

Negotiation on Prisoners Release
May 8, 2005
Meeting Notes

Where: Israeli Ministry of Immigration Absorption, West Jerusalem

Who: Palestinian Side
Sufian Abu Zaideh – Minister for Prisoners Affairs
Qaddura Faris – PLC member
Yaser Dajani, NSU consultant
Bader Rock, NSU consultant

Israeli Side
Tzipi Livni – Minister of Justice
Binyamen “Fauad” Ben Eliezer – Minister of National Infrastructure
Gideon Ezra – Minister of Internal Security
Aaron Abromovich – Director General, Ministry of Justice
Yakov Ganot – Director of Israeli Prison Authority

When: 16:40 to 17:35

Outcome:

- (1) There will be no prisoners release until the calm is restored and the Palestinian Authority stops the armed operations against Israel, specially the Kassam rocket firing on Israeli settlements that escalated in the past weeks. Their release will be considered in the coming weeks if the calm is restored.
- (2) The government of Israel is willing to waive the 5th condition for prisoners release, according to prisoners will be released only after serving two thirds of there sentence. This will enable the release of prisoners which were sentenced to long sentences and are due to be released only after a long time – up to 2013, on the condition that the calm is restored.
- (3) The Israeli Minister of Justice will review the procedure for renewing the administrative detention;
- (4) The Minister of justice and the Palestinian Minister of Prisoners Affairs will coordinate a joint visit in June to verify the detention and visit conditions in the Israeli prisons;
- (5) Israel will allow a Palestinian delegation to visit Marwan Barguty next week.
- (6) The two sides agreed to coordinate another session if the Israeli Government will confirm the waver of the 5th condition mentioned above and release the 400 agreed on prisoners.

Minutes:

Minister Livni: We will not tolerate any attacks on Israelis and settlements. There will be no prisoners release until the calm is restored and the Palestinian Authority stops the armed operations against Israel, specially the Kassam rocket firing on Israeli settlements that escalated in the past weeks.

If the calm that prevailed in the past two months was preserved in the past two weeks the 400 prisoners would have been released by now. Furthermore, the government of Israel is willing to waive the 5th condition for prisoners release, according to prisoners will be released only after serving two thirds of there sentence. This will enable the release of prisoners which were sentenced to long sentences and are due to be released only after a long time – up to 2013 and will be possible if the Palestinian Authority will stop the armed operations against Israel, especially the Kassam Rockets firing on Israeli settlements, which escalated in the past weeks, and restore the calm. We are not asking for 100% results we are asking for feasible things that can be done.

Minister Ezra: We are willing to let you participate in preparing the prisoners lists and decide the portion of Hamas members and the number of married and single prisoners to be released.

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Minister Abu Zaideh: After Sharon's declarations in the news today I didn't want to come to this meeting. Only after minister Levni called and pressed I agreed to come and hear what else you have to tell us. The release of the 400 prisoners was promised and confirmed by Sharon in the last Sharm summit. We are not here to discuss their release. we want to negotiate the release of more prisoners especially those who were arrested before Oslo and the political prisoners. The release of those prisoners is much more important for the Palestinian people. Israel is doing nothing to help President Abu Mazen and he is losing the support of the Palestinian people. The people are interested in economical improvements and dismantling of check points. This didn't happen and the Israeli side is to blame. If you continue this way you're going to lose Abu Mazen. You have to understand that we are doing 100% effort and it is a process that takes time ad Israel must show tolerance. Things will not happen immediately. As for the Kassam firing it was only a reaction to the killing of innocent Palestinian children by the Israeli army on several occasions. If you stop your killing the calm will be restored.

Qaddura Faris: I want to raise two issues. First, the administrative prisoners issue and second the release of the 400 prisoners. As for the first issue, the administrative detaining decrees are being renewed automatically without any real review. Administrative prisoners should be interrogated and released or sentenced in a court of law. All administrative prisoners must be released if they are not sentenced. Some of those prisoners have been detained to periods exceeding four and five years. The 5th condition you talked about is irrelevant to them. As for the second issue, this was promised back in Sharam and we are not here to discuss this issue.

Minister Livni: I will order the review of the procedure for renewing the administrative detention. In the last meeting we agreed to coordinate a joint visit to verify the detention and visit conditions in the Israeli prisons this will be possible in June and maybe in May.

Minister Ezra: You can visit Bargouti next week.

Yakov Ganot: As you know we allowed visits to prisoners as agreed in the last meeting and improved the visiting conditions and you can inspect that in your joint visit.

Minister Livni: are you interested in setting a session for next week?

Minister Abu Zaideh: that will only ruin our credibility in the Palestinian street. When you release the 400 prisoners we could coordinate.

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