מדינת ישראל

משרדי הממשלה

משרד

מס, מ"ה

מס' תיק מקורי

מחלקה

שם תיק: משא ומתן עם הפלסטינים על הצהרת העקרונות

מזהה פיזי: **פ-5514/7**

מזהה פריט: 001097f

כתובת: 99-999-99-99-99 תאריך הדפסה: 20/12/2021

Draft of August 14, 1993

DECLARATION OF PRINCIPLES ON INTERIM SELF-GOVERNMENT ARRANGEMENTS

The Government of the State of Israel and the Palestinian team (in the Jordanian-Palestinian delegation to the Middle East Peace Conference) (the "Palestinian Delegation"), representing the Palestinian people, agree that it is time to put an end to decades of confrontation and conflict, recognize their mutual legitimate and political rights, and strive to live in peaceful coexistence and mutual dignity and security and achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process.

Accordingly, the two sides agree to the following principles:

Article I

AIM OF THE NEGOTIATIONS

1. The aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, the elected Council, ("the Council") for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period of five years, leading to a permanent settlement based on Security Council Resolutions 242 and 338.

   It is understood that the interim arrangements are an integral part of the whole peace process and that the

negotiations on the permanent status will lead to the implementation of Security Council Resolutions 242 and 338, as agreed by the parties in the permanent status agreement.

Article II

FRAMEWORK FOR THE INTERIM PERIOD

The agreed framework for the interim period is set forth in this Declaration of Principles.

Article III

ELECTIONS

1. In order that the Palestinian people in the West Bank and Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections will be held for the Council under agreed supervision and international observation, while the Palestinian police will ensure public order.
2. An agreement will be concluded on the exact mode and conditions of the elections in accordance with the protocol attached as Annex I, with the goal of holding the elections not later than nine months after the entry into force of this Declaration of Principles.
3. These elections will constitute a significant interim preparatory step toward the realization of the legitimate rights of the Palestinian people and their just requirements.

It is agreed that the transfer of authority will be as follows:

(1) The Palestinian side will inform the Israeli side of the names of Palestinians who will assume the powers, authorities and responsibilities that will be transfered to the Palestinians according to the Declaration of Principles in the following fields: education and culture, health, social welfare, direct taxation and tourism and any other authorities agreed upon.

(2) It is understood that the rights and obligations of these offices will not be affected.

(3) Each of the spheres described above will continue to enjoy existing budgetary allocations in accordance with arrangements to be mutually agreed upon. These arrangements also will provide for the necessary adjustments required in order to take into account the taxes collected by the direct taxation office.

(4) Upon the execution of the Declaration of Principles, the Israeli and Palestinian delegations will immediately commence negotiations on a detailed plan for the transfer of authority on the above offices in accordance with the above understandings.

Article VII

The Interim Agreement will also include arrangements for coordination and cooperation.

Article VIII

It is understood that the Interim Agreement will include arrangements for cooperation and coordination between the two parties in this regard. It is also agreed that the transfer of powers and responsibilities to the Palestinian police will be accomplished in a phased manner, as agreed in the Interim Agreement.

Article X

It is agreed that, upon the entry into force of the Declaration of Principles, the Israeli and Palestinian delegations will exchange the names of the individuals designated by them as members of the Joint Israeli-Palestinian Liaison Committee.

It is further agreed that each side will have an equal number of members in the Joint Committee. The Joint Committee will reach decisions by agreement. The joint committee may add other technicians and experts, as necessary. The Joint Committee will decide on the frequency and place or places of its meetings.

ANNEX II

It is understood that subsequent to the Israeli withdrawal, Israel will continue to be responsible for external security and for internal security and public order as specified in the principles pertaining to Article IV, as set out in these agreed minutes above; and that Israeli military forces and civilians may continue to use roads freely within the

Gaza Strip and Jericho.

Done at Washington, D.C., this ____ day of _____, 1993.

For the Government of Israel **For the Palestinian Delegation**

_____ _____

Witnessed By:

_____ _____

The United States of America **The Russian Federation**

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Article IV

Jurisdiction

Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations. The two sides view the West Bank and the Gaza Strip as a single territorial unit, whose integrity will be preserved during the interim period.

Article V

TRANSITIONAL PERIOD AND PERMANENT STATUS NEGOTIATIONS

1. The five-year transitional period will begin upon the withdrawal from the Gaza Strip and Jericho.
2. Permanent status negotiations will commence as soon as possible, but not later than the beginning of the third year of the interim period, between the Government of Israel and the Palestinian people representatives.
3. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and issue of common interest.
4. The two parties agree that the outcome of the permanent status negotiations should not be prejudiced or preempted by agreements reached for the interim period.

Article VI

PREPARATORY TRANSFER OF POWERS AND RESPONSIBILITIES

1. Upon the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and the Jericho area, a transfer of authority from the Israeli military government and its Civil Administration to the Palestinians authorised for this task, as detailed herein, will commence. This transfer of authority will be of preparatory nature until the inauguration of the Council.

2. Immediately after the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and Jericho area, authority will be transferred to the Palestinians on the following spheres: education and culture, health, social welfare, direct taxation, and tourism. The Palestinian side will commence in building the Palestinian Police force as agreed upon. Pending the inauguration of the Council, the two parties may negotiate the transfer of additional powers and responsibilities, as agreed upon.

Article VII

INTERIM AGREEMENT

1. The Israeli and Palestinian delegations will negotiate an agreement on the interim period ("the Interim Agreement").

2. The Interim Agreement shall specify, among other things, the structure of the Council, the number of its members, and the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to

the Council. The Interim Agreement shall also specify the Council's executive authority, legislative authority in accordance with Article IX below, and the independent Palestinian judicial organs.

3. The Interim Agreement shall include arrangements, to be implemented upon the inauguration of the Council, for the assumption by the Council of all of the powers and responsibilities transferred previously in accordance with Article VI above.

4. In order to enable the Council to promote economic growth, upon its inauguration, the Council will establish, among other things, a Palestinian Electricity Authority, a Gaza Sea Port Authority, a Palestinian Development Bank, a Palestinian Export Promotion Board, a Palestinian Environmental Authority, a Palestinian Land Authority and a Palestinian Water Administration Authority, and any other Authorities agreed upon, in accordance with the Interim Agreement that will specify their powers and responsibilities.

5. After the inauguration of the Council, the Civil Administration will be dissolved, and the Israeli military government will be withdrawn.

Article VIII

PUBLIC ORDER AND SECURITY

In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council will establish a strong police force, while Israel will continue

to carry the responsibility for defending against external threats, as well as the responsiblity for overall security of the Israelis for the purpose of safeguarding their internal security and public order.

Article IX

LAWS AND MILITARY ORDERS

1. The Council will be empowered to legislate, in accordance with the Interim Agreement, within all authorities transferred to it.
2. Both parties will review jointly laws and military orders presently in force in remaining spheres.

Article X

JOINT ISRAELI-PALESTINIAN LIAISON COMMITTEE

In order to provide for a smooth implementation of this Declaration of Principles and any subsequent agreements pertaining to the interim period, upon the entry into force of this Declaration of Principles, a Joint Israeli-Palestinian Liaison Committee will be established in order to deal with issues requiring coordination, other issues of common interest and disputes.

Article XI

ISRAELI-PALESTINIAN COOPERATION IN ECONOMIC FIELDS

Recognizing the mutual benefit of cooperation in promoting the development of the West Bank, the Gaza Strip and Israel upon the

entry into force of this Declaration of Principles, an Israeli-Palestinian Development Committee will be established in order to develop and implement in a cooperative manner the programs identified in Annex III and IV.

Article XII

LIAISON AND COOPERATION WITH JORDAN AND EGYPT

The two parties will invite the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the the Palestinian representatives, on one hand, and the Governments of Jordan and Egypt, on the other hand, to promote cooperation between them.

These arrangements will include the constitution of a continuing committee that will decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern will be dealt with by this committee.

Article XIII

REDEPLOYMENT OF ISRAELI FORCES

1. After the entry into force of this Declaration of Principles, and not later than the eve of elections for the Council, a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place, in addition to withdrawal of israeli forces carried out in accordance with Article XIV.

2. In redeploying its military forces, Israel will be guided by the principle that its military forces should be redeployed outside populated areas.

3. Further redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police force pursuant to Article VIII above.

Article XIV

ISRAELI WITHDRAWAL FROM THE GAZA STRIP AND JERICHO AREA

Israel will implement an accelerated withdrawal of Israeli military forces from the Gaza Strip and Jericho area as detailed in Annex II.

Article XV

RESOLUTION OF DISPUTES

1. Disputes arising out of the application or interpretation of this Declaration of Principles, or any subsequent agreements pertaining to the interim period, shall be resolved by negotiations through the Joint Liaison Committee to be established pursuant to Article IX above.

2. Disputes which cannot be settled by negotiations may be resolved by a mechanism of conciliation to be agreed upon by the parties.

3. The parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled

through conciliation. To this end, upon the agreement of both parties, the parties will establish an Arbitration Committee.

Article XVI

ISRAELI-PALESTINIAN COOPERATION CONCERNING REGIONAL PROGRAMS

Both parties view the multilateral working groups as an appropiate instrument for promoting a "Marshall Plan", the regional programs and other programs, including special programs for the West Bank and Gaza Strip, as indicated in Annex IV.

Article XVII

MISCELLANEOUS PROVISIONS

1. This Declaration of Principles will enter into force one month after its signing.
2. All protocols annexed to this Declaration of Principles and Agreed Minutes pertaining thereto shall be regarded as an integral part hereof.

Done at Washington, D.C., this ____ day of _____, 1993.

For the Government of Israel **For the Palestinian Delegation**

_____ _____

Witnesed By:

ANNEX I

Protocol On The Mode And Conditions of Elections

1. Palestinians of Jerusalem who live there will have the right to participate in the election process, according to an agreement between the two sides.
2. In addition, the election agreement should cover, among other things, the following issues:
   a. The system of elections.
   b. The mode of the agreed supervision and international observation and their personal composition; and
   c. Rules and regulations regarding election campaign, including agreed arrangements for the organizing of mass media, and the possibility of licensing a broadcasting and TV station.
3. The future status of displaced Palestinians who were registered on 4th June 1967 will not be prejudiced because they are unable to participate in the election process due to practical reasons.

ANNEX II

GAZA STRIP AND JERICHO AREA

1. The two sides will conclude and sign within three months from the entry into force of the Declaration of Principles, an agreement on the withdrawal of military forces from the Gaza Strip and Jericho area. This agreement will include comprehensive arrangements to apply in the Gaza Strip and Jericho area, subsequent to the Israeli withdrawal.

2. Israel will implement an accelerated and scheduled withdrawal from the Gaza Strip and the Jericho area, within a period not exceeding three months from the date of the signing of the agreement on Gaza Strip and Jericho area.

3. The above agreement will include among other things:

   a. Arrangements for a smooth and peaceful transfer of authority from the Israeli military government and its civil administration to the Palestinian representatives.

   b. Structure, powers and responsibilities of the Palestinian Authority in these areas, except: External security, settlements, Israelis and foreign relations. Other issues of common interest will be mutually agreed upon.

c. Arrangements for the assumption of internal security and public order by the Palestinian police force, consisting of police officers recruited locally and from abroad (holding Jordanian passports and Palestinian documents issued by Egypt). Those who will participate in the Palestinian Police force coming from abroad should be trained as police and police officers.

d. A temporary international or foreign presence as agreed upon.

e. Establishment of a joint Palestinian-Israeli Coordination and Cooperation Committee for mutual security purposes.

f. An economic development and stabilization program, including the establishment of an Emergency Fund to encourage foreign investments, financial and economic support. Both sides will coordinate and cooperate jointly and unilaterally with regional and international parties to support these aims.

g. Arrangements for a safe passage, for persons and transportation between the Gaza Strip and the Jericho area.

4. The above agreement will include arrangements for coordination between both parties regarding passages:

a. Gaza - Egypt;

b. Jericho - Jordan.

5. Other then these agreed arrangements, the status of the Gaza Strip and Jericho area will continue to be an integral part of of the West Bank and Gaza Strip, and will not be changed in the interim period.

ANNEX III

Protocol On Israeli-Palestinian Cooperation and Development Programs

The parties agree to develop jointly the following programs:

1. A Water Development Program prepared by Israeli and Palestinian water experts, which will also specify the mode of cooperation in the management of water resources in the Gaza Strip and the West Bank, and will include proposals for studies and plans on water rights of each party, as well as on the equitable utilization of joint water resources for implementation beyond the interim period.

2. An Electricity Development Program, which will also specify the mode of cooperation for the production, maintenance, purchase and sale of electricity resources.

3. An Israeli-Palestinian Energy Development Program, which will provide for the exploitation of oil and gas for industrial purposes, particularly in the Gaza Strip and in the Negev, and will encourage further joint exploitation of other energy resources. These programs may also provide for the construction of oil and gas pipelines.

4. A Financial Development and Action Program for the encouragement of international investment in Israel, the West Bank and the Gaza Strip.

5. A Transport and Communications Development Program, which will define guidelines for the establishment of a Gaza Port Area and will provide for the establishing of communication lines to and from the Gaza Strip via Israel, and to and from Israel via the West Bank and the Gaza Strip, to other countries. In addition this program will provide for carrying out of the necessary construction of roads, railways, communications lines etc.

6. A Trade Promotion Program, which will encourage local, regional and inter-regional trade and will examine the possibilities of creating free tade zones in the Gaza Strip and in Israel, mutual access to these zones, and cooperation in other areas related to trade and commerce.

7. An Industrial Development Program, which will provide for the establishment of joint Israeli-Palestinian Industrial Research and Development Centers, will promote Palestinian-Israeli joint ventures and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, computer and science-based industries.

8. A program for cooperation in labor and in social welfare issues.

9. A Human Resources Development Plan, providing for joint Israeli-Palestinian workshops and seminars, and for the establishment of joint vocational training centers.

10. An Environmental Protection Plan.

11. Any other programs mutually agreed upon.

ANNEX IV

Protocol On Israeli-Palestinian Cooperation
Concerning Regional Development Programs

1. Israel and the Palestinians will cooperate in the context of the multilateral peace efforts in mutually promoting a Development Program for the region, including the West Bank and the Gaza Strip, to be initiated by the G-7. The parties will request the G-7 to seek the participation in this program of other interested states, such as members of the Organisation for Economic Cooperation and Development, regional Arab states and institutions, as well as members of the private sector.

2. The development program will consist of two elements:
   a) a Regional Economic Development Program.
   b) an Economic Development Program for the West Bank and and the Gaza Strip.

   A. The Regional Economic Development Program will consist of the following elements:

      (1) The establishment of a Middle East Development Fund as a first step, and a Midle East Developme Bank as a second step.
      (2) The development of a joint Israeli-Palestinian-Jordanian Plan for coordinated exploitation of the Dead Sea area.
      (3) Regional Desalination and other water development projects.
      (4) A regional plan for agricultural development including a coordinated regional effort for the prevention of desertisation.
      (5) Interconnection of electricity grids.
      (6) Regional cooperation for the transfer, distribution and industrial exploitation of gas, oil and other energy resources.
      (7) A Regional Tourism, Transportation and Telecommunications Development Plan.
      (8) Regional cooperation in other spheres, as mutually agreed upon.

   B. The Economic Development Program for the West Bank and the Gaza Strip will consist of the following elements:
      (1) A Housing and Construction Programme.
      (2) A Small and Medium Business Development Plan.
      (3) An Infrastructure Development Programme (water, electricity, transportation and communication, etc.)
      (4) A Human Resources Plan.
      (5) Other programs mutually agreed upon.

3. The two parties will coordinate there positions before each session of the various multilateral working groups. The two parties will encourage intersessional activities, as well as pre-feas ɔility and feas ɔility studies, within the various multilateral working groups.

AGREED MINUTES TO THE

DECLARATION OF PRINCIPLES ON

INTERIM SELF-GOVERNMENT ARRANGEMENTS

A. GENERAL UNDERSTANDINGS AND AGREEMENTS

Any powers and responsibilities transferred to Palestinians pursuant to the Declaration of Principles prior to the inauguration of the Council will be subject to the same principles pertaining to Article IV, as set out in these Agreed Minutes below.

B. SPECIFIC UNDERSTANDINGS AND AGREEMENTS

Article IV

It is understood that:

1. Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, military locations, and Israelis.

agreed powers, responsibilities, spheres and authorities transferred to it.

Article VI(2)

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h. Other issues of common interest.

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Letter from Arafat to "the meeting", July 11, 1993

"The special negotiations between us are now reaching a serious stage. At this historical moment, which is exceptional, as much as the characteristics through which we are passing are exceptional, I would like to inform you of some of our concerns. This is because we are concerned about complete frankness and candidness. This is what will serve the success of these negotiations. We deal with this special channel in full seriousness and we think that through the direct and frank style, we will be able to find a temporary and satisfactory interim solution, which will serve our mutual interests.

We have before us a genuine historical chance in the history of our conflict. Both of us are responsible to secure that we will not lose this opportunity.

Our considerations can be summarized as follows:

1. We are concerned that simultaneously with the signature of this agreement, that from your side, you will take a meaningful large step by withdrawing from the Gaza Strip and the Jericho area, creating hereby a real breakthrough for our people on the ground. Our need for this step is apparent to you, whereas also your need to take this step, is clear to us. In such a situation we will be able to convince the general Palestinian public opinion and the relevant institutions and bodies [that a breakthrough has occurred].

If, [instead] we limit ourselves [only] to small steps of a subordinate nature, such as the transfer of some authorities, this will not change much the reality and the situation, and would render the agreement subject to questions and obstacles within the Palestinian general opinion.

2. Our [Arafat's] presence in a Palestinian area, from which an early Israeli withdrawal occurs, will enable us to face any future possibilities, including any activity, which might be taken by extreme parties, in order to block the agreement. In addition to that our [my] presence will provide the psychological and political confidence among the Palestinian public in the Palestinian Occupied Territories and it will create a new atmosphere, which would help the smooth execution of all articles of the agreement. We believe this is in the interest of the two parties. The seriousness of our committment towards this agreement requires this presence, because [this way] both parties have the ability to sign and the capability to implement.

3. There are major issues, which would remain pending and which should be considered as major issues for each of the parties, and in particular the question of Jerusalem. We are aware of its sensitivity for both parties. This is something we cannot sidestep in the interim period completely and there

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are arrangements on the table, concerning the right to participate as voters and candidates in elections and to connect the institutions in Jerusalem with the interim authorities, and other arrangements that represent the minimal position, that will not harm the position of both parties, pending the final status negotiations.

4. We hope that each of us will look at the interest and the position of the other party, whenever he puts forward any compromise solution. We have now arrived at the heart of the negotiating process and this requires putting forward serious compromise solutions. Therefore we expect that issues will be dealt with in such a spirit; such as arbitration, regional questions and the role of the co-sponsors in assisting in the supervision of the implementation of the agreement, and an agreed upon international presence.

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We offer our full readiness to continue serious work through this channel, which has now the credibility and will provide for reaching a real peace agreement.

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add to the Palestinian version:
"It is understood that the interim arrangements are an integral part of the whole process and that the negotiations on the permanent status will lead to the implementation of Security Council Resolutions 242 and 338":
"in all their aspects".

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para 3: after: "the legitimate rights of the Palestinian people and their just requirements"
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instead of: "Jurisdiction of the Council will cover all West Bank and Gaza Strip land, except the issues of permanent status":

"Jurisdiction of the Council will cover all West Bank and Gaza Strip land, without any prejudice to the issues related to the permanent status that will be negotiated between the two sides in the beginning of the third year and are defined in this agreement."

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para 3. The Israeli proposed versions are to be cut.

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"transfer of authority from the Israeli government"

instead of: "to the Palestinians":
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after "Immediately after the entry into force of this DoP"

insert: "and the withdrawal from Gaza and Jericho area" before: "authority will be transferred...".

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Israeli-Palestinian Cooperation and Developmental Programs

text to read: Recognizing the mutual benefit of cooperation in promoting the development of the West Bank, the Gaza Strip and Israel, upon the entry into force of the DoP, an Israeli-Palestinian Developmental Committee will be established in order to develop and implement in a cooperative manner the programs identified in Annex II.

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instead: "...the Government of Israel and the Council will invite the Governments of Jordan and Egypt, to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Council on one hand and the Governments of Jordan and Egypt on the other hand."

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will invite the Governments of Jordan, Egypt, Syria and Lebanon, to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Council on one hand and the Governments of Jordan, Egypt, Syria and Lebanon on the other hand, to arrange among other things for the return of the displaced persons since 1967, and other issues of common interest.

ARTICLE XII Redeployment of Israeli Forces

para 1 should read:

"After the entry into force of the DoP, and not later than the eve of elections for the Council, a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place to certain locations outside populated areas, for external security purposes, without prejudice to Palestinian jurisdiction."

and para 2:

instead of: "Further redeployments will be gradually implemented ..." :

"Further withdrawal to new locations will be gradually implemented...".

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"Israel will withdraw from the Gaza Strip and Jericho area with the entry into force of this DoP."

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"The boundaries of Jericho area are as in the Jordanian administration specified for the district of Jericho".

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be simultaneous with the transfer of the five spheres indicated in Article V. "

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All authorities in Gaza and Jericho will be transferred to the Palestinian leadership, except foreign relations, external security and settlements.

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para 6: (new) Assistance from Egypt and Jordan could be sought concerning the issues for preparation and the training of these Palestinian security forces, in accordance with the needs.

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para 8: (new) Jericho passages with Jordan will be under the responsibility of the Palestinian authority with international supervision and in cooperation with Israel.

para 9: (new) A temporary international or foreign presence, to be agreed upon, will assist in guaranteeing security.

para 10: (new) The connection between the Gaza Strip and the Jericho area will be secured through a passage, guaranteeing the freedom of mobility and movement (of passage and transfer for people and goods).

para 11: as the former para 4, unchanged.

para 12: (new) Both parties will cooperate in seeking foreign investment, financial and economic support for stabilisation and development programs.

ARTICLE XIV Resolution of Disputes

~~para 1 and 2 remain~~

para 3:

instead of: "The parties may agree to submit to arbitration":
"the parties agree to submit to arbitration";

instead of: "...the parties will establish an Arbitration Committee.":
"the parties will establish an Arbitration Committee, including co-sponsors." (or:
.... establish an Arbitration Committee, by the assistance of the co-sponsors).

Article XV Israeli-Palestinian Cooperation Concering Regional Programs

para 1 and para 3 to be deleted;

para 2:
instead of: "Both parties view the multilateral working groups as an appropriate instrument to promote the regional programs that have been mentioned above":

"Both parties view the multilateral working groups as an appropriate instrument to promote the regional programs and other programs with a priority to the West Bank and the Gaza Strip."

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the entire text proposed by Israel to be cut, changes in the text proposed by the Palestinians should be as follows.

para 2:

instead of: "The place for Jerusalem Palestinian voting will be agreed upon":
"The place for Jerusalem Palestinian voting will be in the Holy Places."

para 3 under b)
add: as mentioned in Article II.

para 4 (new) The displaced Palestinians of 1967 will have the right to vote.

AGREED MINUTES

A. General Undstandings and Agreements

para 1 (new)
to be added: In each paragraph of the DoP in which the word Palestinians appear it is understood as the Palestinian people.

para 2
orginally para 1 to be cut, or "find another wording".

para 3
originally para 2 remains as it is.

para 4 (new)
to be added: All Palestinian institutions dealing with Palestinian life and interest in East Jerusalem will be subject to the authority of the Palestinian Council and a special [body] quarter(s) will be set up in East Jerusalem subordinate to the Council for taking care of these affairs.

B. Specific Understandings and Agreements

Article III

instead of: "It is agreed that the Council's jurisdiction will exclude the following issues of permanent status: settlements, Jerusalem and security areas in addition to Israelis; the Interim Agreement will include special arrangements that will apply to common infrastructure":

"It is agreed that the Council's jurisdiction will exclude the following issues of permanent status: settlements, security locations and their forces, Jerusalem, in addition to Israeli citizens; the Interim Agreement will include special arrangements that will apply to uses of common infrastructure."

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instead of: "and such other Israeli officials":
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instead of: "The Joint Committee may establish technical subcommittees as necessary.":
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Yair Hirschfeld
June 2, 1993

Paper prepared for Yael Lipkin

THE OSLO NEGOTIATING CONCEPT

I. The Oslo Concept

I. 1. The Content of the Oslo Concept:

In Oslo a PoU (Principles of Understanding)
(see annex no. 1) including three documents,
a DoP (Declaration of Principles),
a CWP (Cooperation and Working Programme) and
Guidelines for a "Marshall-Plan"
are being negotiated.

I. 2. These negotiations are based on the following
quid pro quo:

The Palestinians will obtain self-government arrangements
and movement towards final status negotiations and
arrangements in return for:

1. an end to all terror activities, the immediate
   dismantlement of terror units and the introduction
   of other security measures;
2. the replacement of direct Israeli control by
   a mechanism of Israeli-Palestinian cooperation
   in all spheres of life (see CWP); and
3. Palestinian active support for the creation of
   Israeli-Arab regional cooperation throughout the

Middle East.

I. 3. The Oslo concept creates an ongoing negotiating structure, starting with the signing of the PoU (DoP, CWP and Guidelines), to be followed by negotiations on:

i. modalities of elections (DoP, para 3);

ii. a joint land and water development plan, (DoP, para 8);

iii. the creation of seven Palestinian institutions (DoP, para 8);

iv. the definition of legal powers of the PIC (Palestinian Interim Council) (DoP, para 9);

v. the definition of liaison arrangements, (DoP, paras 10 and 11);

vi. arbitration, (DoP, para 14);

vii. ten cooperation agreements (a joint: water development programme, an electricity development programme, an energy development programme, a financial development programme, a transport and communications development programme, an industrial development programme, a labor relations and social welfare programme, a human resources development plan, an environmental protection plan and a security programme

and plan);

viii. (if accepted by us): an understanding on partial withdrawal from Jericho (to be carried out after two years);

ix. an interim-agreement; (1)

---

(1) The Oslo concept provides more importance to the PoU (DoP, CWP and Guidelines) than to the interim-agreement. Originally the first draft presented to the Palestinians in Norway had included the following paragraph

"Even in case the necessary agreements will not be finalized in time, the elections to the Palestinian Council and its inauguration, shall be held on the agreed upon date. In this case, the elected Palestinian Council will continue to negotiate with the G.o.I. Accordingly, the delegation of powers and the transfer of authority, regarding those specific issues that will not have been agreed upon before the date of elections, will be postponed until mutual agreement will have been achieved."

Although this paragraph has been deleted from the CoP, upon Palestinian request, the concept has been accepted and has been incorporated in the presently accepted DoP:

In para 4 of the DoP it is said that the interim

Thereafter negotiations are to be held on:

x. a trusteeship for the Gaza Strip

(continuation of footnote no. 1)

period (the transitional period) will start immediately with the signing of the DoP. In para 5 an immediate transfer of authority (partial empowerment) is being provided for, to start immediately after the signing of the DoP.
In para 13 it is said that the Israeli and Palestinian delegations "will negotiate" an interim-agreement, however, no time limit is given (unlike to para 2, where a time-limit is given for finalizing the negotiations on election modalities; or unlike para 12, where a time-limit is given for the negotiations of a partial withdrawal from Jericho).

Moreover, in para 12, withdrawal from the Gaza Strip is to be carried out, "not later than the end of the second year of the interim-period" and not at "the end of the second year after the conclusion of the interim-agreement".

and after the establishment of this trusteeship and partial withdrawal from Jericho, negotiations of the final status are to start.

I. 4. The rational of the Oslo concept and the ongoing negotiations structure provided for, is manyfold:

1. By turning the signing of the PoU (DoP, CWP and Guidelines) into the beginning of the interim-period, the Palestinians - whether they will sign an interim-agreement or not - actually accept the Israeli concept for interim-arrangements.

2. The Oslo-proposed PoU, particularly the CWP and the "Guidelines" create cooperation-promoting negotiations, rather than polarizing negotiations. (for a more detailed account hereof, see below: III. The Substance of Negotiations)

3. The Oslo-proposed PoU determines already now certain measures to be taken in the post-interim-period, while creating at the same time an ongoing negotiating structure.
If opportunities created by the PoU are efficiently exploited by the G.o.I. two major benefits may be obtained:

a) the (moderate and pragmatic) Palestinian leadership will be perpetually obliged to fulfill its obligations towards Israel, (in order to secure withdrawal from the Gaza Strip and Jericho. Thereafter, moderate Palestinian policies will be necessary in order to maintain the conditions of the trusteeship and hoping to obtain agreement for further withdrawal and turn the trusteeship into a Palestinian-Jordanian Confederation). Hereby, the continuing desire for change should force the moderate Palestinian leadership to contain and deter the radicals.

b) As many polarizing issues (Jerusalem, the extent of legal rights, control over land, the right of return, etc.) have not been solved, the danger of radicalization is still imminent. However, the PoU in providing for intense cooperation on the bilateral, the regional and the multilateral levels, offers also a possible way out: the immediate creation of intense Israeli-Palestinian bilateral, regional and international cooperation before the tackling of the polarizing issues, shall create substantial mutual interests enabling an amicable solution of the polarizing issues.

I. 5. The Oslo concept permits the "outside" to take an active part and maintain its dominating role, while at the same time the Madrid formula is preserved and negotiations in Washington are being reinforced and are being led to a successful breakthrough.

II. The Oslo Timetable

II. 1. During the next meeting in Norway (to be held as soon as possible) the PoU (DoP, CWP and Guidelines) shall be finalized and possibly a 10-Point Action Programme agreed upon.

Moreover, steps shall be taken and coordinated to:

a) introduce preparatory measures for partial empowerment (a first transfer of authority) in the spheres of health, education, tourism, taxation and public works;

b) guarantee the provision of international political support from the USA, the EC, North-Europe and Egypt;

c) provide for sufficient financial support (at least for the first months after signing the PoU). Current

needs, for maintaining existing institutions, hospitals. etc. are US $ 20 million per month. Financial resources available should be at least quadrupled throughout the period before elections in order to create an effective public performance of the self-governing institutions that will start to function immediately after the signing of the PoU.

d) coordinate PR measures for the Israeli and Palestinian public and the international media; and

e) organize the negotiating structure on the official and the inofficial tracks.

II. 2. Sign at the end of the 10th Round the PoU. (DoP, CWP and Guideline).
Herewith the interim-period will have started.

II. 3. Carry out immediately after the signing of the PoU:

a) partial empowerment;
b) dismantlement of terror units and movement towards the establishment of a Palestinian local police force;
c) start negotiations limited for two months on election modalities, including:

i. agreement on the return of PLO activists presently working in Tunis, to Gaza and Jericho;

ii. agreement on Jerusalem (along the concept proposed by Faisal);

iii. agreement on other issues, related to elections;

d) start negotiations limited for three months on determining conditions for partial withdrawal from Jericho;

e) start negotiations without a time limit on issues described above under I.3. ii, iii, iv, v, vi, vii and ix.

III. The Substance of Negotiations

III. 1. The PoU (DoP, CWP and Guidelines) seen and accepted by the G.o.I and the Palestinians as an indivisible unit provides Israel with substantial advantages. In some spheres the PoU enables the implementation of concepts presented by the Israeli delegation to the Palestinians in Washington, in other spheres, even more advantageous conditions (compared to Washington) are provided for. For the Israeli quid pro quo see III. 2. below.
A comparison of the substance of proposed solutions follows:

A. The Goal of Negotiations:

The Washington DoP and the Oslo PoU create an almost identical interlock. The PoU provides for an Israeli withdrawal from the Gaza Strip under controlled and agreed upon conditions.

B. The Concept of Interim Self-Government Arrangements:

The four principles provided for in Washington (see Annex II: Compilation...) are being improved by the PoU as follows:

1. Interim self-government arrangements for the Palestinians will be enforced immediately after the signing of the PoU. (see above entire section I, The Oslo Concept).

2. Israel will administer the affairs of the Israelis in the territories and will have responsibility of residual powers. This has been asked for in Washington and it is being achieved in Oslo, either in accordance with a signed interim-agreement, or also possibly, without. In both cases the interim-period will have started after the signing of the PoU.

3. Israeli-Palestinian cooperation agreements (see CWP) are clearly more comprehensive according to the Oslo PoU, than the proposals made for the DoP in Washington.

4. According to the PoU, the Government of Jordan's assistance is provided for laison purposes, support in the establishment of a police force and the preparation of the trusteeship for the Gaza Strip. Moreover, Jordanian involvement in cooperation projects, e.g. in Guidelines, B/1,2,3,4, 5,6 and 7 is being provided for.

C. Jurisdiction:

The Oslo-concept is based on DoP paras 4 and 6, as well as on Guidelines/B/2:

In DoP para 4 the following is said:
"Jurisdiction of the Palestinian Interim Council will cover West Bank and Gaza Strip land", whereas para 6 relates to the extent of control over land, saying:
"a coordinated land and water resources development plan will be negotiated".

In line herewith, an oral understanding has been

reached in Oslo, indicating that the size of the land to be put under Palestinian jurisdiction will depend on the promotion and implementation of agreed upon development projects, which may be unilateral, bilateral or regional in nature.

As an example herefore, the project mentioned under Guidelines B/2 : "...the promotion of a joint Israeli-Palestinian-Jordanian Plan for coordinated exploitation of the Dead Sea area" is to be seen: In case such a trilateral promotion plan can be implemented - Palestinian jurisdiction will include control over lands - as agreed upon - adjacent to the Northwestern part of the Dead Sea littoral.

This concept fully dovetails, in our view, with the parameters described in annex 2 (the compilation), saying under the heading of "Jurisdiction":
"...the Palestinian Administrative Council will wield its executive powers and responsibilities, and will have relevant infrastructure aspects, to be negotiated, such as issues of land and water."

(see annex 2, informal compilation of Israeli ideas).

Here, as elsewhere, the difference between the Washington submitted compilation concept and the Oslo concept, is

that in Oslo, a cooperation-promoting negotiating mechanism has been agreed upon, whereas in Washington the present negotiating mechanism still provides for mutual polarization.

D. The Structure and Powers of the Self-Government Authority

The Oslo-proposed PoU does not define in detail the structures and powers of the PIC (Palestinian Interim Council). Nevertheless, the PoU has largely determined the substance and powers of the PIC, along three categories:

a. Category no. one are the powers transferred to the PIC, immediately after signing the PoU. (see DoP, para 5).

b. Category no, two, are powers to be given to the PIC to control the policies of seven Palestinian institutions (authorities) that are to be established according to para 8 of the Oslo DoP:

a Palestinian Land Authority,

a Palestinian Water Administration Authority,

a Palestinian Electricity Authority,

a Gaza Sea Port Authority,

a Palestinian Development Bank and

an Environmental Authority.

The agreements on the powers of these institutions are to be negotiated with the G.o.I. Moreover, the PoU clearly provides for an interconnection between the powers to be given to these institutions and the content, size and nature of Israeli-Palestinian cooperation, to be determined in the CWP:

Accordingly, the powers of the

- Palestinian Water Administration Authority will be to implement the jointly prepared and agreed upon Water Development Programme (see CWP/1);
  Moreover, according to the PoU/Guidelines/B/3, this joint programme will include the establishment of a regional desalination and power generating plant, creating hereby substantial volume of additional water;

- Palestinian Land Authority will be to administer lands given under full Palestinian control (village and municipal areas) and administer the implementation of the jointly agreed upon land resources development programme (DoP para 6); evidently the size of land to be administered according to the land resources development programme will depend upon understandings attained in regard to various cooperation programmes in the CWP, i.e. II/2 the Electricity Development Programme, II/3, the Energy Development Programme, II/5 the Transport and Communications Development Programme, II/6 the Industrial Development Programme (e.g. industrial parks etc.) and II/9, the Environmental Protection Plan.

- The Palestinian Electricity Authority will have the obligation to implement II/2 and will draw its powers accordingly;
- the Palestinian Sea Port Authority will obtain its powers according
to the needs defined in II/5, the Israeli-Palestinian Transport and Communications Development Programme;
- the Palestinian Development Bank will obtain its powers according to the parameters and obligations laid down in II/4, the Israeli-Palestinian Financial Development Programme. Moreover, connected herewith, is the Palestinian obligation according to III/B/1 to be actively instrumental in bringing about the establishment of a MEDF (Middle East Development Fund) and a MEBRD (Middle East Bank for Reconstruction and Development);
- the Palestinian Export Promotion Board will obtain its powers in line with cooperation agreements on finances, (II/4), transport and communications (II/5) and industry (II/6); whereas
- the Palestinian Environment Authority will obtain its powers in line with II/9, a coordinated Environmental Protection Plan.

c. Category no. three - will be mainly legal rights in line with the proposals made by the Israeli delegation in

Washington and possibly other powers already suggested by Israel.

Accordingly, in line with the Oslo concept, residual powers maintained by Israel, may be quite substantial. Moreover, the Oslo-Concept permits Israel to suggest and if necessary, insist, that the envisaged Palestinian self-governing institutions will be established in Gaza and Jericho, enabling hereby a decrease of Palestinian activities in Jerusalem.

E. The Legal System

The PoU states in its DoP, para 9 that all legal authorities of the PIC (the Palestinian self-government body) will have to be mutually agreed upon. Accordingly, the concept submitted to the Palestinians in Washington (see annex no. 2) may be fully implemented.

F. Liaison and Arbitration

According to the Oslo-Concept, DoP paras 10, 11 and 14 liaison mechanisms will be created on three levels

a. the professional level;

b. between the PIC and the G.o.I.,

c. between the G.o.I, the PIC and the Governments of Jordan

and Egypt.

This appears to be fully in line with the Washington proposals. In addition, the Oslo-Concept provides for cooperation according to the CWP, creaing ten negotiated cooperation programmes covering all spheres of life.

On arbitration (para 14) the Oslo concept provides for a mechanism - still to be agreed upon - for reconciliation and compromise before arbitration, stating that an arbitration committee will be only created, in case both parties, the G.o.I. and the PIC and the co-sponsors of the Madrid conference will agree.

G. Land

see above under C. Jurisdiction.

H. Local Police and Security

The Oslo-Concept provides for the immediate introduction of preparatory steps for the establishment of a Palestinian police force, immediately after the signing of the DoP, (para 7), to be undertaken in liaison and cooperation with the Governments of Israel, Jordan and Egypt.

Moreover, it has been orally agreed upon that before the creation of a local Palestinian police force, the Palestinians will have to dismantle existing Palestinian "military and para-military organisations". Furthermore, the Oslo DoP provides in para 12 for a security annex and in the CWP for a Security Programme and Plan (II/10). It has been understood and orally agreed upon that a long-term Gaza Stabilizing Programme will be prepared and signed. Related hereto, talks regarding Israeli-Palestinian cooperation to fight militant Islamic radical forces shall start.

The Gaza Stabilizing Programme, still to be prepared by Israel, shall present a comprehensive security approach, including all security issues, cooperation in matters of intelligence, coordination of anti-terrorist tactics and also the provision for social welfare, demographic development, economic growth etc.

I. The Multilaterals

According to the Oslo-Concept, Israel and the Palestinians will coordinate their moves in the multilateral negotiating track and create a major boost to international and regional activities, resulting from these channels. (see PoU, Guidelines).

The last round of multilateral negotiations, particularly developments in Rome, Oslo and Tokio have offered a first insight in regard to relevant existing possibilities.

J. Coordinated Public Relations Activities

Immediately after signing the PoU, coordinated PR efforts, directed mainly at the Israeli and Palestinian public, are being planned.

III. 2. The Israeli "Quid pro Quo"

The PoU, enabling Israel to implement its proposals made in Washington, or to achieve in certain spheres even better conditions for the interim-period, has only been made possible, in return for the beginning of a direct dialogue with ~~with~~ the PLO leadership in Tunis.

The Oslo-Concept, although maintaining the Madrid formula, clearly provides for a deal between Jerusalem and PLO-Tunis, creating hereby a historical change and breakthrough.

Undoubtedly this is a price to be paid. However, an analytical approach of existing power relations indicates that presently no other alternative is available.

IV. Concluding Remarks

1. A comparison of the Oslo-produced PoU and the Israeli proposals made in Washington, indicates that in four spheres the PoU offers important advantages over the Washington made proposals:

a. First, and most important the Palestinian leadership is willing to finalize the PoU immediately, whereas negotiations in Washington remain inconclusive and highly volatile.

b. Second, the PoU creates immediately the beginning of the interim-period, decreasing hereby tension in regard to a variety of details that have to be solved in the envisaged interim-agreement.

c. Third, in the PoU (the DoP, the CWP and the Guidelines) the structure and power of the Palestinian Interim Council largely depends on the promotion of Israeli-Palestinian bilateral and regional cooperation and thus tends to create a cooperation-promoting atmosphere, rather than a polarizing atmosphere.

d. Fourth, the PoU provides for a long-range negotiating structure and creates after Israeli withdrawal from the Gaza Strip and partially from Jericho a second interim-arrangement, where the G.o.I. will still maintain wide ranging control over

תל-אביב
11 מאי 1993

אל: שמעון פרס (באמצעות ד"ר יוסי ביילין)
אל: ד"ר יוסי ביילין

מאת: ד"ר יאיר הירשפלד ודר' רון פונדק

דוח פגישה עם משלחת אש"ף

1. בין 8-9 מאי 1993 קיימנו באוסלו סידרת פגישות עם משלחת אש"ף בראשות אבו-עלא.

2. ברקע הפגישות עמדו מספר נושאים:
א. עובדת הצלחת המפגש המולטילטרלי ברומא כפועל יוצא מתאום מוקדם ביננו בערוץ הנורבגי. (אבו-עלא ציין שאפילו שאר המשלחות הערביות הופתעו מהעמדות החדשות בהם נקטו הפלסטינים, עמדות שנבעו לדבריו מההבנה המוקדמת עימנו ורצונו להוכיח את יעילות הערוץ).
ב. ההתפתחויות שחלו בהקשר לסבב הנוכחי של השיחות הבילטרליות בוושינגטון, והחשש מהתמוטטות השיחות.
ג. נסיון להביא להצלחת המפגש המולטילטרלי בנושא פליטים שאמור להתקיים השבוע באוסלו, או לפחות למנוע את "פיצוצו" בטרם החל.

3. להלן הנושאים העיקריים שעלו בפגישות:
א. אש"ף רוצה להמשיך את הקשר עמנו ואינו מעונין לסכן את עתיד ה-BACKCHANNEL. לכן הם נעתרו שוב (כמו ברומא) לבקשתנו הישירה שלא לגרום ל"פיצוץ" המפגש המולטילטרלי בנושא פליטים והסירו את דרישתם להעמיד בראש משלחתם את אלי סנבר איש המל"פ. (אבו-עלא ביקש עם זאת שנעשה ככל שביכולתנו להבטיח שבמפגשים הבאים בספטמבר יוכלו יוסף סריע' ואלי סנבר להשתתף בשיחות). מאותה סיבה, ובכדי לרצות את המארחים הנורבגים שמסריעים בכל דרך אפשרית לקיום הערוץ, הבטיח אבו-עלא לעשות ככל יכולתו שהמפגש המולטילטרלי בנושא פליטים יפתח בצורה סבירה.

ב. בהתאם להבחירות שקיבלנו, לא קיימנו כל דיאלוג בנושא ה-DOP. משלחת אש"ף היתה מאד מאוכזבת מכך. הבהרנו שמבחינתנו צריך להיות ברור שעליהם לפעול בוושינגטון כאילו הערוץ הנורבגי לא קיים. הפלסטינים

ציינו שללא כל קשר לדיאלוג בינינו, ה-DOP שהוצג בפניהם בוושינגטון הוא NON STARTER. אבו-עלא ציטט את חנאן עשראווי שאמרה שבעמדה הישראלית יש התקדמות בשפה אך לא במהות.

ג. עם זאת הבהירו שחשוב להם לצאת מהסבב הנוכחי בוושינגטון עם השגים ולו בכדי להוכיח לרחוב ולאופוזיציה שעמדת ערפאת לחזור למו"מ היתה נכונה, ושכדאי יהיה להגיע לסבב נוסף בוושינגטון. לדבריהם צריך להקדים את מועד פתיחת הסבב הבילטרלי הבא. הדגישו שבעוד כעשרה ימים אמורה להתכנס המועצה המרכזית של אש"ף לדון על המו"מ ואם לא יהיו השגים כל שהם בוושינגטון, עמדת התומכים בהמשך המו"מ הגלוי והחשאי תוחלש בצורה קיצונית. ההשגים אותם הם מקווים לראות הם:

1) שה-TRUST FUND תתחיל להזרים כסף לשטחים. בינתיים מקבלים רק הבטחות והסעודים לא מעבירים את הכסף שהבטיחו. צריך באופן מיידי כסף למוסדות בשטחים (אוניברסיטאות בתי חולים וכו'), וכסף ליצירת תעסוקה מיידית.
2) צעדים לבניית אמון מצד ישראל ובתוך כך, החזרת מגורשים ותיקים, איחוד משפחות, שיחרור עצירים, והחזרת מגורשי החמאס.

ד. הם סבורים שישראל ואש"ף צריכים באמצעות הערוץ הנורבגי להגיע לסיכום מיידי של החבילה המבוססת על הטיוטא שגובשה במפגשים הקודמים וכוללת DOP, תוכנית לשיתוף פעולה, ותוכנית "מרשל". הזמן פועל לטובת אילו המתנגדים לתהליך. נתנו לנו שוב להבין שהם מוכנים לדון על תיקונים מסוימים, והדגישו שעל אף שאין המדובר במסמך אידיאלי עבורם, הם מאמינים שהוא המסמך הטוב ביותר ששני הצדדים יכולים להסכים אליו, ושיוביל לפריצת דרך היסטורית. ציינו שיש ותהיה התנגדות באש"ף, אך ערפאת עומד מאחורי החבילה.
בכדי לקדם את המטרה הזאת, הם מוכנים לקבל את הצעתנו להתמקד בפגישה הבאה באוסלו על פיתוח חלקי החבילה העוסקים ב"עזה תחילה" כולל מובלעת באזור יריחו, תוכנית לשיתוף פעולה, ותוכנית "מרשל" (שלושה מרכיבים שאינם מופיעים בשיחות וושינגטון). יישום חלקים אלה יהיה בכל מקרה מותנה בהסכמה מוקדמת על מכלול החבילה כולל ה-DOP.
הם מעוניינים בקיום הפגישה הבאה באוסלו מייד לאחר המפגש המולטילטרלי לנושאי איכות סביבה שגם את הצלחתו הם רוצים לתאם עימנו מראש.

4. הפגישה הנוכחית אופיינה בין היתר במעורבות רבה יותר של שר החוץ הנורבגי החדש (הולסט) אשר רצה מחד להבטיח ניהול מוצלח של המפגש המולטילטרלי בארצו, ומאידך מוכן להגביר את מעורבותו בקידום המשא ומתן הגלוי והחשאי. מחוץ למפגשים הישירים עם משלחת אש"ף קיימו שני מפגשים

בהשתתפות שר החוץ הנורבגי. השר שכיהן שבים רבות כשר הבטחון, וקודם לכן כשר זוטר במשרד החוץ, בקיא בתהליך המזה"תי, מכיר את הנפשות הפועלות, ובעל קשרים הדוקים עם הממשל האמריקני הנוכחי (הוא אמור אגב להגיע לביקור רישמי בישראל במחצית יוני, וביולי מתעתד לבקר בתוניס).

השר שנמצא בקשר עם דן קרצר, הפעיל על אבו-עלא לחץ בשני מישורים:

א. יחד איתנו הוא הביא להגמשת עמדת אש"ף טרם פתיחת המפגש המולטילטרלי בנושא פליטים, וליצירת נוסחה שתאפשר, כך נראה, קיום המפגש על אף העמדה הקיצונית של אש"ף בנושא האחמ"ש והרחבת המנדט של המשלחת הצרפתית.

ב. לאחר שיחות דן קרצר איתו ואיתנו במהלכן הובהרה החשיבות שהאמריקאים מייחסים לחזרתו של פייצל חוסייני לשולחן המו"מ בוושינגטון, שיכנע השר את אבו-עלא להפעיל השפעתו בתוניס להחזרתו של חוסייני. אבו-עלא שמבין את הצורך של אש"ף לעשות משהו עבור הנורבגי השתכנע ופעל בנושא בתוניס.

APPENDIX NO. THREE:

Major Statements of Abu Ala (in Oslo 30 April, May 1, 1993)

You have to be aware of the difficulties we have faced. When we took the decision to negotiate we had to face the Palestinian street, who had accumulated so much frustration. We encounted further opposition from the ten organisations of the rejectionist front (paid by Damascus). Another loss is the fact that the Communist Party are not any more participating in the negotiations. In Arab public opinion there was no support whatsoever for resuming negotiations.

The reasons for rising opposition to engagement in negotiations are clear: the closure of the Occupied Territories and also the increased violence, especially the demolition of houses (also with the help of helicopters (?)) created a severe crisis. A very large number of Palestinians could not go to work, neither in Israel nor in the territories. All this has been added to already existing frustration that no achievement has been mader after 18 months of negotiations.

The great opposition from the street has made our decision to resume negotiations a very dangerous move, on our behalf. Of course, this course of engaging in negotiations was taken by the chairman, in spite of the negative impact of the general developments. The entire delegation was against the chairman's decision. Ghassan al-Kahtib and Samir Abdallah boycotted the decision. Haidar Abd ash-Shafi' was strongly against it. Another strong goup against it came from Gaza: the people around Dr. al-Agha, this is due to the particularly difficult situation in the Gaza Strip and lack of confidence in any progress. Hanan Ashrawi was against the resumption of negotiations. Saeb Erakat wanted to write his memoirs, rather than to go to Washington.

President Arafat had to fight a strong and difficult battle in order to take the resolution to resume negotiations. Now, the only three groups that have remained are: Fatah, the Independents and a splinter group from the Democratic Front, those who follow Abed Rabbo.

Had we achieved even secretly a final understanding, the situation would have been easier. We would have convinced the delegation that something is in the coming. Of course, we had to preserve the confidential nature. We did not use any information in speaking to our delegation. Many of them believe in peace. However, at this stage they do not see the feasibility or the viability of our endeavour and the usefulness of going through this process.

Of course what made Yassir Arafat to go through all this effort was his knowledge of what has been going on in this channel.

The renewal of negotiations have created an additional problem. All the issues we discussed are thrown in Washington at our Palestinian delegation; often proposals made by Rubinstein are identical to the letter with concepts formulated in the Sarpsborg document. Our delegation does not understand it and our situation is becoming more and more precarious, for two reasons: first, the entirety of the approach and the balance of give and take is not being preserved. Second, the credibility of the internal nucleus of the leadership (Arafat, Abu Mazen, Abu Ala) is being challenged:

Sarpbsborg is discussed in a very narrow circle. Washington is being discussed in a wide circle and creates insecurity. In face of these developments we anticipate possible backlashes, which may undermine our leadership and our capability to support the negotiating process.

The way out of this dilemma is to accelerate our activities in Norway.

We face immediate difficulties in regard to the accepted date for ending this round of negotiations. One current in the delegation wants to end negotiations on May 6, we would like to continue until May 13. The Americans will soon need an answer from us. Presently Nabil Qassis and Saeb Erakat are in Tunis. On the basis of the information they have, the bits and pieces presented to them in Washington, it is impossible to take a decision.

7/5/93

Appendix No. One: An Understanding for Rome

1. Yussuf Sayigh and Eli Sanbar will not go to Rome. ~~They may be replaced by two junior outside participants, who will apply fully to the "Malloy principle".~~

2. The Palestinian delegation will support, by "not opposing" the preparation of a feasibility study on the establishment of a MEBRD. The related Palestinian statement will be worded as follows:

> "It remains to be added in the present context that our advocacy of a Palestinian Development Bank in no way precludes the sugsequent establishment of a regional development bank."

It is suggested that possible Saudi Arabian reaction will be checked ahead of time, in order to prevent, a "counter-productive" development.

3. The Palestinian delegation will support the immediate establishment of a TRUSTFUND by the World Bank.

A proposed statement of the gavelholder should be formulated as follows:

> "In promoting the establishment of a Palestinian Development Bank, as an immediate measure the establishment of a trust with a capital of US $ 150 million is asked for. The gavelholder will consult with the concerned parties to promote this idea".

(The World Bank intends to obtain US $ 30 000 000,- only for feasibility studies to be carried out by them. Arrangements should be taken to direct the money to the territories).

4. In regard to other proposed feasibility studies the Palestinian delegation will adopt a supportive position.

The opening statement of the Palestinian delegation will include the following relevant paragraph:

> "Our delegation welcomes the initiatives involved, and we have no objection to a discussion in principle of the ideas broadly involved in the initiatives. As indicated earlier, we trust that the sponsors of these initiatives and the working group as a whole, will realize that we cannot get nearer than that to the actual elaboration and design of the programmes and projects involved in the initiatives, since implementation cannot be envisaged, let alone attempted, before the tidings of a just and durable peace become a reality."

5. At the Rome meeting a decision on the interconnection of the electricity grids should be prevented. Such a study could be promoted as part of an unannounced intersessional activity.

6. No move for establishing a Permanent Secretariat of the Working Group should be presently attempted. Palestinian opposition to it is not based on principle, but fearing strong Syrian reaction, at a time, when the Syrians still do not take part in the multilateral working groups.

7. Activitities in Rome should be fully coordinated with the aid of Tarje Larsen.

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Appendix No. Two:

Abu Ala's Views on Short-, Medium and Long-Term Arrangements

I. Immediate General Steps

After agreeing on the triple document (Declaration of Principles, Cooperation and Working Programme and Guideline for a Regional "Marshall" Plan) Abu Ala suggests understanding on the following steps:

1) To agree on immediate measures creating "responsive" public opinion among the Israeli and Palestinian public;

2) The PLO will turn to Saudi Arabia and will obtain great amounts for economic development projects. Saudi Arabia is conditioning substantial support on the knowledge of a breakthrough understanding;

3) Agreement shall be achieved on a Security Plan, which will provide also for the dismantlement of Palestinian terrorist forces, other security measures, steps towards the creation of a Palestinian police force in the West Bank and Gaza and the creation of a strong multinational police force in Gaza;

4. Determine a timetable for the return of PLO leaders: the Government of israel should propose and decide the number of PLO leaders that should return at each stage of the ongoing process. In principle the PLO position is "the more the better".

It is being requested that at the first stage - already before elections - three to five PLO leaders will be permitted to take domicile in the West Bank and "at least" ten to fifteen in Gaza. Not all of them will have to get elected to PISGA.

The possible return of chairman Arafat and its optimal timing should be discussed in one of the next meetings.

5. Prepare measures to counterbalance the return of the Hamas deportees.

II. Immediate Steps for the Gaza Strip

Abu Ala suggests to prepare immediately a four-point programme:

1. Part One: initiate an IERP (Immediate Economic Recovery Programme) to consist of:

a. construction of a modern sewage system throughout the Gaza Strip along an already existing plan prepared by UNRWA. Total costs: US $ 174 million.

b. construction of a fisher port in Gaza according to the prefeasibility study of the UNDP. Initial costs: approximately US $ 50 million.

c. construction of housing. costs: open ended

d. construction of three big hotels.

2. Part Two:
prepare immediately guidelines for the establishment of a strong multinational police force for the Gaza Strip, guaranteeing strict and effective control over all strata of the indigenous population.

A detailed policy approach will be prepared and applied in order to contain militant Islamic forces. (The Tunesian experience, seeking steady confrontation with these forces under condtions controlled by forces of law and order, shall be applied.)

3. Part Three:

Prepare immediately necessary moves for the establishment of a Jordanian-Egyptian (and US?) trusteeship, which will have to be seen to act under the auspices of the UN Secretariat General.

4. Part Four:

The Government of Israel will prepare a long-term Gaza Stabilizing Programme to include a description of necessary measures and policies in the spheres of

a. economy,
b. social affairs,
c. internal security.

It is being understood and agreed by all sides that the Gaza Strip will be completely demilitarized.

III. Medium Term Arrangements

1. Israeli-Palestinian cooperation programmes to be worked out now (after signing of the triple document), shall be fully implemented immediately with the implementation of Israeli withdrawal from Gaza.

2. In principle it is acceptable to the Palestinians that Israeli settlements in the Gaza Strip will become centers for

Israeli-Palestinian cooperation schemes. Practical arrangements herefore will have to be worked out.

3. Other medium term arrangements still have to be planned and agreed upon.

IV. Long Term Arrangements

1. The establishment of a Jordanian-Palestinian Confederation is fully supported by the entire PLO leadership. A binding PNC decision demanding the establishment of such a confederation has already been taken.

2. A trilateral economic confederation between Israel, Palestine and Jordan is strongly supported and advocated. The Benelux model could be applied, preferably even a closer connection (single market, joint institutions, etc.) should be envisaged. Abu Ala suggested that we should prepare a detailed proposal.

Annex No. ONE:

Mode and Conditions of Elections

1. Palestinians of Jerusalem have the right to participate in the elections as voters and candidates. Jerusalem voters will vote in the el-Aqsa Mosque and in the Church of the Holy Sepulchre.

2. All displaced Palestinians who were registered before 4th June 1967 have the right to participate in the election process. Their right will not be prejudiced even if they will not be able to participate for practical reasons.

3. Agreements between both parties should be arranged to cover the following issues;

a. the system of elections;
b. the number of members to be elected to the Palestinian Interim Council.
c. the mode of international supervision and the personal composition of the supervising body;
d. rules and regulations regarding election campaign including agreement on the organising of mass media, and the possibility of licensing a broadcasting and TV station;
e. any other issues.

II. Draft for an Israeli-Palestinian Cooperation and Working Programme [CWP]

The Israeli-Palestinian DoP will be accompanied by an agreed upon Israeli-Palestinian CWP, which shall include:

1. A joint Water Development Programme prepared by Israeli and Palestinian water engineers, which will also specify the mode of cooperation necessary for the management of water resources, in Gaza Strip and West Bank, including the Jordan Valley, and prepare studies and plans on water rights of each party and equitable utilization of joint water resources for implementation in the final status.

2. An Electricity Development Programme, which will also specify the mode of cooperation necessary for the production, maintenance, purchase and sale of electricity resources.

3. An Israeli-Palestinian agreed upon Energy Development Programme, which will provide for the construction of oil- and gas pipelines, the establishment of a petrochemical industrial complex in the Gaza Strip, and for the coordinated or joint exploitation of gas, oil and other energy resources, (such as solar energy, oil shale, etc.).

4. A Financial Development Programme, and the establishment of a Palestinian Development Bank.

5. A Transport and Communications Development Programme, which will define guidelines for the establishment of a Greater Gaza Port Area, and the creation of a Free-Trade Zone between Gaza and Ashdod. Moreover, communication lines to and from Gaza via Israel to other countries will be determined and steps taken to carry out necessary construction of roads, railways, etc.

6. An Industrial Development Programme, which will provide for the establishment of a joint Palestinian-Israeli car industry in Gaza, promote other Palestinian-Israeli joint ventures and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, computer, and other science-based industries.

7. A programme for regulating labour relations and creating cooperation in social welfare issues.

8. A Human Resources Development Plan, providing for joint Israeli-Palestinian workshops and seminars; the establishment of joint vocational training centers, research institutes and data banks.

9. An Environmental Protection Plan, providing for joint and/or coordinated measures in this sphere.

10. An agreed upon Security Programme and Plan.

<u>פגישה עם שמעון פרס. 27 אפריל 1993</u>

בהשתתפות אבי גיל, אורי סביר, יאיר ורון.

להלן תמצית דבריו של שמעון:
צריך לחכות יום יומיים לקבל את תגובת הפלסטינים לחבילה. בינתיים האמריקאים הגיבו די בחיוב. ישראל תציע להם לנהל את האדמות הפרטיות. 60% מהקרקע תהיה בניהול שלהם.
אם המשלחת בוושינגטון מקבלת את ה"פרוג'קט" שישראל מציעה, נתן להם ללכת קדימה, אם הם מעקמים את האף, נלך בערוץ הנורבגי.
בכל מקרה בשלב הבא (לאחר שנראה ההתקדמות) זה בסדר שאתם בערוץ המקביל תהיו מקום לפתור בעיות שיעלו בין הצדדים.
תסעו לנורבגיה ותכינו את המולטילטרלי.
אמרתי אתמול לסם לואיס שמוכרחים להסיט את הפלסטינים לנושאים הכלכליים.
אנו מוכנים לראות במשלחת כתובת לנושאים כלכליים. הם צריכים לבוא עם תוכניות. נשר מוכנה להקים בחברון מפעל משותף למלט.
(אורי ציין שהבעיה עד עתה היתה העדר כתובת פלסטינית בתחום הכלכלי. הוסיף שעמנואל שרון מוכן להדריך ולסייע לפלסטינים מהצד ובשקט, ומוכן להרתם ולעזור להם להקים אקונומיק אות'וריטי. שמעון הגיב שאין בעיה להקים זאת מהר.)
גם אמרתי ללואיס שצריך להתחיל לדון בהסדר הקבע.
הרעיון שלי הוא קונפדרציה פוליטית בין ירדן לפלסטינים על בסיס 242 338, וקונפדרציה כלכלית בנוסח בנלוקס בין ישראל-ירדן-והפלסטינים.
צריך לבדוק איך בדיוק נראה המבנה בבנלוקס.
צריך להגיע להבנה עם הפלסטינים אחר כך האמריקאים יפנו אל הצדדים וירפרסמו תוכנית.
מסכם: אורי יתן לכם עידכון בנושא הכלכלי, נבדוק משפטן ונעבור על המסמך ונעדכנכם, נשמע תגובת הפלסטינים בנושא ההצעות הישראליות בוושינגטון, ונמשיך הלאה.
אבי מציע שתסעו ביום ראשון (2 מאי 1993).

להלן תמצית דבריו של אורי:
ציין שהמסמך מאד מעניין. (נראה שהתפלא שהמסמך מייצג נייר משותף ולא הצעה חד-צדדית שלנו).
האמריקאים יתחילו להעביר כספים דרך המולטי לשטחים. האמריקאים רוצים

להקים קרן משותפת עם האירופים. הם מצאו כסף פנוי, כמה מליונים. חשוב שהפלסטינים יעלו פרויקטים, שיהיו בעלי אופי אזורי. רובינשטיין הקים ועדה כלכלית בבילטרלי והודיע שכל מה שרלבנטי יעבור שם. צריך שהפלסטינים יכינו הצעות אך שלא יחטפו מתוך הבילטרלי. כדאי שאחד מכם יהיה ברומא.

הבנק העולמי יכנס ועידה ויעשה עבודת הכנה לגיוס כספים עבור בנק (אזורי או פלסטיני ?).

דיברנו עם מיאסי בלונדון בפגישה דיסקרטית. הם מבולבלים. צריך שיקימו איזה מועצה כלכלית שתהיה כתובת ותיתן הכוונה. הם לא סומכים על הממשל שלנו.

Relat

Law

1) Subject of agreement

self-determ

entirety
unity

2) Comments Sub-Issues w Permit

event water fuel steps be be + pre-shut up

what fuel steps to be agreed

3) UN SC Res Terms of Ref

UN SC Res 242 & 338
principle of mutual & all parties

broad law and ref to 242 + 338 not on to U Esp Due Syr

4) Form of Settlement

shall be total self-fuel

made with pur view of unity

5) Form of Fuel

Violent - exceptions by mutual + agreed up

full consent will have + Int - a all issue

6) Territorial extent

Jordan on all territories Wdl. Gol Jerus + Syr

Both self fuel must be on territorial demand

7) Legal Nature

complete legal document + judicial form

finished + mutual agreement

8) Execution

full execution per will not prejudice

both execution necessarily a part of agreement, unless necessary per will

27/4 Merkel will Steuer Plan

⇒ We have to reach - until Pakistan reach:

We propose that should mean up 60% Pakistan private law - would go to 60% consumption of 60% of the by

Which Pakistan will go to ~~Pakistan~~ in weight will go down - we will pass weight.

~~Should the Norway~~ should

In any case - you should take a Norway ⇒ to create money supply.

for the Norway to prepare the multilateral negotiate

⇒ Even an Authority -

Peace - really to negotiate. Permit State

Inter-Pakistan Conflict -

Also Mr., stabilized

25/4/1997

Many with them

& [illegible]

[illegible] & Pap

- Mahmud - Iskat dawn
Jerusha - & Hebrew -
we did not know exactly
point as to make decision for
them

(Hen = 10 NIS)

Much prayer & h &
Hunan - Help of Hannah Israel
Ber. Adel

→ Day thank - more Israel - & Hebrew Multilateral -
Heb "we know כי אנו יודעים"

Sept Day Dawn -
Israel - Hy can each not become check
Arbitrator - Hy must not repeated but put myself
arbitral
Regd of Isa 4. -
Weekend mail & the Dawn together will keep
Peace - you will be go to an agent
if Hy accept that at
will be a "after self point Hen
Israel - Polish & Jewish"

& purely & Benelux Europe to

Dr. Ronald Tabak

פגישה עם שמעון פרס. 25 אפריל 1993

היה רוצה שההפסקה בפגישות תמשך עד תחילת המשא ומתן. הוא מעדיף אפילו לתת לשיחות להתנהל כמה ימים ("שלושה-ארבעה") בטרם נפגש, בכדי לראות איך מתקדמות השיחות, ובכדי שלא יצא "שדבר אחד מונע דבר אחר".
הוצגו בפני האמריקאים ההצעות הישראליות. הם מאמצים את מה שנקרא עתה "פרוג'קט", שהיא החבילה שאנו מציעים. מדובר בהקלות בתחומים שונים, זכויות אדם, קרקע, ובחירות. נראה שהאמריקאים קונים זאת, ו"לא הייתי רוצה שיגידו שתקענו תריז".
מסתבר דרך הנשיא מובארכ שהפלסטינים רוצים גם לקבל שליטה על מובלעת באזור יריחו. "אתם יודעים משהו על זה ?" (השבנו בשלילה והדגשנו שלא רק שזה לא מופיע במסמך סרבסבורג אלא שהם לא העלו זאת אפילו בעל פה. הדגשנו שזה יתרון מסויים מפני שאם נוותר על זה נוכל לדרוש שהם ישנו המסמך בנושאים הקשים לנו כמו ירושלים). הבעיה היא שהם רוצים גם את הגשרים על הירדן.
"צריך להוריד אותם מזה".
שמע שבפגישה שלהם עם אנשי אוניברסיטת תל-אביב (הכוונה למכון יפה. כנראה המשך למפגש ש-IPCRI אירגן), כולל עם שלמה גזית, הם העלו את נושא "עזה תחילה". "תאמרו להם לשמור על פרופיל נמוך בנושא ושלא יעלו זאת בכל מקום."
"תאמרו להם שיעבירו יותר נושאים לשיחות המולטילטרליות, שם יש מצידנו יותר פתיחות".
באשר למסמך סרבסבורג:
בעיה בנושא ירושלים. צריך להוריד את זה. "לבחור כן, להבחר לא".
בנושא בוררות, יש בעיה. זה יצור מצב שהם לא יבואו למו"מ וילכו לבוררות על כל דבר. (בעקבות הצעתנו, שמעון קיבל את הרעיון ש:) מה שאפשר הוא להחליט מראש על נושאים ספציפים שרק עליהם ילכו על בוררות.
ביקש הבהרה בנושא המשפט על קרקע. (הסברנו לו שמדובר רק בחלקים שיקבעו מראש).
ביקש הבהרה מה המשמעות של זכות בחירה לתשבי 4 יוני 1967. (הסברנו לו ההבהרה שבעל פה, והמגבלות הפרקטיות שברורות להם).
מציע שאחרי שיוסי יחזור נשב קבוצה ונעבור על המסמך. ישתתפו גם אבי ומשפטן. (שמעון שאל אם יש לנו רעיון את מי להזמין).

"אני מוכן ללכת להסכם כולל אם הם יסכימו שבתום האוטונומיה תהיה קונפדרציה ירדנית-פלסטינית, ובבלוקס ישראל-ירדן-פלסטינים".
ישראל הסכימה שיקומו בוושינגטון 4 ועדות משנה: לזכויות אדם, לבחירות, לקרקע, ולתחיקה.
מציע שגם נשב מייד עם אורי סביר על תאום עם אבו-עלא בנושא המולטי.
מציע בסיכום שנצא פעמיים. פעם אחר הישיבה בנושא המולטי, ופעם אחרי הישיבה בנושא המסמך.
"רבין יודע על הכל. אני מקריא לו את הבירות".

24 מרץ 1993

דוח פגישה עם משלחת אש"ף בסרפסבורג נורבגיה

ב- 20-21 מרץ 1993, התקיימה פגישה עם משלחת אש"ף בכירה בנורבגיה. בראש המשלחת עמד אבו עלא, "שר הכלכלה והאוצר" של אש"ף ובציגו האישי של ערפאת למפגש.

מטרת הפגישה וכללי המשחק

1. מטרת הפגישה היתה לבדוק את עמדות אש"ף למשא ומתן ואת מידת הריתורים שיהיו מוכנים לעשות, כשהמסגרת העקרונית לשיחות היתה עקרון "עזה תחילה", תוכנית לשיתוף פעולה כלכלי, ו"תוכנית מרשל" אזורית.

2. המשלחת הפלסטינית הגיעה עם מלוא הסמכויות מערפאת ו"המטבח המצומצם" שלו שכולל את אבו-מאזן, פארוק קדומי, ואבו-עלא. הפלסטינים הדגישו שהפעילות בערוץ זה ממודרת מאד והמשלחת הפלסטינית לשיחות אינה מיודעת בינתיים.

3. אנו מצידנו הבהרנו שאנו מגיעים למפגש כאנשים פרטיים ללא שום סמכות, אשר קיבלו עידוד לקיים את המפגש ולבדוק את עמדת הצד השני.

4. בסוף הפגישה הוכן מסמך המביע את העמדות המוצגות בהמשך ועשוי לשמש כטיוטא לקונצפיה של הבנה ישראלית-פלסטינית.

המסר של אש"ף

5. המסר הבסיסי היה שמנהיגות אש"ף מעוניינת להגיע מהר ככל האפשר, ובאמצעות המשלחת בוושינגטון, להסדר מרחיק לכת עם ישראל, ושבמסגרת זאת היא מוכנה לויתורים משמעותיים.

6. העמדות שהוצגו על ידיהם בתום הדיונים, היו שונות לחלוטין מאילו שהוצגו על ידי המשלחת הפלסטינית בוושינגטון, ולהלן עיקריהם:
א. הרעיון של עזה תחילה הוצע על ידם. הוצע גם שישראל תכין GAZA STABILIZING PLAN לטווח ארוך. התוכנית המוסכמת תחייב את הממשל העצמי לפני ואחרי הבסיגה הישראלית שתתבצע עד שנתיים לאחר חתימת הסכם הביניים.

הוצע על ידם שלאחר נסיגה מעזה תהיה הרצועה בחסות TRUSTEESHIP, עד גמר המשא ומתן להסדר הקבע.

ב. הוצע להכין במשותף תוכנית כלכלית לפיתוח השטחים עם דגש מיוחד לרצועת עזה. כמו כן הוצע לחתום על תוכנית לשיתוף פעולה ישראלי-פלסטיני המורכבת מתשעה נושאים: ניצול מים, הפקת חשמל, תעשיית נפט ואנרגיה, המערכת הפיננסית, תחבורה ותקשורת, תעשייה, יחסי עבודה ורווחה, משאבי אנוש, ואיכות סביבה.

ג. הוצעה הכנת תוכנית בתחום הבטחון שתבטיח מאבק משותף נגד הטרור.

ד. בנוגע ל-JURISDICTION על אדמה, הם מוכנים לקבל נוסחה רחבה מספיק שתאפשר יישום של ההצעה הישראלית. היקף האדמות בשליטתם יותנה במידת הפיתוח הכלכלי שתיירושם על ידם בעזרת "תוכנית מרשל".

ה. בנוגע לזכויות החקיקה, הביעו נכונות לקבל רק את אלה עליהן יוחלט במשותף.

ו. הביעו עניין לקבל סמכויות חלקיות מיד אחרי חתימת הצהרת עקרונות ישראלית-פלסטינית, בתחום של מיסוי, תיירות, חינוך, בריאות, ורווחה.

ז. הסכימו שבמסגרת ההסדר תוקם מערכת LIAISON פלסטינית-ישראלית על שלוש רמות: האחת HIGH LIAISON COMITTEE, השניה LIAISON על בסיס מקצועי רחב, והשלישית ועדה מרובעת ישראלית-פלסטינית-ירדנית-מצרית.

7. הוצע על ידם לקיים שיתוף פעולה רחב וחשאי לקידום המשא ומתן המולטילטרלי. המשלחת הפלסטינית תתמוך בקידום כל הנושאים האזורים שהועלו במסמך וביניהם: הקמת קרן לפיתוח המזה"ת, הקמת בנק מזרח תיכוני, הקמת תעלת הימים, פיתוח משותף של אזור ים המלח, מפעל התפלת מים ברצועה, קשירת רשתות החשמל באזור, בניית צינורות גז ונפט מהמפרץ הפרסי עד הים התיכון (עזה ואשדוד), הקמת אזור סחר חופשי בין רצועת עזה לאשדוד, ופיתוח אזורי לתיירות ותחבורה.

8. הוצע על ידם לתאם PEACE PROPAGANDA PLAN, קרי תוכנית ליצירת אוירה חיובית לקידום המו"מ בקרב הציבור הפלסטיני והישראלי.

דרישות אש"ף

9. אש"ף דורש השתתפות תושבי ירושלים המזרחית בבחירות למועצה הפלסטינית. מתוך הבנה לבעייתיות של הדרישה הציעו שתושבי העיר יצביעו במסגד אל-אקצה ובכנסיית הקבר.

10. אשף עומד על כך שבהגדרת פנקס הבוחרים, תנתן לכאורה זכות בחירה גם לאילו שהיו רשומים בשטחים ביוני 1967. בפועל הם הבהירו שרק מספר מזערי של אנשי פזורה יוכלו לחזור וישראל תוכל לממש את סמכותה למנוע הגעה של אחרים.

11. אש"ף דורש שעם תחילת הסדר הביניים, יוקמו מוסדות פלסטינים לקידום הפיתוח הכלכלי, וביניהן: רשות לנושאי קרקע, רשות לניהול מים, רשות לניהול חשמל, רשות נמל עזה, בנק פלסטיני לפיתוח, מועצה לקידום היצוא, ורשות לאיכות הסביבה.

12. אש"ף דורש שהבחירות בשטחים יתנהלו בפיקוח בינלאומי. הוסבר לנו שהחשש העיקרי שלהם איננו מישראל אלא שהמחנה הפונדמנטליסטי עלול להאשים אותם בזיופים.

13. אש"ף דורש שהסכם הביניים יכלול סעיף המאפשר מכניזם של בוררות.

סיכום

14. במפגש בנורבגיה נוצרה הבנה שהסכם ישראלי-פלסטיני חייב להיות בנוי על המשוואות הבאות: במקום תלות כלכלית שיתוף כלכלי; במקום חרם ערבי יהפכו הפלסטינים לכוח מניע עיקרי לשיתוף פעולה אזורי; במקום בעיות בביטחון שותף מאבק משותף בטרור; ובמקום שליטה ישראלית ישירה על השטחים שליטה באמצעות של שיתוף פעולה.

15. המפגש מצביע על כך שהנהגת אש"ף מעוניינת להתקדם לקראת הסדר בשני שלבים ללא שינוי נוסחת מדריד.

16. מובן גם להם שההישגים הישראלים המשמעותיים ימומשו מיד, ואילו הויתורים הישראלים באופן הדרגתי בעתיד.

ד"ר יאיר הירשפלד

21 MARCH 1993 - SARPSBORG III

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It is understood that the interim arrangements are an integral part of the whole process leading to the implementation of 242 and 338.

2. In order that the Palestinian people in the West Bank and Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections would be held under international supervision to be agreed upon, three month after the signing of this DoP. Agreement on the exact mode and conditions of elections, according to the attached annex one, will be achieved, not later than one month before elections.

3. The elections for the establishment of the Palestinian Interim Council will constitute a significant interim preparatory step towards the realization of the legitimate rights of the Palestinian people and their just requirements.

4. Jurisdiction of the Palestinian Interim Council will cover West Bank and Gaza Strip land.

Final status negotiations will take place as soon as possible, but not later than the beginning of the third year of the interim period, between the Israeli government and the Palestinian representatives, to cover all remaining issues including: Jerusalem, refugees, settlements, security arrangements, sovereignty, borders and any other issues of common interest.

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The transfer of authority to the Palestinian committees will be of temporary and preparatory nature and will include Palestinian control over taxation, tourism, education, health and social welfare, as well as other agreed upon spheres.

6. In order to guarantee optimal economic development and growth, immediately with the signing of this DoP, a Palestinian Land Committee and a Palestinian Water Administration Committee will be established.

The Palestinian Land Committee and the Palestinian Water Administration Committee will be given immediate powers as mutually agreed upon. A coordinated land and water resources development plan will be negotiated between the Palestinian Land Committee and the Palestinian Water Administration Committee on the one, and the Government of Israel on the other side.

7. In order to guarantee optimal security arrangements for the Palestinians of the West Bank and the Gaza Strip, the Palestinian Interim Council will establish a strong police force, responsible for internal security and public order.

Preparatory steps, necessary for the establishment of the Palestinian police force, will be taken immediately after the signing of this DoP, in liaison with the Palestinians, Israel, Egypt and Jordan.

8. In order to enable the Interim Self-Government Authority, the Palestinian Interim Council, to promote economic growth, several institutions will be established at the time of its inauguration, such as: a Palestinian Land Authority, a Palestinian Water Administration Authority, a Palestinian Electricity Authority, a Gaza Sea Port Authority, a Palestinian Development Bank, a Palestinian Export Promotion Board and an Environmental Authority.

The Palestinian committees will negotiate with the Government of Israel, the necessary relevant agreements for these institutions.

9. The Palestinian Interim Council will be empowered to legislate for all the authorities that are mutually agreed upon. Both parties will reassess jointly all laws and military orders presently in force.

10. An Israeli-Palestinian Liaison Committee will be established and will deal with all issues of dispute and common interest.

Agreements on cooperation and liaison will be negotiated and implemented on the professional levels in order to provide for security and mutual understanding between both parties.

11. Further liaison and cooperation arrangements will be negotiated and agreed upon between the Government of Israel and the Palestinian Interim Self-Government Authority on one hand and the Governments of Jordan and Egypt on the other hand.

12. Immediately after signing the DoP the transitional period of five years will begin. As soon as possible, but not later than the beginning of the third year, negotiations will take place to determine the final status of the West Bank, Jerusalem and the Gaza Strip and its relationship with its neighbours, as specified in article four.

13. After the signing of the DoP, Israeli-Palestinian negotiations on the redeployment of Israeli military forces in the West Bank and the Gaza Strip will start. A first redeployment of forces will be carried out on the eve of elections for the Palestinian Interim Council.

Further redeployments agreed upon will be gradually implemented in line with the introduction of other security measures.

Not later than the end of the second year of the interim-period, Israeli military forces will withdraw completely from Gaza, in the spirit of partial implementation of 242 and 338. The Israeli withdrawal will be fully coordinated with the Palestinian Interim Council.

After the Israeli withdrawal from Gaza a trusteeship will be established, as agreed upon between the Government of Israel and the Palestinian Interim Self-Government Authority.

14. The Israeli and the Palestinian delegations will negotiate an Interim-Agreement that will specify the mechanisms and substance of the envisaged transfer of authority.

15. An arbitration committee will be created to whom all issues of dispute will be submitted. This committee will be formed later in coordination between both parties and the co-sponsors of the Madrid Conference.

Issues will be submitted to this committee only when both parties will be unable to reach agreement amicably.

Both parties accept the necessity to work out a mechanism of reconciliation and compromise before going to arbitration.

Annex No. ONE:

Mode and Conditions of Elections

1. Palestinians of Jerusalem have the right to participate in the elections as voters and candidates. Jerusalem voters will vote in the el-Aqsa Mosque and in the Church of the Holy Sepulchre.

2. All displaced Palestinians who were registered before 4th June 1967 have the right to participate in the election process. Their right will not be prejudiced even if they will not be able to participate for practical reasons.

3. Agreements between both parties should be arranged to cover the following issues;

a. the system of elections;
b. the number of members to be elected to the Palestinian Interim Council.
c. the mode of international supervision and the personal composition of the supervising body;
d. rules and regulations regarding election campaign including agreement on the organising of mass media, and the possibility of licensing a broadcasting and TV station;
e. any other issues.

II. Draft for an Israeli-Palestinian Cooperation and Working Programme [CWP]

The Israeli-Palestinian DoP will be accompanied by an agreed upon Israeli-Palestinian CWP, which shall include:

1. A joint Water Development Programme prepared by Israeli and Palestinian water engineers, which will also specify the mode of cooperation necessary for the management of water resources, in Gaza Strip and West Bank, including the Jordan Valley, and prepare studies and plans on water rights of each party and equitable utilization of joint water resources for implementation in the final status.

2. An Electricity Development Programme, which will also specify the mode of cooperation necessary for the production, maintenance, purchase and sale of electricity resources.

3. An Israeli-Palestinian agreed upon Energy Development Programme, which will provide for the construction of oil- and gas pipelines, the establishment of a petrochemical industrial complex in the Gaza Strip, and for the coordinated or joint exploitation of gas, oil and other energy resources, (such as solar energy, oil shale, etc.).

4. A Financial Development Programme, and the establishment of a Palestinian Development Bank.

5. A Transport and Communications Development Programme, which will define guidelines for the establishment of a Greater Gaza Port Area, and the creation of a Free-Trade Zone between Gaza and Ashdod. Moreover, communication lines to and from Gaza via Israel to other countries will be determined and steps taken to carry out necessary construction of roads, railways, etc.

6. An Industrial Development Programme, which will provide for the establishment of a joint Palestinian-Israeli car industry in Gaza, promote other Palestinian-Israeli joint ventures and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, computer, and other science-based industries.

7. A programme for regulating labour relations and creating cooperation in social welfare issues.

8. A Human Resources Development Plan, providing for joint Israeli-Palestinian workshops and seminars; the establishment of joint vocational training centers, research institutes and data banks.

9. An Environmental Protection Plan, providing for joint and/or coordinated measures in this sphere.

10. An agreed upon Security Programme and Plan.

III. A Draft for Preparing a "Marshall-Plan" for the West Bank, Gaza Strip and the Region

The Israeli-Palestinian DoP [Declaration of Principles] and CWP [Cooperation and Working Programme] will be accompanied by a "Marshall-Plan" Initiative of the G 7 and other OECD member states. The G 7 and other OECD member states participating in the multilateral negotiations, will commit themselves to prepare a Marshall Plan Initiative for the West Bank, Gaza Strip and the Region, which will be implemented after the election and inauguration of the Interim Self-Government Authority, the Palestinian Interim Council. Substantial additional aid will be raised by the Palestinians from Arab states, as well as from existing all-Arab institutions.

The "Marshall-Plan" Initiative will be composed of two parts: First, a PEDP [Palestinian Economic Development Programme] as a priority, and second a REDP [Regional Economic Development Programme].

A. The PEDP [Palestinian Economic Development Programme]

Israel will support in the multilateral negotiations a PEDP (Palestinian Economic Development Programme), which will be composed of three parts:

1) A Social Rehabilitation Programme;
2) A Small and Medium Business Development Plan, and
3) An Infrastructure Development Programme (water, electricity, transportation and communication, human resources, financial institutions, etc.)

B. The REDP [Regional Economic Development Programme]

Both parties will support a REDP proposing the implementation of several pivotal developmental projects:

1) The establishment of a Middle East Development Fund (MEDF) and of a Middle East Bank for Reconstruction and Development (MEBRD).

2) The Mediterranean Sea - Dead Sea Canal, and development of a joint Israeli-Palestinian-Jordanian Plan for coordinated exploitation of the Dead Sea area.

3) Regional Desalination and Power Generating Plant.

4) Interconnection of electricity grids.

5) Regional cooperation for the transfer, distribution and industrial exploitation, of gas, oil and other energy resources.

6) A Regional Tourism and Transport Development Plan.

7) Regional Cooperation in other spheres as mutually agreed upon.

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10/3/93

Text of U.S./Russian Announcement

The United States and Russia, as co-sponsors of the Middle East peace process, have extended invitations to Israel, Jordan, Syria, Palestinians and Lebanon to resume bilateral negotiations in Washington on Tuesday, April 20. This ninth round of negotiations will continue in uninterrupted fashion until Thursday, May 6.

In conveying this invitation to the parties, the co-sponsors have reemphasized their commitment and determination to achieve substantive progress toward the common objective of a comprehensive peace settlement based on U.N. Security Council Resolutions 242 and 338. The co-sponsors have conveyed to the parties their intention to work with the parties actively to promote substantive progress in the negotiations.

The co-sponsors have also notified host countries for the next round of multilateral working groups that the working groups have been rescheduled. The co-sponsors have proposed that the Water Working Group convene in Geneva April 27-29; that the Economic Development Working Group convene in Rome May 4-5; that the Refugee Working Group convene in Oslo May 11-13; that the Arms Control and Regional Security Working Group convene in Washington May 17-20; and that the Environment Working Group convene in Tokyo in late May.

With the resumption of both bilateral and multilateral negotiations, the co-sponsors join the parties in expressing their conviction that 1993 should be a year of substantive progress toward peace and reconciliation.

Ramat Yishai, February 13, 1993

From: Yair Hirschfeld and Ron Pundik
to: Yossi Beilin

Report on two Meetings with a PLO Delegation

Introduction

1. At a seminar on "Human Resources" held at Sarpsborg, Norway, between January 20 and 22, and a second seminar, held on February 11 and 12, 1993 we met a PLO delegation that had arrived from Tunis. The delegation was headed by Abu Ala, (head of Economic Affairs at the PLO and in charge of the multilateral negotiations), who was accompanied by Dr. Maher el-Kurd (Economic Adviser to Chairman Yassir Arafat) and Hassan Azfour (Political Adviser to Abu Mazen).

2. At the second seminar (February 11, 12) the Palestinians stated that they had come with the full authorisation of chairman Arafat, of Abu Mazen and of Faruk Kadumi.

The Proposed Agreement

3. At the first meeting (January 21) we were asked to pass on, the following secret political message:

It was proposed to adopt a "Gaza First" Approach, comprising three components:

a. Israel will agree ahead of time to withdraw from Gaza in "two to three years".
b. A "Mini-Marshall Plan" will immediately be prepared and implemented, in order to alleviate socio-economic problems in Gaza and the West Bank.
c. There will be immediate movement towards the creation of an intense Israeli-Palestinian economic cooperation.

4. At the second meeting (February 11 and 12) a joint paper was produced, including a proposed

a. DoP (Declaration of Principles);
b. an Israeli-Palestinian CWP (Cooperation and Working Programme) and
c. Guidelines for a Marshall-Plan (see enclosure).

5. Agreement was not achieved on four issues: jurisdiction over territory, Jerusalemite participation in elections, arbitration and necessary securities for Israel, in case the necessary detailed agreements will not be achieved. The Palestinians said clearly that they knew they had to make further concessions in these spheres too, but needed herefore legitimisation that could be given to them by American mediation. (between the GoI on one hand, Faisal el-Husseini and Hanan, on the other.)

Procedure and Timetable

6. The proposed procedure and timetable is:
   a. negotiate an understanding in Jerusalem (and possibly also in Washington)
   b. sign the three proposed documents (DoP, CWP and Guidelines);
   c. start a provisional transfer of authority to Palestinian Committees immediately with the signing of the DoP; and intensify further preparatory work, cooperation and negotiations;
   d. start immediately work for the implementation of the CWP and the "Guidelines";
   e. Three to six months after the signing of the DoP there shall be elections for a Palestinian Interim Council (PIC), its inauguration; and the signing of an Interim-Agreement;
   f. At the end of the second year of the interim-period, Israel will withdraw from Gaza; Israeli rule will be replaced by a trusteeship (preferably Egyptian);
   g. Final status negotiations will start at the beginning of the third year of the interim-period.

7. Joint support for a variety of economic cooperation projects has been agreed upon. (see CWP and Guidelines)

Evaluation

7. The Initiative has undoubtedly full Palestinian support, indicating the need of the Palestinian leadership in Tunis to reach as quick as possible a signed agreement.

8. To proceed direct and visible PLO-Tunis participation is not (we repeat: is not) necessary. Interestingly, the demand, to renew the US-PLO Dialogue, made at the first Sarpsborg-Meeting (21 January), was not repeated at the second one (12 February).

Moreover, at the first meeting, we were specifically asked to keep the content of our meeting secret from Faisal el-Husseini and Hanan Ashrawi; at the second meeting, Abu Ala stated that he would ask Faisal el-Husseini to come to Tunis, in the coming days, in order to inform him fully.

9. We were left in no doubt that further Palestinian concessions will be made. The Palestinians were even quite specific about it: they will be prepared to accept the Israeli concept in regard to jurisdiction over land; on Jerusalem the issue would be only related to elections, and

there they would ask for American proposals; also on arbitration they would be prepared to accept compromise formulas. They were less forthcoming in regard to agreeing to a formula that would permit Israel to postpone the transfer of authority.

Other concessions were suggested on two important issues: First, after Israeli withdrawal from Gaza, Israeli settlements could be turned into centers for joint Israeli-Palestinian cooperation projects; (Abu Ala); second, the establishment of a unitary price for water in Israel on one hand, in the West Bank and the Gaza Strip on the other hand, could be viewed as an "equitable" distribution of water resources. (Maher el-Kurd).

10. The proposal represents in our view a very serious attempt to achieve a breakthrough in Israeli-Palestinian negotiations and to move towards Israeli demands in four central aspects:

a. Enable Israel to deal with Gaza, separately from the West Bank;
b. enable Israel and the Palestinians to implement immediately regional economic cooperation;
c. promote the political process without referring immediately to all aspects of the permanent settlement; and
d. refrain from demanding (ultimatively) a change of the Madrid formula.

In our opinion the presentation of this proposal signifies an important turning point and indicates preparedness on behalf of the Palestinian leadership in Tunis to recognize the basic political needs of the G.o.I.

11. Certain difficulties still prevail. In case, as expected, an agreement on the proposed DoP, the CWP and the Guidelines, will be achieved, the gap on issues of substance will still remain great and may impede upon the conclusion of an "Interim Agreement".

Necessary Moves

12. Full support of the Government of the United States of America is needed mainly for two reasons:

a. take an active role in mediation to bridge the still remaining gap;
b. establish a regional and an international coalition to back the proposed CWP and the Marshall Plan and provide necessary political, financial and technical assistance.

13. Full support of Rabin is needed, although it may be very useful for negotiations with the Palestinians, to demonstrate his aloofness.

We assume that in order to convince Rabin to offer his support it will be necessary, first, to show him, that American political and practical support has been achieved; second, to permit him, to take full credit.

14. The Norwegians are this time fully informed. They may play an important role, in excluding the PLO (Tunis) from negotiations, while keeping them at the same time happy.

Moreover, the Norwegians have offered to finance necessary seed money, to prepare immediately outlines for necessary feasibility studies. Other, additional assistance could also be discussed.

16. Continuation of Bad Channel

Proposed Further Steps

to be discussed.

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Minutes for the meeting

Mr. Shimon Peres

Date: 23/1/1993

Time: 9:30 am

Present: Dr. Yair Herchefeld

Palestinians: Faisal Husseini, Hanan Ashrawi

Minutes: Orient House Staffers

(Some pleasantries are exchanged)

FH: Where did we reach in the matter of the deportees.

SP: We have two tracks. One is legal: the supreme court can take one of 3-4 decisions, it can declare that the action is illegal or incompetent with the law in Israel, in that case the government will submit, then they are brought home. There is a way in between. Categories to recognize legality of banishment. or enable each one of them to appeal to the court.

The government feels restrained in her actions, not to affect the deliberations of the ccurt.

This confidential: There is some suggestion from France, 3 categories:

The idea is as such: part of them will come back more immediately. The other part, their expulsion will be reduced considerably maybe by half, in that case they can be transferred to another country, like France and Algeria. There they can be free, they do not have to be detained.

HA: Did Algeria accept that.

SP: At the beginning the baby was born when Dumas visited Algeria. It depends a little bit on Palestinians' reaction, if there will be a Palestinian refusal, France will not fight for it. You know Hamas is quite active in Paris and Sous went out, they are threatening his life. We would like to combine the 3 considerations:

- Renew the peace process.
- Not embark on collision course with the UN.
- Hamas not to appear as a winner.If Hamas is triumphant, it will bad for the peace process. Acts of Hams reached such a height against the Jewish community that the government had to do something. I did not know if they (the government) did the right thing. We have to look forward and see how to come out of it.

HA: A sort of a staggered approach, installments.

SP: That is French proposal. If the French come with a proposal, we will react. The French are checking.

FH: The Algerians have their own problems with the moslem movement.

SP: All north Africa there is an ongoing war. It is true of Egypt, Algeria and Morocco. They are for the continuation of the Peace Process (North African Countries). Tunis has offered to host one working group of the Multilaterals. Therefore, we are tracks: we would like very much to open talks on time, if we start before Ramdan, then it can go into Ramdan. It is difficult to start it when Ramadan has started.

FH: Yesterday, on the TV, talks of 10 ministers, talk of compromise, is it preparing of public opinion.

SP: This is an initiative of TV, you suggested that if transferred to security zone. There are problems with that: Israel does not have formal status in the security Zone, we cannot determine. Lahad will not have it. This may be become an immediate target for Hizballah, they might attack Lahad.

FH: Why anybody who does this will free them to Lebanon.

SP: Hizballah does not care. Hariri is wrong about thinking that we are trying to pressure him, to challenge him. I think we have no problem with Hariri. This week there were two confidence building measures. The Government cut all subsidies in the West Bank and Gaza, it is a major step. It will stop the flow of people into the West Bank and Gaza. Parliament changed the law regarding the meetings with the PLO. Those are important CBMs. That is how we see them. Permit me to be specific. A new zoning of Israel includes 3 elements:

- It crosses out the territories completely.
- It includes Arab villages in Israel.
- It follow an objective criteria geographically.

Those are two important steps that we are taking.

HA: We noted subsidies. But Baker said that this was a promise.

SP: That was concerning buildings, now it concerns many things: tax breaks, teachers, and social institutions, many new things, it is creating a new map. One University that was going to build across the green line, it was stopped.

HA: Do you see a negative sort of move of people moving out of houses?

SP: But the lines and queues to buy houses in the West Bank will

subside. The new zoning it was done because of political things. It was already started it is not a secret.
HA: How do you see a solution to the deportees problem. The idea that maybe that the high court will solve it, because in this case it will not embarrass your government. If the Security zone idea goes, we will not endorse it, we will attack it.

SP: Would you support the French solution.

HA: 3 solutions: We will like first the high court solution, it is very convenient, the Americans asked us to buy time for Rabin. Our position was for the UN security council to take action. We yesterday agreed to postpone the request for a meeting tomorrow. It was a gesture of good will. We will give a chance for Israeli legal system, there is a political solution which can come from your government itself. We know you do not want a triumphant return of heros. However, it is done, the requirement that is needed initially; the people who are allowed to return have to be sizeable.

SP: 50-60 people?

HA: 80 were already in the jail system, it begins to resolve, to unravel, whether they will accept a third country, that is difficult. Maybe a schedule can be announced for their return it will help. It would remove that dramatic impact.

SP: Privately, suppose 80 are back and others whoever was expelled for 9 months, his expulsion will be halved, others for 2 year will be halved, would you support this.

FH: What about the numbers of people in two categories?

SP: The majority are for two years. Then, they have to leave Lebanon. They will be free to move.

HA: We have to be able to sell it, that deportation itself has to be nullified. If you have period of deportations it will not give us the chance to proceed with the peace process.

SP: Lets say if we have 80 people coming back immediately.

HA: And then after that 50 that were deported by mistake will come back.

SP: Deportation is the exception to the rule, we left two legal doors open. If they go abroad, they can act easier to appeal legally. An important number will be brought home. It is not prejudice to their right to appeal individually.

HA: Individual appeal might not work, since those people, they move collectively.

SP: They too must decide where their actions lead to. I know that the Egyptians will accept, Syrians are not too keen on this.

1993 should be the year of decisions.

HA: If the French come out of it as their own proposal, seen as twisting the arms of both sides.

SP: You should not freighted them. This can come out as forcing two sides.

FH: If in certain things we can make two thirds, let us talk about those who are above 60 years of age.

HA: Maybe over 50. There are a few older.

SP: If someone declares that he is against terror, he will be pardoned.

HA: It is a non starter.

FH: Better not to ask them.

HA: Many proposals, not for public information.

SP: That is why we are talking quickly. Those are parameters, I expect tonight to hear from the french. They will talk to your people, I hope that your people will not freighted them.

FH: Did you think about returning former deportees.

SP: Would it help. On our side it may appear as appeasement, we should not lose and waste gestures. As well as deportees who were deported in the past they can appeal.

HA: It is a very good approach.

SP: We should keep for later.

FH: How do you analyze such a step.

SP: We also have our public opinion. Do not forget, it will be kept for later. Everything the court will decide will be completely respected by us. We hope that they make their decisions on Monday.

HA: Is the government considering a move if the court does not.

SP: If the french tonight inform us, we may take some immediate steps, or we may wait until monday. We would like to put on rail the peace process as soon as possible.

FH: About scale of punishment, you mean people in prison.

SP: If they are judged today, their sentence will be easier.

HA: We can point out cases to you that have symbolic influence.

between you and the administration to talk about things not on the table and that you think it is important. Small stones, small gestures.

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Minutes for the meeting

Mr. Shimon Peres

Date: 23/1/1993

Time: 9:30 am

Present: Dr. Yair Herchefeld

Palestinians: Faisal Husseini, Hanan Ashrawi

Minutes: Orient House Staffers

(Some pleasantries are exchanged)

FH: Where did we reach in the matter of the deportees.

SP: We have two tracks. One is legal: the supreme court can take one of 3-4 decisions, it can declare that the action is illegal or incompetent with the law in Israel, in that case the government will submit, then they are brought home. There is a way in between. Categories to recognize legality of banishment. or enable each one of them to appeal to the court.

The government feels restrained in her actions, not to affect the deliberations of the ccurt.

This confidential: There is some suggestion from France, 3 categories:

The idea is as such: part of them will come back more immediately. The other part, their expulsion will be reduced considerably maybe by half, in that case they can be transferred to another country, like France and Algeria. There they can be free, they do not have to be detained.

HA: Did Algeria accept that.

SP: At the beginning the baby was born when Dumas visited Algeria. It depends a little bit on Palestinians' reaction, if there will be a Palestinian refusal, France will not fight for it. You know Hamas is quite active in Paris and Sous went out, they are threatening his life. We would like to combine the 3 considerations:

- Renew the peace process.
- Not embark on collision course with the UN.
- Hamas not to appear as a winner.If Hamas is triumphant, it will bad for the peace process. Acts of Hams reached such a height against the Jewish community that the government had to do something. I did not know if they (the government) did the right thing. We have to look forward and see how to come out of it.

HA: A sort of a staggered approach, installments.

SP: That is French proposal. If the French come with a proposal, we will react. The French are checking.

FH: The Algerians have their own problems with the moslem movement.

SP: All north Africa there is an ongoing war. It is true of Egypt, Algeria and Morocco. They are for the continuation of the Peace Process (North African Countries). Tunis has offered to host one working group of the Multilaterals. Therefore, we are tracks: we would like very much to open talks on time, if we start before Ramdan, then it can go into Ramdan. It is difficult to start it when Ramadan has started.

FH: Yesterday, on the TV, talks of 10 ministers, talk of compromise, is it preparing of public opinion.

SP: This is an initiative of TV, you suggested that if transferred to security zone. There are problems with that: Israel does not have formal status in the security Zone, we cannot determine. Lahad will not have it. This may be become an immediate target for Hizballah, they might attack Lahad.

FH: Why anybody who does this will free them to Lebanon.

SP: Hizballah does not care. Hariri is wrong about thinking that we are trying to pressure him, to challenge him. I think we have no problem with Hariri. This week there were two confidence building measures. The Government cut all subsidies in the West Bank and Gaza, it is a major step. It will stop the flow of people into the West Bank and Gaza. Parliament changed the law regarding the meetings with the PLO. Those are important CBMs. That is how we see them. Permit me to be specific. A new zoning of Israel includes 3 elements:

- It crosses out the territories completely.
- It includes Arab villages in Israel.
- It follow an objective criteria geographically.

Those are two important steps that we are taking.

HA: We noted subsidies. But Baker said that this was a promise.

SP: That was concerning buildings, now it concerns many things: tax breaks, teachers, and social institutions, many new things, it is creating a new map. One University that was going to build across the green line, it was stopped.

HA: Do you see a negative sort of move of people moving out of houses?

SP: But the lines and queues to buy houses in the West Bank will

subside. The new zoning it was done because of political things. It was already started it is not a secret.
HA: How do you see a solution to the deportees problem. The idea that maybe that the high court will solve it, because in this case it will not embarrass your government. If the Security zone idea goes, we will not endorse it, we will attack it.

SP: Would you support the French solution.

HA: 3 solutions: We will like first the high court solution, it is very convenient, the Americans asked us to buy time for Rabin. Our position was for the UN security council to take action. We yesterday agreed to postpone the request for a meeting tomorrow. It was a gesture of good will. We will give a chance for Israeli legal system, there is a political solution which can come from your government itself. We know you do not want a triumphant return of heros. However, it is done, the requirement that is needed initially; the people who are allowed to return have to be sizeable.

SP: 50-60 people?

HA: 80 were already in the jail system, it begins to resolve, to unravel, whether they will accept a third country, that is difficult. Maybe a schedule can be announced for their return it will help. It would remove that dramatic impact.

SP: Privately, suppose 80 are back and others whoever was expelled for 9 months, his expulsion will be halved, others for 2 year will be halved, would you support this.

FH: What about the numbers of people in two categories?

SP: The majority are for two years. Then, they have to leave Lebanon. They will be free to move.

HA: We have to be able to sell it, that deportation itself has to be nullified. If you have period of deportations it will not give us the chance to proceed with the peace process.

SP: Lets say if we have 80 people coming back immediately.

HA: And then after that 50 that were deported by mistake will come back.

SP: Deportation is the exception to the rule, we left two legal doors open. If they go abroad, they can act easier to appeal legally. An important number will be brought home. It is not prejudice to their right to appeal individually.

HA: Individual appeal might not work, since those people, they move collectively.

SP: They too must decide where their actions lead to. I know that the Egyptians will accept, Syrians are not too keen on this.

1993 should be the year of decisions.

HA: If the French come out of it as their own proposal, seen as twisting the arms of both sides.

SP: You should not freighted them. This can come out as forcing two sides.

FH: If in certain things we can make two thirds, let us talk about those who are above 60 years of age.

HA: Maybe over 50. There are a few older.

SP: If someone declares that he is against terror, he will be pardoned.

HA: It is a non starter.

FH: Better not to ask them.

HA: Many proposals, not for public information.

SP: That is why we are talking quickly. Those are parameters, I expect tonight to hear from the french. They will talk to your people, I hope that your people will not freighted them.

FH: Did you think about returning former deportees.

SP: Would it help. On our side it may appear as appeasement, we should not lose and waste gestures. As well as deportees who were deported in the past they can appeal.

HA: It is a very good approach.

SP: We should keep for later.

FH: How do you analyze such a step.

SP: We also have our public opinion. Do not forget, it will be kept for later. Everything the court will decide will be completely respected by us. We hope that they make their decisions on Monday.

HA: Is the government considering a move if the court does not.

SP: If the french tonight inform us, we may take some immediate steps, or we may wait until monday. We would like to put on rail the peace process as soon as possible.

FH: About scale of punishment, you mean people in prison.

SP: If they are judged today, their sentence will be easier.

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Meeting between Shimon Peres and Faisal el-Husseini;
Jerusalem, January 9, 1993, 9.30 to 12.00 a.m.
(present: Avi Gil, Dr. Ron Pundak, Dr. Yair Hirschfeld)

after first introductory remarks:

Shimon:

The Question of Deportation

We understand that the deportation of the 415 Hamas members has become a great obstacle and a heavy burden for the Palestinians. Yet, you have to understand, if our decision had been reversed, the burden would have been even greater - for everybody. Scepticism in Israel in regard to the development of the negotiations was already great before and our fear was to lose control of events. The chain of killings initiated and carried out by the Hamas, information we obtained of plans to kidnap and kill little children and of plans to make an attack on your life - all these made a shock treatment necessary. Now we have to minimize the damage.

We are trying to ease the present situation. For the first stage we have permitted the Red Cross to get there. We received information from the deportees. They asked us to permit two persons from the Red Cross to enter and told us that they have enough food. We received the special envoy from the United Nations.
We are looking for various solutions. Yet, if Israel will lose, the Hamas will gain.

We do not oppose the principle of them returning home. It is rather a problem of time. We suggested 9 months to two years each of them has the right to appeal. And nobody can know in advance the decision the supreme court will take.

Our main challenge in this affair is to prevent the Hamas from gaining strength and permit u=you to regain a position of leadership.

I have suggested several arrangements. This has been done in full concert with Rabin.

Peace Negotiations with Syria

Let us turn to the peace process:
It is our impression that we can do business with Syria, although progress is slow. President Assad has started a process of education of his people. He is calculated. His moves are well thought out; he is not impulsive. He is capable of making strategic decisions. He is progressing slowly for two reasons:

First, he took the decision to make business with Clinton;
second, he wants to educate his public.

The negotiations will not be easy. We believe that we can reach an agreement with Syria. Yet, the Syrians will not wait for you. I can tell you also why. Israeli-Palestinian negotiations are based on a two-stage agreement, whereas the first stage will take five years. The Syrians will not wait for five years and the Syrians will assumingly not go for a two-stage solution.

If the Syrians will go for two stages - we would not oppose it - but it would surprise us. Assad will not be able to go for something that is less than full agreement.

We - on our part - are also educating the public. We are publicly speaking of withdrawal.

So far the Syrians say rather provincial things about peace. They say for instance, they need no diplomatic relations with Israel, and compare the situation to their relations with Kasakhstan. Yet, they do understand that the situation is different. Syria did not fight wars with Kasakhstan.

Peace Negotiations with Jordan

Jordan will not be the first to sign a treaty with us, although they want to go ahead. In spite of what the king said, they have not lost their interest in the Palestinian destiny. The problems to be solved with Jordan relate to water, refugees (they speak about "displaced persons") and territory. In regard to territory we have achieved understanding in principle. We have told them that we will respect the Mandatory borderline - in the Arava.

Peace Negotiations with the Palestinians

On top of all what I have said, I want to stress that it is our vital interest to obtain agreement with you. We do not want to connect negotiations one with the other and want to reach independent agreements with each of our negotiating partners. Yet, in our view, peace remains indivisible. We believe that the time and the opportunity for peace has come and we want to build today a new and more stable future.

Our problems in negotiating with you are the following:

1. The greatest problem is the decision-making problem on your side. You have no democratic process. A minority like Hamas can easily kill the process. In politics the choice is to have either majority rule or the rule of the gun. It is a tragedy for you and for us.

Palestinians, among all the other Arab peoples - are the most open to democracy. I don't know any stable system, and no
successful economic system that functions without democracy.
We are suggesting elections. The elected will not report to us, but to their people.
If this will be the case, we shall try to look for ways and means that will enable everybody who wants peace to participate in elections.

We know the situation: you speak to Tunisia. We don't prevent you from doing this. However, we cannot negotiate with Arafat, as there are a few problems:
First, he wants to negotiate for the Palestinian diaspora. - We have also our diaspora, but we never negotiated on behalf of our diaspora. Second, the PLO and Fatah are still engaging in acts of terror. It causes great bitterness - even if sometimes exaggerated - among our people.

I know that the dividing line among the Palestinian people is not geographic but political. There are of course moderate people both in- and outside the territories and there are extremists in- and outside the territories.

In case your leadership in Tunisia would stop terror for the entire duration of negotiations and support clearly the proposed solution in two stages, and be very clear on it, the situation could change. We are now speaking on issues related to the West Bank and Gaza. Only 1/5 of the jewish people are living in Israel. We have never negotiated in Israel, negotiations of the diaspora.

Today there is a delegation recognized by you and us. If you want to change the delegation. The best way to go about it, is to go for elections. The people to be elected can serve in a double capacity; they can be negotiators and being elected, they can act as the heads of the new self-governing body.

2. The other problem in negotiations is the concept: Why can't we go straight ahead: as we would break all the glass. The situation is so complicated both on the map and in the relationship of our two peoples. We need time to create a different atmosphere. Under the present climate there will be clashes, if we shall move immediately to a one-stage solution.

We are told that you are afraid that the interim-stage will turn into a permanent arrangement. We have offered several answers to permit you to overcome this fear:

First: although we shall draw no clear map, we shall agree on a clear calendar;
Second, we create a clear interlock. We have agreed that the solution will be based on 242 and 338 and that there will be a clear interlock in time between the provisional and the permanent solution.

Third; in regard to land and water we have made important suggestions. Land, where there is Palestinian life, will be under Palestinian control; land where there is Israeli life, will be under Israeli control; and other areas will be jointly controlled.

We stopped settlements without your request.

Fourth; regarding legislation; we are ready to map the laws and give you the capacity to make your own laws in areas under your control; while we will keep the capacity to make laws in other areas.

If you agree on the concept, we can find solutions for other issues.

3. Jerusalem is an open-ended question. We suggested in the past that people in Jerusalem may vote by proximity. Today, if any Israeli government will make a move on Jerusalem, it will loose its majority. Therefore we have to keep it for later.

4. Confederation. The general development in the world is that the economies are becoming global, whereas political frameworks are becoming more and more national. It is too early to talk about this issue, as any talk will cause at this stage only problems; but we can prepare for an economic union.

5. Security: WE cannot have a solution without referring to security. Security will encounter also measures against unconventional and missile attacks. I am going this week to Paris to sign the Chemical Weapons Treaty and I shall make a statement, that if we reach peace, we will want the Middle East to be free of non-conventional weapons and we will agree to full inspections, also to unannounced

inspections.
For national security we need regional security and we shall seek progress in this area too.

6. Economic Development: The present economic situation causes us much concern. In most Arab countries the standard of living is US $ 800,- per capita, at a time, when annual income has reached US $ 30 000,- in highly developed industrial countries and about US $ 12 000,- in Israel. Poor income causes poor education, which again leads to extremism and to Fundamentalism. Militant fundamentalism is a protest and not a religion. We have to raise the standard of living.

The Arab countries possess 13 000 000 km2; 89 % of which is desert and is of no use. The remaining 11 %, about 1 000 000 km2 is presently under danger, as then drought and the desert tend to eat up the land (while Aids eats up the people).

I am afraid of the fact that we don't have an agreement on water. It is true, we use more water than you. While water consumption is 190 litres per person in Arab countries; it is 500 litres per person in Israel. We have to organise the water distribution and produce more water resources.

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Shimon: Tomorrow the government will take the decision to cross out all subsidies for the settlers. It is a revolution. We have changed the national priorities. We have stopped 7 000 units; legally we are powerless to stop the 11 000. Don't underestimate the decision to cross out the subsudies.

Faisal: I need the CBM's to go ahead. every step by you is an investment in moderating our steps. You have to understand that our relationship is not symmetric. I am not a government; I cannot give orders; I have to convince. I was speaking about the Intifada and said that the stones had neutralized the Israeli tank and therefore - so I argued - we Palestinians had to refrain from the use of fire weapons.
I am not in this position today. Then, we were joining negotiations and hoped to obtain a change of the situation. Now, the common sense is that nothing changes.

Regarding the multilaterals: it is very positive for us that the outside can participate in these negotiations. By this I succeeded in preventing extremism among the oposition to the peace process.

Regarding the two-phased solution: We are in favour of moving ahead in two stages: first an interim settlement and then a permanent settlement.

Regarding negotiations on land: For us, the Palestinian land occupied in 1967 is an indivisible unit. In the negotiations we will discuss about the whole area whether it will be Jordanian, Israeli, or Palestinian. If we can say this land is one unit, and that we deal

with its future, we may be saying that there is a temporary solution and a permanent one.

Shimon: It is unattainable, leave it. Because it means to create a map just now. But, you can say - once you have 242 , you can tell your people 242 is for all the land. If you want us to say the same, it will not happen. You cannot expect us to say, what the Arab position is. It is against the logic of negotiations. I also told one of the Syrians: you think 242 is a complete withdrawal and we do not; For a period of time the disagreement is part of the agreement. The art of negotiations is to distinguish between mobile and immobile issues. I will not ask you to do something you cannot do, and I ask you the same.

Faisal: Regarding settlements: you speak about cities and villages under Israeli control; does it mean that it will be final?

Shimon: We refer in the issue of land to three categories: sovereignty, ownership and management. We say sovereignty is open: we are not annexing any territory; Ownership will remain as it is; Managementz; can be largely under your control, or joint, or certain areas under direct Israeli control.
We have the longer perspective in mind. Also during and after the final settlement, even if there will be a Palestinian state, we want to maintain the right for jewish ownership of land; on your side, there is the right of Arab ownership of land in Israel. At least today we cannot declare that it is impossible. we must look at it as a settlement of problem and not the problem of settlements.

Faisal: What is the difference between political and security settlements?

Shimon: Would we add new settlements, you would oppose them.

Faisal: Regarding democracy - we are in need of it. I believe it is a main problem of the Arab world. It needs a protector.

Shimon: The Zionist Movement had no protector. You can elect, whomever you want. We are not talking about municipal elections. Those who will be elected will report to their voters. We shall respect that. We will not censor yor views

Faisal: The position on Jerusalem appears to be vague?

Shimon: There is no decision. In the past we were for voting in absence. In the negotiations, put the issue under the title of elections, and not under Jerusalem. it is an open question.

Faisal: Regarding Terrorism; families of people who had been involved in terrorist activities have gone to the army, indicating that their relatives would go to prison. The IDF, said: we want to kill them. So they fought stronger than ever before. Moreover, in our view, clashes between armed people is not terrorism, while attacks on civilians is.

Shimon: Even in regard to the deportee question, Rabin said: stop the intifada for the time of negotiations and the deportees can go home. Why don't you take it up.
I understand perfectly well, that it is difficult for you to accept suggestions that are made by us. Instead of permitting us to make public suggestions, you can make demands and we can agree to accept them. We can agree on a scenario before it will be made public.

Faisal: Was the proposal to include a moratorium on violence, or a ceasefire? If we speak about violence, we have to define it more carefully. Are demonstrations violence? The village of Salfit for instance, started off with non-violent demonstrations, but it ended otherwise; will the army refrain from shooting? The Palestinians perceived the Rabin proposal as an attempt to take 415 hostages in order to obtain an announced end of the intifada.

Even if we reach an agreement; you can implement it immediately; I need time;

Shimon: We know in most cases of terror, who has instigated and

controlled the terror act on your side. If there are acts of violence that are not at all under your control, we will not blame you.

Faisal: Regarding the relationship between Israel and the diaspora. There is one big difference. Your diaspora had the right to come back; even under the Mandate. We have no such right. The diaspora is forbidden to take a role in any matter.

Shimon: The Right of Return was decided by Israel, not by the diaspora. You can say: We can negotiate about the diaspora; we cannot negotiate with the diaspora. There is another difference: We are one jewish state and you have 22 Arab states, including Jordan with a Palestinian majority.

Faisal: I would like the diaspora to negotiate with our team.

Shimon: I have made such a distinction in the multilaterals. The bilateral negotiations are about the past; but the multilaterals are about the future and organised according to various subjects. Thus, everybody who is willing and qualified can participate, as long as certain difficulties on our side are respected by you.

Faisal: We want members of the PNC to participate in the negotiations. Palestinians who have distinguished professional qualifications are all members of one or the other Palestinian institution.

Shimon: May be; but if they want to negotiate they cannot be "card-holders". You, remember the negotiations in Canada; when your chairman (Muhammad Hallaj) said that he was not a "card-holder" we accepted his participation in the negotiations.

Faisal: Why is the PNC identical to the PLO according to you.

Shimon: The PNC is the parliament of the PLO.

Faisal: but one must distinguish between a government and a

parliament. In the past I talked with you when I did not talk with [the Likud] government.

Regarding Gaza. We checked the idea of desalination. We do not oppose the idea, but the costs were too high. We can do something.

Shimon: But don't wait. take the initiative. We are ready to buy water for ten years and thereby offer ease the financing of the project.

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Faisal: Regarding the role of the United States. We understand and know that the United States will not impose a solution. However, we need the Americans as a facilitator.

Shimon: Let us move ahead, as much as we can, (in direct contacts and negotiations). In case we shall make important headway we may check various ways as of how to reach (public) understanding. The logic of negotiations obliges us to understand the needs and limitations of the other side.

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Meeting between Shimon Peres and Faisal el-Husseini;
Jerusalem, January 9, 1993, 9.30 to 12.00 a.m.
(present: Avi Gil, Dr. Ron Pundak, Dr. Yair Hirschfeld)

after first introductory remarks:

Shimon:

The Question of Deportation

We understand that the deportation of the 415 Hamas members has become a great obstacle and a heavy burden for the Palestinians. Yet, you have to understand, if our decision had been reversed, the burden would have been even greater - for everybody. Scepticism in Israel in regard to the development of the negotiations was already great before and our fear was to lose control of events. The chain of killings initiated and carried out by the Hamas, information we obtained of plans to kidnap and kill little children and of plans to make an attack on your life - all these made a shock treatment necessary. Now we have to minimize the damage.

We are trying to ease the present situation. For the first stage we have permitted the Red Cross to get there. We received information from the deportees. They asked us to permit two persons from the Red Cross to enter and told us that they have enough food. We received the special envoy from the United Nations.
We are looking for various solutions. Yet, if Israel will lose, the Hamas will gain.

We do not oppose the principle of them returning home. It is rather a problem of time. We suggested 9 months to two years each of them has the right to appeal. And nobody can know in advance the decision the supreme court will take.

Our main challenge in this affair is to prevent the Hamas from gaining strength and permit u=you to regain a position of leadership.

I have suggested several arrangements. This has been done in full concert with Rabin.

Peace Negotiations with Syria

Let us turn to the peace process:
It is our impression that we can do business with Syria, although progress is slow. President Assad has started a process of education of his people. He is calculated. His moves are well thought out; he is not impulsive. He is capable of making strategic decisions. He is progressing slowly for two reasons:

First, he took the decision to make business with Clinton;
second, he wants to educate his public.

The negotiations will not be easy. We believe that we can reach an agreement with Syria. Yet, the Syrians will not wait for you. I can tell you also why. Israeli-Palestinian negotiations are based on a two-stage agreement, whereas the first stage will take five years. The Syrians will not wait for five years and the Syrians will assumingly not go for a two-stage solution.

If the Syrians will go for two stages - we would not oppose it - but it would surprise us. Assad will not be able to go for something that is less than full agreement.

We - on our part - are also educating the public. We are publicly speaking of withdrawal.

So far the Syrians say rather provincial things about peace. They say for instance, they need no diplomatic relations with Israel, and compare the situation to their relations with Kasakhstan. Yet, they do understand that the situation is different. Syria did not fight wars with Kasakhstan.

Peace Negotiations with Jordan

Jordan will not be the first to sign a treaty with us, although they want to go ahead. In spite of what the king said, they have not lost their interest in the Palestinian destiny. The problems to be solved with Jordan relate to water, refugees (they speak about "displaced persons") and territory. In regard to territory we have achieved understanding in principle. We have told them that we will respect the Mandatory borderline - in the Arava.

Peace Negotiations with the Palestinians

On top of all what I have said, I want to stress that it is our vital interest to obtain agreement with you. We do not want to connect negotiations one with the other and want to reach independent agreements with each of our negotiating partners. Yet, in our view, peace remains indivisible. We believe that the time and the opportunity for peace has come and we want to build today a new and more stable future.

Our problems in negotiating with you are the following:

1. The greatest problem is the decision-making problem on your side. You have no democratic process. A minority like Hamas can easily kill the process. In politics the choice is to have either majority rule or the rule of the gun. It is a tragedy for you and for us.

Palestinians, among all the other Arab peoples - are the most open to democracy. I don't know any stable system, and no
successful economic system that functions without democracy.
We are suggesting elections. The elected will not report to us, but to their people.
If this will be the case, we shall try to look for ways and means that will enable everybody who wants peace to participate in elections.

We know the situation: you speak to Tunisia. We don't prevent you from doing this. However, we cannot negotiate with Arafat, as there are a few problems:
First, he wants to negotiate for the Palestinian diaspora. - We have also our diaspora, but we never negotiated on behalf of our diaspora. Second, the PLO and Fatah are still engaging in acts of terror. It causes great bitterness - even if sometimes exaggerated - among our people.

I know that the dividing line among the Palestinian people is not geographic but political. There are of course moderate people both in- and outside the territories and there are extremists in- and outside the territories.

In case your leadership in Tunisia would stop terror for the entire duration of negotiations and support clearly the proposed solution in two stages, and be very clear on it, the situation could change. We are now speaking on issues related to the West Bank and Gaza. Only 1/5 of the jewish people are living in Israel. We have never negotiated in Israel, negotiations of the diaspora.

Today there is a delegation recognized by you and us. If you want to change the delegation. The best way to go about it, is to go for elections. The people to be elected can serve in a double capacity; they can be negotiators and being elected, they can act as the heads of the new self-governing body.

2. The other problem in negotiations is the concept: Why can't we go straight ahead: as we would break all the glass. The situation is so complicated both on the map and in the relationship of our two peoples. We need time to create a different atmosphere. Under the present climate there will be clashes, if we shall move immediately to a one-stage solution.

We are told that you are afraid that the interim-stage will turn into a permanent arrangement. We have offered several answers to permit you to overcome this fear:

First: although we shall draw no clear map, we shall agree on a clear calendar;
Second, we create a clear interlock. We have agreed that the solution will be based on 242 and 338 and that there will be a clear interlock in time between the provisional and the permanent solution.

Third; in regard to land and water we have made important suggestions. Land, where there is Palestinian life, will be under Palestinian control; land where there is Israeli life, will be under Israeli control; and other areas will be jointly controlled.

We stopped settlements without your request.

Fourth; regarding legislation; we are ready to map the laws and give you the capacity to make your own laws in areas under your control; while we will keep the capacity to make laws in other areas.

If you agree on the concept, we can find solutions for other issues.

3. Jerusalem is an open-ended question. We suggested in the past that people in Jerusalem may vote by proximity. Today, if any Israeli government will make a move on Jerusalem, it will loose its majority. Therefore we have to keep it for later.

4. Confederation. The general development in the world is that the economies are becoming global, whereas political frameworks are becoming more and more national. It is too early to talk about this issue, as any talk will cause at this stage only problems; but we can prepare for an economic union.

5. Security: WE cannot have a solution without referring to security. Security will encounter also measures against unconventional and missile attacks. I am going this week to Paris to sign the Chemical Weapons Treaty and I shall make a statement, that if we reach peace, we will want the Middle East to be free of non-conventional weapons and we will agree to full inspections, also to unannounced

inspections.
For national security we need regional security and we shall seek progress in this area too.

6. Economic Development: The present economic situation causes us much concern. In most Arab countries the standard of living is US $ 800,- per capita, at a time, when annual income has reached US $ 30 000,- in highly developed industrial countries and about US $ 12 000,- in Israel. Poor income causes poor education, which again leads to extremism and to Fundamentalism. Militant fundamentalism is a protest and not a religion. We have to raise the standard of living.

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release some who are seriously ill (5 to 6) and others; deal with it carefully;

b. Settlements - there are 11 000 houses being built under the present government, this is 33 000 settlers, this is almost one third of the whole settlement activity; I have a house in Ain Sinia and from there you can see the ongoing building activity

Shimon: Tomorrow the government will take the decision to cross out all subsidies for the settlers. It is a revolution. We have changed the national priorities. We have stopped 7 000 units; legally we are powerless to stop the 11 000. Don't underestimate the decision to cross out the subsudies.

Faisal: I need the CBM's to go ahead. every step by you is an investment in moderating our steps. You have to understand that our relationship is not symmetric. I am not a government; I cannot give orders; I have to convince. I was speaking about the Intifada and said that the stones had neutralized the Israeli tank and therefore - so I argued - we Palestinians had to refrain from the use of fire weapons.
I am not in this position today. Then, we were joining negotiations and hoped to obtain a change of the situation. Now, the common sense is that nothing changes.

Regarding the multilaterals: it is very positive for us that the outside can participate in these negotiations. By this I succeeded in preventing extremism among the oposition to the peace process.

Regarding the two-phased solution: We are in favour of moving ahead in two stages: first an interim settlement and then a permanent settlement.

Regarding negotiations on land: For us, the Palestinian land occupied in 1967 is an indivisible unit. In the negotiations we will discuss about the whole area whether it will be Jordanian, Israeli, or Palestinian. If we can say this land is one unit, and that we deal

with its future, we may be saying that there is a temporary solution and a permanent one.

Shimon: It is unattainable, leave it. Because it means to create a map just now. But, you can say - once you have 242 , you can tell your people 242 is for all the land. If you want us to say the same, it will not happen. You cannot expect us to say, what the Arab position is. It is against the logic of negotiations. I also told one of the Syrians: you think 242 is a complete withdrawal and we do not; For a period of time the disagreement is part of the agreement. The art of negotiations is to distinguish between mobile and immobile issues. I will not ask you to do something you cannot do, and I ask you the same.

Faisal: Regarding settlements: you speak about cities and villages under Israeli control; does it mean that it will be final?

Shimon: We refer in the issue of land to three categories: sovereignty, ownership and management. We say sovereignty is open: we are not annexing any territory; Ownership will remain as it is; Managementz; can be largely under your control, or joint, or certain areas under direct Israeli control.
We have the longer perspective in mind. Also during and after the final settlement, even if there will be a Palestinian state, we want to maintain the right for jewish ownership of land; on your side, there is the right of Arab ownership of land in Israel. At least today we cannot declare that it is impossible. we must look at it as a settlement of problem and not the problem of settlements.

Faisal: What is the difference between political and security settlements?

Shimon: Would we add new settlements, you would oppose them.

Faisal: Regarding democracy - we are in need of it. I believe it is a main problem of the Arab world. It needs a protector.

Shimon: The Zionist Movement had no protector. You can elect, whomever you want. We are not talking about municipal elections. Those who will be elected will report to their voters. We shall respect that. We will not censor yor views

Faisal: The position on Jerusalem appears to be vague?

Shimon: There is no decision. In the past we were for voting in absence. In the negotiations, put the issue under the title of elections, and not under Jerusalem. it is an open question.

Faisal: Regarding Terrorism; families of people who had been involved in terrorist activities have gone to the army, indicating that their relatives would go to prison. The IDF, said: we want to kill them. So they fought stronger than ever before. Moreover, in our view, clashes between armed people is not terrorism, while attacks on civilians is.

Shimon: Even in regard to the deportee question, Rabin said: stop the intifada for the time of negotiations and the deportees can go home. Why don't you take it up.
I understand perfectly well, that it is difficult for you to accept suggestions that are made by us. Instead of permitting us to make public suggestions, you can make demands and we can agree to accept them. We can agree on a scenario before it will be made public.

Faisal: Was the proposal to include a moratorium on violence, or a ceasefire? If we speak about violence, we have to define it more carefully. Are demonstrations violence? The village of Salfit for instance, started off with non-violent demonstrations, but it ended otherwise; will the army refrain from shooting? The Palestinians perceived the Rabin proposal as an attempt to take 415 hostages in order to obtain an announced end of the intifada.

Even if we reach an agreement; you can implement it immediately; I need time;

Shimon: We know in most cases of terror, who has instigated and

controlled the terror act on your side. If there are acts of violence that are not at all under your control, we will not blame you.

Faisal: Regarding the relationship between Israel and the diaspora. There is one big difference. Your diaspora had the right to come back; even under the Mandate. We have no such right. The diaspora is forbidden to take a role in any matter.

Shimon: The Right of Return was decided by Israel, not by the diaspora. You can say: We can negotiate about the diaspora; we cannot negotiate with the diaspora. There is another difference: We are one jewish state and you have 22 Arab states, including Jordan with a Palestinian majority.

Faisal: I would like the diaspora to negotiate with our team.

Shimon: I have made such a distinction in the multilaterals. The bilateral negotiations are about the past; but the multilaterals are about the future and organised according to various subjects. Thus, everybody who is willing and qualified can participate, as long as certain difficulties on our side are respected by you.

Faisal: We want members of the PNC to participate in the negotiations. Palestinians who have distinguished professional qualifications are all members of one or the other Palestinian institution.

Shimon: May be; but if they want to negotiate they cannot be "card-holders". You, remember the negotiations in Canada; when your chairman (Muhammad Hallaj) said that he was not a "card-holder" we accepted his participation in the negotiations.

Faisal: Why is the PNC identical to the PLO according to you.

Shimon: The PNC is the parliament of the PLO.

Faisal: but one must distinguish between a government and a

9 נספח ג'

פגישה עם פיגלי תומכי:

1. ב-9 נספח ג' ואחריו נפגשנו (גדי רימלט וגדי מנדין) עם פיגלי תומכינו.
2. תומכינו הביע את רצונו לראיין עם שאלון פרט בהקדם האפשרי.
3. אפשרנו על תומכינו תהיה מטרת הפגישה לשאול מפגש את הסיבה האמיתית בגללה החליטו לבחור דווקא בפלסטינים ובמיוחד בעזה, ובמיוחד לצדכים הפוטנציאלים בעתיד הקרוב.
תומכינו מלבד היה מעוניין להשאיר את עמדתו בנושא לביטול הימין הקיצוני העומדים הפלסטינים.
4. אם תגישו הבקשות ~~בפגישה~~ בפגישה המוצעת, מעוניין תומכינו לראיין גם את עתיק הימין בגנרל שלנו פגישה נוספת תהיה הבקשות מחוץ אולם יכול להיות קטן הפלסטינים.
5. תומכינו בקש להתעניין את קום הפגישה ברגע שתהיה תסגרת, וכל הסיכוי שאם אי אפשר יצא אלונות הפגישה, ומתאם בדבר קיומה.
6. הובהר שפגישה תתקיים בעזה בהרחבה הישראלים.
יאיר הושלם בין מנדין.