB:

- There were two good meetings in the past two weeks.

TL:

- I'm still not clear on why you need it.

AA:

- We need [returning to the issue of refugees]:

- Responsibility
- Second -- the right of return,
- Third -- reparations for individuals
- Fourth -- reparations for host countries
- Fifth – the international fund.
- And then the fund of absentee...

TL:

- This is crucial for you for an agreement?

AA:

- Because everything relating to Palestinian property should be deposited in this fund.

TL:

- I would like to ask you something. Reparations for host countries is not something that you want. It is something that the Jordanians want...

AA:

- We don't want to keep the money! But we are part of the host countries. Not you – it is your responsibility.
- End of conflict, and arbitration mechanism.

TL:

- Why do you need it?

AA:

- We can include in two paragraphs. The first – the two sides will try to solve. If not, the second [will outline the arbitration mechanism].

TB:

- Sounds like the agreement with Jordan and Egypt.

AA:

- Generic issues – economy. If we can't agree we can say two states will conclude an economic agreement.

TL:

- Infrastructure?

AA:

- Should be solved inside the borders... what is inside –

TL:

- This is the furnished state that you want? So we need to address it anyway.

AA:

- Prisoners.
- I propose that the two gentlemen, with whomever they want with them, try to draft the positions. I don't know your positions on anything! Maybe on Culture of Peace and economy.

TL:

- Let's see where we stand, not about the positions. But on what needs to be addressed. I agree that:
- Real and concrete borders are needed.
- A timeline with reference to settlements and gradual process of evacuation – the way Israel leaves the West Bank.
- On these now, we are talking about borders. In terms of borders we need to know exactly where exact borders are. You know where we start in terms of positions. The gap – with respect to blocs of settlements – is not a matter of percentages but about places.

AA:

- We don't want to talk about blocs.

TL:

- I'm talking about my positions. We need also to know – settlements. What will happen with them, how will it be implemented, the timeline? To do it in a gradual way.
- Of course the question of Jerusalem – it is important for you as part of an agreement. But there is a question that was raised not by us – if it can be...

SE:

- No. We answered.

TL:

- Water is important for you, not us.

AA:

- Territory also not for you but for us.

TL:

- For us too! Your borders are out legitimate borders. Jerusalem is important as a city...

AA:

- It is part of our borders.

TL:

- Not yet.

AA:

- Like the rest [of the West Bank].

TL:

- Passages – security, customs, etc. because otherwise there will be friction for access and movement.

SE:

- Passage arrangements.

TL:

- We need to establish the committee. Who will be there?

UD:

- Kamil Abu Rukin.

SE:

- We will get back to you.

TL:

- Maritime/port?

TB:

- Part of passages.

UD:

- Airspace is part of security.

TL:

- We need nothing to do with it, but we understand the need for details on the international fund. Instead of responsibility we can talk of suffering of both our people.
- By the way on responsibility – whose responsibility is it for keeping them in the camps? The Arab world! Responsibility not just about the war, but what happened after. For creating false hope.
- [We need to address also] the Jewish refugees. Maybe as part of the international fund.

SE:

- With all due respect – you had an agreement with Egypt. With Jordan. But we never caused anything to the Jews. This will not be in an agreement.

AA:

- All the Arab countries are ready to receive the Jews.

TL:

- We don't want the right of return. We want to stay!
- We need to give them suffering plus giving them compensation. We need as you said before that this is the end of conflict – but we need to address some of the other issues. Economics, Culture of Peace – I think it is important. The question is how much details we need. On economy, I agree with you that we can have a formula, and the details later. On infrastructure we need it to know what will happen. On Culture of Peace, it is done, so include it.
- On Prisoners, we don't need it, but you need it.

AA:

- We cannot conclude any agreement without it.

[Israeli side has a side discussion on legal issues.]

SE:

- Leave the technical issues to experts. Some legal issues, you can't live for a second [on the day after] without.

TL:

- The most important issues for the gaps – water and infrastructure. We need to focus on that. [Side discussion on if environment is close.]

TL:

- Do you want to meet on water and infrastructure?

SE:

- Udi and I will [meet on them once we get back from DC].

TB:

- We have started to draft the beginning of state to state so we can drop the others in.

AA:

- We don't want the whole agreement to be about state to state.

SE:

- We agree on this.

TB:

- But we agreed that if there are principles that we want to mention...

TL:

- Settlements?

SE:

- We exchanged papers.

TL:

- Go ahead.

UD:

- We'd like to discuss settlements in the territory committee.

AA:

- One issue is compensation for occupation.

TL:

- Since you don't know my position on anything, my position is NO.

AA:

- Look at all the other Arab states and where Palestine is.

TL:

- With all the oil you have in the West Bank...

AA:

- Jordan –

TL:

- Look at where Israel would have been.

AA:

- [Yes – in a much worse position if it hadn't been for all of the resources you took from the Palestinian state.]

TL:

- The answer is a dramatic NO. We don't want to put in [claims] for all the terrorism. The Israelis killed.

AA:

- OK. Let's put the Palestinians killed, and the Israeli's killed. [Implying that by the comparison Israel would still be required to pay significantly more compensation to Palestinians.]

TB:

- It's not about success!

SE:

- You will [pay compensation].

TL:

- I'm sure we'll do it, not under the headline of "compensation for occupation".
- It's been raised in the past, but it's new for our discussion.

TB:

- It was raised in the beginning.

AA:

- The mechanism of implementation and timetable... "steps towards the establishment..."

TL:

- Two issues related to the borders. When you talk about the line of 1967, there were some Palestinian villages separated by 1967. I visited an Israeli Palestinian village on Friday – in Wadi Ara.

AA:

- What were you doing there? Campaigning?

TL:

- There are 12,000 Palestinian members of Kadima.

UD:

- Israeli Arabs.

[TL defends using "Palestinians". She also notes that all they want are equal rights in Israel and "they deserve it".]

- I said from the beginning that it can be part of the swaps.

AA:

- Absolutely not.

TL:

- We have this problem with Raja in Lebanon. Terje Larsen put the blue line to cut the village in two. [This needs to be addressed.] We decided not to cut the village. It was a mistake. The problem now – those living on Lebanese soil are Israeli citizens.

UD:

- Barka, Barta il Sharqiya, Barta il [Garbiya], Betil, Beit Safafa...

AA:

- This will be difficult. All Arabs in Israel will be against us.

TB:

We will need to address it some how. Divided. All Palestinian. All Israeli.

TL:

- We will need to address it one way or another.
- The safe passage.

AA:

- Of course – it is in borders and territory.

TL:

- When you talk about quality and quantity [she notes the idea of investing in areas to be swapped to Palestine in order to increase their value].

AA:

- 1km in a place with 1km in another place [in the same area]. 1 km in Jerusalem is not [going to be swapped] for 100km of desert land.

TL:

- It is not possible.

AA:

- Yes it is. We know it [the areas that can be swapped].

TL:

- You showed up to 1.9%. The agreement will be more.

AA:

- I want you to really think about the blocs of settlements. [Explains the impact of the settlement blocs around Jerusalem.]
- Jerusalem is our petrol. We expect 100,000's of pilgrims to come from the East. With the belt [of settlements], the pilgrims will not come.

TL/TB:

- You make the belt – we don't make it!

AA:

- We cannot accept this belt of settlements under any circumstances. We need the belt to be open.

TL:

- Maale Adumim will be there.

AA:

- Ok by power you can keep it.

TL:

- No, by agreement.

SE:

- Have you thought seriously about Jews becoming Palestinian citizens? Or is it just out of the question? Have you asked your team for 50 year projections? Have they thought about it?

TL:

- Truly? No.

SE:

- You are not willing?

TB:

- In previous meetings you thought about the security aspects.

TL:

- Yes, the lynchings [i.e. the risk that they will happen post-agreement]. But do you really think that this is possible?

SE:

- Yes. [Notes the long term positive impact of such integration.] Think of all of the anti-discrimination laws we will have. It doesn't cost you anything to think about it.

[TL and SE debate if the conflict is one of sectarian clashes or national movements.]

TL:

- Can you think about quality in terms of places that are not exact places – around the Gaza Strip?

AA:

- You want the agreement to be accepted, it needs to be in the same place. Jerusalem for Jerusalem. Jenin for Jenin. Tulkarem for Tulkarem.

SE:

- There are precedents. Saudi – Jordan. Iraq – Jordan. Peru – Ecuador (for sovereignty versus jurisdiction example).

TL:

- The structure we can share together with the Americans in DC.

SE:

- It is agreed. Maybe we can agree to start putting the skeleton of the agreement. We started...

AA:

- When will you freeze settlement activity? This will kill us. You want to help Hamas on our account?

TL:

- There is an AM-OLM meeting. You can raise it.

AA:

- They will freeze it?

TL:

- No but you can raise it. All these leaders come speak in the Knesset and raise it. [Because they go see you before they see us.] We can't freeze in parts of Jerusalem.

SE:

- What else can we discuss in the US?

[SE and TB meetings noted that day and the next day.]

AA:

- The structure of an agreement. Agreed/disagreed.
- Settlements – I will raise it everywhere. And other issues of the first phase of the Roadmap.
- The Roadmap.

[Discussion of DC logistics and timing.]