

**Minutes from 4<sup>th</sup> Negotiation Team Meeting**  
*(In Preparation for Annapolis)*  
*24<sup>th</sup> October 2007, 7pm*  
*Mount Zion Hotel, West Jerusalem*

**Attendees:**

***Palestinian***

- Ahmed Querei (AA)
- Yaser Abd Rabbo (YAR)
- Akram Haniyeh (AH)
- Dr. Saadi Kronz (SK)
- Zeinah Salah (ZS)
- Dr. Saeb Erekat (SE)

***Israeli***

- FM Tzipi Livni (TL)
- Yoram Turbovich (YT)
- Shalom Turjeman (ST)
- Gen Amos Gilad (AG)
- DG Abromovich (Abr)
- Tal Becker (TB)

**Detailed minutes:**

TL:

- In our last meeting we couldn't reach an understanding, which is the basis to the discussions – the issue of the implementation of the Road Map (RM). I'd like to explain again why I think it is so important. Before we got here, we were waiting for things to change, for implementation of the RM. We thought that stagnation doesn't help. We saw a chance to reach an understanding on each of the issues. We thought in talking we could jump to the 3<sup>rd</sup> phase, even though some of the obligations continue after the creation of a state – the state with provisional borders (as an option; we know the Palestinian position on this). After we discuss the core issues (actually this was before we even agreed to discuss the core issues) we'd go back to implementation of phase 1 of the RM, for both sides. With this understanding Olmert entered the room. Without this, we cannot reach an understanding. That we didn't agree in the last meeting was a surprise. We know you said that you implemented some, but that is not the issue!

AA:

- Thanks. We talked about it last time. Last time we had two issues – implementation of the RM and the nature of the state. Both of these we cannot accept. Where did we reach? [AA lists in detail Palestinian obligations and achievements, then details Israeli obligations and points out that they have

completed none of their obligations, including the Wall, settlements, reopening of Jerusalem institutions.] I don't see anything that Palestinians can be blamed for. Even if you look at Palestinian obligations – Israel is what stops progress on the security obligations. [AA lists several ways, including the public humiliation of Palestinian police in front of the general population.] If you include it, it will be a condition – it will provide an excuse for continued settlement expansion, etc.

TL:

- It's not the issue what has been done or not. This will open a whole new discussion. We left the room [of the President Abbas -- PM Olmert track] understanding this.

AA:

- Maybe he misunderstood. His English is not good. I asked him. He said we do reiterate our obligations.

YAR:

- To say after we reach an agreement, not to implement until the 1<sup>st</sup> phase of the RM is implemented – I don't get it.

TL:

- Because the 1<sup>st</sup> phase is [describes the importance of the security obligations therein, fighting terror, etc.]. Abu Mazen came and said that Palestinians need to see that Israel is serious. The Palestinians need a political horizon.

YAR:

- Are you willing to start implementing the 1<sup>st</sup> phase immediately?

TL:

- Both sides start implementing the 1<sup>st</sup> phase right now. But in the joint statement it must say that any future agreements, and hopefully we'll reach an agreement and not just a joint statement...

YAR:

- But it says that the Quartet judges.

TL:

- Fine. We are not going to renegotiate the RM. I just don't want anyone to think that we jumped to the 3<sup>rd</sup> phase and that makes the 1<sup>st</sup> phase not relevant. We saw what happened in Gaza.

YAR:

- That was your mistake.

TL:

- You are right. That was our mistake. Are you trying to tell us that you are ready to take up the keys to the West Bank? I understand what you are saying about Israel using it as an excuse. I don't want to reopen the RM because it is the only agreed document (even if it is not a bilateral agreement). This is what Condi said from the beginning.

AA:

- The agreement will have even more conditions this way [referring to security conditions]. But now we are talking about how to proceed. All Palestinians see this as an excuse for Israel to continue its facts on the ground. [Discusses current key facts on the ground.] Don't forget that we are the weak side. Therefore don't impose conditions that will make it worse for us.

ST:

- I am worried about three things. (1) There was an agreement between the leaders. The result of 6 meetings. We thought they'd come out with a concrete list. Instead they agreed only two things. First – no deadline for completion of the negotiations post Annapolis. No timetable. [AA: This is what your Prime Minister argued.] I thought that Abu Mazen agreed because he nodded.

AH:

- You said something and I understand – you are not ready to give over the keys tomorrow. The question is are you ready to open Jerusalem institutions, stop settlements tomorrow?

TL:

- I am not trying to reopen old agreements. I am just trying to reach a joint statement. I just mean to say that future understandings will be implemented in accordance with the RM – in that timeline.

AH:

- What do you mean timeline? It's parallel.

YT:

- It's not parallel.

TL:

- That is the discussion I am trying to avoid.
- During the real negotiations we will have a list of security needs – if these satisfy us we can take out the conditionality. If the judge determines it is satisfied, then there you go. [Begins to read quotes from Secretary Rice regarding phase 1 obligations and the need to implement the RM.]

AH:

- [Repeats question regarding Israel's commitment to implement immediately its part of the 1<sup>st</sup> phase.]

TL:

- Yes, we are willing to sign again the commitment to the RM.

SE:

- I understand. I understand the complexities inside Israel. I believe we all reiterated that we want to give ourselves the chance. There is nothing in the RM that says that we can go to the 3<sup>rd</sup> phase and then go back. I stopped understanding which RM we are talking about. [Reads from the RM.] You can't avoid answering Akram's question regarding the RM [lists obligations, then reads the section on Quartet monitoring from the 3<sup>rd</sup> phase].
- There is no contradiction between my obligations and what I am reading in the RM. If you want to say that the agreement is dependent on my readiness to take over, we need to have a new way of thinking [i.e. making the point that because Palestinian security obligations are ongoing in the RM, Israeli objectives regarding conditionality are not sufficiently met by making implementation of the agreement conditional on implementation of 1<sup>st</sup> phase of the RM]. Why don't we take the following approach:
  - We seek a meeting from the Quartet – because they have the authority to create a monitoring mechanism. But that means that you have to accept that they are parallel obligations – not sequential.
  - In the final status agreement, there will be a very extensive section on security. This will address not just your, but the needs of the entire region. None of us want to change it [i.e. the RM]. But you cannot say I'll change the RM to go to the 3<sup>rd</sup> phase, we'll be patient with your obligations, then we go back and we'll judge if you've complied!

TL:

- I tried to fix a problem and now I think it is being perceived as making the problem. We've voluntarily decided to jump ahead. It's in both of our interests. We have two options:
  - We can go to the Quartet and ask them to judge if we've reached the third phase.
  - We can talk now but keep in a safeguard for 1<sup>st</sup> phase obligations.
  - We have also another understanding – that phase 1 implementation starts now, not to wait. We want CBMs. Some of these may be in the RM, some may not be. We're not trying to avoid steps in the near future.

SE:

- I'm saying – phase 3 objectives [deal with state-building and are ongoing. SE reads the objectives from the RM text]. I don't see the contradiction.

ST:

- But we are not there – we are at the 1<sup>st</sup> phase.

[Discussion continues along the same lines]

AA:

- [AA reiterates that none of the Israeli obligations have been completed.] There is the RM, and there is the permanent status talks. We are working with Dayton and Blair. We accept from the Quartet, Dayton, etc. to assess now and tell us what's left to do. Both of us can reiterate our commitment to the RM. In the treaty...

TL:

- Without this we would not be here today.

YAR:

- In the peace treaty we will have a section on security. This section will be much wider, long term and detailed than the RM. When we get to that stage, we will have far more [comprehensive] steps in that regard.

TL:

- I want NATO to come.

SE:

- Me too.

TL:

- We didn't discuss it internally, but I don't want the United Nations.

[It was understood that this was an unofficial position and not reflective of the government position.]

[YAR continues along the same lines regarding security section of the treaty, etc.]

TL:

- I know that it is not for Israel's sake but for your own sake.

YAR:

- [Makes point that Palestinians recognize the importance of these obligations.] Abu Mazen directed us that when it comes to the issue of security to be very open.

AA:

- [Raises issue of internal closure and Israeli construction of internal checkpoints designed as border terminals; Betuniya, Bethlehem, Tarkumiya (1.5km from the border), etc.] Therefore let's deal with what we both do on the ground.

SE:

- I want to quote you. Without our ability here to reach common ground, let's forget it. I see your concerns and try to accommodate. You need to do the same, without contradicting each other. Remember when you build a bridge the most difficult part is the beginning. This is where we are. We can say that we will

continue to try to reach a joint document and continue to implement the 1st phase. Then bring in the US, the Quartet, and have them come in now as the judge to the immediate implementation of the RM in accord with the language in the RM. [Continues to explain the idea of getting the Quartet to immediately institute their monitoring and verification mechanism.]

TL:

- If you can rely on the Americans – a Quartet consensus means the Americans – why can't you agree that implementation of the agreement (because the joint document is not an agreement – it is just a beginning) will be based on this? I want to explain – [explains concern that if we don't agree the treaty, we at least have not given up the 1<sup>st</sup> phase of the RM]. Talking is theoretical. It doesn't involve compromises on the ground. The real compromises will be based on phase 1 of the RM or the security chapter. What really worries me is that I feel like you are a naïve person. Talking is not about compromises on the ground.

TB:

- Implementation of any political understanding reached will be based on implementation of the RM. This includes three principles: (1) both sides need to implement the RM; (2) it will be judged according to the RM; (3) we're concerned that the permanent status treaty will replace the RM.

TL:

- It would be a mistake to ask the US now. If they say no, as they say in French "*tant pis*" – too bad. If they say yes, no Israeli will trust any future agreement or the US.

SE:

- [Explains that this approach shows the good will of the Palestinians.]

[Discussion continues along same lines.]

YAR:

- Because this will be used to undermine the structure of the entire agreement [continues along same lines].

TL:

- If Israel will use the RM to abuse the agreement, then the Quartet, the US, will be the judge.

YAR:

- [Makes the point that the security interest is the interest of both parties.]

AA:

- Is the settlement actions you take against our security interest? Yes – it encourages the radicals.

AH:

- We are worried about the existence of the Palestinian people. The future of the state. Are you willing to stop settlement activity? No.

TL:

- Yes. I was the one who said we had to dismantle illegal outposts, etc. implementation according to the RM There is a meeting on Friday. Even the Americans [agree]. [TL: starts quoting Secretary Rice on the RM; none of the statements explicitly state the conditionality point.]

SE/YAR:

- [Make the point that they are willing to accept any of that language from Secretary Rice.]

[It was agreed that no more could be done this meeting. The point was deferred for resolution to the Abu Mazen - Olmert meeting on Friday. Next meeting of these teams was agreed for Wednesday or Thursday.]