

Current P/I Positions*
reflecting discussion up to
July 15, 2008

**Note: This chart is for informational purposes only. Nothing in it shall be construed to bind either party to the positions indicated herein. Furthermore, none of the positions stated in this chart may be considered separately from the whole chart or the context of the negotiations, whereby there can be no partial agreement on any issue or set of issues without full agreement on all the issues: in brief “nothing is agreed until everything is agreed”. For further clarity, any attempt at fragmentation of the issues, or their phasing (for example leading to a “state with provisional borders”) based on selective use of provisions stated herein renders these provisions null and void. The only acceptable outcome of the negotiations is a comprehensive agreement on all the core issues of the conflict.*

File (Committee)	Issue	Palestinian Position	Israeli Position
Refugees (Plenary/SE- TB) [Not presented with UD]	Framework/ principles	<p>Palestinians seek:</p> <ul style="list-style-type: none"> - a comprehensive, just and agreed resolution of the Palestinian refugee issue - in accordance with international law and the Arab Peace Initiative <p>The solution should ensure closure/end of claims with respect to the refugee issue.</p>	<p>Israelis seek:</p> <ul style="list-style-type: none"> - a comprehensive, just and agreed resolution of the Palestinian refugee issue - in accordance with the vision of the two States for two people <p>The solution should ensure closure/end of claims.</p>
Refugees (Plenary/SE- TB) [Not presented with UD]	Recognition of responsibility / apology	Palestinians seek recognition of Israel’s moral and legal responsibility /apology as a core element of refugees’ rights for reparations.	Israel so far opposes to recognize its responsibility.
Refugees (Plenary/SE- TB) [Not presented with UD]	Right of return / relocation options	<p>Refugees shall be provided with repatriation, resettlement and integration options. They must have a choice that will include:</p> <ul style="list-style-type: none"> - return to Israel (scope & modalities to be agreed with Israel): - return/resettlement to the Palestinian state (at Palestine’s discretion); 	Refugees shall be entitled to Palestinian citizenship and provided with resettlement and integration options only (no return to Israel)

		- resettlement/integration in consenting third countries & host States.	
<p>Refugees (Plenary/SE-TB)</p> <p>[Not presented with UD]</p>	<p>Reparation / Compensation</p>	<p>Refugees shall be granted restitution and compensation for the material and non material damages they have suffered (including loss of livelihood and opportunities and human suffering, as a result of refugees' protracted displacement)</p> <p>[Therefore, compensation is only one part of reparations due.]</p> <p>States that have hosted Palestinian refugees shall be entitled for remuneration.</p>	<p>Refugees shall be granted compensation only.</p>
<p>Refugees (Plenary/SE-TB)</p> <p>[Not presented with UD]</p>	<p>International Mechanism (IM)</p>	<p>An IM shall be established to enable implementation of all Palestinian refugee rights. Palestine, Israel, the host countries and other relevant countries and entities should be represented in the mechanism.</p> <p>IM comprehensive mission will include the repatriation, resettlement and integration of the refugees and the management of their claims for restitution & compensation.</p> <p>The resolution of the refugee issue shall bring an end to the Palestinian refugee status and enable the phased termination of UNRWA in parallel with the implementation of the solution and in coordination with the IM</p> <p>IM will also provide rehabilitation assistance to Palestinian refugees and to relevant States.</p>	<p>Israel agrees to an IM mechanism, but which would be established and led by the US, in coordination with Israel & Palestine.</p> <p>IM mission will extend to all aspects of the agreed solution. It shall bring an end to the Palestinian refugee status and enable the phased termination of UNRWA in parallel with the implementation of the solution and in coordination with the IM.</p> <p>IM will also provide rehabilitation assistance to Palestinian refugees and to relevant States.</p>

Refugees (Plenary/ SE-TB) [Not presented with UD]	International fund	An international fund shall be established to finance the restitution and compensation claims process & the process of repatriation, resettlement, integration and rehabilitation of the refugees. Israel shall commit to contribute financially to the fund as necessary to cover restitution and compensation claims. International stakeholders will also contribute to the funding. [General Principle: All financial contributions should be based on responsibility.]	International fund shall be established to enable the IM to fulfill its mission. Israel will make a fixed financial contribution to the fund, together with contributions from international stakeholders.
Refugees (Plenary/ SE-TB) [Not presented with UD]	UNGAR 194	UNGAR 194 does not represent all of the rights of the refugees.	Israel does not recognize Resolution 194.
Territory (Plenary/ Territory)	Jordan Valley	Is part of the West Bank and not up for discussion in terms of territory	To be addressed after Security [Presented in water discussion] Aspirations that are territorial, security and other in the JV.
Territory (Plenary/ Territory)	1967 border	1967 is the only basis for two state solution, and defines sovereign Palestinian area 1967 is the only baseline Cannot discuss a baseline piecemeal (i.e. baseline would also need to address Jerusalem)	1967 only “symbolic” Will not use it as a baseline Baseline is “WB outline map” (1967 minus E.J. and NML) Want to discuss baseline piecemeal, omitting Jerusalem

		1.9% presented.	<p>NML is not up for discussion as it was not occupied from anyone.</p> <p>Olmert's proposal to AM of 7.3% of West Bank (excl. EJ, NML i.e, 9.2%) in exchange for 5% equivalent from Israel in southern West Bank and around Gaza, a permanent port in Ashdod (instead of port in Gaza?) and a territorial link under full Palestinian control but under Israeli sovereignty cannot be confirmed.</p> <p>Not allowed to present GoI position on swaps.</p> <p>80% of settlers should be retained.</p> <p>Maximum territorial contiguity on both sides. Minimal friction between nations. There is a link between security needs and territory.</p> <p>Unique situation in Hebron "a special, special case".</p> <p>Territorial aspects of Jerusalem to be discussed only after agreement on arrangements</p>
Territory (Plenary/Territory)	Maritime border	<p>Is part of the Territory negotiations.</p> <p>Palestine will have its full share of maritime zones that are entitled to a coastal state under international law (including United Nations Convention on the Law of the Sea). [Not presented with UD]</p>	<p>Will be addressed after concluding maritime Security arrangements.</p> <p>GoI gave no comment.</p>
Jerusalem (Plenary)	Jerusalem	East Jerusalem, along the 1967 lines, is the only capital of Palestinian state.	Unwilling to put forward clear position.

		<p>Sovereignty and modalities are two different issues. Sovereignty on 1967 border. When discuss modalities, could consider open city.</p> <p>Haram remains Palestinian.</p> <p>Jewish Quarter could be swapped to Israel. The Wailing Wall, comprising 57 meters of the Western Wall, could be under Israeli control. Special (access) arrangements could be made for the Jewish cemetery on Mount of Olives in a reciprocal manner to special arrangements for the Muslim cemetery in Mamila.</p> <p>Joint Palestinian-Israeli coordination body to coordinate management of the city.</p> <p>Inability to discuss gives the impression that the peace process is a “no go”.</p>	<p>Issue will be discussed at some point; unable to comment on what is inside Israeli defined municipal Jerusalem now.</p>
Territory (Plenary/ Territory)	Swaps	<p>Any modification to 1967 would be based on 1 to 1 (equal and equitable) swaps, which is a concession.</p>	<p>Willing to discuss swap but not 1:1 in quantity. Palestinians do not have ‘rights’ to the land and Israel is not under obligation to ‘return’ land to Palestinians.</p> <p>Defines interests in Palestinian territory as:</p> <ul style="list-style-type: none"> - Realities on the ground - To keep 80% of Israeli settlers (i.e., 89% with E.J. and NML) - No Palestinians taken - Security needs <p>Map presented similar to the Wall</p>

Territory (Territory)	Settlements	Address settlements on a case-by-case basis (<i>i.e.</i> , settlement built-up areas).	Want to keep all major “blocs” (esp. Etzion, Adumim, Modi’in, Ariel/Shomron) PLUS Qiryat Arba/Hebron and other settlements “close to the line”.
Territory (Plenary) [Not presented with UD]	Territorial Link	Necessary for a viable state. Must be a permanent land corridor, under Palestinian sovereignty, control, and jurisdiction, permanently open, and shall be of sufficient width to allow for multiple lanes, a rail connection and public utilities and water infrastructure.	No clear position stated as to nature or sovereignty of link.
Security (Plenary) [Not presented with UD]	International force	Agree to international presence with multiple responsibilities: defend borders; supervise crossings; build capacity; monitor and assist with implementation of agreement.	Inconsistent: reject international force (MoD); no formal position by Livni.
Security (Plenary) [Not presented with UD]	Limitation on military capacity	State with limited arms based on definition of responsibilities: Palestine will have a strong security force with necessary arms to carry out the needed functions, which may be defined as follows: 1. To protect national security interest based on the defensive security strategy; 2. To maintain and uphold internal law and order and carry out law enforcement duties pursuant to the rule of law; 3. To protect international borders from terror, aggression, infiltration and smuggling; and, 4. To fight crime and terrorism.	“Demilitarized state” No substance on what this means other than restriction of security capability to internal police function. General indication that restrictions sought re: mandatory service; reserves; military industrial complex; limits on certain industries; limits on size, training, capabilities, equipment and purposes of the security forces.
Security	Israeli presence /	No physical presence of Israelis or control over borders,	Military presence (specifically in the Jordan Valley /

(Plenary) [Not presented with UD]	control	airspace, or territorial waters. Legitimate security concerns met by third party presence.	along the borders; placement of early warning stations; Right to deploy under particular circumstances; Control over airspace (civil aviation); use of airspace for military operations; control over EMS (unspecified); control over territorial water; border crossings; other?
State to State (State to State) [Not presented with UD bc SE present in the discussions]	Framework/ Principles for S+S relations	<p>The state to state relations between the parties shall be governed by international law, treaties, customary international law, conventions, regulations and standards, including, <i>inter alia</i> the instruments regulating the work of international institutions and organizations such as the World Tourism Organization, the World Health Organization and UNESCO.</p> <p>Any relations that are not covered by international and/or regional instruments will be developed and agreed bilaterally between the parties.</p> <p>The decidable issues for the bilateral negotiations in the State to State Committee and the timeframe for their conclusion will be agreed at the initial meetings of the State to State Committee.</p> <p>The negotiations between the parties will focus primarily on three components:</p> <ol style="list-style-type: none"> 1. Agreement on all issues relating to the Permanent Status Agreement including the resolution of all claims. 2. Transitional arrangements to ensure continuous provision of services and the smooth handover of responsibilities, relevant assets and documents as part of the process to achieving full Palestinian sovereignty. 3. Future cooperation and coordination between the State of Palestine and the State of Israel, 	<p>Israel will consider on an ad hoc basis whether, and what, framework will apply in the circumstances.</p> <p>Israel considers any potential agreement on the use of international law and standards to only result from an agreement, and not to be the basis for engaging in discussions.</p> <p>Whatever not covered under the other committees will be within the mandate of the State to State Committee.</p>

		especially cooperation and coordination needed for the building of an independent and viable Palestinian State.	
State to State	Health	<p>Main decidable issues were presented as follows:</p> <ol style="list-style-type: none"> 1. sharing of data 2. transfer of healthcare responsibilities in Jerusalem 3. Cross-border utilization of medical services 4. cooperation and coordination in healthcare 5. compensation (Dr. Erekat ruled out since all compensation issues are to be tackled in the Seab-Udi track) <p>These decidable issues are based on the following assumptions:</p> <ol style="list-style-type: none"> 1. East Jerusalem is the Capital of Palestine where all medical institutions and the health care system in Jerusalem is under full Palestinian sovereignty 2. Palestine has its own import policy and the has control over its borders and its international crossings 3. Palestine is in control over the numbers of returnees to the Palestinian state. <p>The health relations between Palestine and Israel will be based on the World Health Organizations rules and regulations and precedents of bilateral relations between other countries including the relations between Jordan and Israel.</p> <p>Palestinians (Dr. Erekat) requested Israeli input for special health arrangements for Jews who may be</p>	<p>Main Israeli principles to be transformed into legal language for inclusion in the Agreement:</p> <ol style="list-style-type: none"> 1. the State of Palestine to have and independent and advanced health system 2. agree a mechanism between the health ministries of Palestine and Israel to deal with issues of common interests 3. continue cooperation between the Palestinian health system and the Israeli health system. The cooperation include fighting spread of diseases and Palestinian continuation for the use of Israeli medical institutions 4. agree a mechanism to ensure the quality of the medical supplies “pharmaceuticals’ to Palestine <p>The cooperation between Palestine and Israel would be based on the WHO rules and regulations since Israeli is a member in the WHO and Palestine would be one when it declares its state.</p> <p>Whatever is linked to Jerusalem we can not deal with. We can not make any assumption regarding the final status of Jerusalem.</p> <p>After the core issues are decided including Jerusalem we can modify the health agreement accordingly.</p> <p>What is needed from the health committee at this stage is to provide some language for agreed principles on health that would be included in the Agreement, which is about 25pages. The health committee will not deal at</p>

		<p>citizens of Palestine.</p> <p>The Palestinian team will be presenting their version of the health section of the “Agreement” that would be presented to Mr Qurai and Ms Livni.</p>	<p>this stage with the health details including detailed protocols and would defer it to a later stage after finishing the Agreement.</p> <p>The Israeli side would prepare their own draft of principles to be agreed with Palestinians and submitted to the Plenary committee for inclusion on the agreement.</p>
Energy Telecom Transportation (Infrastructure)	Infrastructure link	<p>An infrastructure link between the West Bank and Gaza is necessary to determine interconnection for electricity, gas, transportation, telecommunications, etc.</p> <p>On speculation that there are some security dimensions to the issues, security experts have been invited to attend the infrastructure meetings.</p>	<p>Not authorized to discuss infrastructure link.</p> <p>Telecommunications, aviation and airports, navigation and sea ports, crossings, and water canal, among other subjects, are not to be discussed in the infrastructure committee. Israeli side is not sure where they will be discussed, if at all.</p> <p>The existing crossings on the green line, as well as Allenby and Damya crossings, can be assumed to be part of the infrastructure crossings for the state of Palestine.</p> <p>Not presented in detail but UD notes that there are HUGE gaps in this committee.</p>
Infrastructure (Infrastructure)	Mandate	<p>Mandate should cover all infrastructure in Palestine and infrastructure connecting the West Bank and Gaza and connection Palestine to Israel, Egypt, Jordan and other regional networks.</p> <p>Subject matters include:</p> <ol style="list-style-type: none"> 1. Transportation <ol style="list-style-type: none"> a. Aviation and airports b. Navigation and seaports c. Roads 	<p>Authorized to discuss road network, energy and the Red-Dead Canal.</p> <p>Agreed in principle to include aviation and navigation (pending approval from political level) as part of the mandate of the committee</p> <p>Not presented in detail but UD notes that there are HUGE gaps in this committee.</p>

		<ul style="list-style-type: none"> d. Rail ways 2. Telecommunications 3. Energy <ul style="list-style-type: none"> a. Electricity b. Gas c. Fuels d. Renewables 5. Settlements' infrastructure including: <ul style="list-style-type: none"> a. housing units b. factories c. green houses d. public buildings e. infrastructure networks and equipments 6. Crossings infrastructure 7. Regional infrastructure projects <ul style="list-style-type: none"> a. Red Sea Dead Sea Canal b. West Ghor canal 8. Disposal of Wall infrastructure 9. Compensation for occupation concerning infrastructure 	
Economics (Economics)	Economic Relations Agreement	<p>Must include labor, services and agriculture to compensate for the trade deficit with Israel.</p> <p>Economic relations will be based on and compatible with established rules and principles of global trade including those of the WTO.</p>	<p>Trade agreement limited to Industrial goods only.</p> <p>Don't agree to base trade relations on WTO standards</p> <p>Didn't agree to discuss other principles for a trade agreement</p>

		<p>Must include asymmetrical preferential treatment for Palestinian products until existing gap remedied.</p> <p>Israeli operation of their side of Palestinian-Israeli border crossings must be free, in line with international standards, and not act as either a political tool or as a non-tariff barrier to trade.</p>	<p>Two states with independent economies.</p> <p>Transitional period from dependant to independent Palestinian economy.</p> <p>Regional and international economic cooperation.</p> <p>Trade relations will be set according to economic and “other” interests.</p> <p>Palestinians should not rely on Palestinian labor in Israel (which they see as a continuation of the “status quo” or current arrangements).</p> <p>There will be an “effective economic border” with designated terminals that will fulfill economic demands.</p> <p>Compensation not to be discussed in this subcommittee – have to do it at plenary level. [Made as a general point on all the issues.]</p> <p>Palestinian side needs to join the WTO, and this will be the basis of the future trade agreement.</p>
<p>Culture of Peace (Culture of Peace)</p> <p>Draft on the table.</p>	Agenda	<p>In agreement and for the period after the agreement, dealing with negative aspects and fostering a culture of peace.</p> <ol style="list-style-type: none"> 1. Education 2. Incitement 3. Implementation 	<p>In agreement and for the period after the agreement, dealing with negative aspects and fostering a culture of peace.</p> <ol style="list-style-type: none"> 1. Education 2. Incitement 3. Implementation
Prisoners	Agenda for	Three areas:	Agreed to discuss all three issues in the committee.

(Prisoners)	committee	<p>1. Release of all prisoners imprisoned as a result of the conflict upon signing of agreement</p> <p>2. Continued release until signing in support of the peace process and in order to signal that we are moving towards an atmosphere of peace</p> <p>3. Improving conditions of the prisoners.</p>	<p>Accurate depiction of positions.</p> <p>Agreed to submit Israeli position on release of prisoners upon and following signing of agreement, after consultation with internal authorities.</p> <p>Wants to link No. 2 (release of prisoners until agreement) to performance of PA on the ground or other conditions.</p> <p>Working on #3 with internal authorities now.</p>
Environment (Environment)	Agenda	Presentation of list of decidable issues (11 substantive and 1 administrative).	Provide list of 8 agenda items in response to Palestinian list of decidable issues.
Environment (Environment)	Approach	International Environmental Law, Principles and Best Practices shall form general framework for negotiating position.	<p>International Multilateral Agreement's are not helpful in negotiations. Negotiate bilateral arrangement on a subject by subject basis.</p> <p>Accurate depiction of positions. Compensation not to be discussed here.</p>
Water (Water)	Water Right	<p>Fundamental to achieve equitable allocation of shared water resources (West Bank and Coastal Aquifers, and Jordan River, Wadi Gaza, etc.)</p> <p>Palestinians invited Israelis to discuss Israeli water rights and interests.</p> <p>Day to day issues, like increasing the amount of available water, dealt with through PWA.</p>	<p>Pragmatic approach to start with Oslo II and provide for additional Palestinian needs. Israelis have delayed response until finalization of Committee agenda.</p> <p>Accurate depiction of positions. GoI wants to start with "defining the problem" ie the shortage of water. Want Palestinians to acknowledge the diminished water in the region as the basis for ongoing negotiations. Need to create alternatives, including desalinization.</p> <p>Interim agreement should be the basis of the future</p>

			agreement, updated to reflect Palestinian needs.
Water (Water)	Jordan River	Access essential to Jordan River as a source of water and adjacent valley for a viable Palestinian State.	Border not to be discussed in water committee. Jordan River and surface water is too political to allow expert on surface flow to initiate information sharing and baseline. Have lots of aspirations in JV including territorial.
Water (Water)	Experts Subcommittee	Necessary to establish expert subcommittee to create data baseline on natural sources, including aquifers and surface water. Can't establish subcommittee without inclusion of surface water experts at the beginning.	Expert subcommittee should only review aquifers at this time, as well as include climatologist and wastewater experts. Surface water, especially Jordan River, is too political to involve experts until discussion at the Committee. Could also look at sewage systems as a water source, which has implications on public health etc.
Legal (Legal)	List of Decidable issues	Each state will have jurisdiction over its territory and people present in its territory in accordance with international law. The list of decidable issues: I. STATE TO STATE LEVEL: A. Mutual Legal Assistance 1. Civil and Commercial Matters ➤ Definition of matters that require mutual legal assistance ➤ Service of judicial documents	Raise the 4 exceptions to jurisdiction, and note that in order to determine the system for legal aid, the past agreements should be evaluated to establish their relevance to the PSA. <i>Modeled on the Protocol Concerning Legal Affairs, Annex IV of the Palestinian-Israeli Interim Agreement on the West Bank & the Gaza Strip:</i> A. Criminal Jurisdiction I. Permanent status agreement: ➤ Immunities of (Exceptions for) Israelis from Palestinian jurisdiction, subject to Israeli Law vs. Palestinian Law: (Subject and following agreement in other committees) Non exhaustive list which includes

		<ul style="list-style-type: none"> ➤ Taking of evidence ➤ Recognition and enforcement of judgments in civil and commercial matters ➤ International child abduction and recognition and enforcement of judgments in family matter. <p>2. Criminal Matters</p> <ul style="list-style-type: none"> ➤ Definition of matters that require mutual legal assistance ➤ Mutual legal assistance in criminal matters other than extradition ➤ Extradition ➤ Cooperation in combating cross border offences <p>B. Diplomatic and Consular Immunities</p> <p>C. Claims against a State in another State (State Immunity)</p> <p>D. Jurisdiction Issues Related to Safe</p>	<p>4 issues:</p> <ol style="list-style-type: none"> 1. Israelis visiting holy sites and places in Palestine. 2. Israeli technicians and experts in Palestine pursuant to agreement on the state to state level 3. Israelis using roads in Palestine. 4. Israeli forces in Palestinian territory <p>II. Interim agreement</p> <ul style="list-style-type: none"> ➤ The arrangements under annex 4 of the interim agreement should be maintained until a final status agreement is implemented, i.e., no Palestinian jurisdiction over Israelis. <p>B. Legal Assistance in Criminal Matters</p> <p>I. Permanent status agreement:</p> <ul style="list-style-type: none"> ➤ Legal assistance in criminal matters and cooperation between the police modeled on the provisions of the interim agreement which include cooperation in criminal matters; handing over of suspects; restarting orders; summons and questions of witnesses; assistance in the execution of court orders for the purposes of investigation; legal assistance in the
--	--	---	--

		<p>Passage/Territorial Link as may be relevant</p> <p>E. Dispute Resolution Mechanism</p> <p>F. Compensation for occupation</p> <p>G. Family unification between Palestinian and Israeli citizens</p> <p>H. Private property rights in the swapped areas</p> <p>II. TRANSITIONAL ARRANGEMENTS</p> <p>A. Civil and Commercial Matters</p> <p>B. Criminal Matters</p> <p>C. Transfer of Records</p> <p>D. Civil and Criminal Jurisdiction in the Transitional Period</p> <p>E. Legal Issues Related to Outstanding Claims Against PA/PLO and PA Money Held by Israel</p>	<p>conduct of judicial proceedings</p> <p>II. Interim agreement</p> <ul style="list-style-type: none"> ➤ The arrangements under annex 4 of the interim agreement should be maintained until a final status agreement is implemented ➤ PA to build its capacity to demonstrate capacity and structure the required domestic mechanism <p>C. Civil Jurisdiction</p> <p>I. Permanent status agreement:</p> <ul style="list-style-type: none"> ➤ Jurisdiction of the Palestinian courts ➤ Claims against the state in other states: to be discussed <p>II. Interim agreement</p> <p>D. Assistance in Civil Matters</p> <p>I. Permanent status agreement</p> <ul style="list-style-type: none"> ➤ Legal assistance in civil matters modeled on the provisions of the interim agreement which include service of documents, taking of evidence and enforcement of judgments <p>II. Interim agreement</p> <p>E. General Jurisdiction (personal, territorial, functional)</p>
--	--	--	--

			<p>F. Powers of legislation of Palestine: non-prejudicial to Agreement</p> <p>G. Transfer of legal cases in areas C which will be transferred</p> <p>H. Dispute Settlement: for the plenary with Legal</p> <p>I. International child abduction</p> <p>J. Legal Committee to provide support analyzing issues for other committees</p>
--	--	--	---