

## Minutes of the General Plenary Meeting

*Held on June 30, 2008 [5:00 PM- 7:00 PM],*

*King David Hotel, West Jerusalem*

1     **Attendees:**

2     ***Palestinian***

- 3             • Ahmed Qurei (AA)
- 4             • Dr. Saeb Erekat (SE)
- 5             • Salah Aleyan
- 6             • Rami Dajani

7     ***Israeli***

- 8             • Tzipi Livni (TL)
- 9             • Udi Dekel (UD)
- 10            • Tal Becker (TB)

11

12    **Meeting Minutes:**

13    TL:    [Discussion of internal Israeli party politics] Kadima primaries will be between  
14    September 11 – 19. We will know the exact date on July 10. I said it can't be around  
15    the 18<sup>th</sup> because that is when the UNGA meets, and we need to be there to show  
16    achievements. The competition will start after that time [ie the primary].

17    AA:    I would vote for you ...

18    TL:    Between Mofaz and me you don't have much of a dilemma. The question is  
19    whether "he" will participate. He recently said [in Hebrew] "many will not be surprised  
20    by my decision" – which can mean anything. [TL discussed previous experience with  
21    Likud, particularly in 1999, with Sharon, Shitrit and Olmert]. Back to business...

22    AA:    We are meeting to evaluate what we have done and discuss how to proceed.

23    TL:    Do we work from the Saeb – Tal draft or by committees?

24    AA:    We go over issues and repeat the positions.

1 TB: Do we go by committee or by issue?

2 SE: By issues is best.

3 TB: Let us start the preamble and general provisions. We put aside certain  
4 disagreements – in the preamble the “Jewish / Palestinian right to self-determination”.

5 TL: I believe these can be solved once we get to a general agreement.

6 TB: The general provisions are not controversial. On borders, we have not drafted.  
7 We have focused on the map and now the field trips.

8 TL: We know the gaps, and now we are seeing whether we can minimize them –  
9 looking at the blocs and how we can relate that to swaps and also deal with the safe  
10 passage from the West Bank to the Gaza Strip.

11 AA: [to TB] is this a joint document?

12 TB: It’s what we have drafted.

13 TL: So, on borders, let’s start with your position ...

14 AA: No, we need to go back to general things. We need to state the rules we agreed:  
15 nothing is agreed until everything is agreed; we will deal with all the issues and not  
16 postpone anything; there will be no negotiations through the media...

17 TL: Except by your infrastructure committee head – in French.

18 SE: He didn’t know ... [discussion on public statements]

19 AA: We need a comprehensive agreement, not a declaration of principles, or a  
20 framework, and not provisional borders. The negotiations are simultaneous with  
21 meetings on the implementation of the Road Map – on both sides, we on security on  
22 you on the settlement freeze.

23 TL: Yes and with the implementation itself. You are talking about things that we  
24 postponed.

1 AA: I am speaking about what we agreed. To continue: the meetings between Olmert  
2 and Abu Mazen to follow up and support the negotiations ...

3 TL: And they follow up closely ...

4 AA: Trilateral meetings with the US.

5 TL: We said whenever they want—but we never agreed that trilateral meetings were  
6 part of the process.

7 AA: I don't want to embarrass you with the Americans.

8 TL: When they ask we obey but not as part of an understanding. Obama is coming at  
9 the end of July [side discussion on Obama and potential meetings with both sides]

10 AA: We also agreed for both sides to start drafting.

11 TL: That they would draft what they can. As for the agreement itself, as I said in  
12 Berlin, it should provide for the interests of each side – with the necessary detail that  
13 this requires – in a manner that minimizes friction and problems.

14 AA: Agreement needs to be clear – we don't want to go to arbitration ... it also  
15 needs timetables.

16 TL: So this is simultaneous with the Road Map implementation, and after we reach  
17 agreement or treaty, then we start negotiations on implementation ...

18 SE: Mechanisms

19 UD: Arrangements

20 AA: So, for example, if there is agreement on dismantling a certain settlement, the  
21 implementation will deal with withdrawal, how long, phases – all this can be discussed.

22 TL: [hands over Chart entitled “Peace Process – Time Line” to AA]

23 AA: And we have the terms of reference: international legitimacy; Security Council  
24 resolutions 242, 338, resolution 194 ...

1 TL: Will not agree to 194 ...

2 AA: The Arab Peace Initiative; the Road Map; and international law.

3 TL: I want to ask you: we've had these discussions before Annapolis, this is taking

4 us back. We are now drafting – at the end we can go back to these.

5 AA: But you asked us to evaluate.

6 TL: But you are going back ...

7 SE: We are just citing the things we have put down.

8 TL: But it will make it look like we disagree on terms of reference.

9 AA: This applies to your approach to borders, where you said the baseline is facts on

10 the ground – you don't recognize the 67 borders.

11 TL: We are now looking at what we have and where are the gaps. Without writing

12 this down you know we are working according to 242 and 338. We are not talking

13 about giving you all of 67, but when you look at the facts on the ground and the

14 discussion on swaps, it is based on it. And we cannot accept 194.

15 AA: You know how many refugees there are? You will accept 194.

16 TB: 4 million.

17 AA: Now it's 6 million. The API is important [cites language].

18 TL: We are in the middle of negotiations ...

19 AA: I am just stating our position.

20 TL: You are taking us back to pre-Annapolis. At the end, it can be phrased in any

21 way. We are past that – I know that as part of the agreement you need the Arab Peace

22 Initiative ... to get the Arabs on board. I can understand that. This is something that can

23 be dealt with in the end. So let's go on to the next item.

1 AA: Territory, borders: Our position is the 1967 line – the Green Line -- the  
2 occupation that started in 1967. The West Bank and Gaza and one territorial unity,  
3 including Jerusalem, the Dead Sea, the Jordan Valley, and the No Man's Land. West  
4 Bank and Gaza must be linked by a safe passage that is permanent, secured, and  
5 without any control or intervention by Israel. So the basis of the negotiations in 67; any  
6 modification must be minor and discussed as swap on the basis of equal quality and  
7 quantity. We do not accept the settlement blocs, but can study the case of Jews who  
8 wish to stay and live under Palestinian law.

9 TL: I have a bad feeling, because we start from the beginning. We are making a  
10 mistake. Now you don't even want to say "minor" – your map, for example, 1.9%. The  
11 idea is not to start with basic points. I know your position...

12 AA: I am afraid you forget.

13 TL: Believe me I want to, but I can't. This makes me want to go back to my position  
14 at the beginning.

15 AA: Did you change? It is the same. 7.3% -- the same map.

16 TL: This was reached after several discussions. We did not enter the negotiation  
17 with 7.3%. We discussed what is needed... My concerns, our concerns (both) are  
18 internal and with the international community. We both want an agreement reached. If I  
19 knew that we're close to the end of the process, and a last compromise is needed,  
20 knowing it's the end of the conflict, it's different. Same with you, you could make a  
21 last compromise, for example more than 1.9%. Both of us don't want to be without and  
22 agreement, but having made a compromise. So don't go back to positions that we  
23 passed in the understanding. The 7.3% offer by Olmert is the most generous, and will  
24 be perceived by Israelis as the most fair.

1 AA: Why?

2 TL: Because it is almost equal.

3 AA: The 5%?

4 TL: I know it is important for you to keep the number to a minimum.

5 AA: We have no problem with swaps, but the 7.3 position just does not allow a state  
6 to survive, and it takes all around Jerusalem, and gives to the south of the West Bank  
7 and next to Gaza.

8 TL: Let's ask from TB or UD or SE to assess where we stand.

9 TB: We did not mean to assess, but to evaluate where we stand in the committees, to  
10 look at what is happening in each committee and see if there is something else we can  
11 start drafting or working on.

12 AA: [re swaps] so for an area in Sheikh Jarrah, I have to see an equivalent area.

13 TB: This is about making progress on issues on the table ...

14 TL: [re 7.3%] This is the offer. [adding to TB] So we know where each side stands.  
15 And for example on the safe passage, to identify a list of things – other articles in a  
16 future agreement.

17 AA: So where do we concentrate?

18 TL: One is things we know where we stand. Two is things we need to work on. So  
19 on security we know your position, international force, no Israeli presence – we need to  
20 continue working.

21 AA: On refugees...

22 TL: We have a gap on mechanism; the wording – for you “responsibility,” for us  
23 “suffering”; and return.

1 TB: We meet on Wednesday to continue exchange of drafts. We are waiting for  
2 Palestinian response to our last draft.

3 UD: Water. There will be an expert committee to investigate and come back to us.

4 SE: They will be meeting on Sunday. You have a paper from us on an experts  
5 committee on water, so cut the red tape, let's move to collecting all the required data.

6 AA: Why don't they meet earlier?

7 UD: It's hard to convene people, scheduling... [Discussion on Fadel Kawash being  
8 in Cyprus; discussion on security experts: Hazem Atallah away in Berlin and Amos  
9 Gilad sick in hospital].

10 TL: Maybe SE and UD can sit on security. Without Hazem or Amos.

11 AA: Hazem is back.

12 SE: I am really worried about security. It is the backbone for both sides – the US has  
13 three generals here...

14 TL: Maybe I should sit on it [security meeting]

15 AA: Let SE and UD meet and discuss the paper. See what is agreed and not.

16 TL: You are meeting anyway. See if Amos and Hazem can attend. Next is  
17 settlements.

18 TB: We agreed that SE and I will draft something...

19 AA: This is part of territory ...

20 TB: Eventually – the article refers to evacuation, time line, [unclear] “furnished or  
21 not” – these are arrangements regardless where the border is. Then we have the safe  
22 passage.

23 AA: Refugees?

24 TB: Waiting for response from SE.

1 SE: Five issues will be decided.

2 TB: There is the issue of the border regime and the passages – this is not just  
3 security.

4 TL: Write it down as an issue. We'll see where it will be.

5 SE: We are one team; it doesn't matter.

6 TL: Regardless we need to define where it will be discussed.

7 SE: On refugees, as I said to Condoleezza Rice and to you, there is a serious  
8 Jordanian concern on compensation.

9 AA: Can they agree instead of 'compensation' to 'assistance' ...

10 SE: They won't accept.

11 TB: That's our proposal.

12 TL: We have a problem with the infrastructure committee.

13 SE: Muhammad Shtayyeh and Hazai are meeting next week; after that we can bring  
14 them to AA and TL.

15 AA: Muhammad is angry because you refuse to give an answer on Qalandia airport.

16 UD: We told him, as we see it, this is not part of the committee. It is part of the  
17 passages.

18 SE: No it's for the plenary.

19 TL: On to environment... [SE and UD agree it is going well].

20 SE: We can start drafting once they have more meetings [SE noted and protested the  
21 lack of permits for 5 experts from Gaza to attend the workshop on environment].

22 TL: State to state. A good meeting yesterday on health ...

23 SE: Yes. We meet again on the 8<sup>th</sup>: tourism, agriculture and health.

24 TB: On health we can start drafting.



1 AA: This is a mistake – tourism should be in the economic committee. [discussion  
2 on placement of issues in committees]

3 UD: On legal ...

4 TL: Can you start drafting?

5 TB: Yes. The most controversial issues are going to be dealt with in other  
6 committees.

7 TL: Culture of Peace is complete. Already written. Prisoners: [??] met today ...

8 AA: Your prisoner release to Hizbollah and Hamas – how many Palestinians to  
9 Hizbollah? Famous leaders?

10 TL: To Hizbollah – over my dead body. I fought it yesterday, and only agreed after  
11 Ofer Dekel assured the Palestinians were few and not important. That was my  
12 condition. [Discussion on prisoner exchange]. I raised yesterday what you [AA] said in  
13 Berlin. When we need to release prisoners, we need to do it with the moderates –  
14 otherwise it sends the message that only way to release prisoners is by kidnapping  
15 soldiers ...

16 AA: Can AM expect 1000 released?

17 TL: No. Let's see. Did AM raise it with Olmert?

18 AA: Yes.

19 SE: And I raise it now with you. This is an important issue. I just met with families  
20 of prisoners, and this is very important.

21 TL: The decision is not up to the committee, Abdel Razeq and Blass – it's a political  
22 decision. I am thinking ... can we do something that relates to a change on the ground,  
23 so it can be our “excuse” – let's invent something.

1 SE: You used “benchmarks” in Berlin. So let’s invent something – how about we  
2 are in this political process, as part of the process.

3 TL: How about a link to the situation in Jenin and Shechem [Nablus] – areas with  
4 greater Palestinian security control. Can we release to those areas?

5 [Discussion on criteria for release, numbers, lists, Hamas list].

6 TL: Just throwing ideas: let’s assume Hamas asked for a list – we release some to  
7 them and some ...

8 SE: Don’t link us. It is time to release prisoners as part of the political process.

9 TL: If I give you “heavy” ones, I may then need to give Hamas “heavier” ones.

10 AA: You can release some to AM before Hamas, and some after.

11 TL: Most of the “big fishes” are on the Hamas list.

12 SE: Hamas is doing that to show they are more responsible for the people than  
13 Fatah.

14 AA: [Refers to an article by ? in the Israeli press] It argued that Israel responds more  
15 to terror. This is what you are doing.

16 TL: In Israeli society, there is a strong feeling about the soldier in the hands of  
17 Hamas.

18 AA: There are, daily, soldiers everywhere in the West Bank that can be kidnapped...  
19 you don’t want that to change.

20 TL: This is perceived as a weakness by some in the Arab World, but we Israelis act  
21 like a big family – some perceive it as responding only to terror.

22 AA: Due to the continuous requests of AM, and to move the process forward, and  
23 since we are now enforcing security and the rule of law, you must release a certain  
24 number of prisoners.

1 TL: I am trying to think of an “event”.

2 SE: Suggestion: I know the complexity of the lists, and the price will be the price.  
3 But if you want to tell Palestinians that is not the only way you function, look at the list  
4 of pre-Oslo prisoners. After the date of Shalit [release] we can have an event.

5 TL: I prefer to release for the peace process than on a holiday.

6 SE: This is a lose-lose situation – while Gaza looks ‘protected’ by Hamas, there are  
7 Israeli raids in Ramallah. What is the balance of having us irrelevant? If you want to  
8 sign an agreement – you want to make us weak... Now Manar TV is broadcasting your  
9 own reports with subtitles about how Israel was humiliated. The prisoner issue –  
10 Barghouti -- was raised by AM in every meeting with Olmert. So instead of Hamas  
11 releasing Marwan Barghouthi, have AM do it – the same with the pre 93 prisoners.  
12 Like AA’s idea: before and after.

13 TL: I understand that the Tahdi’a weakens you – and we agreed with Egypt that  
14 Rafah crossing will open only with PA.

15 AA: There are reports that Hamas is involved.

16 TL: No. Maybe we can connect Gilad Shalit, as we have done to Rafah, and as  
17 opening Rafah is connected to you – you get credit. That way you get credit for release  
18 of prisoners.

19 AA: We ask for prisoner release and area C...

20 TL: I wrote a letter to Barak on the issue in Abu Dis and he understands it’s serious.

21 AA: We have a lot of people wanting to invest – we have the labour force. So if we  
22 have areas we an offer to investors that we be a great help [discussion on investors and  
23 lack of space in Abu Dis, Ramallah] If there are places that can be agreed on, give them  
24 the facility to work.

1 TL: This is something that Tony Blair has raised. [UD made a reference to  
2 Tarqumia].

3 SE: Back to Shalit and Rafah Crossing: Do not link Shalit to Rafah. If I am  
4 negotiating opening Rafah and saying Hamas has nothing to do with the arrangement –  
5 think of the consequences of linking it to Shalit. Zahhar goes on Al-Jazeera and says if  
6 I send a letter to Egypt the crossing will be open. [Further discussion on area C – Abu  
7 Dis and industrial estate in Jericho]

8 TL: There is another issue ... “this city”, and then we can talk about  
9 implementation, and what we called “steps toward the establishment of a Palestinian  
10 state.”

11 AA: I want to put to you our position on Jerusalem.

12 TL: Since I cannot refer to it I wont say anything. I am going to just listen. [TL  
13 receives message that bill got preliminary approval in Knesset that would require  
14 referendum on giving up territory annexed by Israel].

15 AA: Will the Israeli pubic vote in favour of returning the Golan?

16 TL: No. Even though the Golan is not part of what we call the “Land of Israel” the  
17 majority of Israelis will not give it back to Syria. This law applies also to Jerusalem.

18 AA: Jerusalem is part of the territory occupied in 67. We can discuss and agree on  
19 many issues relating to Jerusalem: religious places, infrastructure, municipal function,  
20 economic issues, security, settlements. However, the municipal borders for us are 67.

21 This is the basis, and this is where we can start.

22 [Silence]

23 TL: Houston, we have a problem.

24 AA: Silence is agreement ...

1 SE: It is no secret that on our map we proposed we are offering you the biggest  
2 Yerushalayim in history. But we must talk about the concept of Al-Quds.

3 TL: Do you have a concept?

4 SE: Yes. We have a detailed concept – but we will only discuss with a partner. And  
5 it's doable.

6 TL: No, I can't.

7 TB: On process, we will continue drafting on settlements, refugees, end of claims,  
8 and culture of peace. The next topics we will start drafting are legal, environment and  
9 state to state – health. Water will meet on Sunday and perhaps we can start soon.

10 TL: Next meeting? [Discussion – dates proposed are either Thursday July 3 in the  
11 morning, or Wednesday July 9).

12 [END]