

Meeting Minutes On Borders

Jerusalem, King David Hotel
4 May 2008
20:45-21:30

Attendees:

Palestinians side: Ahmad Qurei (Abu Ala')

- Dr. Saeb Erekat
- Dr. Samih al-Abed
- Khaled Elgindi
- Salah Ilayan
- Zeinah Salahi

Israeli side: Tzipi Livni

- Udi Dekel
- Tal Becker
- Dani Terza

Livni: Based on what I have heard in the trilateral meeting with Condoleeza Rice, I believe that your offer will not be exciting.

Saeb: I hope you will like what will be proposed to you. Abu Ala' will begin identifying principles on whose bases we have drawn the maps.

Abu Ala': Our definition of the land includes the following: (1) 1967 borders which includes all the land Israel occupied in 1967 whose total area is 6,238 square kilometers; (2) the West Bank including No Man's Land and East Jerusalem, the Jordan Valley, etc.; (3) the Gaza Strip; (4) the Dead Sea.

Livni: Part of the Dead Sea.

Abu Ala': Part of the Dead Sea.

Livni: Is this a concession?

Abu Ala': - A big one for that matter.

- The safe passage
- Sea borders
- 1967 borders are the only basis for the two-state solution. Palestinians have made a historic concession by accepting 242 UN Resolution for the two-state solution. By accepting the resolution, Palestinians have recognized the state of Israel,

which was in fact a viable, contiguous and sovereign state along 1967 borders with 78% of the area of historic Palestine.

- Both of us agree that the settlement enterprise has a very negative effect and that the evacuation of settlements is for the good of both sides. Settlements confiscate large areas of Palestinian land, deprive Palestinians of many development spheres, impede communication and destroy Palestinian economy. Settlements were meant to artificially change the demographic structure and change realities on the ground, as well as to ensure that no viable Palestinian state would evolve. Now that you have accepted the idea of a Palestinian state, such a state must be geographically contiguous, viable and sovereign. But in order to make this a reality, the Israeli settlements must be evacuated. The issue is not whether evacuation should take place, but which settlements should be removed in order to be able to implement the two-state solution. Unlike the Palestinian state, the removal of settlements will not affect the viability of the state of Israel or its contiguity or security. Besides, if any of the settlers wish to live under Palestinian sovereignty, they have to be subject to the Palestinian law.
- For us, all settlements are illegal and their construction was a violation of the international law, and thus they should be evacuated. We are not the only ones who think this; this is also acknowledged by the rest of the international community. On the other hand, we understand that in order to reach a two-state solution in spite of all the Israeli measures that were taken in order to change realities on the ground, there is common interest in keeping some settlements. This is the concession that we make for the purpose of meeting your legitimate interests and making the two-state solution feasible. Thus any amendments on 1967 borders – the main basis for a two-state solution – should also meet our interests and keep geographical contiguity, viability and sovereignty of the state within the context of swap by the ratio of 1:1, with the same value and size.

Livni: Do you have any suggestions about the areas for swap?

Abu Ala': - You will see that on the maps.

- In order to meet Palestinian interests, swap of land with the same value and size and by the ration of 1:1 should take into account the following factors: (1) Any settlement included in the swap should not impede geographical contiguity especially with and within Jerusalem. This partially means that any settlement swapped to Israel should be near 1967 line. Therefore, any settlement swapped to Israel should be dealt with individually not as settlement blocs or individual houses. (2) All areas should be equal; in other words, all areas included in the swap should be in the same area (that is, land in Jerusalem for land in Jerusalem). (3) Areas swapped 'from' should not impede Palestinian development, and areas swapped 'to' should support Palestinian development, in accordance with the plans, and allow for urban expansion of Palestinian cities and towns. (4) The value of agricultural land should be preserved. (5) The Palestinian state must have adequate land, capabilities and resources to absorb Palestinian refugees who do not prefer to return to Israel, and those who hope to return to Palestine. (6) Areas

- of religious, cultural and historical significance for the Palestinians should not be included in the swap. (7) In any swap, there should be access to quality water and other water interests. (8) Civilians will not be included in any swap; in other words, land inhabited by Palestinians will not be subject for swap. (9) Empty land shall not be swapped to Israel. (10) Security is not a condition for land swap because there will always be borders between Palestine and Israel. (For example, no agreement will provide strategic depth because of Qalqilya and Tulkarem, etc.). Peace is the only means to provide Palestinians and Israelis alike with peace.
- On the basis of these factors, some settlements cannot be included in swap under any condition, including the settlements of Maa'le Adumim, Giv'at Ze'ev, Har Homa (Abu Ghneim), and Ariel. These negotiations are not a market, and the issue is not that of numbers for compromise and or disagreements. We want to meet the interests of both sides.
 - We suggested that 63% of all settlers be included in less than 2%. This suggestion meets the interests of all parties.

Livni: Is this with Jerusalem or without it?

Abu Ala': With Jerusalem.

Saeb: After reviewing your proposition during last meeting, we reviewed the areas and took into account your needs. Accordingly, we put suggestions in a manner that meets the interests of both sides.

Abu Ala': Dr. Samih will start the presentation.

Samih: - We tried in the proposition that we will present to you to be more fair than the proposition that was presented to us.

- Negotiations about land:
 - o 1967 line is the only basis.
 - o Swap by the ratio of 1:1 with the same size and value.
 - o Comprehensive, including Jerusalem, the Jordan Valley, etc.

Livni: What do you mean by the same value?

Abu Ala': If annexation was in Jerusalem area then swap will take place in Jerusalem area.

Tal: How can we measure this? Land has the same value.

Livni: Or is it only a slogan?

Samih: It is not a slogan. I do not wish to have land in the Dunhiyyeh desert area for land in Jerusalem, for example.

Saeb: The value of the land determines how the other side will benefit from it.

Livni: Will the Safe Passage have the same value of what is going to be annexed to Israel?

Samih: You are talking about the Safe Passage, but the value of the Jewish Quarter in Jerusalem is inestimable.

Livni: I understand that it is difficult to calculate the value.

Khaled: It is also important to see that we are talking here about all the areas. In other words, we cannot agree only on part of the borders because it is impossible to know the meaning of the part without knowing the nature of all the borders.

Livni: You mentioned Jerusalem. Do you think this is our hidden agenda?

Samih: Interests:

- **Palestinian interests:**
 - Political recognition.

Livni: I hope you will say the same thing when you talk about our interests.

Samih: Wait and we will come to that.

- Sovereignty and control.
- Viability and geographical contiguity.
- Jerusalem.
- Security

- Israeli interest:
 - Reduction of political and financial cost.
 - Jerusalem.
 - Security.

- 1967 borders.
 - East Jerusalem (square km)
 - No Man's Land (Latroun, Jerusalem)

Livni: Latroun was not occupied. Anyways, this is your position.

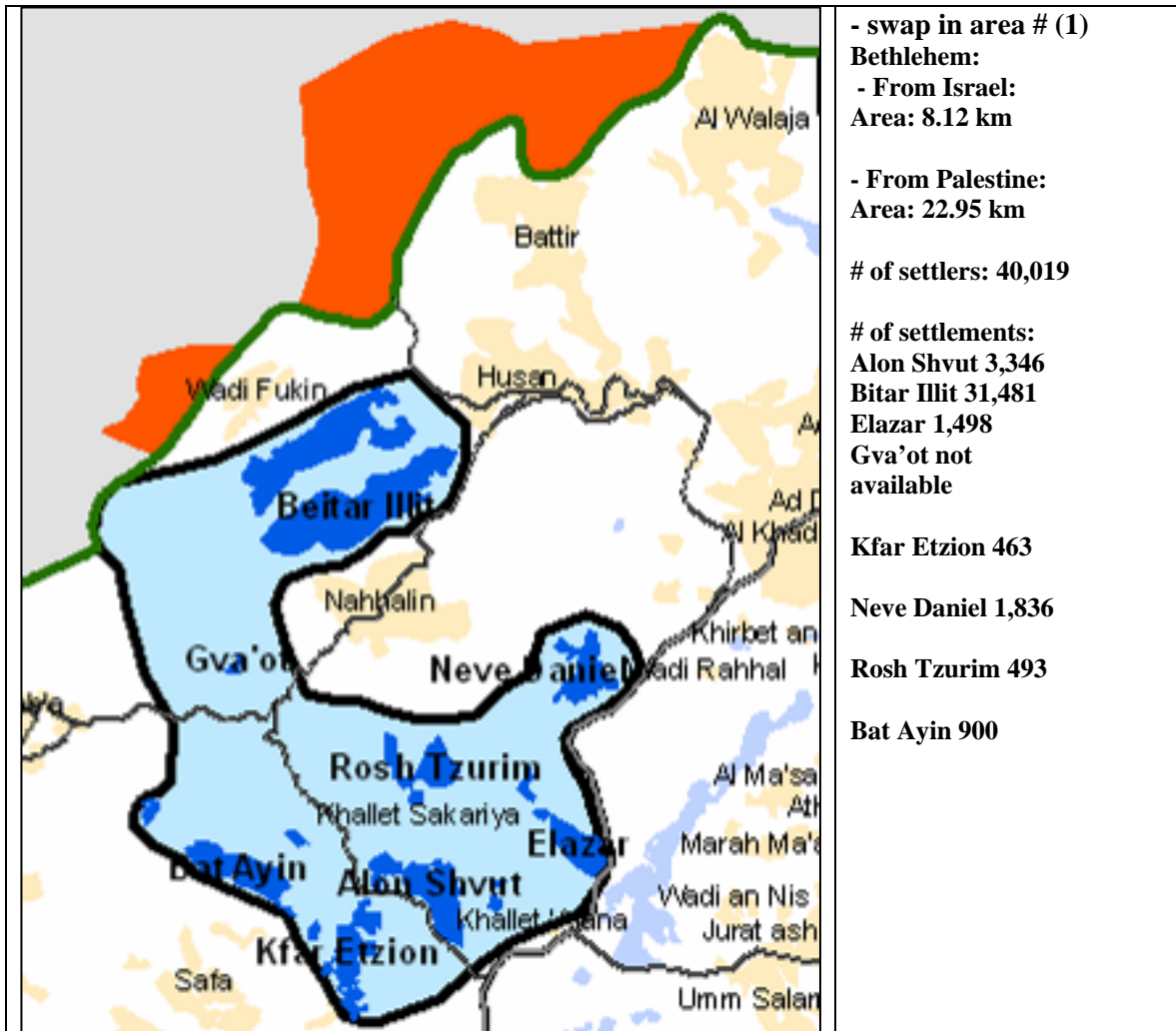
Samih: - Part of the Dead Sea.

- The Gaza Strip.

Other land related issues:

- Land contiguity (Safe Passage).
- Water borders.

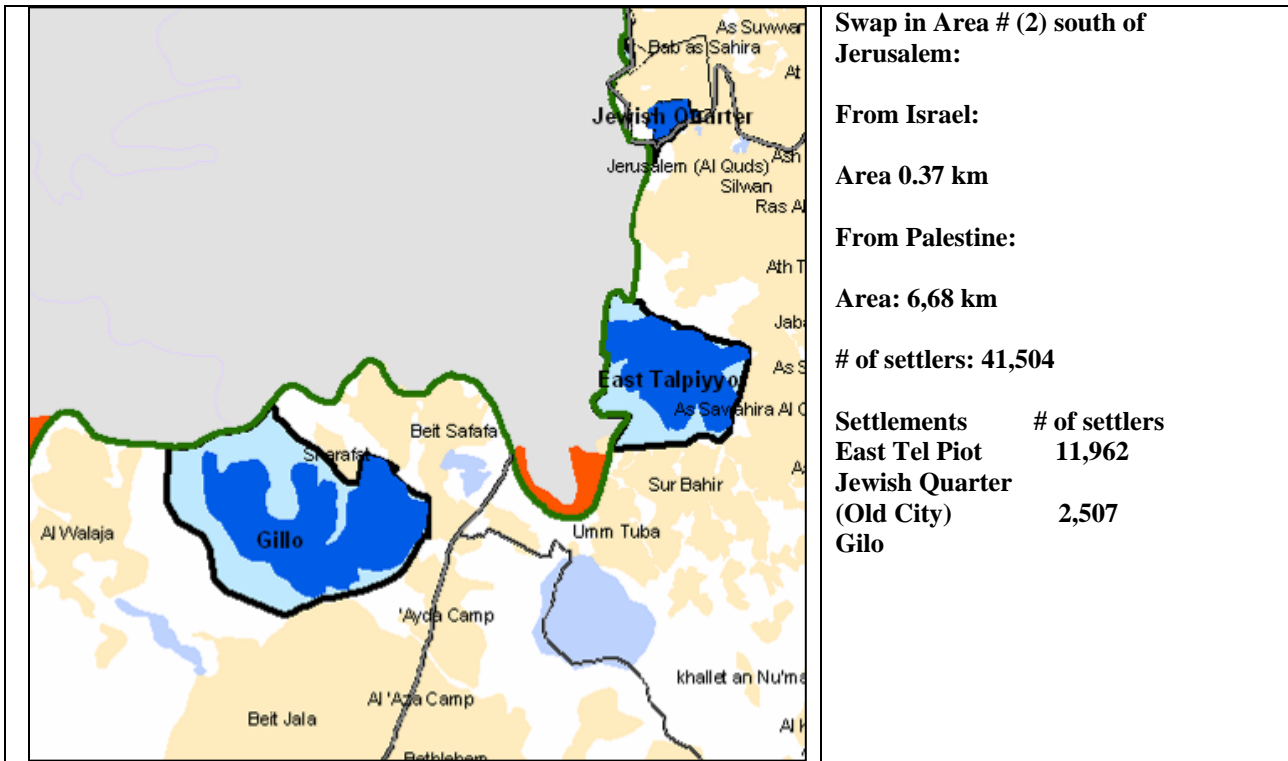
Swap:



Terza: The population of Gush Etzion is 50,000 people and the road near Jaba' is not included in the swap.

Livni: The problem is the road to Gush Etzion.

Samih: As you can see, there is a large area of empty land, and we think that Batir can be a suitable area for crossing and trade and others. As you probably know, there was a railroad there.

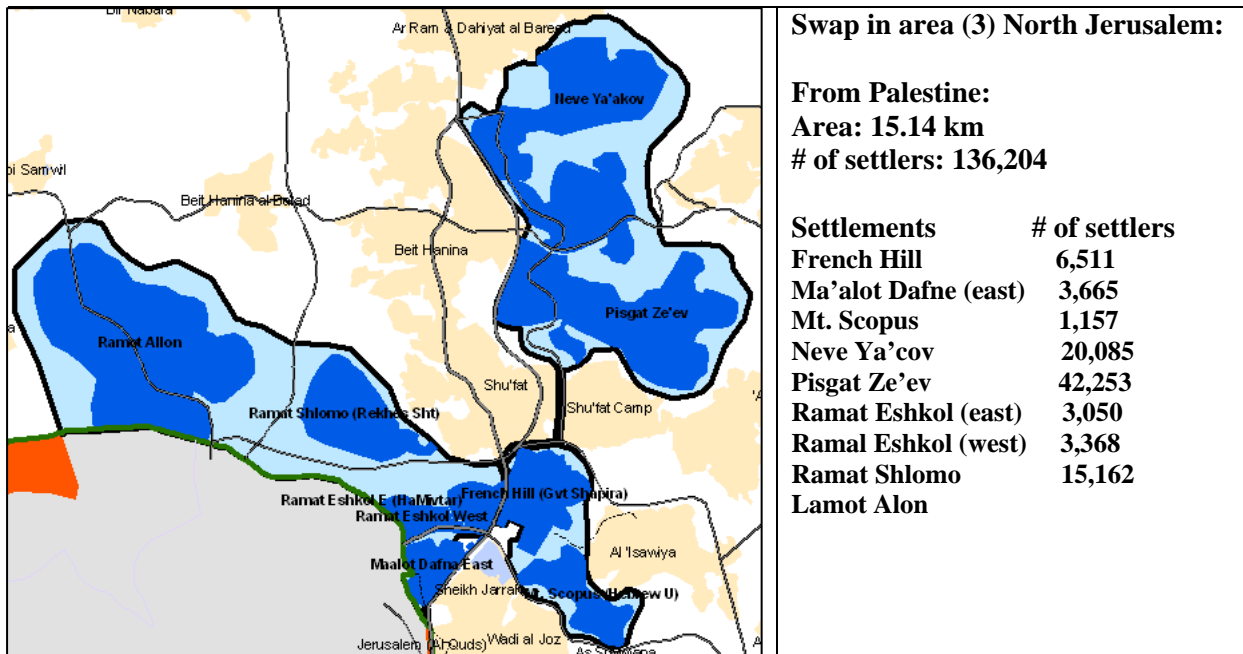


Livni: Doesn't Har Homa exist?

Khaled: The interest is to reconnect Jerusalem and Bethlehem. Such reconnection has a social, religious, economic and tourist significance. It is even more important than the connection between Jerusalem and Ramallah. The area is also important for the expansion of Beit Safafa which has become an isolated town between Gilo and Har Homa settlements.

Abu Ala': To address natural growth.

Livni: Now we are talking about natural growth?!



Samih: There is empty land, but do not rush. Do not go tomorrow to take it and build a new settlement.

Saeb: We are building for you the largest Jerusalem in history.

Khaled: This area was the most difficult to delineate.

Tal: How can Pisgat Ze'ev settlement be connected with the French Hill?

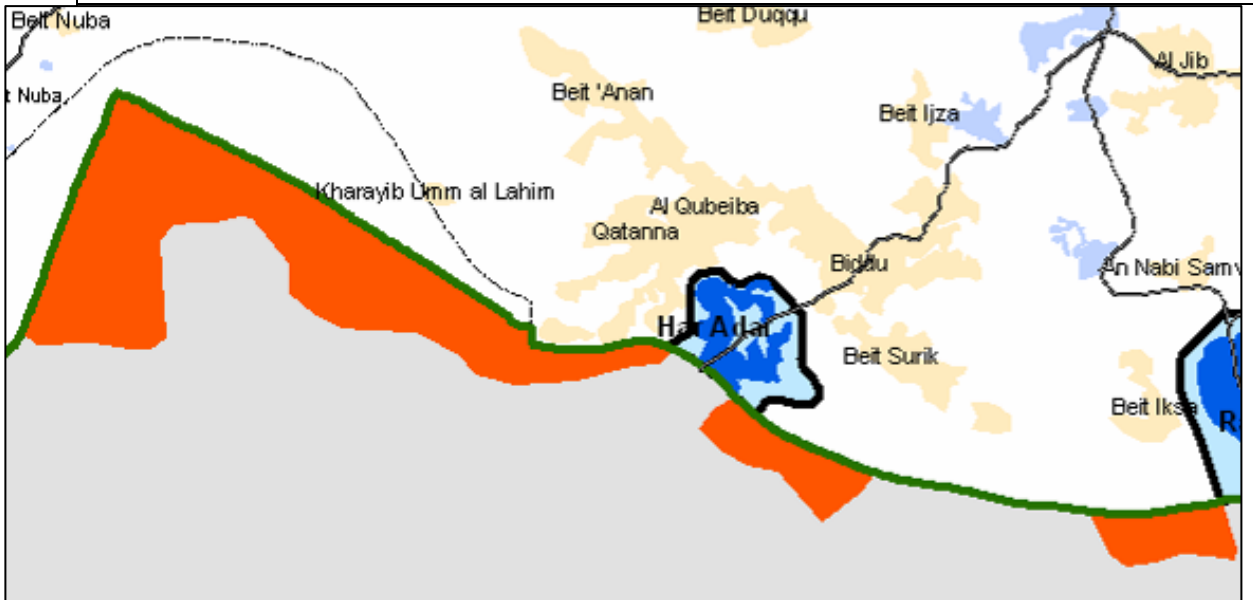
Samih: A bridge can be built to connect them.

Swap in area (4):

From Israel:
Area: 9.06 km

From Palestine:
Area: 1.66 km

of settlers: 2,673



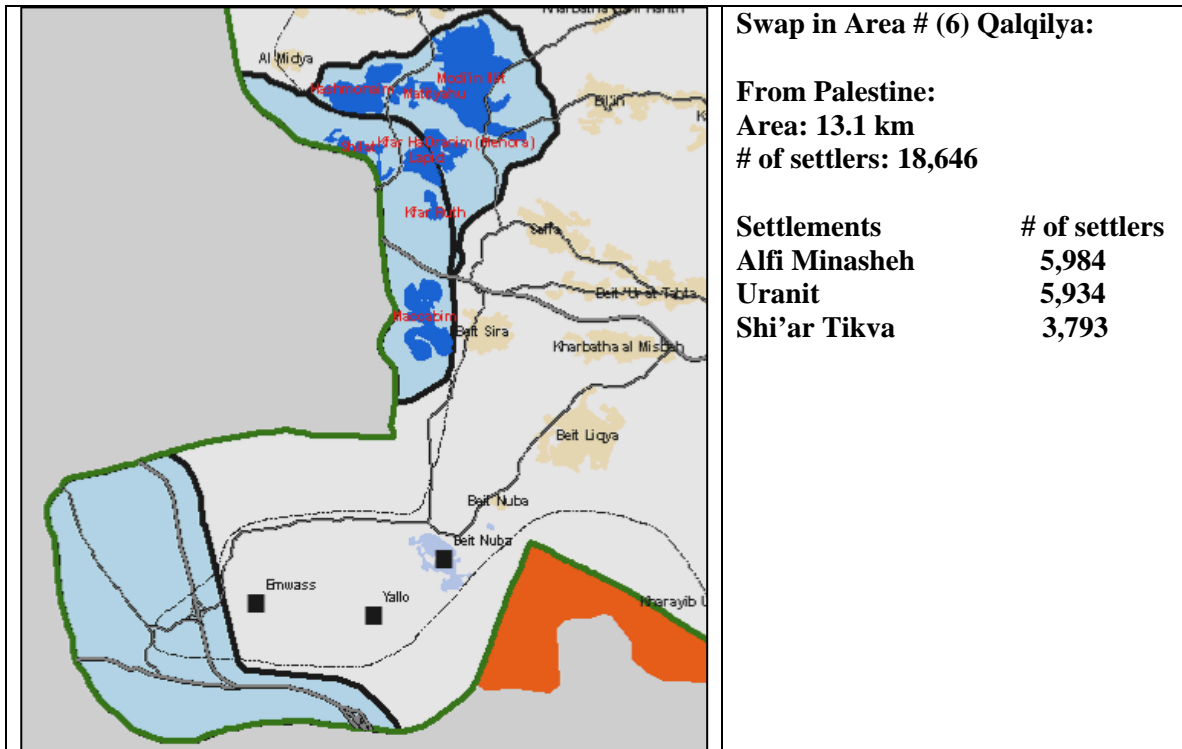
Dekel: You have overstepped everything. Is it on your side or our side?

Abu Ala': It is on our side with Ma'ale Adumim and Ariel.

Terza: There is a kibbutz on this side near Beit Iksa.

Samih; Not exactly.

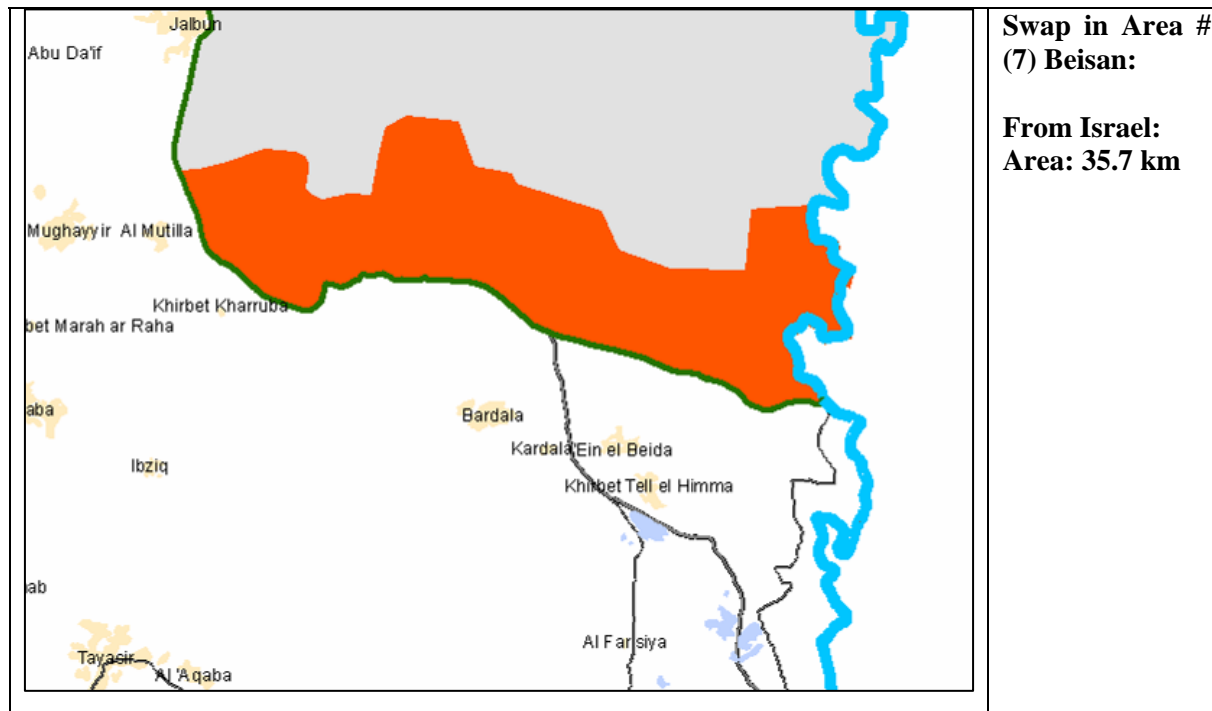
Saeb: The intention is not to take even one Israeli.



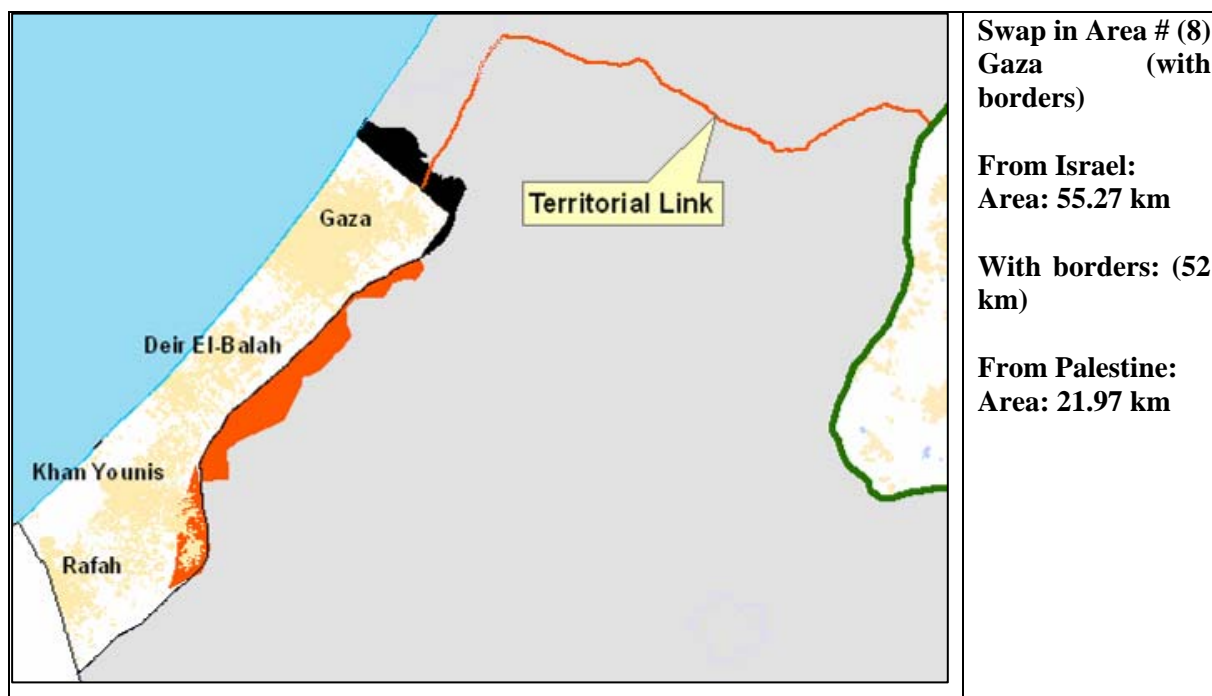
Khaled: The interest here is to maintain geographical contiguity between Palestinian areas. It will be difficult to include more settlements without creating Palestinian enclaves.

Livni: This area and more to the left is the most complicated. Where is the Turkish enterprise located?

Terza: Not here; it is in al-Muqeibleh.



Terza: Again, there is a kibbutz in this area.



Livni: It is Dahlan again in all places.

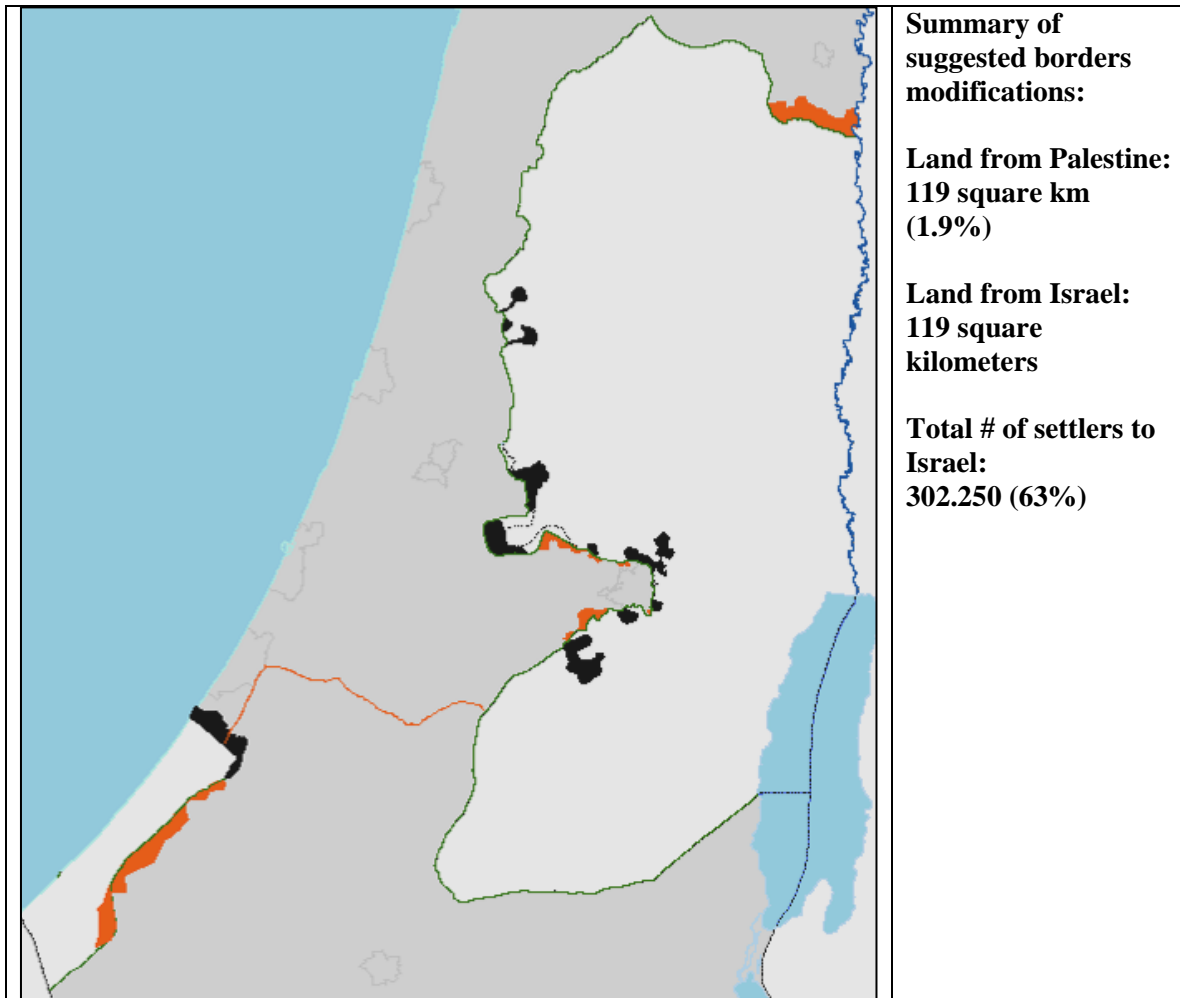
Samih: Leaving the northern area from the Gaza Strip until Wadi Herbia as part of the swap with the area of Abassan al-Kabira and al-Saghira; in addition to the eastern area as part of the swap.

Livni: This area is approved of with the Egyptians.

Khaled: We know that the northern area has been swapped for the area of Abassan al-Kabira and al-Saghira.

Samih: We want to verify and stabilize this on the maps.

Khaled: According to 1950 Modus Vivendi agreement, the armistice line has been changed. The whole matter depends on who has access to reliable data on this subject.



Livni: It is clear that Ma'ale Adumim, Giva't Ze'ev, Har Homa and Ariel do not exist.

Samih: Real peace cannot be reached with an 18-km long enclave inside Palestine. We do not want to create problems in the future. We do not wish to hurt peace.

Saeb: Can you imagine that you accept for the sake of peace to have Jews as citizens with full rights in Palestine like Arab Israelis?

Livni: But how can I provide Israelis living in Palestine with security?

Saeb: Can you imagine that I have changed my DNA and accepted a situation in which Jews become citizens having the rights that I and my wife have. Can you imagine that this will happen one day?

Dekel: I do not have such fancy.

Livni: I have to think about this. I do not know. You have proposed something, but I believe we have to be creative. My problem is that of security. Some said to me that there would be violence among my people if I evacuated them, but the pressure will be less if I give the right to choose. I cannot bear the responsibility of their life in case they are exposed to danger and then the army will have to interfere. It is a legitimate question but we need to think about it.

Dekel: What is missing here is Ma'ale Adumim, Har Homa, separation between the Jewish clusters in Jerusalem, Gush Itzyon, Giv'at Ze'ev, and Ariel.

Livni: What will you take for the Safe Passage?

Saeb: 5 square km, but if we use another track the area will be smaller.

Livni: If we suggested something else you would have stood up and shouted. You have to understand the complexity of this issue. Perhaps you would appreciate their interests more. In Ariel also some areas have to be annexed.

Samih: We have done our best to include the largest number of settlers.

Livni: I want to say that we do not like this suggestion because it does not meet our demands, and probably it was not easy for you to think about it but I really appreciate it. I think we have a reason to continue.

Abu Ala': We understand how hard it was for you as well.

Saeb: In Jerusalem it was hard for us but we decided to give you.

Livni: Can we have the maps?

Saeb: I want to say something. I am from the leadership headed by Abu Mazen and the leadership does not accept the facts on the ground.

Livni: That is why I said what I have said.

Saeb: This is not the Koran. Gabriel did not come down from heaven and revealed it to us. We have taken your interests and concerns into account, but not all. This is the first time in Palestinian-Israeli history in which such a suggestion is officially made. What we are doing no one will do for us, not the Americans or the Europeans.

Livni: I know about this.

Saeb: And since you have not given us your suggestions ...

Abu Ala': Not for this reason only.

Saeb: We will examine the matter. We have lots of internal complications. I wish that you would give Abu Ala' a chance to decide. But you deserve to have a copy of it. What matters is that we have begun to participate and cooperate.

Abu Ala': We will think, and you think, too.

Livni: Perhaps the next thing we will do, after knowing the position of each of us, is to have the experts sit together and discuss the gaps and differences between the two maps.

Abu Ala': They have to do this.

Terza: We only need to have the file and there is no need for the map.

Livni: I suggest that you sit together, review and discuss the map. You may also want to correct parts of it such as the kibbutz that Terza said they exist in area for swap.

Saeb: We have no intention to include any Israeli.

Livni: The question is how to be creative.

Saeb: Do you want to sit together tomorrow and exchange maps?

Livni: Once again, I appreciate how hard it was for you to make this suggestion.

Abu Ala': We want to achieve progress in the issue of security, and we also want to start with the issue of refugees.
