

Meeting Minutes
President Abbas Meeting with the Negotiations Support Unit
March 24, 2009

Attendance: President Abbas (AM); Dr. Saeb Erekat; Maen Areikat; Dr. Rafiq Husseini; Issa Kassissieh; NSU.

AM: First of all welcome to you all and to Andrew, my dear friend for a long time, who founded this institution that we are proud of. We have desired this meeting for a long time but circumstances did not allow it.

I always speak about the unit as something we are proud of. My appreciation and respect goes out to your work. Everything we have received and receive from you is studied carefully, well thought and excellent. There are many who have come and gone over the years – many left and have done very well and we are proud of them. You are needed because without you the negotiations would be one-legged, and would not have a solid legal basis. Whenever we were in a important junction we needed the NSU and you were there for us. We value the NSU very much and want you to be present always.

I always ask Saeb about the NSU. We always see you and care about you and get your news from Saeb and Maen. Maen will bid farewell to you soon, but his mind will be with you because he was brought up with you in this Unit. So I am happy to meet you. If you have anything you wish to say today you are welcome to do so.

Now negotiations are on hold because of the transition; Mr. Olmert's problems and the formation of the new Israeli government. It is also clear now that negotiations should be based on two bases. The Road Map and the API.

The API represents close to a universal consensus. The whole world is talking about it. Even some in Israel speak positively about it. The focus should be on explaining it, as many don't understand it fully, for example that it includes not only Arab states, but the Islamic ones as well. Also, many people either understate or exaggerate the article on refugees: either say it is not enough, or interpret it to mean that 5 million refugees will return. Neither is correct. The language is correct in stating "just and agreed upon." Therefore I recommend that you focus on the API. It is being raised by Obama, Kerry, the British, French, even Peres. You need to explain it to all audiences. It has been translated and published in many languages. So it is important to clarify it to the whole world, so that when negotiations are resumed it will be the basis.

The first reference document is the Road Map, which contains all the terms of reference for the two states. Phase I states the obligations of both sides. This is important because both the US and Israel are admitting that the Palestinians have performed their obligations. But Israel has not performed any. The onus is therefore on Israel and the US. The Road Map is also a UNSC resolution – 1515, so we are working according to a legal

basis. This needs to be clear to all parties, including the Arabs. The same applies to the API, many Arabs don't know about it, since seven years have elapsed since it was adopted. So again, you should raise it and phase I of the Road Map in every forum. Stress that we have performed – and they have not.

Now we are waiting for the next Israeli government to be formed. It will have to agree to the two state solution, and phase I of the Road Map, meaning a settlement freeze, Jerusalem institutions, return to Sept 28 lines, removal of outposts ... So we have two months to prepare. We explained this position to the US, to Clinton, Mitchell etc. So when we go back to negotiations everybody knows.

You have all your files – the six or seven – they need to be ready. You should be prepared to propose creative, law-based solutions to all problems.

MA: Thank you. Could you give us an update on national unity talks?

AM: Is that also related to the work of the NSU?

MA: Not directly, but we would like to hear from you.

AM: Dialogue in Cairo took place over ten days. It covered different issues: the PLO; national reconciliation; security; elections (legislative and presidential); and the government. In all these issues nothing fundamental has been resolved. There was discussion but no agreement on main terms. For example, on the government: we say a government that is committed to international legitimacy and the two state solution, composed of technocrats and non-factional. They disagree. On elections (which is of interest to your work), we agree on the date— elections to be held by 24 January 2010. They however are refusing to apply the Elections Law (regarding proportional representation and lists). On security, they want a 'sharing' arrangement. This does not make sense – to have different factions controlling different forces.

So I don't think we can reach an agreement, but we are going to the talks with the spirit of wanting to agree. In one week they will meet again.

Rami Dajani: What is your overall assessment based on your meetings with Mr. Olmert of the Israeli positions on the key issues – in particular refugees, territory (including Jerusalem and the Jordan Valley), and security (international forces)?

AM: We discussed all issues and asked all questions in our meetings. For example, on borders, we asked, "what are the borders? Give us maps." We did not receive an answer until 3 months before the end of negotiations and until Rice said that the 1967 is the baseline. They showed us but did not give us a map. They said 6.5% of the territory for swaps, we said only 1.9% and that is when the built up area of all the settlements is only 1.2%. That issue, had it been addressed and resolved, would have solved all three issues of borders, settlements, and Jerusalem. On refugees, we said some but not all would return to what is now Israel. All refugees can get Palestinian citizenship (all 5 million) if

they want to (for example Palestinian refugees in Jordan may not want to while for refugees in Lebanon there is a need). With that Palestinian refugees will no longer be stateless but rather foreigners. On water the position is according to international law. We agree on that and we have to implement it . On security, we said that in the day after we do not oppose a third party force for a transitional period. The Israelis nearly did not object to this and asked who do you propose. We said whomever you like as long as there are no Israelis. There was a proposal by Gen. Jones; I believe you have it, so on this issue it was almost ready. Obviously, however, nothing is agreed until everything is agreed. The point is we know what they asked and they know what we asked.

Sharif Hamadeh: asked about the remaining elements of the refugee issue, and whether a referendum will be held that includes Palestinian refugees in the diaspora.

AM: The referendum would be on the whole agreement. Given that the issues relate to all Palestinians, not only those in the West Bank and Gaza, it should be for all Palestinians. On numbers of refugees, it is illogical to ask Israel to take 5 million, or indeed 1 million – that would mean the end of Israel. They said 5000 over 5 years. This is even less than family reunification and is not acceptable. There also has to be compensation, which should come from the the Absentee Property fund. We would like you to follow up and ask about this fund and get as much information as possible. And there needs to be compensation to host countries.

MA: On war crimes prosecutions and the international criminal court...

AM: We are not a state, so we need a friendly state to adopt it. Regardless, the minister of justice submitted a request to the court. It is not sure where it is heading. But there is some positive news, with the UN looking into the issue now.

Azem Bishara: The issue of jurisdiction of the court is linked to statehood and territory [explained basis of jurisdiction], so another state cannot take the place of the PA, and we will have to make an argument that Palestine is already a state. This runs the risk of a state with provisional borders. ...

AM: We have rejected the idea of a state with provisional borders. We need you support on this and all the creative ideas you can provide.

Enas Abu Laban: Is the success of the dialogue a condition for return to negotiations in the future?

AM: No. There are many issues we need to deal with. We can't delay one for the sake of another. Negotiations will continue and dialogue will continue.

Bader Rock: I am a Palestinian from Nazareth and have Israeli citizenship. Will I be granted Palestinian citizenship in the future state?

AM I understand why you ask this. I am a refugee from Safad. The answer, strategically, is no. You should stay where you, protect your rights are and preserve your community. You don't need a passport to prove that you are a Palestinian. In 1948 Palestinians in Israel were 138,000 and now above a million. That homeland is your homeland. You must remain there and this does not detract whatsoever from the fact that you are Arabs and Palestinians. We do not want you to participate in any *intifadas* though. Raise two banners. Equality and an independent state for your brothers in the occupied territory.