

PREAMBLE TO JOINT DOCUMENT

The representatives of the Government of the State of Israel and the Palestine Liberation Organization (PLO), represented by Prime Minister Ehud Olmert and President Mahmoud Abbas in his capacity as Chairman of the PLO Executive Committee, respectively, meeting at [_____] under the auspices of [President George W. Bush of the United States of America and with the support of [_____]], and determined to bring an end to bloodshed, sorrow and decades of conflict, to usher in a new era of peace based on freedom, justice, dignity, respect and mutual recognition, and to propagate a culture of peace and non-violence, have agreed on the following joint document for peace between Palestinians and Israelis.

Israel and the PLO shall negotiate in good faith in order to conclude a treaty, to be concluded within 6 months of agreeing on this joint document, providing a just resolution to all aspects of the Israeli-Palestinian conflict, based on the agreed terms of reference and principles herein, including: the Road Map as endorsed by United Nations Security Council resolution 1515 (2003) which embodied President Bush's vision and which called for an end to the Israeli occupation that began in 1967; the Arab Peace Initiative of 2002; international law; the establishment of the sovereign State of Palestine, living side by side in peace and security with the State of Israel; [just and agreed solution to the Palestinian refugees problem in accordance with UNGA resolution 194;] and all relevant UN resolutions [including UNSC resolutions 242, 338, 1397 and UNGA resolution 194]].

Both sides are committed to the immediate and mutual implementation of their obligations emanating from the Roadmap. The [US, on behalf of the] Quartet, shall be the judge of the mutual implementation. It should be noted that both sides will continue to honor their commitment to all ongoing obligations under the Roadmap.

1) Borders:

a) Borders between Palestine and Israel shall be the 1967 Lines, subject to land swaps on a minor, equal, equitable and reciprocal basis in a manner that preserves the total size of the territory of the West Bank, including East Jerusalem, and the Gaza Strip as it stood on the eve of June 4, 1967, and in a manner that preserves Palestinian water rights and maximizes Palestinian territorial contiguity.

b) Israel shall evacuate all Israeli settlers to its side of the agreed international border within the time period to be agreed in the Treaty. The future of the settlement assets shall be determined in accordance with international law, and dismantlement and/or preservation of the assets, as the case may be, shall take place in accordance with the modalities and timetable to be agreed in the Treaty.

c) Israel shall impose an immediate, comprehensive and permanent freeze on all settlement activity (including the Wall) in all Palestinian territory occupied in 1967.

b)d) In addition, there shall be a permanent territorial link under Palestinian sovereignty connecting the West Bank and Gaza Strip in accordance with the principle that they constitute one territorial unit. The link shall be of sufficient width to allow for a surface road with multiple lanes, a rail connection, and public utilities and water infrastructure.

e)e) Maritime borders shall be agreed through negotiations based on principles of international law. Palestine shall enjoy its full share of maritime zones as any other coastal state under international law.

d)f) Palestine shall exercise full sovereignty over its territory, including its borders, within the international borders referred to above.

2) Jerusalem:

- a) Palestine and Israel shall each have their capitals in Jerusalem. East Jerusalem, within the pre-occupation municipal lines, shall be the capital of Palestine, and West Jerusalem shall be the capital of Israel. The borders between the capitals shall be the international border agreed above.
- b) Palestine and Israel shall form a joint committee composed of an equal number of representatives from Palestine and Israel to oversee cooperation and coordination between a Palestinian Jerusalem Municipal Authority and an Israeli Jerusalem Municipal Authority.

~~c) Palestine and Israel shall protect the universal, historic, religious, spiritual, and cultural character of Jerusalem and its holiness enshrined in Judaism, Christianity, and Islam. Moreover, the freedom of worship in the city and its holy sites and places, and the existing division of administrative functions and traditional practices among different religions and denominations shall be safeguarded.~~

3) Settlements:

~~a) Israel shall evacuate all Israeli settlers to its side of the agreed international border within the time period to be agreed in the Treaty. The future of the settlement assets shall be determined in accordance with international law, and dismantlement and/or preservation of the assets, as the case may be, shall take place in accordance with the modalities and timetable to be agreed in the Treaty.~~

~~a) Israel shall impose an immediate, comprehensive and permanent freeze on all settlement activity (including the Wall) in all Palestinian territory occupied in 1967. The settlement freeze shall include: an end to all (i) settlement related construction, (ii) land confiscations, home demolitions and other property destruction, and (iii) planning, funding, and other incentives for Israeli settlements and settlers; and the immediate dismantlement of all settlement outposts established since March 2001.~~

4) Military Withdrawal:

~~Israel shall withdraw, under the supervision of an international presence, all military and security personnel, installations and other associated infrastructure to its side of the agreed international border in accordance with the modalities and timetable to be agreed in the Treaty.~~

8) Relations between Palestine and Israel:

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- ~~e) Security relations between Palestine and Israel shall be based on mutual trust, advancement of joint interests and co-operation, and shall aim towards a regional partnership in peace. Such relations will be based on sovereign equality, reciprocity and the UN Charter, taking into consideration the security concerns of Palestine and Israel on an equal basis. The presence of third party forces at the borders of Palestine shall be agreed.~~

53) Refugees:

- a) Israel acknowledges its moral and legal responsibility for the forced displacement and dispossession of the Palestinian civilian population as a result of the 1948 war ~~and [recognizes the right of the Palestinian refugees to return to their homes in line with UN Resolution 194] [recognizes the historical claims of the Palestinian refugees to return to their homes in line with UN Resolution 194] [recognizes the international legal rights of the Palestinian refugees].~~
- b) The PLO and Israel commit to pursue a comprehensive, just and agreed-upon resolution to the Palestinian refugee problem as envisaged by the Arab Peace Initiative, and in accordance with the following principles:
 - Refugees shall be given repatriation and resettlement options, including return to Israel, to be implemented in accordance with an agreed annual quota and within an agreed period of time, and return to Palestine, at its sole discretion. ~~In addition, to the extent possible, refugees shall be presented with resettlement options in third countries.~~
 - Refugees shall be granted reparations, including restitution and/or full compensation, for the material and non-material damages they have suffered, including loss of opportunities for their protracted displacement. These rights shall not prejudice or be prejudiced by the refugees' permanent place of residence.
 - States that have hosted Palestinian refugees shall be entitled to remuneration.
- c) An international mechanism shall be established to implement all aspects of the Treaty relating to refugees with the participation of Palestine, Israel and host countries and other necessary and willing countries and entities. In furtherance thereof, an international fund shall be established to finance the repatriation, resettlement and rehabilitation of the refugees, reparations and claims programs of the mechanism. Israel commits to provide substantial funding for the claims program, whereas additional countries will contribute funding to supplement Israeli contributions and to help cover the repatriation, resettlement and rehabilitation program as necessary.

| **46) Water:**

Palestine and Israel shall exercise their rights over shared water resources in accordance with international law, especially the principle of equitable and reasonable utilization of shared water resources emphasizing an equal per capita approach in determining equitable.

7) Reparations for illegal acts of occupation:

~~Palestine and Israel shall agree in the Treaty modalities and mechanisms for the application and implementation of international law with regard to the internationally wrongful acts arising from Israel's occupation of the West Bank, including East Jerusalem, and the Gaza Strip.~~

510) Relations between Palestine and Israel:

- a) Palestine and Israel shall establish full diplomatic, consular, economic and security relations with each other in accordance with international law and custom, including the exchange of resident ambassadors in Jerusalem.
- b) Economic relations between Palestine and Israel shall be based on free trade and preferential treatment principles, ~~which include the removal of all tariffs and non tariff barriers, and national and most favored nation treatment, shall ensure the free movement of agricultural and manufactured goods, services, labor and investments, and shall allow for the use of land crossings, seaports and airports of both Palestine and Israel for transit of goods to other countries. The parties will cooperate towards the establishment of economic zones (industrial trade, etc.) as follows: Palestine – Israel – Jordan; Palestine – Jordan; Egypt – Israel - Palestine; Palestine – Israel.~~
- c) Security relations between Palestine and Israel shall be based on mutual ~~trust,~~ advancement of joint interests and co-operation, and shall aim towards a regional partnership in peace. ~~Such relations will be based on sovereign equality, reciprocity and the UN Charter, taking into consideration the security concerns of Palestine and Israel on an equal basis. The presence of third party forces at the borders of Palestine shall be agreed.~~

11) Final Clause:

This declaration shall be considered binding on the parties, upon signature. Neither side shall initiate or take any steps that shall change the status of the West Bank, including East Jerusalem, and the Gaza Strip that are not contemplated herein, pending the implementation of the Treaty. All Palestinian Prisoners will be released upon the signing of the treaty. Furthermore, Israel shall make every effort to improve the daily lives and advance the welfare of the Palestinian population pending full implementation of the Treaty.

8) Prisoners and Detainees

~~[Israel shall release and transfer all remaining Palestinian detainees and prisoners to the Palestinian Authority immediately upon the date of the signing of this Agreement.]~~

~~Or~~

~~[Israel shall begin the immediate release and transfer of all remaining Palestinian detainees and prisoners upon the conclusion of this [Declaration], and will continue to do so in accordance with agreed timetables and modalities, in such a manner as to ensure that all Palestinian prisoners and detainees shall be released no later than the conclusion of the Treaty.]~~

9) ~~Fallen and Missing Persons~~

1. ~~— [The remains of fallen Palestinians and their personal effects that are located in Israel shall be returned to Palestine upon the date of the signing of the Treaty.]~~

~~Of~~

~~[Israel shall begin the immediate return of the remains of all fallen Palestinians and their personal effects that are located in Israel upon the conclusion of this [Declaration], and will continue to do so in accordance with agreed timetables and modalities, in such a manner as to ensure that all such remains shall be returned no later than the conclusion of the Treaty.]~~

2. ~~— Israel shall communicate the location of the remains of fallen Palestinians that are not located in Israel to Palestine. Furthermore, the Parties shall submit to the other all information in its possession regarding Israeli and Palestinian missing persons, respectively. Each shall exert its best efforts to cooperate in locating such persons.~~