

17th November 2007
King David Hotel

**- DRAFT -
SUBJECT TO APPROVAL**

JOINT [P: DOCUMENT][I: STATEMENT]

Preamble:

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

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

[Include paragraphs on two goals:

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

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

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

[P: We affirm that that peace can only be reached through ending the occupation that began in 1967 and the resolution of all outstanding issues by peaceful means, leading to a historic reconciliation of the Palestinians and Israelis, and resulting in the emergence of a sovereign, independent and viable Palestinian state living side by side in peace and security with Israel and its other neighbors.]

[P *(if they insist on self-determination language then this is the most we can agree):*]

Option 1: We affirm that that peace can only be reached through ending the occupation that began in 1967 and the resolution of all outstanding issues by peaceful means, leading to a historic reconciliation of the Palestinians and Israelis [to realize the vision of two states for two peoples, Israel and Palestine,] and resulting in the emergence of a sovereign, independent and viable Palestinian state living side by side in peace and security with Israel and its other neighbors.

Option 2: We reaffirm the right of the Palestinian people and the Israeli people to self determination and statehood in accordance with international law], without prejudice to the equal rights of their respective citizens].

Option 3: We reaffirm the right of the Palestinian people and the Jewish people to self determination in accordance with international law.

[I: We recognize that creating the conditions for peace requires political negotiations between parties committed to the Quartet Principles, that will be accompanied by the implementation of existing obligations and changes on the ground to build public confidence in peace. Such measures include developing the effective foundations for the future Palestinian state, promoting a culture of peace, bringing an end to incitement, extremism, terrorism and violence, addressing the situation in Gaza, and securing the release of Gilad Shalit, and tangibly improving the lives of Palestinians and Israelis in the security, economic and humanitarian spheres.]

[P: We recognize that creating the conditions for peace requires political negotiations in parallel to immediate implementation of existing obligations under the Road Map as endorsed by UNSC Res 1515 and previous agreements, as well as other measures not specified therein, to improve the situation on the ground in all Palestinian territory, including both the West Bank and Gaza Strip, and to build public confidence in peace. Such measures include developing the effective foundations for the future Palestinian state, promoting a culture of peace, bringing an end to incitement and violence by whomever committed (including Israelis and Palestinians), [securing the release of all prisoners, including all Palestinian prisoners [and Arab political prisoners]] held in Israeli jails and the release of Gilad Shalit] and tangibly improving the daily lives of Palestinians and Israelis in the security, economic and humanitarian spheres.]

P (if they insist on the Quartet conditions, we should argue that they are already scattered in principle throughout the document and don't need an explicit reference in the document. The risk of including a specific reference is that it will mean that if there is a change in government, negotiations will immediately stop.)

P (Situation in Gaza - this is also addressed throughout the document; everything in the document should be applicable to both the West Bank and the Gaza Strip. It is not clear what could be included usefully, without endorsing the Israeli position that Gaza and the WB are two separate entities and without running the risk of endorsing a full scale Israeli engagement in Gaza. The reference we included above "to improve the situation on the ground in all Palestinian territory, including both the West Bank and Gaza Strip" should sufficiently address their concern. If they insist on something additional, the least harmful way to include a reference is to keep their language of "addressing the situation in Gaza", although it is not recommended to include this language.)

In furtherance of these goals, we agreed to:

Negotiations:

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

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

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

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

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

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

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

Road Map:

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

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

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

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

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

[US draft:

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

Role of International Community and Regional States

[P: Package Proposal]

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

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

- Political and economic assistance to the legitimate Palestinian government, as called for by the Quartet, and in coordination with its Special Envoy, especially in relation to institutional reform, capacity building, and economic development, including in the context of the upcoming pledging conference.
- Determined efforts to confront extremism, incitement and intolerance [P alternative: by whomever committed, including Palestinians or Israelis], including by cutting off public and private funding, weapons smuggling, training, and any other form of support for groups and individuals supporting or engaging in violence and terror. [P alternative to entire bullet: A renewed commitment to honor all obligations of the international community, including Arab States, as detailed in the Road Map.] [P: *This just cherry-picks language from the RM and previous obligations to include in this document. It may be tactically ok to agree to this, in return for bigger payoffs in terms of real*

inclusion of PS issues, real commitment to a settlement freeze and immediate opening of Jerusalem institutions explicitly referenced and elaborated on/ defined in the document, and for a concrete timeline for PS negotiations. On its own, it does exactly what they argued we couldn't do with respect to the settlement freeze and Jerusalem institutions – which is just pick out parts of the RM that are advantageous to them to include.]

- [P: delete this bullet.] Steady improvement of regional ties with Israel, and the promotion of regional cooperation on issues of common concern. [P (possible alternative language for third bullet): In parallel to clear and tangible progress in the peace process, and in the context of regional peace, steady improvement of regional ties with Israel, and the promotion of regional cooperation on issues of common concern.]

[P: Follow-Up Mechanism]

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

To follow up the work of the parties, an international conference will be convened every three months, in order to monitor and review progress and to help overcome difficulties.

This ~~is~~ will constitute a monitoring mechanism for the peace process.]

Concluding paragraph

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

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

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

[P: In conclusion, we express our profound appreciation to the President of the United States and his administration, and to the participants of this international meeting for their support for this process, and we reiterate our sincere determination to work together, with

the assistance and support of the international community and regional states, to realize the vision of two states, Israel and Palestine, living side by side in peace and security and to promote the goal of a comprehensive regional peace for the benefit of all the peoples of the Middle East.

[P *(from earlier draft)*: This declaration shall be considered binding on both parties upon signature. [NOTE: *This is not relevant unless we have operative and binding parts of the document such as concrete terms on the Permanent Status issues, and/or concrete operative language with respect to the settlement freeze and Jerusalem institutions. Without those, this language is meaningless.*]]

Neither side shall initiate or take steps that shall change the status of the West Bank, including East Jerusalem, and the Gaza Strip that are not contemplated herein, pending the full implementation of the treaty. [NOTE: *It is better to keep this language, but regardless this principle is included in Oslo.*]]

All Palestinian prisoners will be released upon the signing of the treaty. [NOTE: *This is to ensure that prisoners are released both now and during the period of negotiations (as contemplated by the reference in the RM paragraph above) as well as the full release of all prisoners once a treaty is signed.*]]

Furthermore, Israel shall make every effort to improve the daily lives and advance the welfare of the Palestinian population pending the full implementation of the treaty. [NOTE: *This is already included above in the RM paragraph. We can take it out of the conclusion.*]]

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