

Minutes of Negotiations Session on January 23, 2001.

Hilton Taba Hotel
Taba, Egypt
10:30 a.m. – 1:00 p.m.

I. Attendance:

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On the Palestinian side: Saeb Eriekat, Mohammed Dahlan and Amr Shalakany [Hassan Asfour walked in briefly].

On the Israeli side: Shlomo Yanai, Israel Hassoon, and ●●? [Gilaad Sher and Pinni M? walked in briefly].

II. Summary:

Two security issues were discussed: (1) emergency deployment and (2) IDF use of Palestinian airspace. First, the Israeli side presented its argument for having deployment prerogatives under an emergency scenario. The Palestinian side presented its counter argument for a security regime based on the presence of international forces. Second, the Israeli side insisted on its strategic need for having access to Palestinian airspace. The Palestinian restated its position of no military use of Palestinian airspace, whether Arab or Israeli; instead, only multinational forces would have access. No agreement was reached.

III. Details:

[Extended conversation, almost exclusively in Hebrew, between Mohammed Dahlan ("MD") and Shlomo Yanai ("SY") regarding current security arrangements in Gaza. Further statements by MD to Israel Hassoun ("IH") about the damage currently made in Gaza – practically ordering IH to translate to his Israeli colleagues]

MD: I am a very courageous. I am willing to personally guarantee your security, for all locations in Gaza, at once, with the exception of the settlements, if you remove your road blocks. What encourages me to speak about this is the desire of the people to stop the violence, it's not my power to stop them – and this is much bigger than my powers. I spoke with Rashid to different people on the street, and we agreed that we return things to what was before, as my responsibility, and they agreed. Then, you started bombarding, and that's the problem. For a person to leave Khan Yunis, he is still subject to the same shit that existed before. You are the ones who are keeping the intifada aflame by your policies.

SY: Yesterday, we went back to Camp David understandings, and generally speaking we pointed out that we did not agree on any thing but we understood from you that there is a place to talk and discuss the practical elements of those issues. As far as I understand, in order to present to our leaders a general assessment of where we are, we have to touch on issues, not only in details, but in principle, so that we can at the end of the day understand where we are, can we say that we have security agreement or we don't. Yesterday, when I read my minutes, I chose a list of subjects and I suggest we work on three of them. These are tough issues, tough questions, and see if we can reach some understanding regarding these issues. In every difficult issue, there are two elements. One is the basic view or notion of each side, and the second is understating the other side's view about it. I think that if we can touch some of those no-go issues, maybe we can find a kind of solution or understanding that both of us can live with, or at least we can agree that there is a potential to continue discussion in this direction. I would like to suggest those three issues. If you accept this idea, then we can start working on it. The issues are: 1. Air space use and control; 2. Israeli presence in the Jordan valley, its scope and timeline; 3. Emergency deployment. I suggest that we first start with emergency deployment. In my humble view, there is a potential to reach an understanding.

Saeb Eriekat ("SE"): We accept your schedule.

SY: Let me step back and present its elements. First, our proposals are not presented because of a perceived Palestinian threat to Israel. It concerns the perception of an external threat from the East. Second, we are discussing a very very rare situation, if at all. If I may look at the record, since 1967, we have never implemented IDF deployment for emergency.

IH: Actually, in 1973 we did some very small scale reinforcement in the Jordan valley, when we feared that Jordan may participate in the war, we were 5 battalions holding some positions (Jericho-Jerusalem, Moarna, Jiftlik, close to Bisan (Bardala)). We were four battalions who held these positions until it became clear that the Jordanians are not going to invade.

SY: In other words, we are not talking about a really practical issue. Yesterday, I understood that occupation from the visible point of view would still be there. When the intermediate period ends and the IDF withdraws, with the exception of these points such early warning, you won't see any IDF presence in your state. We are talking here about arrangements, for emergency case, that may happen in 50 years or maybe never. In fact, to be very frank, if the situation in Middle East reaches a catastrophic dimensions, then the very question of the agreements is going to be threatened anyway. On the other hand, if you ask me if since it is so scarce, why insist about it? I would like you to respect my opinion, that for the Israelis, we are talking here about the heart core of national security concept. We cannot risk this situation as Israelis, that we don't have a security conception that in the case of emergency we cannot defend ourselves. The second element here is what does it mean emergency? We worked out several definitions. President Clinton offered one. I don't know if under the qualified perception of Clinton, you accept this definition. But just for the purpose of this discussion, let's assume this is indeed the definition we

adopt, it means, and I am running through the Clinton elements here, a high level of emergency situation, of a military type, like armed forces moving towards Israel or occupying and conquering Jordan for example, and this shows what we are talking about in a military threat. When we declare national security, it is the government of the state of Israel that declares it.

IH: Do you understand what this means. Such a declaration of national emergency, means that all reserves are called in [SE interjects and claims what he thinks it is]. Since 73 it was never declared, not in 82, not in 91. Every thing becomes in favor of the military.

SE: Clinton was very smart, he said the key is with the international forces. Mohammed asked yesterday to talk about international forces, we can put all these issues in an all over security deal and vision. If Israel is ever threatened, it will do what it wants. This is a very big problem for us. Besides, if we are not allowed to be party to a military alliance with the Arabs, it is equally impossible for us to be party to a military alliance with Israel. Palestine will get be forced out of the Arab league. So, the best thing to do, is to produce a new vision for the Palestinian state. [IH don't you want these international forces to be temporary?] Like in Egypt, extend it every twenty years? Palestine wants to be a neutral, buffer state, its land is forbidden to any forces, Israeli or Arab. No forces are allowed on its soil with the exception of the international forces.

SY, we don't define your interest for you. No, I want you to look at the real picture developing here, Palestine is a state at the stage of birth, going through labor pains, and this new birth will reflect on the state of Israel, Jordan, and the region as a whole. Strategically speaking, President Clinton was very very smart. He perceived that the key to regional security lies in an international presence that can be drawn by the mutual consent of the parties to monitor the area, insure implementation of the agreements, etc. One day, we can send the children to sleep and talk like adults. What is the Palestinian potential as a military power? We understand that we will not be able to live like other nations, or to conduct what other nations do. When you speak of your national security, you speak with teeth, with the power of deterrence. We, on the other hand, are toothless. We cannot have Palestinian kids driving tanks or managing gun-ships, etc. This is why we need an international force – we live in a region like you which is insecure, we do not want to become an easy piece to be swallowed. In my strategic studies of the region, I wonder about the nature of the future Israel, the future Israelis, that we will deal with in fifty years time? I fear this. I also fear the rest of the Arab world, an area without democracy or much respect for human rights – all of which we pledge to have in our new state. Therefore we should go with what the leader of the Free World suggested: international forces. [MD: free world??? I doubt it. **SE:** this is what they call themselves]. Now, I hope we can create a peace where neither of us can be threatened, a new Middle East. We know at the end of the day, people don't trust that. So, let me tell you what we strategically want in the region. First, to insure Jordan's stability in the region. We understand Jordan's fears. I had several conversations with the Jordanian, King Hussein, Prince Hassan, etc. I understand that what you call the "threat coming from the east" is the scenario when Palestinians take over control of Jordan.

SY: This is just one of the scenarios. When we were at Camp David, and I presented a concept, someone tells me Iraq is a dream, no threat from there. A month ago, two Iraqi divisions moved, out of the blue. So, between dream and reality....

SE: I will not undermine any of your fears. Any one can attack, Kuwait, Saudi Arabia... But we are an Arab nation, Muslim and Christian, that wants to live in peace. I can tell you that we cannot, politically speaking, deny Arabs access of troops on our land, while agreeing Israel to do this. It will disqualify us from the Arab league, and Islamic nation. You cannot live without it, we cannot live with it. What can we do? International forces are a good way out. Let's share this, discuss it, off the record, and then I check it with Arafat. Let's think together in a way to implement Clinton's proposal on international forces. Yesterday, MD said we are willing to engage immediately in the nature and arrangements for international forces. I'm surprised you did not jump on it. I am a small neutral nation. Clinton suggested that we have international forces for the purpose of borders' security and deterrence. By deterrence, he clearly meant Israel's protection. His proposal will allow for the birth of a new international security system. The security regime in the Persian Gulf area may be equally altered.

SY: You have the best border in the region, at the heart of things.

SE: If you want to go as far as making Palestinian airspace void for all, it has to be done in a way that makes it acceptable to Arafat, i.e. making it void to all forces: Arab and Israeli, except for those agreed in the agreement. I believe Clinton was right in saying the key to security lies in the international security arrangements. We will have a democracy: a Marshal plan for the economy will ensue, human rights arrangements, and a rise in the standard of living. Nation states will get jealous, and Israel may reconsider its alliances. I offer you that we engage immediately in-depth with what Clinton proposed. Now if you think that we and the Jordanians and you should do it bilaterally, please tell me. I tell you: we will work for a stable Jordan, we cannot afford misgivings there. Jordan will remain a country of Jordanians, the majority of whom just happen to be originally Palestinian. It's not because I want to defend the Hashemites, it's because I want to defend Palestine. We will become a buffer-nation-state with its security in the hands of a third party.

MD: We want Jordainian security. When Jordan occupied us and Egypt occupied Gaza, we were glad to get rid of them.

IH: They "occupied" you? Will you ask for compensation?

SY: We cannot ignore the reality of our region. There are two types of nations: some live in a villa, where fences make good neighbors, like what we did with Egypt. Some few nations live in a condominium, you can live in any floor, but you cannot enter any floor without entering the other neighbors' property. Palestine and Israel cannot live in a villa, we are living in a condominium. My belief, if you want to convince the Israeli people to give some concessions like the ones being discussed in the other room, the Israeli public needs a solid feel that security arrangements have been secured. If we follow Clinton's proposal, there is a lot to do in monitoring the border, implementation, and the international passages. But the international forces

are nothing but a symbolic presence. In the Sinai, there is only one American battalion, and it's not something that can last forever. I understand your concerns, I think we should try to see how to minimize the profile of this arrangement, not upfront, in your face. Perhaps we can make it an annex.

SE: We will not hide anything from our people. We will publish everything. Besides, when I talk of an international force, I did not mention your early warning stations, etc. International forces, if there are three Americans in it, it's all we need. It's symbolic. Americans can deploy one million soldiers in three weeks.

So, I have it in my mind, the drafting: "in case of a threat of emergency situation that threatens the state of Palestine and other nations in the region, there will be emergency locations whereby these international forces will have the right to deploy, and have the right to have warehouses."

SY: You want me to put my security in your hands?

SE: When your grandson grows up, and drives a plane, he will not read what Saeb wrote in page 30 of the agreement. He will be living in a new reality.

IH: You cannot agree to the principle which Shlomo Yanai is presenting. He needs the position where if there is emergency, and he acts, he cannot threaten you. Right? He says in the case of emergency, we do not want to have threats on you. How can we do this, in terms of drafting? It's like: Israel says you're naked and Palestine says it's wearing clothes...

SY: We are trying to see if you can live with a language that says in the case if x happens, I will do y without your permission. This is not an occupation or reoccupation.

SE: You have the right to present your needs. What you cannot afford to have, I also cannot afford to have. Life is not going to begin and end with this agreement, things will develop between us in 30-50 years. I'm restating your entire position but replacing the word "Israeli deployment" with "international deployment". We don't want to get into a game, we want to tell people once and for all, these are the arrangements for the new baby: cannot accept military presence from either side, Arab or Israeli, that's it, leave me alone. Already, the idea of international force is causing us internal problems, Palestinians are saying this will be a banana republic. We are willing to say "in case of a threat of an attack to the Palestinian state or other nations in the region these forces will have the power to re-deploy, warehouses, etc." The airspace will be void to any foreign airforce, except for the international forces agreed upon. I know the term Jordan valley is important for your constituency, but I cannot accommodate every need for your constituency. If you can accept this, this is it. I don't want to take more of your time. I can engage with you on all six issues, such as International forces, the nature of armaments (with mechanisms for demilitarization), sign immediately any civil aviation agreement, control systems, combating terrorism, regional security cooperation (if we can get the consent of Egypt and Jordan, symbolic Palestinian participation in humanitarian help.

SY: Ok, these are the six topics. We differ here. I propose that we discuss the question of airspace.

SE: Airspace is part of a package.

SY: We need to understand it all to get the package. When we discuss airspace, there are two issues: 1. the usage of your airspace by the IDF for its operational needs, for example, our radar system catches a hostile plane going towards Israel, if we want to shoot the plane before it reaches us or you, we have to meet the engagement in seconds. In order to reach this engagement point, especially for those coming from the east, we have to fly over your airspace and shoot it over anywhere, Palestine or Jordan, the plan can fall anywhere... 2. Passage across your airspace, e.g. from Bir-Sheva to Safad, coordinated with you, etc. For example, I hear we disturb your civilians with low flight altitude, and I answered that flying over Israel is with the same altitude. This is for the airforce. We, the IDF, are flying over Turkey, Italy, the US. In our home, we have no space.

SE: Do you use Egyptian airspace?

SY: Not yet, but we hope so. It's a question of the climate of peace. And as far as I remember, when you land in Eilat or Aqaba, all those landings are using each others' ATR (Airport Tower Control).

MD: We are not against civilian use. Our concern is military use.

SE: Can you tolerate Egyptian or Jordanian use of Palestinian airspace? If Jordan says we need it for training?

SY: No, because Jordan does not need this airspace. It's not in good faith. We have no space.

SE: How did you do before 1967?

SY: You can't compare.

SE: Don't worry, in all cases we agreed we will sign the Chicago convention.

SY: If we have peace, our area is the best airspace for flights from Europe to the Far East. There won't be enough airspace. Anyway, we are talking of something very common in the world.

SE: Let's move on. When will we discuss Jerusalem? MD, let's continue this and then move on Jerusalem. After lunch.

[It was agreed to meet after lunch to discuss security, and then move on to discuss Jerusalem by 3:00 p.m.]