

**Minutes from 9<sup>th</sup> Negotiation Team Meeting**  
*(In Preparation for Annapolis)*  
*Saturday, 17<sup>th</sup> November 2007, 8h00pm*  
*King David Hotel, West Jerusalem*

**Attendees:**

***Palestinian***

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

***Israeli***

- FM Tzipi Livni (TL)
- Tal Becker (TB)

**Minutes [not verbatim]:**

TL:

- I think that the best thing to do is your meetings.
- Monday there will be a meeting between AM and Olmert.

[The group then went systematically through the document. Notes, changes, additions, and new suggested language are noted below.]

**- DRAFT -  
SUBJECT TO APPROVAL**

**JOINT [P: DOCUMENT][I: STATEMENT]**

**Preamble:**

The representatives of the Government of the State of Israel and the Palestine Liberation Organization (PLO), represented respectively by Prime Minister Ehud Olmert and President Mahmoud Abbas in his capacity as Chairman of the PLO Executive Committee and President of the Palestinian Authority, have convened in Annapolis, Maryland, under the auspices of President George W. Bush of the United States of America and with the support of [\_\_\_\_\_], having concluded the following Joint [P: document] [I: statement]:

TL: If the titles are the same regarding the need for the approval of the parliament, it doesn't matter.

ALL: Rest of language agreed.

We express our determination to bring an end to bloodshed, suffering and decades of conflict between our peoples, to usher in a new era of peace based on freedom, security, justice, dignity, respect and mutual recognition, and to propagate a culture of peace and non-violence.

ALL: Rest of language agreed.

[Include paragraphs on two goals:

- The two state solution paragraph
- The Road Map paragraph]

[I: We affirm that peace can only be reached through historic reconciliation and the resolution of all outstanding issues by peaceful means in realization of the legitimate national aspirations and self-determination **of each people, in their own territory**, in accordance with the vision of two for two peoples, Israel and Palestine, **Israel as homeland for the Jewish people, and Palestine as homeland for the Palestinian people**, living side by side in peace and security.]

[P: The establishment of the two state solution, the state of Palestine, independent, democratic, sovereign, with East Jerusalem as its capital, living side by side in peace and security.]

SE: [Hands letter by Truman regarding the US recognition of Israel as “the state of Israel” and not as a Jewish state.]

TL: I am not going to argue with you about my national identity – whether being Jewish is about being a religion or about being a nation. The conflict is a national conflict – between two peoples. If there is another basis for the conflict we should know!

SE: There have been many attacks against us for the comments made by us. Your entry into [the international community] was as the “State of Israel” and not as a [“Jewish state”]. [Makes point that no other peace treaties with Jordan, Egypt, etc. have required or asked for this recognition.] You are saying that you as Palestinians have to admit that God as Allah gave this land to the Jews!!! [Refers again to the RM language.]

TL: [I won’t ask about your constitution, etc. There is one thing that we need to understand about the direction of the conflict. We need to know that the path that we are taking will be the end of the conflict between our two peoples.]

AA: What about the Arabs in Israel – do they have the right to self determination? You have 1.4million. Are you going to tell them to go out?

TL: I’ll tell you what I tell them. The Arabs in Israel are equal right citizens.

AA: They have the right to self determination in Israel.

TL: No.

AA: When you talk about a state for the Jewish people you are denying the rights of the Palestinians in Israel.

TL: The right to self determination of the Palestinian people is in Palestine. But they can live in Israel like any other citizen.

AA: This takes us back to a proposal 20 years ago. Many people with the right to self determination, Druze, Arabs, Jews, etc. under one overarching body. This is not on the table now.

TL: The point of the two state solution is to find a solution for each of the peoples. If we don't say that the goal is to end the conflict, where are we going?

TL: By the way, if we take out "in this context" in the Arab role section, then you take it out of the TOR section.

SE: That is something totally different. It is an entirely different context. It is completely different than the terms of reference.

SE: 1397 is because you don't want the Mitchell and Tenet reports.

TB: 1397 is about something else.

TL: We cannot accept API because it outlines your goals, not ours. It specifies withdrawal to the 1967 border. [Notes that API includes withdrawal from the Golan Heights, and southern Lebanon. TB makes note that this is like them asking Palestinians to accept the Bush letter. TL notes that if we accept the API as part of the TOR, then we don't need any bilateral negotiations! If we withdraw to the 1967 border, we don't need any of the rest of this.]

SE: The RM says that the goal is the end of the occupation that began in 1967. The borders are defined! Now you are telling me that the issue of the 1967 borders will be discussed?

TL: Do you really think that the borders are not negotiable? If you think that we are going to put in [the 1967 border as the basis] and you are not even willing to put anything about the Jewish state!

SE: Points out that the RM includes the API as the TOR of the peace process, anyway.

TL: In Phase 3 – the API is not mentioned in the TOR of that section.

[I: We recognize that creating the conditions for peace requires political negotiations between parties committed to the Quartet Principles, that will be accompanied by the

implementation of existing obligations and changes on the ground to build public confidence in peace. Such measures include developing the effective foundations for the future Palestinian state, promoting a culture of peace, bringing an end to incitement, extremism, terrorism and violence, addressing the situation in Gaza, and securing the release of Gilad Shalit, and tangibly improving the lives of Palestinians and Israelis in the security, economic and humanitarian spheres.]

TL: Suggests to delete this paragraph for now and find another way to address the same issue. She wants to explain why she wanted to put it in the paper – to address the commitment to fight incitement, etc. by both sides. The other reason is to include a reference to the importance of things on the ground to help the political process. We can find another way to address these issues in vague terms.

Discussion on whether or not AM and Olmert agreed anything on the core issues, and on whether or not it is reasonable to expect movement on the core issues in this week.

TL: I know where you are, where we stand. I think that there is a chance to reach an end to the conflict in the next few months. If we try to do it in the next two days, we will lead to a clash right away. It is not just an intellectual exercise. It cannot end in just a reference to issues that are convenient for you. And since you have a mutual interest, I think you should agree.

SE: I think that we can define the parameters.

TL: Two lines will not be less contentious. It will be just as problematic. Look at how long it took us to discuss these non-issues. Or the issues that weren't even negotiable to us like that of the Jewish state.

In furtherance of these goals, we agreed to:

Negotiations:

[P: launch good faith negotiations in order to conclude a treaty, within 8 months of the convening of the meeting in Annapolis, but not later than President Bush's term, providing a just resolution to all aspects of the Israeli-Palestinian conflict.]

[I: To be presented. No agreement to timeline, PM Olmert Saban speech.]

[P: These negotiations will be based on the agreed terms of reference and principles herein, including: the Road Map as endorsed by UNSC resolution 1515 (2003) which embodied President Bush's vision and which called for an end to the Israeli occupation that began in 1967; the Arab Peace Initiative of 2002; international law; the establishment of the sovereign independent State of Palestine living side by side in peace and security with the State of Israel; and shall be based on UN resolutions 242, 338, 1397 and UNGA resolution 194.]

[SE alternative suggestion: to include RM TOR language verbatim instead of P's and P's.]

[I: The negotiations will be guided by the agreed terms of reference for the peace process: UNSC resolutions 242 and 338, previous agreements as accepted by the parties, including the Road Map and President Bush's vision.][I: Reference to Quartet principles elsewhere.]

[Include reference to core issues – left to AA, TL and the plenary teams to discuss]

SE: raises the point that this is still missing and that we are waiting for political direction on this.

TL: The idea is, talking about the day after, about the need to address the all the fundamental issues which are a condition for realizing the vision of two states, living side by side in peace and security. I don't think that we can find an answer during this week – we need to hear from you on the permanent status issues, including more than just that the issue of the refugees needs to be agreed at the end of the road. Any reference to final status issues – it is not realistic or not wise even to address specifically or try to find an answer to some of the core issues before Annapolis, because anyway we will address it the day after.

AA: Suggests doing I's and P's for the core issues.

TL: Our position is to launch these negotiations on the core issues post-Annapolis. If we try to do this on the core issues now, the gaps will be enormous.

AA: The gaps are enormous anyway, even on the small issues. Anyway – we have our positions. The leaders are meeting on Monday – let them decide.

SE: They are meeting on Monday?

TL: I know what you need at Annapolis, and I know what we need at Annapolis... If you think you can get language which allows you to show the Arab world without giving anything that really means something to Israel, is not wise. All it will do is strengthen the gaps and highlight them.

### Road Map:

[P: Accept 5 principles proposed by the US. P understanding is that this proposal was agreed by both sides. P acceptance of the term “subject to” was in exchange for “immediate and parallel” and trilateral committee.]

[I: Suggest either: US proposal without “immediate and parallel” and with US ability to invite parties to meetings, in lieu of reference to trilateral committee, or

The two parties agree to implement their respective obligations under the Roadmap beginning with Phase 1.

Unless otherwise agreed by the parties, it is understood that the implementation of any future peace treaty is subject to the full implementation of the Roadmap.

The two parties agree to ask the United States of America to establish a monitoring mechanism on behalf of the Quartet in accordance with the Roadmap and in consultation with them. The mechanism will monitor and judge the implementation of all obligations of the parties under the Roadmap.]

[US draft:

- The parties commit to immediate and parallel implementation of the Roadmap.
- The parties agree to form an American, Palestinian, and Israeli committee to follow up on the immediate implementation of the Roadmap.
- The parties commit themselves to continue the implementation of the ongoing obligations of the Roadmap until they reach a peace treaty.
- The US will monitor and judge the fulfillment of the commitments of both sides of the Roadmap.
- Unless otherwise agreed by the parties, implementation of the future peace treaty will be subject to the implementation of the Roadmap, as judged by the US.]

*Role of International Community and Regional States*

[P: Package Proposal]

While there is no substitute for the bilateral process, we acknowledge the central importance of international and regional support for this process and for any agreement negotiated between the parties.

In particular, we recognize the critical supporting role of Arab and Muslim states and the importance of the Arab Peace Initiative, in this context and [P: delete “in this context, and” and insert “. We”] call on all States to enhance their support for the process and to promote an environment conducive to co-existence, non-violence and the two-state solution, including through:

- Political and economic assistance to the legitimate Palestinian government, as called for by the Quartet, and in coordination with its Special Envoy, especially in relation to institutional reform, capacity building, and economic development, including in the context of the upcoming pledging conference.
- Determined efforts to confront extremism, incitement and intolerance [P alternative: by whomever committed, including Palestinians or Israelis], including by cutting off public and private funding, weapons smuggling, training, and any other form of support for groups and individuals supporting or engaging in violence and terror. [P alternative to entire bullet: A renewed commitment to honor all obligations of the international community, including Arab States, as detailed in the Road Map.]

- [P: delete this bullet.] Steady improvement of regional ties with Israel, and the promotion of regional cooperation on issues of common concern.

TL: If we take out “in this context”, we take out the API from the TOR.

SE: Then we take the whole package off the table. We will introduce a new P.

TL: What is the problem with the improvement of the regional ties?

SE: AA wants to include that in a multilateral negotiations track. Although now he is saying he wants to keep it out now.

TL: I want to link this to progress in the bilateral track. [Reference to 3<sup>rd</sup> Bullet.]

AA: We cannot speak on behalf of the Arab world.

#### [P: Follow-Up Mechanism]

[P: In order to ensure that the goals outlined herein are met in a timely manner, the parties agree to establish negotiations committees on both sides to resume the negotiations on the permanent status issues, and will immediately agree on a work plan for those committees to ensure progress and the comprehensive resolution of all issues and sub-issues. The first meeting of these committees will be on the second day of this meeting at Annapolis.

[I: Don't have a problem with this in principle. Language can be found. They want it to be moved up to the negotiations section.]

To follow up the work of the parties, an international conference will be convened every three months, in order to monitor and review progress and to help overcome difficulties. This will constitute a monitoring mechanism for the peace process.]

[I: This part is problematic in principle.]

TL: There is a bilateral track, which will be started. The committee parts we don't really have a problem with. Then there is the international involvement, which is something we don't want.

TB: The committee/negotiation structure parts can be moved up to the negotiations section.

#### Concluding paragraph

[P: This declaration shall be considered binding on both parties upon signature. Neither side shall initiate or take steps that shall change the status of the West Bank, including East Jerusalem, and the Gaza Strip that are not contemplated herein, pending the full implementation of the treaty.

All Palestinian prisoners will be released upon the signing of the treaty. Furthermore, Israel shall make every effort to improve the daily lives and advance the welfare of the Palestinian population pending the full implementation of the treaty.]

[I: In conclusion, we express our profound appreciation to the President of the United States and his administration, and to the participants of this international meeting for their support for the bilateral process, and we reiterate our sincere determination to work together, with the assistance and support of the international community and regional states, to realize the vision of two states for two peoples, Israel and Palestine, living side by side in peace and security and to promote the goal of a comprehensive regional peace for the benefit of all the peoples of the Middle East.]

[I Note: Outstanding question for consideration – how to address the situation in Gaza in the document?]

**[Drafting team meeting tomorrow at 2h30pm (over lunch) to clean up the language. Then this group (or the bigger group) will meet again tomorrow night very late to regroup. We will have another meeting after the AM-Olmert meeting.]**