

Clinton Proposal on Israeli-Palestinian Peace, December 23, 2000

Meeting with President Clinton, White House

Attendance

United States: President Clinton, Secretary Albright, John Podesta, Samuel Berger, Steve Richetti, Bruce Reidel, Dennis Ross, Aaron Miller, Robert Malley, Gamal Hilal

Palestine: Sa'eb Erakat, Mohammad Dahlan, Samih Abed, Ghaith Al-Omari.

Israel: Shlomo Ben-Ami, Gilead Sher, Penny Medan, Shlomo Yanai, Gidi Grinstein

Minutes

President Clinton:

Territory: Based on what I heard, I believe that the solution should be in the mid-90%'s, between 94-96% of the West Bank territory of the Palestinian State. The land annexed by Israel should be compensated by a land swap of 1-3% in addition to territorial arrangements such as a permanent safe passage. The Parties also should consider the swap of leased land to meet their respective needs. There are creative ways of doing this that should address Palestinian and Israeli needs and concerns. The Parties should develop a map consistent with, the following criteria: * 80% of settlers in blocks. * Contiguity. * Minimize annexed areas. * Minimize the number of Palestinian affected.

Security:

The key lies in an international presence that can only be withdrawn by mutual consent. This presence will also monitor the implementation of the agreement between both sides. My best judgment is that the Israeli presence would remain in fixed locations in the Jordan Valley under the authority of the International force for another 36 months. This period could be reduced in the event of favourable regional developments that diminish the threats to Israel. On early warning stations, Israel should maintain three facilities in the West Bank with a Palestinian liaison presence. The stations will be subject to review every 10 years with any changes in the status to be mutually agreed. Regarding emergency developments, I understand that you will still have to develop a map of the relevant areas and routes. But in defining what is an emergency, I propose the following definition: Imminent and demonstrable threat to Israel's national security of a military nature that requires the activation of a national state emergency. Of course, the international forces will need to be notified of any such determination. On airspace, I suggest that the state of Palestine will have sovereignty over its airspace but that two sides should work out special arrangements for Israeli training and operational needs. I understand that the Israeli position is that Palestine should be defined as a "demilitarized state" while the Palestinian side proposes "a state with limited arms." As a compromise, I suggest calling it a "non-militarized state." This will be consistent with the fact that in addition to a strong Palestinian security forces. Palestine will have an international force for border security and deterrent purposes.

Jerusalem and Refugees: I have a sense that the remaining gaps have more to do with formulations than practical realities.

Jerusalem: The general principle is that Arab areas are Palestinian and Jewish ones are Israeli. This would apply to the Old City as well. I urge the two sides to work on maps to create maximum contiguity for both sides. Regarding the Haram/Temple Mount, I believe that the gaps are not related to practical administration but to the symbolic issues of sovereignty and to finding a way to accord respect to the religious beliefs of both sides. I know you have been discussing a number of formulations, and you can agree one of these. I add to these two additional formulations guaranteeing Palestinian effective control over the

Haram while respecting the conviction of the Jewish people. Regarding either one of these two formulations will be international monitoring to provide mutual confidence.

1- Palestinian sovereignty over the Haram, and Israeli sovereignty over a) the Western Wall and the space sacred to Judaism of which it is a part; b) the Western Wall and the Holy of Holies of which it is a part. There will be a fine commitment by both not to excavate beneath the Haram or behind the Wall.

2- Palestinian sovereignty over the Haram and Israeli sovereignty over the Western Wall and shared functional sovereignty over the issue of excavation under the Haram and behind the Wall such that mutual consent would be requested before any excavation can take place.

Refugees:

I sense that the differences are more relating to formulations and less to what will happen on a practical level. I believe that Israel is prepared to acknowledge the moral and material suffering caused to the Palestinian people as a result of the 1948 war and the need to assist the international community in addressing the problem. An international commission should be established to implement all the aspects that flow from your agreement: compensation, resettlement, rehabilitation, etc. The US is prepared to lead an international effort to help the refugees. The fundamental gap is on how to handle the concept of the right of return. I know the history of the issue and how hard it will be for the Palestinian leadership to appear to be abandoning this principle. The Israeli side could not accept any reference to a right of return that would imply a right to immigrate to Israel in defiance of Israel's sovereign policies and admission or that would threaten the Jewish character of the state.

Any solution must address both needs. The solution will have to be consistent with the two-state approach that both sides have accepted as a way to end the Palestinian-Israeli conflict: the state of Palestine as the homeland of the Palestinian people and the state of Israel as the homeland of the Jewish people.

Under the two-state solution, the guiding principle should be that the Palestinian state would be the focal point for Palestinians who choose to return to the area without ruling out that Israel will accept some of these refugees.

I believe that we need to adopt a formulation on the right of return that will make clear that there is no specific right of return to Israel itself but that does not negate the aspiration of the Palestinian people to return to the area. In light of the above, I propose two alternatives:

- 1- Both sides recognize the right of Palestinian refugees to return to historic Palestine, or,
- 2- Both sides recognize the right of Palestinian refugees to return to their homeland.

The agreement will define the implementation of this general right in a way that is consistent with the two-state solution. It would list the five possible homes for the refugees:

1- The state of Palestine.

2- Areas in Israel being transferred to Palestine in the land swap.

3- Rehabilitation in host country.

4- Resettlement in third country.

5- Admission to Israel. In listing these options, the agreement will make clear that the return to the West Bank, Gaza Strip, and areas acquired in the land swap would be the right of all Palestinian refugees, while rehabilitation in host countries, resettlement in third countries and absorption into Israel will depend upon the policies of those countries. Israel could indicate in the agreement that it intends to establish a policy so that some of the refugees would be absorbed into Israel consistent with Israel's sovereign decision.

I believe that priority should be given to the refugee population in Lebanon. The parties would agree that this implements resolution 194.

The End of Conflict: I propose that the agreement clearly mark the end of the conflict and its implementation put an end to all claims. This could be implemented through a UN Security Council Resolution that notes that Resolutions 242 and 338 have been implemented and through the release of Palestinian prisoners.

Concluding remarks: I believe that this is the outline of a fair and lasting agreement. It gives the Palestinian people the ability to determine their future on their own land, a sovereign and viable state recognized by the international community, Al-Quds as its capital, sovereignty over the Haram, and new lives for the refugees. It gives the people of Israel a genuine end to the conflict, real security, the preservation of sacred religious ties, the incorporation of 80% of the settlers into Israel, and the largest Jewish Jerusalem in history recognized by all as its capital. This is the best that I can do. Brief your leaders and tell me if they are prepared to come for discussions based on these ideas. If so, I would meet them next week separately. If not, I have taken this as far as I can. These are my ideas. If they are not accepted, they are not just off the table, they also go with me when I leave office.

Note: After reading the above text to the Israeli and Palestinian delegates in the Roosevelt Room of the White House, President Clinton left the room. His aides went over the text subsequently to ensure that each side had copied the points accurately. No written text was presented. This version is derived from that published in *Haaretz* (English), January 1, 2001, and a slightly more complete version issued by the Jerusalem Media and Communication Center.