

09/01 בולג

מדינת ישראל

משרדי הממשלה

מסרע ראט הממשלה -
לשכת המנכ"ל אליהו גרן-אליאזר

משרד "ה"ג

מס' תיק

ביקור ר"מ בעין באיזור הקהיל

הצעות למועם שלם בין מלמם ולשטן,
הצעות כ"ה אשטון ערמי ולכ"ה ושטע
סיכומי השימוע עם קארטאט ועם ואנס, שומע פינל
12/1977 — 12/1977



שם תיק: המנכ"ל אליהו גרן-אליאזר - ביקור ראש-הממשלה
בגין בארצות הברית
מזהה פיזי: **א-6/4155**
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תאריך הדפסה 05/01/2017

מס' תיק מקורי _____

מחלקה לשם המנכ"ל אליהו גרן-אליאזר.

ו. ביקור רה"מ בארה"ב - דצמבר 1977

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| 15.12.77 | - | פגישת רה"מ - בז'ז'ינסקי | - |
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SELF RULE FOR PALESTINIAN ARABS, RESIDENTS OF JUDEA,
SAMARIA AND THE GAZA DISTRICT WHICH WILL BE INSTITUTED
UPON THE ESTABLISHMENT OF PEACE

1. The administration of the military government in Judea, Samaria and the Gaza district will be abolished.
2. In Judea, Samaria and the Gaza district, administrative autonomy of the residents, by and for them, will be established.
3. The residents of Judea, Samaria and the Gaza district will elect an administrative council composed of 11 members. The administrative council will operate in accordance with the principles laid down in this paper.
4. Any resident, 18 years old and above, without distinction of citizenship, or if stateless, is entitled to vote in the elections to the administrative council.
5. Any resident whose name is included in the list of candidates for the administrative council and who on the day the list is submitted, is 25 years old or above, is entitled to be elected to the council.
6. The administrative council will be elected by general, direct, personal, equal and secret ballot.



7. The period of office of the administrative council will be four years from the day of its election.
8. The administrative council will sit in Bethlehem.
9. All the administrative affairs relating to the Arab residents of the areas of Judea, Samaria and the Gaza district, will be under the direction and within the competence of the administrative council.
10. The administrative council will operate the following departments: education, religious affairs, finance, transportation, construction and housing, industry, commerce and tourism, agriculture, health, labor and social welfare, rehabilitation of refugees, and the department for the administration of justice and the supervision of the local police forces, and promulgate regulations relating to the operations of these departments.
11. Security and public order in the areas of Judea, Samaria and the Gaza district will be the responsibility of the Israeli authorities.
12. The administrative council will elect its own chairman.
13. The first session of the administrative council will be convened 30 days after the publication of the elections results.



14. Residents of Judea, Samaria and the Gaza district, without distinction of citizenship, or if stateless, will be granted free choice (option) of either Israeli or Jordanian citizenship.
15. A resident of the areas of Judea, Samaria and the Gaza district who requests Israeli citizenship will be granted such a citizenship in accordance with the citizenship law of the state.
16. Residents of Judea, Samaria and the Gaza district, who in accordance with the right of free option, choose Israeli citizenship, will be entitled to vote for, and be elected to the Knesset in accordance with the election law.
17. Residents of Judea, Samaria and the Gaza district who are citizens of Jordan or who, in accordance with the right of free option will become citizens of Jordan, will elect and be eligible for election to the Parliament of the Hashemite Kingdom of Jordan in accordance with the election law of that country.
18. Questions arising from the vote to the Jordanian Parliament by residents of Judea, Samaria and the Gaza district will be clarified in negotiations between Israel and Jordan.



19. A committee will be established of representatives of Israel, Jordan and the administrative council to examine existing legislation in Judea, Samaria and the Gaza district and to determine which legislation will continue in force, which will be abolished and what will be the competence of the administrative council to promulgate regulations. The rulings of the committee will be adopted by unanimous decisions.
20. Residents of Israel will be entitled to acquire land and settle in the areas of Judea, Samaria and the Gaza district. Arabs, residents of Judea, Samaria and the Gaza district who, in accordance with the free options granted them, will become Israeli citizens, will be entitled to acquire land and settle in Israel.
21. A committee will be established of representatives of Israel, Jordan and the administrative council to determine norms of immigration to the areas of Judea, Samaria and the Gaza district. The committee will determine the norms whereby Arab refugees residing outside Judea, Samaria and the Gaza district will be permitted to immigrate to these areas in reasonable numbers. The ruling of the committee will be adopted by unanimous decision.
22. Residents of Israel and residents of Judea, Samaria and the Gaza district will be assured of movement and freedom of economic activity in Israel, Judea, Samaria and the Gaza district.



23. The administrative council will appoint one of its members to represent the council before the Government of Israel for deliberation on matters of common interest; and one of its members to represent the council before the Government of Jordan for deliberation on matters of common interest.
24. Israel stands by its right and its claim of sovereignty to Judea, Samaria and the Gaza district. In the knowledge that other claims exist, it proposes for the sake of agreement and the peace, that the question of sovereignty be left open.
25. With regard to the administration of the holy places of the three religions in Jerusalem, a special proposal will be drawn up and submitted that will include the guarantee of freedom of access to members of all faiths to the shrines holy to them.
26. These principles will be subject to review after a five-year period.

מס 263

גשילח:-- 1722 דצמ 77

בתקבל:

בתול

אל : המשרד

מאת: וועשנגטון

מנכל . מצפא . עזרונה .

להלן החודעה האגריקנית בתום מגישת הערכ כין ולהג והנשיא .

החודעה נקראת על ידי מזכיר המדינה

77-12-1722

THE PRESIDENT AND PRIME MINISTER BEGIN AND THEIR ADVISORS TONIGHT CONTINUED THE ROUND OF DISCUSSIONS BEGUN YESTERDAY MORNING. THEY EXPLORED FURTHER PRIME MINISTER BEGIN'S LATEST PROPOSALS FOR PROGRESS TOWARD PEACE IN THE MIDDLE EAST AND THE NEXT STEPS TO BE TAKEN TO ADVANCE THE PEACE NEGOTIATIONS. THE PRESIDENT EXPRESSED HIS APPRECIATION FOR THE PRIME MINISTER'S CONSTRUCTIVE APPROACH AND HIS CONVICTION THAT PRIME MINISTER BEGIN AND PRESIDENT SADAT TOGETHER ARE TAKING IMPORTANT STEPS DOWN THE ROAD TO A JUST AND COMPREHENSIVE PEACE.

PRESIDENT CARTER WELCOMED THE DIRECT TALKS WHICH WILL SOON BE HELD BETWEEN PRIME MINISTER BEGIN AND PRESIDENT SADAT. PRESIDENT CARTER TOLD THE PRIME MINISTER THAT HE BELIEVES THE CURRENT DISCUSSIONS BETWEEN ISRAEL AND EGYPT, BASED ON THE GOOD WILL AND DEDICATION TO PEACE BOTH HAVE MANIFESTED NOW MORE THAN EVER HOLD OUT PROMISE OF REAL PROGRESS. THE UNITED STATES CONSIDERS THAT THE UNDERSTANDING AND STATEMANSHIP WHICH THE PRIME MINISTER IS DEMONSTRATING MAKE A NOTABLE CONTRIBUTION. THE PRESIDENT PLEDGED THE CONTINUING COOPERATION OF THE UNITED STATES IN WHATEVER WAYS THE PARTIES FIND USEFUL. THE PRESIDENT UNDERTOOK TO REMAIN IN CLOSE TOUCH WITH PRIME MINISTER BEGIN AND PRESIDENT SADAT AND WILL LOOK FORWARD TO LEARNING OF THEIR FURTHER PROGRESS IN THE MUTUAL SEARCH FOR A COMPREHENSIVE PEACE. THE PRESIDENT SHARES WITH THEM THEIR DEDICATION TO FULFILLING THIS HISTORIC OPPORTUNITY TO BRING PEACE TO A REGION TOO LONG BURDENED WITH MISUNDERSTANDING AND WAR.

AD KAN.
ITONUT

שהח רהמ ס/רהמ שהכס מנכל ממנכל סמנכל הסבר

רמ אמן תעוד אלסר וערת חוב

אב/פמ

PRIVATE MEETING BETWEEN PRIME MINISTER BEGIN AND PRESIDENT
CARTER IN THE OVAL OFFICE OF THE WHITE HOUSE, WASHINGTON,
D.C., DECEMBER 17, 1977, AT 2040 HOURS.

The meeting lasted fifteen minutes.

They spoke about the F-16 and the Prime Minister spoke about the documents on Israel's contribution to U.S. National Security and Congressman Lehman's document.

On National Security, the President said: "We help each other mutually and we are allies. It is all based on reciprocity."

The Prime Minister cited Israel's request for 150 F-16's and that there is a need for coproduction in February or March requiring U.S. financing beginning with \$300 million. The President said that he could not answer on the spot but "I'll take it up immediately." The Prime Minister gained the impression that the response would be positive.

The President made a link between the supply of F-16 and a certain military supply of Egypt. They spoke about Ethiopia and the whole question of a strategic western oriented alliance in the Middle East.

The President said that when he visits Saudi Arabia he will make an effort to bring us somehow together.

The Prime Minister also reported to the President on his forthcoming visit to Morocco at the invitation of King Hassan.

Yehuda Avner

TOP SECRET

משרד ראש הממשלה
 לשכת מנכ"ל
 צילום מסמך מסווג -
 מיון: 1
 תאריך: 16.12.77
 חתום: [Signature]
 תוקף: [Blank]
 רשם: [Blank]

MEETING BETWEEN PRIME MINISTER BEGIN AND PRESIDENT CARTER
 AT THE WHITE HOUSE, WASHINGTON, D.C., FRIDAY, DECEMBER 16,
 1977, @ 8:00 a.m.

The first hour, the Prime Minister and the President conducted a tete-a-tete in the oval office.

The Prime Minister and the President then moved into the Cabinet Room and were joined by:

On the American side:

- Vice President Walter F. Mondale
- Secretary of State Cyrus Vance
- Ambassador Samuel Lewis
- Dr. Zbigniew Brzezinski
- Mr. Hamilton Jordan
- Mr. Robert Lipshutz
- Mr. Stuart Eizenstat
- Mr. Jody Powell
- Deputy Secretary of State Warren Christopher
- Mr. William Quandt
- Mr. Harold Saunders

משרד ראש הממשלה
 לשכת מנכ"ל
 צילום מסמך מסווג -
 מיון: 1
 תאריך: 16.12.77
 חתום: [Signature]
 תוקף: [Blank]
 רשם: [Blank]

On the Israel side:

- Ambassador Simcha Dinitz
- Ambassador Vivian Herzog
- Attorney General Aharon Barak
- Mr. Chaim Landau
- Mr. Shmuel Katz
- Brigadier General Efraim Poran
- Mr. Zvi Efrat
- Minister Hanan Bar-On
- Mr. Yehuda Avner

משרד ראש הממשלה
 לשכת מנכ"ל
 צילום מסמך מסווג -
 מיון: 1
 תאריך: 16.12.77
 חתום: [Signature]
 תוקף: [Blank]
 רשם: [Blank]

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PRESIDENT: We are delighted and honored to have you back in the United States. We have followed with great admiration recent dramatic events in the Middle East brought about through the foresight and the courage of President Sadat and yourself.

We face new opportunities for peace and the breakthrough for the region and for the whole world. You carry a great responsibility on your shoulders; there is no more popular leader. I have looked at your public opinion polls with envy. This gives you a serious responsibility and great force and flexibility.

I have stayed in close touch with President Sadat. We want to be extremely helpful for negotiations between you and him. We will add our good offices as requested. We are proceeding on the basis of 242. We hope that the realization of genuine peace will be consummated in accordance with 242 calling for withdrawal and the security of borders.

Sadat made a concession -- the ultimate concession he can make, nearly full recognition of Israel and even withdrawal of troops from his own territory. The world now awaits your response. I wish now to invite the Prime Minister to explain what Israel's position might be, the agreements or the responsibility of the parties. Even though we have a vital interest in the Middle East, we do not have responsibility for the negotiations. Our good offices are available to you.

PRIME MINISTER: I thank you, Mr. President. I was here five months ago in this Cabinet room. My wife and I enjoyed the gracious hospitality of Mrs. Carter and yourself. Since then

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only five months have elapsed but it seems to have been almost an eternity because of great events that have taken place.

I thought it would be advisable therefore to bring to you proposals of the Government of Israel, and you should be the first man to study them. I therefore suggested to Secretary Vance when he visited us last week that this meeting should take place and you were gracious enough to respond. Again, I express my gratitude.

We had very fruitful talks with Mr. Vance and then we took the decision to meet again here.

I will first describe, Mr. President, the visit of President Sadat. It is an event in history. It is difficult to find a precedent for such a visit between the leaders of two countries in a state of war. But what was also without precedent was the reception; President Sadat was received with such an open heart. I would like to express our gratitude to your two Ambassadors Lewis and Eilts. Without them the visit would not have been possible. Our people took Sadat to their heart. They expressed deep longing for peace and he felt this deeply. He told me so. The visit to Yad Vashem affected him deeply. He said that he did not realize the extent of the tragedy until he saw the pictures. He said so to me.

In our Parliament he made his famous speech and I, of course, responded. He spoke to them freely. He met all the opposition groups and was impressed by the frank discussion. Golda Meir's encounter with him was quite impressive. They spoke as a grandmother and a grandfather.

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Then we had private talks. We spoke frankly to each other; as he said to me "Let us put our cards on the table." We agreed that we have differences of opinion. But we agreed that the differences of opinion do not preclude negotiations. We made a momentous commitment to each other: "No more war, no more bloodshed." It was momentous.

We wish to avoid war. We had previously in the week a false alarm and both sides took military precautions. We want to avoid war and therefore our two defense ministers will be meeting next Tuesday.

Since the visit we have been consulting to find a way to reach peace. This is a propitious moment. We want peace with all our neighbors. It is regrettable that Jordan is not joining the process, and Syria as well. Lebanon would like to. I believe we could talk with Sarkiss. There are no border problems and were we able to talk I believe we could sign immediately.

We would not like to embarrass Sadat. We didn't mention and it didn't even occur to us, to discuss a separate agreement. I had proposed to Sadat that he prolong his visit by a day or so. But that proposal was not connected with a separate agreement. He said he could not remain because of the pressure of his calendar. He repeated time and again that the brevity of his stay did not permit detailed negotiations. However, reasonably, the peace process can begin with a treaty with Egypt; it can begin with one and then go on to the others.

We would like to have them all in Geneva and formulate conditions for peace treaties. With regard to my meeting

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with Sadat, you will understand that we cannot have the Sinai full again with soldiers. He said he understands it: "I will give you," he said, "15 to 20 kilometers of demilitarization in Sinai", but then he added that this must be on the other side too. Then he corrected himself and said you do something symbolic. On the spot he said - our Army will not pass the Giddi Passes. A week later Dayan met Tahoumi; he is the righthand man of Sadat. I asked Dayan to tell him that the proposal is acceptable to us and that beyond the Passes it will be demilitarized.

Tahoumi did not want to talk about the Golan Heights. He said it is not our (Egypt) problem.

(The Prime Minister then rose and walked to the map of Sinai displaying the major details of the Israeli territorial proposal.)

We agreed that up to the line of the Passes will be deployed the Egyptian Army. From this line to the International Border - demilitarization. Our proposal is:

The withdrawal will ultimately be to the International Boundary. The Sinai will be under Egyptian sovereignty. We suggested that for a period of three to five years we shall have forces along the line from Ras-Muhammad to El Arish; excluding El Arish which will go to Egypt. Therefore, for that period of three to five years we would like outposts along the line. We would like on two hills of Jabel-Hellal and Jabel-Yalek electronic arrangements. We would also like to keep for that period the airfields of Etzion and Eitam near El-Arish. We believe it is possible

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to relate withdrawal to diplomatic relations in a phased manner: beginning with Consul, then Head of Mission, then Charge d'Affaires and finally Ambassadors.

On the question of freedom of navigation - twice we had to go to war because of this problem. When I spoke to Sadat I said to him this must not be repeated again. He said he was ready to make a declaration that the Straits of Tiran is an international waterway. The question is, how to guarantee this for the future. We therefore agreed that U.N. forces should be stationed there and cannot be removed without the consent of both parties and the unanimous decision of the Security Council. To put it bluntly, we want the veto power of the U.S. so that there won't be a repetition of eleven years ago.

We would like to have this arrangement. We took a leaf out of your book in taking the Panamanian example of an agreement that should last to the year 2001. We have to think of the future. In other words this should be an agreement for more than one generation.

In this proposal we make a special contribution to the peace-making effort. For the last eleven years, since 1968, all previous governments determined that Sharm-el-Sheik would be under Israel control with a contiguous land link. Now to make peace possible we are ready to give it up.

In the North, we have the problem of the area between Rafiah and El Arish. There are Israeli settlements there. We suggested they stay. We shall also have there U.N. forces and there should also be included a small Israeli defense

contingent. (The Prime Minister also indicated on the map the Israeli settlements between Elath and Sharm-el-Sheik.)

This is the outline of what we decided to do to establish peace with Egypt. It is a great change and from our point of view a great risk.

Now I'd like to go into the second problem. (We can't go into the Syrian problem until Assad decides differently.)

PRESIDENT: I wish first to say that in my opinion there is nothing in this proposal that Sadat could not accept. It is very reasonable. The time schedule should be expedited.

PRIME MINISTER: I thank you, Mr. President. It is^a gratifying statement. Now, to the Palestinian Arabs. This has now become an accepted term also by Britain. I met Prime Minister Callaghan last week and he understood. We are all Palestinians: we are Palestinian Jews and there are Palestinian Arabs. We have worked out a proposal which I will bring to the information of your colleagues, as I brought to you in our private conversation.

A word of introduction: We believe it is a fair proposal, it is real and a humane solution of the problem and from our point of view, we assume great risks. We take them in order to solve the human problem.

We take them sincerely to make peace possible and to enable Sadat to say that as a result of his visit to Jerusalem there is a solution to the Palestinian Arab question.

I will now read to you our proposal. I wish to emphasize that for the time being it is in the nature of a proposal and that it has not yet been confirmed by the Government as a whole. It was approved by the Defense Council but it is still subject to Government confirmation. The following is the proposal:

("Home Rule")

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With your permission, Mr. President, I shall now make some comments: First, when we write that the administration of the Military Government will be abolished and the Administrative Council will take over with the powers to deal with the daily affairs of Judea, Samaria and Gaza District we will have to explore the legal problem who will give the Administrative Council its powers. The Attorney General, who is an outstanding jurist, and our young officer who is a great expert on international law, will have to sit with your legal people since we may one day have to put into the proposal that the Military Governor will have to transfer the powers to the Administrative Council. Therefore, we did not put it into this paper because it is a purely legalistic problem. Also, on the paragraph on security we may have to add "public order." After all, there may be attempts to make trouble. The PLO will not just fade away. The PLO may try to incite people. Perhaps, therefore, we will have to insert "public order."

To sum this up: Why do I think this proposal is fair? We did not decide here about sovereignty. We intentionally left out this question. I wish to say that we claim sovereignty over these areas. It is the right of our people. There are two claims. We leave the problem open in order to make peace possible. We look for an agreement and therefore we intellectually made this effort by leaving out sovereignty. As Secretary Vance has twice said, it is not clear who has claim to the sovereignty. This is a very important statement. We leave it out to make peace possible.

What we did therefore is to deal with the human beings. There are in these areas approximately one million who are of Arab nationality. Judea and Samaria were under Jordanian rule. Sometimes there were great disturbances there and a manner of physical oppression. The inhabitants of this area never dealt with their own problems.

In the Gaza Strip Egypt ruled for nineteen years. Egypt never gave them citizenship. All the time they were closed up in their slums. They never had their own home rule. For the first time we make a proposal to the effect that all will have a home rule.

The proposal covers all daily activity. We will not deal with their affairs. There will not be Israeli rule but the rule of the local population. This will be the administrative situation. From the parliamentary point of view, there will be free option of citizenship. Here is a double expression of democratic arrangements: in the administrative and in the parliamentary sense.

Twice in our paper we have used the terms "stateless." This refers to the residents of Gaza. The residents of Judea and Samaria are all Jordanian citizens. Even in East Jerusalem they keep the Jordanian citizenship. In Gaza, however, they are "stateless."

Of course the problem of our security is decisive. As I explained, Mr. President five months ago, to us national security means to make our civilian population secure. If guns are again placed along the green line all our civilians are in mortal danger. Every man, woman and child will be in the range of Soviet-supplied guns. This is absolutely inconceivable.

There is a lesser but considerable problem of security. It is the problem of the Strela missile. Anybody can handle it. It can shoot down any plane from any height.

I repeat the decisive factor is the lives of our civilian population. Therefore, we will take responsibility for security in these areas - camps for our soldiers and internal security. The proposal makes it possible for the Palestinian Arabs to live in autonomy and ourselves in security. It is fair to both sides. The path is now paved for an agreement. The risks are there. Nobody can see how exactly it will work out. Therefore, we put in our paper that it should be reviewed after five years. Let us see how it works out in five years.

I thank you, Mr. President, for your great attention.

PRESIDENT: I have three questions.

A) The basis for our agreements and negotiation both with you and Rabin on the one side, Sadat, Hussein and Assad on the other, has been Resolution 242. All Israeli governments have endorsed 242. The crux of 242 and 338 was withdrawal of Israel from occupied territories in exchange for secure boundaries and the guarantee of permanent peace. I realize that 242 has been interpreted differently by Israel and the Arabs, and we have basically taken the Israeli position that this does not mean total withdrawal. In your presentation this question is left open.

1) What degree are you willing to commit Israel to withdrawal particularly in Judea, Samaria and the Gaze Strip? Now is it minor adjustments as we put it or adjustments to guarantee secure boundaries? Is it - you will not permit an independent Palestinian state

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with which we agree. Or is it that you require assurance of credible Arab promises of commitments.

I hope Israel will not ignore the crux of 242 on withdrawal.

B) The second question is how will the question be handled of immigration into the territory of the West Bank of the Gaza Strip of Palestinian Arabs who live in other areas of the Middle East?

C) And the third question is, since the question of sovereignty is left open, I presume your proposal is an interim one. How do you conceive this to be dealt with?

PRIME MINISTER: About 242: Mr President, having produced this map (of Sinai) it cannot be said that we are not committed to withdrawal. We have committed to withdrawal of hundreds of kilometers. It means great risks. We remember what happened eleven years ago. They put their army in Sinai. This geographic position will be restored in three years time, according to our map. I committed Israel today to the deepest withdrawal possible. Nobody knows who President Sadat's successor might be. I of course want him to stay fifteen years in power. But this is not in our hands. Therefore, the principle of withdrawal is completely and utterly covered.

Now, with regard to the question of Palestine - Judea, Samaria and the Gaza Strip. 242 as you rightly said does not oblige Israel to total withdrawal. 242 envisages secure boundaries. If we withdraw with minor modifications in the East we lose all our security. We have the experience of nineteen years. The issue is not an army but incursions.

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The green line is absolutely indefensible: Patach Tikva on this line, Ramat Gan, Afula and of course Jerusalem were under their guns. It was impossible to stop the incursions. Since we have defended the Jordan River there have been no incursions for the past two years; perhaps only one. This is for us the question of our lives, the men, women and children. The PLO exists. One day it may go away but they are there. The opposite of a constructive solution is withdrawal from the East. Now we propose to give them freedom of autonomy and ourselves what? Security. What do we propose? We leave the question of sovereignty open but we will have security. What we propose is to give our neighbors all they can reasonably ask.

BRZEZINSKI: Are you saying that your security line is the River Jordan but your territorial sovereignty is the "67 line?

PRIME MINISTER: Yes, you have defined it exactly. The Jordan River is the security line, Judea, Samaria and the Gaza Strip will be under their autonomy with sovereignty undefined. Israeli state sovereignty will reach the former line leaving undefined the sovereignty of the other line.

BRZEZINSKI: From whom would the Administrative Council derive its powers? From Israel, from Israel and Jordan or from the U.N.?

PRIME MINISTER: From the Military Governor. But this is a purely legal problem.

BRZEZINSKI: It is also a political problem.

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PRIME MINISTER: You might be right.

BRZEZINSKI: Who would have the right to expropriate land?

PRIME MINISTER: We don't want to expropriate land. The Administrative Council.

BARAK: This however will be subject to Israeli powers within the concept of public order.

PRIME MINISTER: About immigration. The problem will be dealt with by the Administrative Council. From our point of view we will have no objection to reasonable numbers.

VANCE: Therefore it is to be dealt with by the Administrative Council subject to Israel's view on security if no more than a certain number would be immigrants. This will mean some veto by Israel.

BARAK: That is correct. Therefore there is no department for immigration proposed.

PRIME MINISTER: We don't know if it will be a real problem. If there is a problem we will deal with it in a humane way.

BARAK: The basic norm - from which all the legal norms in the region will emanate - the proper way is for the Military Governor to delegate the authorities needed to allow the Administrative Council to carry out its functions.

VANCE: Does the Military Governor reserve the right to revoke the powers of the Administrative authority?

BARAK: Yes, in principle.

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PRIME MINISTER: A general remark: It is a unique proposal because the situation is unique.

BARAK: It is a sui generis situation.

PRIME MINISTER: There are problems to which you cannot find a precedent.

PRESIDENT: The only other concern I have is the public description of the proposal when it is made. An interpretation of the proposal that it did not deal with withdrawal and the Palestinian problem in all its aspects could be a very serious blow to Sadat and might even cause his downfall and resignation. He expressed to the Knesset the positions he expounded and committed himself to the Arab leaders and he is committed. I hope that in your meeting with Sadat that the public statement will be considered in terms that will not discredit Sadat.

PRIME MINISTER: I would be grateful if you, Mr. President, could say to Sadat that it is a fair basis for negotiations. It is a real step forward from his point of view. If he agrees that there should not be a Palestinian state, which is also your position and Callaghan's point of view (Foreign Secretary Owen said that ^{step} Palestinian and Demilitarization are a contradiction in terms.) If this be agreed, it could be a basis for a good talk with Sadat. Arrangements are being made for a meeting next week in Ismailia. We want him to stay in power and help. But we cannot forego the security of our people for any purpose in the world.

PRESIDENT: You mentioned the demilitarization of territory (Ref: West Bank).

PRIME MINISTER: No Arab force.

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PRESIDENT: What about Israel force.

PRIME MINISTER: Yes - in closed camps. Without that we are open to any attack.

PRESIDENT: Do you conceive of forces confined to the River Jordan area?

PRIME MINISTER: No, also on the hills some emplacements are necessary. We must have camps. If the mountains are in control of the PLO we will shot at. I am speaking of a number of camps in defined places.

VANCE: How do you deal with the question on your position of sovereignty?

PRIME MINISTER: We have a claim but now it isn't put into realization. The other side has a claim, but the claims will be sleeping, left unclear. We solve the problems of people.

VANCE: For five years?

PRIME MINISTER: No, we will look at it again as to how it works in five years. We will take the principles and review them in practice.

BRZEZINSKI: So there is a process?

PRIME MINISTER: I agree.

BRZEZINSKI: From the Arab point of view it will make it more palatable if it is part of a process, a significant step of the process. It is a proposal that can be seriously considered.

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PRIME MINISTER: I agree.

(The meeting ended at 10:05 am. It was decided to reconvene on Saturday night, December 17, 1977, at 7:00 pm.)

BRZEZINSKI: Can you tell me why you placed the seat of the Administrative Council in Bethlehem and not in East Jerusalem?

PRIME MINISTER: Because Jerusalem is the Capitol of Israel. Nablus has always been a source of trouble. Something happened at Nablus with Dinah, the daughter of Jacob. The President knows the story well. It might be Ramallah but Bethlehem is a very good place.

TOP SECRET

TOP SECRET

MEETING BETWEEN PRIME MINISTER BEGIN AND PRESIDENT CARTER
AT THE WHITE HOUSE, WASHINGTON, D.C., SATURDAY, DECEMBER 17,
1977, @ 1905 HOURS.

ON THE AMERICAN SIDE:

Vice President Walter F. Mondale
Secretary of State Cyrus Vance
Dr. Z. Brzezinski
Ambassador Samuel Lewis
Mr. William Quandt

משרד ראש הנושלה
לשכת מנכ"ל
- צילום מסמך מס' 1000
מחשבוט או תועף 1 קובץ 10
התעתיק אושר ע"י 10/18
מאריך היענות 10/18
העתיק זה מקבל מס' 1000
10/18 10/18

ON THE ISRAEL SIDE:

Ambassador Simcha Dinitz
Attorney General Aharon Barak
Mr. Chaim Landau
Mr. Shmuel Katz
Mr. Yehuda Avner

PRESIDENT: The public reaction to the meeting has been encouraging. I talked briefly to Sadat after our meeting yesterday. We spoke on the open line and therefore I could not go into specifics. I told him in general terms of our conversation. I did not go into detail, since I think this would have been inappropriate. I told him it was a constructive conversation and that the momentum for peace is intact. He said this was very crucial to him. President Sadat is looking forward to seeing you later this coming week. He is very pleased that you are taking the initiative for a peace settlement. As I said, I didn't go into specifics.

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I thought tonight, Mr. Prime Minister, that I would defer to you. Cy Vance met with Attorney General Barak and Dr. Brzezinski met with you earlier today. We believe it has been a very fruitful exchange. Your attitude in searching for peace is helpful. What I am concerned about is that the public reaction to your proposals on Judea, Samaria and the Gaza Strip will not prove to be harmful to Sadat. We believe that the Sinai proposal will be well-received by him. Now I would like you to comment further about what you told us yesterday.

PRIME MINISTER: I thank you, Mr. President. First of all, please accept on behalf of my wife, myself and my colleagues our sincere congratulations on the marriage of your nephew. In Hebrew we have a good word - Mazal Tov.

PRESIDENT: Thank you, Mr. Prime Minister.

PRIME MINISTER: I would like to say that I did have some further comments to make and they are these. What we would like in the common interest of peace is that an appreciation be expressed on the principles I have initiated and that these form a good basis for negotiation. That would be very helpful for public opinion in my country, in your country, and in Egypt.

Yesterday, Mr. President, I met four senators - Jackson, Javits, Stone and Case (a brief exchange follows indicating that the Senators did indeed represent both parties). I told them about our proposal. I vowed them to secrecy. Javits even raised his right hand and said I vow. I am taking them at their word. May I share with you, Mr. President, the strong impression I have - indeed

I am convinced - that you will have the firm support of Sadat on these proposals. The Senators received it enthusiastically. As you may have read, Jackson made a very enthusiastic statement to the press after the meeting.

Today we met with Rabbi Schindler who, as you know, is somewhat on the dovish side. He, too, was very enthusiastic.

PRESIDENT: (jocularly) You see him from a somewhat different perspective than we do.

PRIME MINISTER: The Jewish community supports the proposal; they will be very happy about it. Senator Jackson said to me that he saw the American people supporting this proposal all the way. Therefore, Mr. President, it would be useful to say, and I hope you will say it, that you consider our proposal as a fair basis for negotiations.

Today I spoke to Dayan and I wish to bring to you in his name and on his behalf two proposals which I think are interesting and should be considered. According to our tradition one who makes a statement and cites the source brings redemption to the world.

1) The problem of legislation. Dayan suggests that we form a special committee representing the Israel Government, the Jordanian Government and the Administrative Council. This committee will inspect and review all laws and bi-laws presently enforced and would decide what should be discarded and what not. It will also decide in what matters the

Administrative Council may promulgate new regulations. As, for example, there are agricultural questions. The Administrative Council will have the power to act on agricultural matters. I think it is a good proposal. It depends, of course, on what transpires in negotiations with Jordan. The idea of a committee related to and established by all three parties to examine existing legislation and consider further legislation is the idea we put.

2) Some suggestions about Arab refugees in Lebanon. I don't think that refugees in Jordan would like, or want to move to live in Judea and Samaria. Yesterday, I said that we would be willing to enable "large numbers" to immigrate. Dayan suggests that, again on this matter of immigration, that a committee be set up of two governments (Israel, Jordan) and the Administrative Council. Our Foreign Minister even suggested that he himself would be ready to serve as our representative on this committee. With respect to the legislative committee, I would propose that our Attorney General represent us.

3) Our paper made no mention of Jerusalem but, of course, we have been considering it. We didn't overlook it at all. The matter refers to the Holy Shrines of the Moslem, Christian and the Jewish world. Indeed, it is of interest to the whole world.

My idea, and I wish to emphasize, is that it is still only an idea (I still have to discuss it of course with my colleagues) - is to have an international religious council that would take care of the Holy Shrines of each of the respective religions. Thus, with regard to the Moslem Shrines,

I would suggest that a council be set up of our neighbors - Jordan, Egypt, Syria, Lebanon and, in addition, Saudi Arabia, Iran and Morocco, which is very friendly. Such a committee would take care of the Shrines in complete autonomy, and of course there would be free access for everybody. There are, of course, other problems which we need to dwell upon now.

With respect to the Christian Holy Shrines, the same principle would apply - an international committee composed of the Vatican, the Providavians, the Protestants, including (jocularly) the Baptists.

PRESIDENT: (Jocularly) Mr. Prime Minister, I am hereby inviting you to name a chairman. (Laughter)

PRIME MINISTER: With regard to the Jewish Shrines, the committee would be headed by our own Chief Rabbinate and also sages from the diaspora.

If you find interest in this proposal, Mr. President, I would ask you to instruct the Secretary of State to find out if it is acceptable to the Moslem countries. I think it should be. I think it will create good will. It would be an ecumenical atmosphere.

PRESIDENT: Would it be patterned after the Vatican?

PRIME MINISTER: It is not for me to say, Mr. President. I am a Jew.

DINITZ: The President means will it be modelled on the pattern of the Vatican.

PRIME MINISTER: We will have to consider it. What I mean is that each denomination would take care of its Shrines - the Christians theirs, the Moslems theirs and the Jews theirs. Let us have the reaction of the countries concerned.

VANCE: Would there be three different groups: the confrontation states and the other three countries you mentioned; a committee of the Vatican and the other Christian denomination; and then the Jewish?

PRIME MINISTER: That is correct.

VANCE: Would there be interchange, exchange liaison between them?

PRIME MINISTER: Maybe. I wish to make a fourth other suggestion. We would suggest that the Administrative Council would appoint two representatives to deal with current items. A representative to deal with our government. For example, I would possibly invite that representative to our Cabinet on matters requiring clarification, to hear his case and attitude. Similarly, on the other side (Jordan). Maybe in this way some misunderstandings could be dispelled to free discussion. They may be called liaison officers - to the East and to the West, with two cabinets.

I would like now to sum up. We, Israel - and I must stress this - Mr. President, are taking risks. We do so for the sake of peace. We sincerely want peace. I rely on Sadat's pledge to me made in Jerusalem - no more war. I have confidence in him. In 1973 he misled us and we paid a heavy price.

But that was military deception. Now he talks to us in sincerity. That is my belief. But he is a mortal, just as I am mortal and the question we must address ourselves to is what will be after.

The Sinai Peninsula will be demilitarized partially. I say partially because the second and third Egyptian armies are on this side of the Canal. They must not be allowed to move forward towards Ashkelon. It is a great risk for us. I don't know what Sadat's successor will do. We are ready to take the risk because we are ready for peace.

A greater risk perhaps applies to what people call the West Bank. It is not a very accurate expression, Mr. President, because the West Bank covers all the territory running west of the River Jordan. We prefer the more accurate name - Judea and Samaria. In our proposal we are assuming very real risks. If we were to withdraw, that very same night the PLO will take over. To us, Mr. President, it is a mortal danger. After Tripoli there should be no doubt about it. It will be a danger also to Jordan. They have never forgotten the Black September. It will also be a danger to Egypt. When in my nocturnal session on Saturday night I said this to Sadat he said to me: "Right - quite right." Mr. President, it will be a Soviet base. The flight time from Odessa to Bethlehem is two hours. Therefore, we must - it is indispensable - have our encampments there so as not to permit such a development. Such a development would be a mortal danger to us and to Jordan, and it would also be a danger to Egypt and the whole of the free world. I remember what the young Foreign Secretary (Owen) said last week in Downing Street - that of course there cannot be a Palestinian state; a state and demilitarization are a contradiction in terms. That is what he said.

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PRESIDENT: Did he refer to demilitarization as including the Israel Army?

PRIME MINISTER: There is a paradox here. The only way to guarantee demilitarization is through the presence of our Army. We want to have also law and order. But we don't want to run their lives. Therefore, this viewpoint of the situation gives them the possibility to run their own lives. It is a historic change, Mr. President. That is what I am going to say to President Sadat. And I can say to him that it comes about as a result of his visit to Jerusalem. These people in Judea, Samaria and the Gaza Strip have never known what it is to run their own lives. There was Turkish rule and British rule and Jordanian rule and, I might say, it was an oppressive rule. Then for the last eleven years it came under Israeli control. Objectively, this latest rule was also the most benevolent. Now for the first time after centuries those Arabs will rule themselves. I heard with pleasure today on the radio the translation of our phrase; the word used was "self-rule." "Self-rule" in all walks of life. This is the heart and soul of our proposal. The heart and soul is: autonomy for Palestinian Arabs; security for Palestinian Jews. It is as simple and as profound as that.

PRESIDENT: I thank you, Mr. Prime Minister, and I wish now to make some comments. First, we will consider our role as mediator and respond to requests from you and Sadat to help in any way to bring peace. We will continue to make efforts and communication to convince those who did not go to Cairo to join in the process. Your proposal concerning the

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territory west of the Jordan, if it is interpreted negatively it could have a devastating effect on Sadat and world opinion. If put positively, it could have a very positive effect. There are code words that could cause great concern. For example, your proposal to withdraw Israeli forces into encampments and outposts in order to ensure security. For the Arabs, and especially for Sadat, the word "withdrawal" is very important. If you use that term, that you will withdraw to those outposts and encampments for security - if you put it that way to Sadat - that is a very positive way to put it.

The proposal on self-rule, autonomy for the region - is very positive. Of course, the analysis of it could, if not properly put, empty the proposal of meaning. It will depend on how much self-rule they will actually have. This has still to be defined. If there is a military governor there who can say that so long as they behave it is okay but we will revoke it if necessary, then the proposal has no meaning. We believe that the well-constructed proposal that you have prepared is dependent upon how it is presented. That is essential.

The statement on sovereignty that you made to Brzezinski: did you recognize that the sovereignty of Israel is within the '67 borders? When Brzezinski asked you this question you said yes.

PRIME MINISTER: I did.

PRESIDENT: A public statement to that effect will be very constructive. The definition of sovereignty which you said is not complete - the time schedule commensurate with your feeling of security - that is very important. If you say you are going to move to that definition as the situation permits - it will be a good move.

Brzezinski spoke to you about the presence of U.N. forces. I would hope that the question could be left open recognizing that you responded negatively to it. This force could be of a token nature. This might be considered when you and Sadat talk together. It might be crucial when you come to the final steps of negotiation. It could mean the difference between agreement and non-agreement. Therefore, let the question be left open until you see Sadat's reaction.

The military question could be resolved more easily than the political. Sadat will have difficulty with other Arabs who he says he speaks on their behalf. If the main definition could be sovereignty for Sinai and home rule for the West Bank, this will be very embarrassing for Sadat. Self-rule for the West, if it has substance, should be treated in a similar way to the territory in Sinai.

I wish you to know, Mr. Prime Minister, that I am very gratified by your display of flexibility. I was very concerned before you came. Now, I am very much relieved with your approach. There are still some questions that are very important:

1) Who devolves power to the Administrative Council - this is going to have momentous implications in acceptance or rejection of your proposal. If it is going to be from you and Jordan jointly, it will give cognizance that could not easily be revoked; it would not just be a token. Much more significant than devolution from the Israel military governor might be justified in the eyes of Israel but not in the eyes of the world.

Whether devolution of power is complete or partial, is also an important question. If the Administrative Council has all the other authority but that of security, this would be a substantial statement. For example, on questions like expropriation of land and the power to determine the right of immigration of Palestinian Arabs - this would give substantial substance to the Council. You mentioned, Mr. Prime Minister, the Arab rule in Jerusalem - this is of great significance to Saudi Arabia, Jordan and Syria. Maybe it is less important to Egypt. At least, this is my impression from talking to all the Arab leaders. How that is handled is very important. They have told me very frankly - we don't want a tacit or blanket approval extended to us by Israel to come to our Holy Places. They want to feel that they have the right to be there. That is why I asked about the Holy Places in Jerusalem, and in reference to Rome.

Some other questions: The role Jordan will play on the West Bank will have an influence on getting Jordan involved in determining the question of the Administrative Council. We will use our influence to get Jordan involved in relation to the Administrative Council. My understanding from what you say is that the residents of that region - the West Bank - may seek office in the Knesset.

PRIME MINISTER: If they opt for Israeli citizenship they can vote and be elected.

PRESIDENT: What special status, if any, will be retained for Israeli settlements. If Israelis can go in that region can the residents of the area and Jordan come to live freely within Israel?

Therefore, the emphasis of the positive facet of it - your proposal - can make it acceptable as a major step forward. If it is presented differently, it can be very negatively accepted.

I appreciate, Mr. Prime Minister, your comments that you want to talk to Sadat before you expound your proposal publicly, to see what he says positively and what negatively, so that he won't be put on the defensive. We will do everything possible to make your proposal look acceptable. But I must emphasize again, we are very concerned for Sadat that he won't be embarrassed and hurt. I am very afraid of a negative declaration by you on these very important questions. But I am thankful for what you have done. You have done a great thing. Sadat needs peace. If you and Sadat can reach an agreement, I think Hussein wants to come in too. As for Assad, I think he will come in only much later. You might have heard of my press conference yesterday when I spoke about the PLO. I think the PLO has been absolutely negative. There is no role for them to play in the peace negotiation.

VANCE: Another element for Sadat is the principle you state in Article 2; namely, the review after a five-year period. That will mean a great deal to him. It will be very important to him in his consideration of the proposal. I noticed that the article says "principles may be reviewed." If instead of "may" it can say "shall" that would be better.

PRIME MINISTER: It can read "shall be."

I am grateful, Mr. President, for your remarks. The Attorney General will of course deal with the legal aspects.

As far as devolution is concerned, the Attorney General was right yesterday when he said who will give and who will take back the authority. He said it will be the military governor. We looked for the source of authorization and for the time being we only have the military governor. If he did not give authorization, there would exist a legal vacuum. When Brzezinski asked Barak about the possibility of revoking the authority our Attorney General said, as he had to say, "Yes." But I would like to stress that it never occurred to us to revoke. We want to give them self-rule. We deal only with security - we want to give our people security. We don't intend the Military Governor to give authority and then revoke it. Let us assume that there will be disturbances. It could happen. But this will not be a reason to revoke the authority of the Administrative Council.

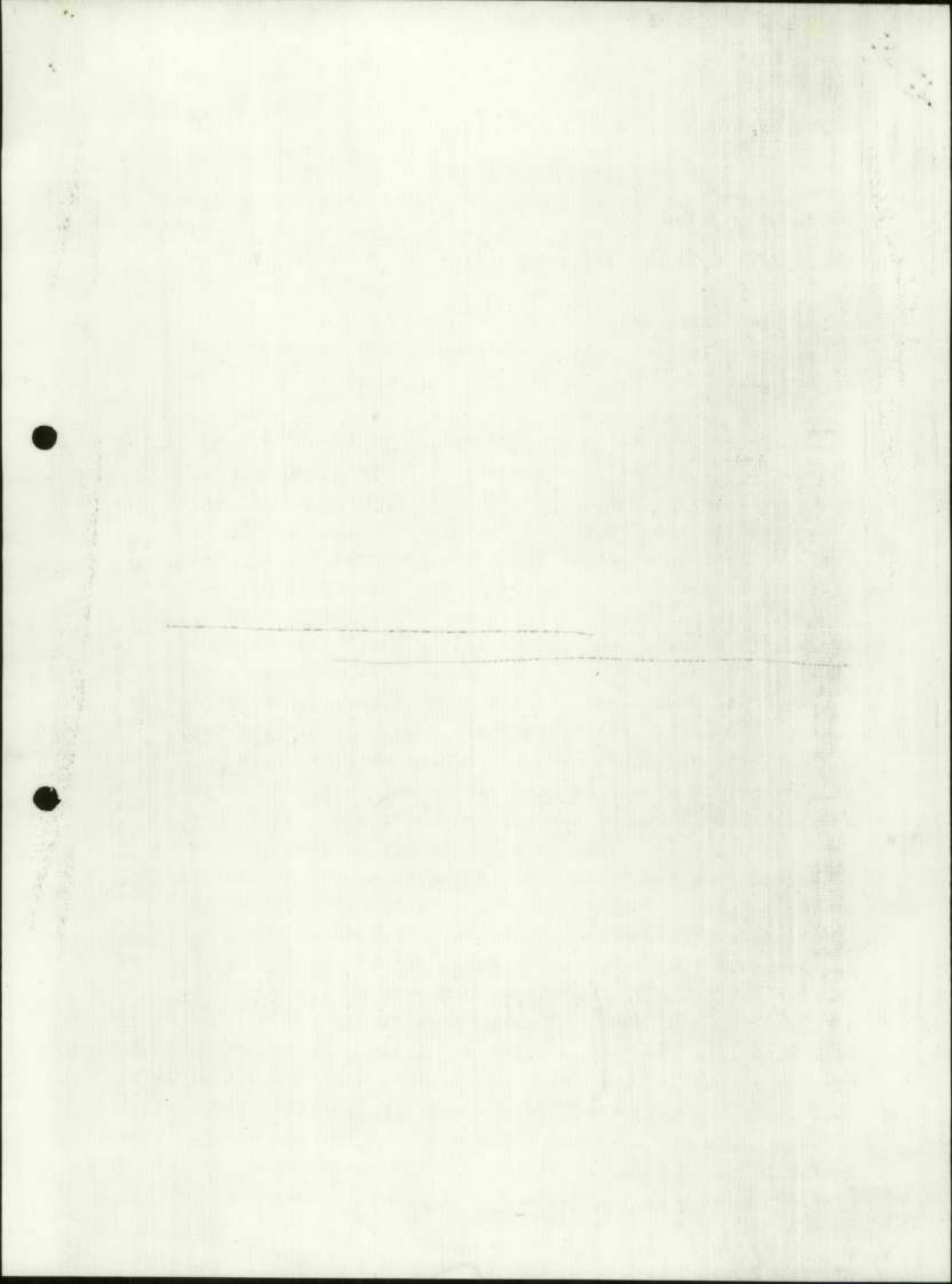
Mr. President, in this room we speak with candor. I said here to you and your colleagues - we don't intend to revoke those powers once given to the Council. The Military Governor gives the powers and then the Administrative Council rules the population in complete autonomy.

If you ask about the source, the source of authority, the answer is yes, the Military Governor. The source of the authority is the source of revoking. But we don't intend to do it. If we can find another way we will bring it to you. Perhaps we will find another way.

We shall consider your proposal of common devolution. It is a serious matter. I'll have to consult my friends about it.

About my conversation with Dr. Brzezinski concerning the presence of U.N. forces in Judea, Samaria and the Gaza Strip. I told him we can't do it. He asked me what is the difference between Sinai and Judea and Samaria. It is a decisive difference. We don't need the U.N. forces to defend us. In Sinai it is different. It is a large desert territory.

With respect to Sharm-el-Sheik. We are giving up all the decisions of all the previous covenants from the time of Eshkol, Golda Meir, Rabin and including my own decision when I was in the Cabinet of National Unity, that the strip of land to Sharm-el Sheik and Sharm-el Sheik itself will not be given up. We really meant sovereignty. It is a legitimate position. After a war of legitimate self-defense territorial changes do take place. This happened after World War II. When I was in Rumania and when I said this to Ceaucescu I said to him that if territorial changes cannot take place after a legitimate war of self-defense, what are the Russians doing in Koenigsberg? Now, this government, to so-called hard line government, has taken up a decision taken by three former cabinets. Why? For the sake of peace. This is a propitious time to make peace. I learned from Sadat that he can't give up the sovereignty of part of Sinai to Israel. I understand it. But we must make sure of freedom of navigation. Therefore, there is in our proposal that U.N. forces could not be removed unless the two parties agree, and the unanimous decision of the Security Council, etc. That applies to Sinai. But the West Bank is a completely different story. We cannot have foreign forces in Judea and Samaria. It would mean that Israel would become a protected state - a protected state by foreign forces. This would change the whole moral status of the Jewish State of Israel. There is a facinating story of the Middle Ages. When the Jews lived in ghettos they were



called protected Jews - "Schutz Juden." They paid money to the local prince for their protection. When I was once in Bratislava, I saw the Jewish ghetto which stood beneath the palace of the prince. They had paid the prince for protection and it was convenient for him that their homes be immediately beneath his palace.

We, the Zionists, Mr. President (and I say this since as you told me you are reading Zev Jabotinsky - the President acknowledges affirmatively) we don't want to be protected Jews. We protect ourselves. We can sustain our independence. This is the raison d'etre of an independent Jewish state. No one can do it for us. We want to live, Mr. President, as any other nation. We don't want to live in mortal danger. In danger - yes, we all live in danger, the danger of atomic bombs - but not in mortal danger.

Therefore, if U.N. forces are in Bethlehem, for instance, then Jewish Jerusalem would be protected by foreign forces. We don't want to be protected by foreign forces - like Canadians, Norwegians or even Poles. (Jocularly) if Poles were there I would be the only one in this room who could understand them.

PRESIDENT: So would Dr. Brzezinski.

PRIME MINISTER: We can't have U.N. forces on the threshold of our homes. On the other hand, arrangements in the Sinai desert are arrangements for peace.

We will consider, Mr. President, the phrase on withdrawal. I would be in favor of "withdrawal to encampments and outposts for the sake of security." I would have no objection to that, but I ask for time to consider it and I must consult my friends.

We have, Mr. President a certain debt to Sadat, but not too much. I would like when in Egypt to address his parliament. If he denies the right, I will say "no mutual gesture."

We will consider all your proposals to make it more palatable for Sadat. I can say that the very idea of self-rule came to us as a result of his visit. I will say so. For the first time in history they will have self-rule.

PRESIDENT: On semantics, is it accurate to say that the Military Government will be ended in Judea, Samaria and the Gaza Strip?

PRIME MINISTER: We say "abolished." Yes, certainly.

PRESIDENT: It is a wonderful way to say it.

VANCE: On the devolution of authority, I would suggest for consideration that if by agreement by Israel and Jordan they could agree to arrangements for self-rule and the setting up of the Administrative Council along the lines you suggest - each resolving to itself all claims with respect to sovereignty - this would be a better way how it would be convened.

PRIME MINISTER: A good suggestion. We will consider it.

BARAK: The model about the delegation of authority by the Military Governor - we were trying to find a way without having to deal with the question of sovereignty and without leaving a vacuum. If there are other ways we will consider them. For example, if as a peace agreement between Israel and Jordan, the peace agreement itself will deal with the basis of authority, we will say the authority comes from us; it is our position in this agreement. If Jordan says it is their position, we will say that they are wrong and they will say that we are wrong.

PRIME MINISTER: We may have a Declaration of Peace as did the U.S. in Japan before the actual peace treaty.

BRZEZINSKI: Exactly right.

PRIME MINISTER: We will consider it.

PRESIDENT: On the matter of immigration: You have mentioned where you'd like the right of Jews to move into the territories and of the other Arabs, as a general principle, are recognized to have the right of refugees to move into the territory. I can see there must be a limit to the number. I say this because I've seen the territories when I was there; they can only support a certain number. Is that what you have in mind?

BARAK: There is both a political as well as a legal point here and they are different. We must distinguish between Israelis going to live in the territory and refugees from Lebanon or Kuwait wanting to live there. From our point of view the Israelis have the right.

VANCE: The bigger problems when it comes down to it relate to those in Kuwait, Lebanon and Syria.

PRIME MINISTER: Jordan tried to resettle the refugees. Hussein says he wants to settle them.

PRESIDENT: Do you see a problem of Jordanians moving into the territory?

PRIME MINISTER: There will be communication. There will be open bridges and they will continue. Now, every year tens of thousands are coming. That will be the case in the future.

As far as settlement is concerned, I say again - reasonable settlements in reasonable numbers. We cannot permit a situation in which the Arabs will become a majority. We must see to the resettlement of refugees under our jurisdiction. In the Administrative Council there will be a department for refugee rehabilitation. In the Arab countries the refugees must be settled there. This has been the rule all over the world. This is what happened in Europe after World War II. Nobody spoke about returning.

PRESIDENT: How about Arabs living in the Gaza Strip? What would support that it remain on the negotiation table?

PRIME MINISTER: Yes, on the negotiation table.

VANCE: There must be a discussion in the proposal where the international community will come in in this whole question of refugee resettlement.

BRZEZINSKI: Since the arrangement will be reviewed after five years, then there might be an announcement that the immigration question will be treated on this five-year basis - a quota for the West Bank based on absorption capacity based on five years; a five-year plan.

PRIME MINISTER: This is also a reasonable suggestion.

PRESIDENT: When I met with Foreign Minister Dayan in New York (Ambassador Dinitz was also there) he suggested in the working paper dealing with the refugee question alone.

DINITZ: Arab and Jewish.

PRIME MINISTER: That is so. We want to solve the problem with good will. With good will it can be done in a few years.

PRESIDENT: Other than security are there any other powers that would be withheld from the Administrative Council?

BARAK: There is the point I explained to Secretary Vance. We are speaking of public order. The concept of public order is larger than security. There may be questions of public order other than security arrangements. For example, if the Administrative Council decides to impose customs between Israel and the territories. Now there are no customs. This raises a question of public order.

PRESIDENT: This could be resolved in the agreement with Jordan.

BARAK: As many as the problems that will be solved separately - there will be no need for them to come under public order. I think that there are many questions which cannot specifically be put down. The human imagination is not wide enough to think about solutions for all future problems that might come up.

VANCE: Considerable public order situations can cross-cut security as such.

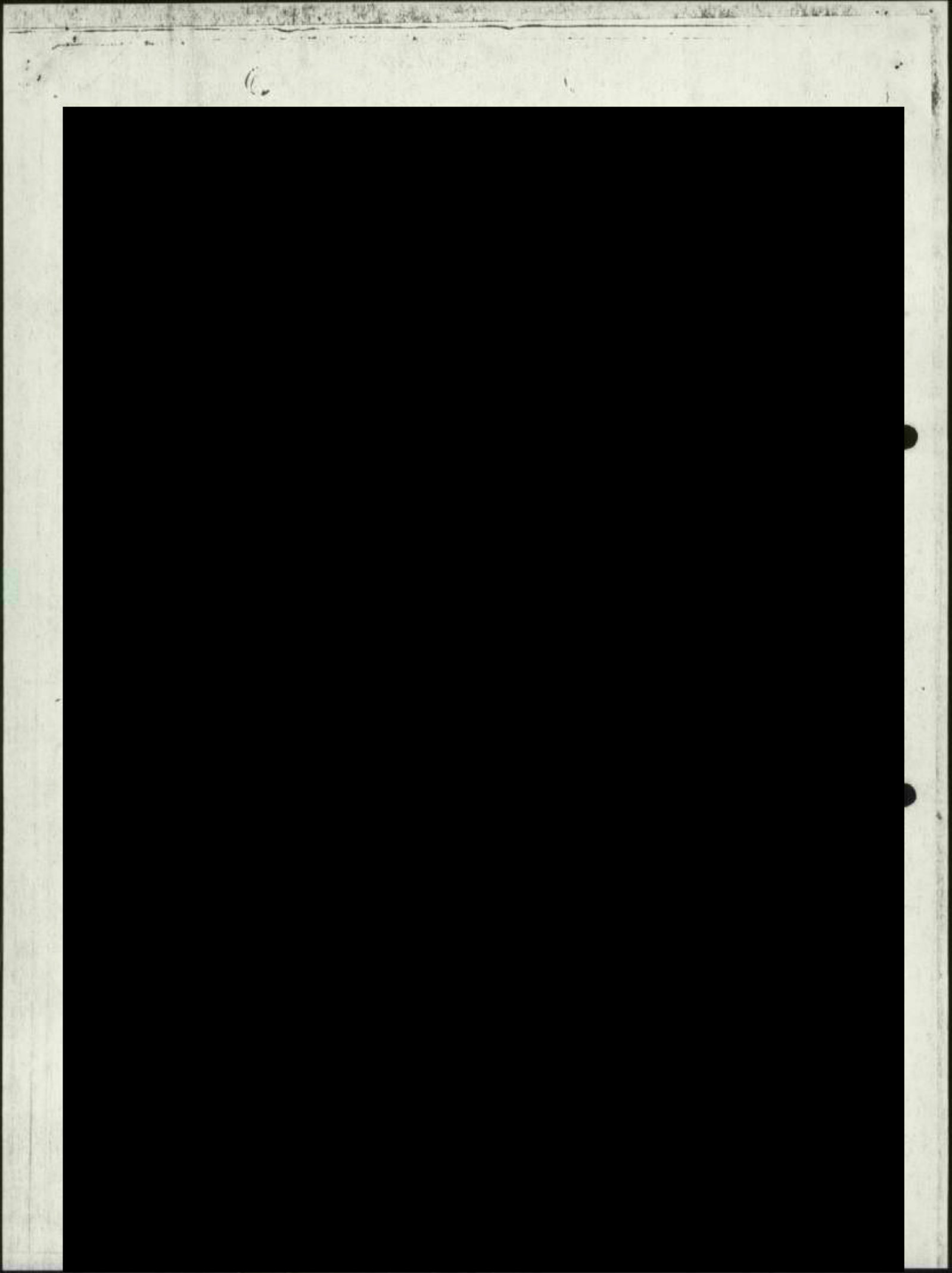
PRIME MINISTER: I would like to have, as I said to Dr. Brzezinski - let's give it a chance. If there is good will, agreement, cooperation it will create fair conditions for a peaceful life.

PRESIDENT: Do you see special status for the Israeli settlements?

PRIME MINISTER: No special status; only the right to be there. You remember, Mr. President, what I said when I was last here about the names Shiloh, Bethlehem and Hebron. Now there will be Jews and Arabs living together. We place it in a symmetric justice (the Prime Minister quotes para. 19 of the home rule proposal).

PRESIDENT: How long, Mr. Prime Minister, will you be in the U.S.?

PRIME MINISTER: Until Monday night. On Tuesday morning I am meeting with Mr. Callaghan in Checkers. I will give him full information. I also received an invitation from the President of France to come to Paris. He is getting very curious indeed. On Wednesday I will hold a Cabinet Session. On Thursday, if possible, I will see Sadat.



President on specific proposals but to give information and consult together, so that the American people don't conclude that we were discussing here a specific plan and a specific negotiation.

PRIME MINISTER: I would agree. The Secretary advised me in Jerusalem that I should not use the word "plan." I therefore speak about bringing ideas and proposals.

BRZEZINSKI: You will be talking to Sadat and it will be useful not to confront him with a specific blueprint but to speak along the lines as you have spoken to the President, namely proposals out of which a plan emerges jointly.

PRIME MINISTER: Do you mean not to leave the document with him? It is a document of general principles.

BRZEZINSKI: That sounds proper. Then, in a day or so a joint document is drawn up in agreement.

PRESIDENT: Dayan and I in New York had agreed on a set of principles but then the proposal subsequently became identified as an American-Israeli plan. This the Arabs felt reluctant to adopt even if they agreed with it. If you and Sadat could take your verbatim proposal and let it be revealed to the public as a joint proposal this would be beneficial. I am afraid that if the public feels it is only yours and he rejects it this could be very unfortunate.

PRIME MINISTER: The difference is that now we are actually negotiating about peace treaties. Therefore, to bring a proposal about peace treaties to Sadat is what he will be interested in.

PRESIDENT: I understand.

PRIME MINISTER: Nevertheless I will think about it since he too has to consult with at least some of his colleagues.

BRZEZINSKI: If you can speak in general principles devolution, five years, etc., this could be a good approach.

PRIME MINISTER: Please leave it to me on the spot. Perhaps I'll have to give him the document.

PRESIDENT: He expressed to us, perhaps an exaggerated concern, that you will present something to him he might have to reject. If you do it as we suggest, the atmosphere will be of hope. He feels that he has eliminated all the preliminary steps by his coming to Jerusalem and that by adopting Israel as a permanent entity he has gone as far as he can go.

I think your proposal is very constructive. It is a fair basis for negotiation. In complete fairness - what Sadat feels is that what you will bring is only a basis for negotiation. I don't want to create a negative idea because I don't feel that way at all.

PRIME MINISTER: I want to share with you the impression of General Dayan with whom I spoke this morning. I expressed to him your concern that Sadat might face downfall if things go wrong. Dayan asked me to tell you - and he really understands the Arab world - that there is no reason for concern. Sadat's authority is based on the support of the Army and he has full support not only of Gamassi but of the whole Army. There is no real concern. What Sadat is doing is very popular with the people of Egypt. They want peace. There is no reason to reject our proposal. He may make amendments and

bring certain proposals. On the basis of a precedent we should not exclude the possibility that the peace treaty with Sadat will be the first one to be followed by others. As Ambassador Herzog reminded us the other day that was the sequence of the Armistice Agreements - first came Egypt, then Jordan then Syria, etc. We shall also see it as the first, not the last, towards a comprehensive settlement.

PRESIDENT: My statement on Sadat and resignation was derived from Sadat himself. I am not trying to paint a picture of doom and catastrophe. I just felt I have to repeat to you what he said to me. Cy Vance spoke to him and also heard it with his own ears.

VANCE: What Sadat said is that there is no question that 99% of the people and the Army are with him. Then Sadat said that unless we continue the momentum - if it is seen that there is no response in a true way, then all this can turn around and "my support would fade quickly and I'll be in desperate straits."

PRIME MINISTER: We understand and shall act appropriately.

DINITZ: We want to put this whole thing constructively. What the Prime Minister referred to before - if word comes from here that it is a fair basis for negotiation, it would help dispel any impression that there is any coolness to its reception.

VICE PRESIDENT: This is what I meant when I spoke before. There is great confusion in the press corps.

PRIME MINISTER: What is wrong with that?

VICE PRESIDENT: As I understand it - two friendly nations got together to compare ideas, proposals, etc., and that it must be understood that the purpose was not to negotiate a specific plan here.

VANCE: What we say at the end of the meeting is important. It will set the tone. (Vance refers in general terms to the communique to be issued by him at the end of the meeting.)

DINITZ: There is really only one essential correction on "constructive proposals."

PRIME MINISTER: I think it is an excellent communique.

VANCE: Let us say "approach" instead of "proposal."

PRIME MINISTER: "Approach" is a very good word.

PRESIDENT: You value, Mr. Prime Minister, the words Judea, Samaria and such terms. Some find it difficult to accept. We always use the word the West Bank. The area west of the Jordan River may be better.

PRIME MINISTER: Let every side use his own language.

Mr. President, May I have fifteen minutes with you now privately?

PRESIDENT: Of course, my time this evening is yours. (The group stands.) This is a very constructive meeting and we are very proud.

(The meeting ended at 2040 hours.)

ק"ר 10/14

כך המוסר תוכן מסמך זה, כולו או מקצתו לאדם שאינו מוסמך לכך - עובר על הרוק לתיקון דיני העונשין (כטחון המדינה יחסיחוץ וסודות רשמיים), תשי"ז - 1957.

משרד החוץ

מחלקת הקשר

מברק נכנס - מסווג

דף מספר 1 מתוך 1 דפים

עותק מספר 6 מתוך 7 עותקים

25/14

סודי ביותר

מס 280

נשלח 171800 דמ 77
חוקל 180125

אל תשרד
סאת ווט

סודי ביותר. למען בלבד
ב.ע.ז
אל:טחח.

המזכיר חזמ"נני הנוסף למשרדו כדי למסור לרווחת החברים הבאים:
א. ומלכ חוסי"נ ותנסיכ וואטנ מסרו לזמ שזמ רואים תועלת בקיום שיחות
כלשהו עם ישראל.

SOME CONVERSATION WILL BE USEFUL.

ומלכ איננו מרגיש שהוא עצמו יכול לחבר עמסיו עם רווח או שחח מפני
שחזק מדי גבוה וחס"כונ עבודו מדי ומור. הוא מוכן שהנסיכ וואטנ
יחבר עם ידי"ט או עם כל אחד אחד בודק מי"נ יטטר"אלי שיחמנה על ידי
רווח מלכד שר החוצ ושר הבטחונ.

חידת"ים לא קבעו את המועד או המקום אלא ביקשו לחעביר ידיעה זו לישראל.
עד סג החודעה.

לפי הוראת רווח השבתי למזכיר כי רווח יטפל בנושא עם שובו ארצה.
ב.תמזכיר אמר שהערכותם עמסיו לאחר שיחת רווח עם הנשיא שהעני"ים
מוקדמים בכיוון הנכון.

THINGS ARE MOVING IN THE RIGHT DIRECTION.

TO BRIDGE THE GAPS.

וכי מסתמנת אפשרות -

יש להמשיכ ולא לאבד את המומנטום.

המזכיר הוסיף שגם הסורי"ם אינם רוצים לנתק עצמם מתחליכ השלום ומעוני"ים
לשמור על מגע קרוב עם ארצם. אינ הם רוצים לחזקת לפינה אחת עם ורוס"ם
וחקיצוני"ים. לשאלתי אמר המזכיר שאינפורמציה זו תגיע לידיעות
כבר אחרי ביקורו בזמטק ומאשרת החבר"ם שאמר לו אמר.

ג. תגובת טאזאת, לאחד שיחת קרטר אתו, ולאחד ששגרירות בקהיר עמד אתו
בקשר היא מעורזת אכ על ככ ימסור הנשיא לרווח הערב. באופן כללי רווח
המזכיר לחזור ולומר שזמ (האמריקאים) שבע"ם רצונ מכיוון התפתחות
העני"ים.

ד י נ י צ

לה רכב סלרמ סלרמ סלרמ (ב.ס.ה)

10.12.77

דמי משלוח	11
מספר	121.12.77
תאריך	21.12.77
שם	5
כתובת	
מדינה	
שירות	
מחיר	
הערות	

חודי ביוגר

אל : ראש הממשלה

מאת: היועץ המשפטי לממשלה

מספר	121.12.77
תאריך	21.12.77
שם	5
כתובת	
מדינה	
שירות	
מחיר	
הערות	

21/12/77

הנדון: פגישה עם שר החוץ האמריקאי

מספר	121.12.77
תאריך	21.12.77
שם	5
כתובת	
מדינה	
שירות	
מחיר	
הערות	

1. רצוף בזה פרוטוקול הדיונים שקיימתי היום אחר

הצהרים עם שר החוץ האמריקאי ועוזריו.

2. נראה לי שכדאי כי חעיין בפרוטוקול בטרם תפגש

שנית עם הנשיא, וזאת הן כדי שתוכל לחקן דברים

שלא נראים לך בחטובותי, והן כדי שתהיה ער

לנושאים שהשארתי להכרעתך.

ב ב ר כ ה,
 אהבו ברק
 אלה קר
 אהב

יאש במאמר ציון יפואקל
 131 גאן V סא הולד
 אהב
 18.12.77

אהב

פגישה עם מזכיר המדינה 16.12.77 שעה 2.30.

- מהצד האמריקאי נכחו: - מזכיר המדינה
- סגן המזכיר - קריסטופר
- היועץ המשפטי - האנסל
- סאוונדרס
- קוואנדט
- השגריר לואיס
- וליוטיס

- מהצד הישראלי נכחו: - היועץ המשפטי
- השגריר
- סא"ל צבי אפרה
- חנן בר-און

המזכיר פתח באמרו שהיה מבקש ללמוד יותר על החאוריה של העברת הסמכויות למועצה המנהלית.

ברק: לא היה לנו מספיק זמן על מנת ללמוד את כל הבעיות הכרוכות בכך אך הפראמטר העיקרי הוא כי הנייר אינו רוצה לגעת בשאלת הריבונות ועל כן העברת הסמכויות חעשה ע"י הממשל הצבאי ולא במישרין ע"י ישראל וירדן.

וואנס: האם נקודת המוצא שלך היא שהשלטון הקיים בשטח הוא שלטון כיבוש?

ברק: בקשר להעברת הסמכויות קיימות מספר אפשרויות:

- קיימת האפשרות לפיה הכנסת בישראל תחוקק חוק שיעביר במישרין

את הסמכויות למועצה המנהלית, אך אם ננהג יהיה בכך משום מעשה

ריבוני.

- אם ירדן היא שתעניק את הסמכויות יהיה בכך משום הכרה ישראלית

בריבונות ירדן על השטח.

- כיום קיים ב-1958 ממסל צבאי המפעיל גם את סמכויות השלטון והחקיקה.

מאחר ומנקודת ראותה של ירדן השטח הוא שטח מוחזק, ברור כי למוטל הצבאי

יש סמכויות לגביו. מנקודת ראותנו למוטל הצבאי יש סמכויות או מכוח

ההחזקה בפועל בשטח או מכוח הריבונות שלנו.

החוצאה היא כי הגורם היחיד המוסמך להעניק את הסמכות מבלי לעורר

עקב כך את שאלת הריבונות הינו המוטל הצבאי.

לואיס: האם הממשל הצבאי יחדל להתקיים לאחר העברת הסמכויות?

ברק: המוטל הצבאי יפרסם צו שבו הוא יאצול את הסמכויות המתאימות

למועצה המינהלית. כחוצאה מהאצלת הסמכויות תחבטל האדמיניסטרציה

של הממשל הצבאי, אך המוטל הצבאי ימשיך להתקיים בכל מה שנוגע

לבטחון ולסדר הציבורי (public order). המוטל הצבאי חמיד

יוכל ליטול את הסמכויות בחזרה.

המזכיר: העיר כי המוטל הצבאי שואב למעשה את כוחו משר הבטחון.

ברק: מנקודת ראות המשפט הישראלי - המוטל הצבאי הוא קצין המשרת

בצבא וכפוף לחוק הצבאי. מנקודת ראות המשפט הבינלאומי הוא הנורמה

הבסיסית בשטח.

כריסטופר: בעקבות האצלת הסמכויות יחיימו בחירות למועצה המנהלית
האם כתוצאה מכך לא יוצרו כוחות בידי המועצה המינהלית שיבטלו
כליל את סמכויות המו"ל הצבאי?

ברק: הבחירות הן אמצעי ראוי אטר באמצעותם נקבע גוף אשר אליו
מאצלות לאחר מכן הסמכויות ע"י המושל הצבאי. הבחירות כשלעצמן
אינן מעניקות לגוף הנבחר סמכות אקזקוטיבית או חקיקתית.

המזכיר: מה יהיה המטפס שיהיה בחוק?

ברק: (א) החוק יהיה קיים ביו"ט ובעזה לפני 67; (ב) חקיקת הבטחון
של המושל הצבאי (ג) התקנות שיחטרסמו ע"י המועצה המנהלית
(ד) התחיקה שיוציא המושל הצבאי מכח סמכויות החקיקה הנחונות בידי.

המזכיר: האם מועצה מנהלית תוכל לבטל חקיקה קודמת?

ברק: החשובה כן ולא.

במסגרת הפונקציות המוענקות להן החשובה היא כן. אך בעניינים הקשורים
בקונצפציה של סדר צבאי יוכל המושל למנוע זאת.

המזכיר: איך חפעל המוטרה?

ברק: המשטרה המקומית תמלא את תפקידי הכיטור וזאת כמובן כפוף
שוב לעיקרון הסדר הציבורי.

המזכיר: חוסיין מסר לי שיש חקיקת בטחון ששינחה את סמכויות של
המשטרה המקומית.

ברק: למיטב ידיעתי לא בטל המושל הצבאי את ההסדרים שהיו קיימים
בענינים הנוגעים למשטרה המקומית.
הרשה נא לי בהזדמנות זאת להוסיף כי ביו"ש קיימת מערכת בתי משפט
מקומיים של ערכאות ראשונה וערכאות ערעור המאושת ע"י שופטים
מקומיים. בעבר היה ערעור מבית המשפט לערעורים ברמאללה אל בית
המשפט לקסציה בעמאן. ערעור זה בוטל.
במקביל לכך קיימים בתי משפט צבאיים הדנים בעמדות על חקיקת הבטחון.
שאלת המשך קיומם של בתי משפט הצבאיים טרם הובהרה.
יחכן והם ימשיכו להחקיים ויחכן שתוענק סמכות שפוט לבתי משפט בישראל.
על פי ההסדר יהיו באזור גם יהודים. על כן נצטרך להסדיר את שאלת
הערכאות שעליהם יוכלו יהודים אלה לפנות. כבר כיום יש לבתי המשפט
המקומיים סמכות שפוט על ישראלים המתגוררים ביו"ש.

לואיס: האם סמכויות החקיקה ינתנו למועצה המקומית או לאגפים ומדוע
נקראת המועצה מועצה מינהלית?

ברק: לפי הבנתי ינתנו סמכויות החקיקה למועצה המינהלית במסגרת

הסמכויות הניתנות לכל אחד מהאגפים. העובדה שיש למועצה המינהלית סמכויות להחקין תקנות אינה פוגעת באופיה המינהלי שכן מקובל הוא שישנם הרבה גופים מנהליים שמוסמכים לחוקק תקנות.

לואיס: בידי מי היום הבעלות על הרכוש הממשלתי שביהודה ושומרון?

ברק: בידי המושל הצבאי.

המזכיר: ומה יהיה בעתיד?

ברק: לפי תפיסתי הדבר נחון למושל הצבאי.

המזכיר: לענין סעיף 17 האם ניתן להגשים או חו בלי שתוף פעולה של ירדן?

ברק: ברור שהתשובה היא שדרוש שתוף פעולה של ירדן וכי סעיף 17 רק קובע שלא תהיה מניעה לכך מבחינת הדין הנוהג באזור; אשר לשתוף פעולה עם ירדן, דבר זה נקבע במפורש בסעיף 18 העוסק בשאלה זו.

לואיס: האם נכון שהסדר עם ירדן עם כן לא עוסק רק בשאלה הטכנית של הבחירות אלא גם בחוצאות הנובעות מהעובדה שיש בחירות כאלה?

דיניץ: כן. והלשון של סעיף 18 אכן קובעת שהוא עוסק בבעיות הנובעות מהבחירה לפרלמנט הירדני.

ברק: שאלת ההצבעה מעוררת הן שאלות טכניות והן שאלות של מהות.
הנייר כשלעצמו אינו מעניק לירדן כל סטטוס, אך הגשמת זכות
הבחירה צריכה להתברר במשא ומתן.

המזכיר: האם יהיה עיון מחדש לאחר חמש שנים? האם מותר לעשות עיון
מחדש לפני כן? מי יחליט עליו? עם מי הוא יעשה?

ברק: אלה הם שאלות שראוי הוא להבהירם עם ראש הממשלה.

היועץ המשפטי (האנסל): האם במסגרת העיון מחדש ניתן להכניס שינויים
בהסדר?

ברק: לאחר חמש שנים יצטבר נסיון של הפעלת ההסדר הלכה למעשה,
ולקחים אלה ילקחו בחשבון במסגרת העיון מחדש.

לואיס: האם ניתן לבצע את העיון מחדש בפחות מחמש שנים?

המזכיר: לשאלות אלה יש נימה פוליטית ואני אדבר עליהן עם ראש
הממשלה.

האם ההסדר המוצע מצריך קבלת סמכויות מירדן?

ברק: מנקודת המבט שלנו החקיקה הירדנית שהתקבלה בירדן לאחר 67
אינה חלה ביו"ש.

נקודת הראות הירדנית היא כמובן טובה.

מבחינת הדין החל ביו"ש לא חקיקה ירדנית^{חדשה} ולא חקיקה ישראלית חלה

עליהם. זה המצב לפני ההסדר ומכיוון שאנו לא נוגעים בשאלת הריבונות
זה יהיה המצב לאחר ההסדר.

כריסטופר: האם המחנות הצבאיים יהיו כפופים לסמכויות האזרחיים
של המועצה המינהלתית?

ברק: טאלה זו אינה מוסדרת במסמך.

כריסטופר: מה סמכותה של המועצה המינהלתית על הישובים היהודיים
שבאזור?

ברק: עקרונית תחול סמכות המועצה המינהלתית על כל החושבים של
האזור.

כריסטופר: מה לגבי ירושלים?

ברק: על ירושלים המזרחית הוצאנו מהכח אל הפועל את סמכותנו הריבונית
ואנו מפעילים שם את המנהל, החקיקה והשפוט של מדינת ישראל. הנורמה
הבסיסית במזרח ירושלים היא של העם והכנסת ועל כן מזרח ירושלים
לא שייכת לעניין.

המזכיר: האם חשבו על נוכחות בינלאומית ביהודה ובשומרון?

8/...

ברק: זאת לא אלה שנובעת לי.

דיניץ: אני לא שמעתי על כך ועניין זה לא מוזכר בנייר.

לואיס: האם לצורך הפעלת התכנית צריך באטרור של גוף חיצוני?

ברק: לשם הפעלת התכנית אין צורך באטרור של כח חיצוני. מה צריך הוא צו של המושל הצבאי.

המזכיר: האם ההוראות בקשר לבחירות יוצאו ע"י המושל הצבאי?

ברק: כן.

המזכיר: האם אני צריך להבין יואחם מבססים את ההסדר על תחולתה של אמנת ג'נבה?

למעשה של

ברק: כידוע לא הכרנו בתחולתה של אמנת ג'נבה אלא בישום חלק מעקרונותיה. מי שגורס אמנת ג'נבה חלה, הרי סמכויות המושל הצבאי נובעות ממנה. מי שגורס שיש לנו ריבונות, הרי סמכויות המושל נובעות ממנה. מכיוון שכך, שארנו את אלת הריבונות פתוחה והתמקדנו על העברת הסמכות מהמושל הצבאי.

בריטטופר: האם ניתן לומר שסמכויות המועצה המינהלית נובעות מעצם תהליך עטיית הטלוס? כלומר מהסכם הטלוס עם ירדן ומצרים?

9/...

המזכיר: הצדדים הבאים בחשכון הם ירדן לגבי יהודה ושומרון ומצרים לגבי עזה.

ברק: כדי ליישם הסדר זה ישראל חוכל לבצע זאת באופן חד צדדי. יחד עם זאת ניתן לבצע את ההסדר כחלק מהסכם שלום בין ישראל וירדן.

לואיס: האם הפקוח על ההגירה יעשה ע"י המועצה המינהלית בכפוף לממשל הצבאי שיפעיל שקולי בטחון?

ברק: שאלת ההגירה לאזור לא נידונה במסמך. אני מציע ששאלה זו תדון עם ראש הממשלה.

דיניץ: הבנתי את ראש הממשלה כאומר שהגירה במספרים סבירים חתאפטר .

ברק: המסמך לא הקים אגף להגירה. לפי הבנתי המחלקה לשקום פליטים דנה באותם הפליטים הנוכחים כיום ביו"ש ועזה.

לפי הבנתי הביטוי resident במסמך מתייחס לאלה שהם חושבי האזור בעת הפעלת ההסדר. שאלת ההגירה מעוררת בעיות סבוכות מבחינת המשפט הישראלי שכן מהגר שיבוא מלבנון למשל, ליו"ש ויבחר באזרחות הישראלית יוכל עקרונית להשחקע בישראל. לכן יש לראות בשאלת ההגירה שאלה פוליטית שיש לפנותה לראש הממשלה.

לואיס: כיצד מתבצעת קבלת האזרחות בישראל?

ברק: החוק הישראלי מכיר בשתי דרכים לקבלת אזרחות ישראלית:

- א. התאזרחות מכח לידה או מכח חוק השבות.
ב. התאזרחות ע"י שהייה במקום, מלוי תנאים נוספים וקבלת אשור
שר הפנים.
שקול הדעת כאן הוא של שר הפנים. הוא רשאי לסרב לתת אזרחות למי
שעבר עברות פליליות. ההסדר בעיקרו דומה למקובל בארצות אחרות.

המזכיר: האם יש באזור קרקע צבורית?

ברק: הבעלות על הקרקע באזור מחלקת כך: (א) קרקע בבעלות אנשים
פרטיים - בק יהודיים ובלן ערבים; (ב) קרקע מדינה המוחזקת ע"י
המושל הצבאי; (ג) קרקע נטושה המוחזקת ע"י הממונה על הרכוש הנטוש
במסגרת הממשל הצבאי.

המזכיר: (א) בידי מי תהיה הבעלות על קרקעות המדינה? (ב) האם המועצה
המנהלית תוכל להפקיע קרקע?

ברק: לגבי שתי השאלות החשובה דורש עיון נוסף.

לואיס: בידי מי הבעלות על הקרקע עליה נמצאות ההתנחלויות?

ברק: הקרקע עליה נמצאות ההתנחלויות היא: (א) בבעלות יהודים פרטיים
(ב) קרקע של המדינה שבידי המושל הצבאי; (ג) קרקע שנחפסה לצרכים
צבאיים.

המזכיר: אם ירדני או ישראלי ירצה להתישב באזור ממי הוא ירכוש את הקרקע במקרה שהקרקע היא ממטלחית או במקרה שהקרקע היא פרטית?

ברק: קרקע ממשלה הוא ירכוש ממי טיחזיק את קרקע זו והקרקע הפרטית הוא ירכוש מידי הבעלים שלה.

לואיס: האם ערבי חושב יו"ש יוכל לרכוש קרקע ולהתישב בישראל?

ברק: לפי סעיף 19 בהסדר חושב השטחים יוכל לרכוש קרקע בישראל ויוכל לגור בקרקע שהוא רכש.

לואיס: במה משנה הסדר זה את המצב הקיים?

ברק: ההסדר המוצע לא ישנה את המצב המשפטי הקיים לפיו כל אדם בק או הוא ישראלי ובק או הוא זר רשאי לרכוש קרקע בישראל. ההסדר המוצע ישנה את המצב הקיים לפיו חושב השטחים אינו רשאי להיות בישראל מעל תקופת זמן שנקבעה בצו המושל. מגבלה זו חוסרה הסדר זה עובד באופן סימולטאני. ישראלי יוכל לרכוש באופן חופשי קרקע בשטחים ולהתישב בה. חמיד לא הבנתי את עמדתכם ולא התנגדה לכך שיהודי ישראלי רוכש קרקע בניו יורק אך התנגדה לכך שיהודי ישראלי ירכוש קרקע ביו"ש.

היועץ המשפטי (האנסל): האם חקיקת המוסל הצבאי מתפרסמת בקבצים?

ברק: החקיקה יול המוסל הצבאי מתפרסמת בעברית ובערבית. מקובל עלינו

העיקרון שאין חקיקת סחר וכל חקיקה כזאת נכנסת לחוקף רק לאחר שהיא זוכה בפרסום ראוי.

לואיס: כאשר ישנה החפרעות מי יטפל בזה?

ברק: לפי דעתי צריך להבחין בין שני סוגים של החפרעויות. הסוג הראשון - החפרעות מהסוג שבו חושבים מחקוממים נגד מס עירוני שראש העיר העלה. ענין זה הוא בסמכות המשטרה המקומית. הסוג השני - הוא החפרעות בעלת אופי בטחוני. בענין זה יהיו סמכויות נתנו לרשויות הישראליות. ההסדר מניח קיום סמכויות מעצר וחיפוש בידי רשויות הבטחון לטם מילוי חפידיהם.

לואיס: מה גישתכם לגבי מימון המועצה המינהל ?

ברק: למועצה המינהלית יהיו סמכויות לגביח מיסים כגון מס הכנסה. עם זאת ברצוני לציין כי הסמכויות הכספיות של המועצה מוגבלות ע"י העיקרון הקבוע בסעיף 20 בהסדר המבטיח חופט פעילות כלכלית. מכאן נובע לדעתי שהמועצה המינהלית לא תוכל לקבוע מכס למעבר סחורות בין יהודה ושומרון לבין ישראל. המעבר כיום הוא חופטי וכך הוא ימשיך להיות.

לואיס: המושג של סדר ציבורי לא מוזכר פה. האם הוא נכלל בבטחון?

ברק: המושגים בטחון וסדר ציבורי אינם מושגים זהים.
המושג סדר ציבורי רחב יותר מבטחון.

המזכיר: מה המשמעות של האגף לסקום פליטים?

ברק: באזור קיימים כיום פליטים. האגף מטפל בפליטים וידאג לטיקומם.

השיחה ארכה כשעה וחצי.

בלתי מסווג

משרד החוץ
מחלקת הקשר

מברק נכנס

מס: 242

בשלה 161330 רצמ 77

הווקבל 162115

אל: המשרד

מאת: רושינגטון

הול:

יחובות

מצפא, לטי' חסר. לשמנכל

להלן הודעת הבית הלבן לאחר פגישה הנטיא עם רוהמ:

קצין-ט"א

THE PRESIDENT WAS HAPPY TO HAVE THE OPPORTUNITY TO WELCOME PRIME MINISTER BEGIN AGAIN TO THE UNITED STATES. THE PRIME MINISTER AND THE PRESIDENT MET PRIVATELY FOR AN HOUR AND SUBSEQUENTLY OTHERS JOINED. THE ENTIRE DISCUSSIONS LASTE TWO HOURS. THE PRESIDENT WAS ABLE TO HEAR FIRST HAND FROM PRIME MINISTER BEGIN HIS IMPRESSIONS AND EVALUATIONS OF THE MOMENTOUS EVENTS IN THE MIDDLE EAST SET IN TRAIN BY PRESIDENT SADATS HISTORIC VISIT TO JERUSALEM AND HIS RECEPTION BY THE PEOPLE PARLIMANET AND GOVERNMENT OF ISRAEL. ALL ASPECTS OF THE CURRENT MIDDLE EAST SITUATION WERE DISCUSSED IN THE CONTEXT OF THE SEARCH FOR A COMPREHNSIVE PEACE. OBVIOUSLY A PARTICULAR FOCUS WAS ON THE DIRECT TALKS WHICH HAVE COMMENCED BETWEEN EGYPT AND ISRAEL. THE PRIME MINISTER AND THE PRESIDENT DICUSSED THE MOST EFFECTIVE WAYS TO CONTINUE THE MOMENTUM AND TO TURN TO THE BROADER GOAL OF NEGHTIATING A COMPREHNSIVE PEACE. IN THIS RESPECT THE PRIME MINISTER AND THE PRESIDENT DISCUSSED UNDERLYING PRINCILES WHICH COULD GUIDE FUTURE NEGOTIATIONS. THE PRIME MINISTER OUTLINED PROPOSALS CONCERNING THE FUTURE RELATIONS BETWEEN EGYPT AND ISRAEL AND A PROCESS FOR RESOLVING THE ISSUE OF PALESTINIAN ARABS. THE PRESIDENT THANKED THE PRIME MINISTER FOR HIS THOUGHTS IN BOTH OF THESE AREAS AND PROMISED TO GIVE THEM SERIOUS CONSIDERATION. THE PRESIDENT TOLD PRIME MINISTER BEGIN THAT THE UNITED STATES IS CONVINCED THAT THE COURSE OF DIRECT NEGOTIATIONS ON WHICH PRIME MINISTER BEGIN AND PRESIDENT SADAT HAVE EMBARKED OFFERS A UNIQUE OPPORTUNITY FOR PEACE. WE OF COURSE RECOGNIZE THAT IN THESE NEW CIRCUMSTNACES THE TEST OF ACCEPTABILITY OF THE PROVISIONS OF A NEGOTIAYED SETYELEMENT WILL LIE IN THE JUDGEMENTS OF THOSE WHO WILL ULTIMATELY SIGN THE PEACE TREATIES. THE UNITED STATES WILL CONTINUE TO REMAIN IN THE CLOSEST POSSIBLE CONSULTATION WITH BOTH SIDES IN THE EFFORT TO HELP THEM FIND COMMON GROUND. THE PRESIDENT AND THE PRIME MINISTER WILL MEET AGAIN TOMORROW EVENING AT 7:00 P.M.

אנ KAN.
ITONUT--

שח רוהמ סרוקמ שהבט מנכל ממנבל שמנכל נועת הסכרה וועוד אילסר מזחים מצפא חקר רמ אמר ו

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TOP SECRET

משרד ראש הממשלה
לשכה מנכ"ל
צילום מסמך מסווג -
מספר 1
תאריך: 20.12.77
שם ביוטן: דף

MEETING BETWEEN PRIME MINISTER BEGIN AND PRESIDENT CARTER
AT THE WHITE HOUSE, WASHINGTON, D.C., FRIDAY, DECEMBER 16,
1977, @ 8:00 a.m.

The first hour, the Prime Minister and the President conducted a tete-a-tete in the oval office.

The Prime Minister and the President then moved into the Cabinet Room and were joined by:

On the American side:

- Vice President Walter F. Mondale
- Secretary of State Cyrus Vance
- Ambassador Samuel Lewis
- Dr. Zbigniew Brzezinski
- Mr. Hamilton Jordan
- Mr. Robert Lipshutz
- Mr. Stuart Eizenstat
- Mr. Jody Powell
- Deputy Secretary of State Warren Christopher
- Mr. William Quandt
- Mr. Harold Saunders

משרד ראש הממשלה
לשכה מנכ"ל
צילום מסמך מסווג -
מספר 2
תאריך: 20.12.77
שם ביוטן: דף

On the Israel side:

- Ambassador Simcha Dinitz
- Ambassador Vivian Herzog
- Attorney General Aharon Barak
- Mr. Chaim Landau
- Mr. Shmuel Katz
- Brigadier General Efraim Poran
- Mr. Zvi Efrat
- Minister Hanan Bar-On
- Mr. Yehuda Avner

משרד ראש הממשלה
לשכה מנכ"ל
צילום מסמך מסווג -
מספר 1
תאריך: 20.12.77
שם ביוטן: דף

TOP SECRET

PRESIDENT: We are delighted and honored to have you back in the United States. We have followed with great admiration recent dramatic events in the Middle East brought about through the foresight and the courage of President Sadat and yourself.

We face new opportunities for peace and the breakthrough for the region and for the whole world. You carry a great responsibility on your shoulders; there is no more popular leader. I have looked at your public opinion polls with envy. This gives you a serious responsibility and great force and flexibility.

I have stayed in close touch with President Sadat. We want to be extremely helpful for negotiations between you and him. We will add our good offices as requested. We are proceeding on the basis of 242. We hope that the realization of genuine peace will be consummated in accordance with 242 calling for withdrawal and the security of borders.

Sadat made a concession -- the ultimate concession he can make, nearly full recognition of Israel and even withdrawal of troops from his own territory. The world now awaits your response. I wish now to invite the Prime Minister to explain what Israel's position might be, the agreements or the responsibility of the parties. Even though we have a vital interest in the Middle East, we do not have responsibility for the negotiations. Our good offices are available to you.

PRIME MINISTER: I thank you, Mr. President. I was here five months ago in this Cabinet room. My wife and I enjoyed the gracious hospitality of Mrs. Carter and yourself. Since then

only five months have elapsed but it seems to have been almost an eternity because of great events that have taken place.

I thought it would be advisable therefore to bring to you proposals of the Government of Israel, and you should be the first man to study them. I therefore suggested to Secretary Vance when he visited us last week that this meeting should take place and you were gracious enough to respond. Again, I express my gratitude.

We had very fruitful talks with Mr. Vance and then we took the decision to meet again here.

I will first describe, Mr. President, the visit of President Sadat. It is an event in history. It is difficult to find a precedent for such a visit between the leaders of two countries in a state of war. But what was also without precedent was the reception; President Sadat was received with such an open heart. I would like to express our gratitude to your two Ambassadors Lewis and Eilts. Without them the visit would not have been possible. Our people took Sadat to their heart. They expressed deep longing for peace and he felt this deeply. He told me so. The visit to Yad Vashem affected him deeply. He said that he did not realize the extent of the tragedy until he saw the pictures. He said so to me.

In our Parliament he made his famous speech and I, of course, responded. He spoke to them freely. He met all the opposition groups and was impressed by the frank discussion. Golda Meir's encounter with him was quite impressive. They spoke as a grandmother and a grandfather.

Then we had private talks. We spoke frankly to each other; as he said to me "Let us put our cards on the table." We agreed that we have differences of opinion. But we agreed that the differences of opinion do not preclude negotiations. We made a momentous commitment to each other: "No more war, no more bloodshed." It was momentous.

We wish to avoid war. We had previously in the week a false alarm and both sides took military precautions. We want to avoid war and therefore our two defense ministers will be meeting next Tuesday.

Since the visit we have been consulting to find a way to reach peace. This is a propitious moment. We want peace with all our neighbors. It is regrettable that Jordan is not joining the process, and Syria as well. Lebanon would like to. I believe we could talk with Sarkiss. There are no border problems and were we able to talk I believe we could sign immediately.

We would not like to embarrass Sadat. We didn't mention and it didn't even occur to us, to discuss a separate agreement. I had proposed to Sadat that he prolong his visit by a day or so. But that proposal was not connected with a separate agreement. He said he could not remain because of the pressure of his calendar. He repeated time and again that the brevity of his stay did not permit detailed negotiations. However, reasonably, the peace process can begin with a treaty with Egypt; it can begin with one and then go on to the others.

We would like to have them all in Geneva and formulate conditions for peace treaties. With regard to my meeting

with Sadat, you will understand that we cannot have the Sinai full again with soldiers. He said he understands it: "I will give you," he said, "15 to 20 kilometers of demilitarization in Sinai", but then he added that this must be on the other side too. Then he corrected himself and said you do something symbolic. On the spot he said - our Army will not pass the Giddi Passes. A week later Dayan met Tahoumi; he is the righthand man of Sadat. I asked Dayan to tell him that the proposal is acceptable to us and that beyond the Passes it will be demilitarized.

Tahoumi did not want to talk about the Golan Heights. He said it is not our (Egypt) problem.

(The Prime Minister then rose and walked to the map of Sinai displaying the major details of the Israeli territorial proposal.)

We agreed that up to the line of the Passes will be deployed the Egyptian Army. From this line to the International Border - demilitarization. Our proposal is:

The withdrawal will ultimately be to the International Boundary. The Sinai will be under Egyptian sovereignty. We suggested that for a period of three to five years we shall have forces along the line from Ras-Muhammad to El Arish; excluding El Arish which will go to Egypt. Therefore, for that period of three to five years we would like outposts along the line. We would like on two hills of Jabel-Hellal and Jabel-Yalek electronic arrangements. We would also like to keep for that period the airfields of Etzion and Eitam near El-Arish. We believe it is possible

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to relate withdrawal to diplomatic relations in a phased manner: beginning with Consul, then Head of Mission, then Charge d'Affaires and finally Ambassadors.

On the question of freedom of navigation - twice we had to go to war because of this problem. When I spoke to Sadat I said to him this must not be repeated again. He said he was ready to make a declaration that the Straits of Tiran is an international waterway. The question is, how to guarantee this for the future. We therefore agreed that U.N. forces should be stationed there and cannot be removed without the consent of both parties and the unanimous decision of the Security Council. To put it bluntly, we want the veto power of the U.S. so that there won't be a repetition of eleven years ago.

We would like to have this arrangement. We took a leaf out of your book in taking the Panamanian example of an agreement that should last to the year 2001. We have to think of the future. In other words this should be an agreement for more than one generation.

In this proposal we make a special contribution to the peace-making effort. For the last eleven years, since 1968, all previous governments determined that Sharm-el-Sheik would be under Israel control with a contiguous land link. Now to make peace possible we are ready to give it up.

In the North, we have the problem of the area between Rafiah and El Arish. There are Israeli settlements there. We suggested they stay. We shall also have there U.N. forces and there should also be included a small Israeli defense

contingent. (The Prime Minister also indicated on the map the Israeli settlements between Elath and Sharm-el-Sheik.)

This is the outline of what we decided to do to establish peace with Egypt. It is a great change and from our point of view a great risk.

Now I'd like to go into the second problem. (We can't go into the Syrian problem until Assad decides differently.)

PRESIDENT: I wish first to say that in my opinion there is nothing in this proposal that Sadat could not accept. It is very reasonable. The time schedule should be expedited.

PRIME MINISTER: I thank you, Mr. President. It is ^a gratifying statement. Now, to the Palestinian Arabs. This has now become an accepted term also by Britain. I met Prime Minister Callaghan last week and he understood. We are all Palestinians: we are Palestinian Jews and there are Palestinian Arabs. We have worked out a proposal which I will bring to the information of your colleagues, as I brought to you in our private conversation.

A word of introduction: We believe it is a fair proposal, it is real and a humane solution of the problem and from our point of view, we assume great risks. We take them in order to solve the human problem.

We take them sincerely to make peace possible and to enable Sadat to say that as a result of his visit to Jerusalem there is a solution to the Palestinian Arab question.

I will now read to you our proposal. I wish to emphasize that for the time being it is in the nature of a proposal and that it has not yet been confirmed by the Government as a whole. It was approved by the Defense Council but it is still subject to Government confirmation. The following is the proposal:

("Home Rule")

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With your permission, Mr. President, I shall now make some comments: First, when we write that the administration of the Military Government will be abolished and the Administrative Council will take over with the powers to deal with the daily affairs of Judea, Samaria and Gaza District we will have to explore the legal problem who will give the Administrative Council its powers. The Attorney General, who is an outstanding jurist, and our young officer who is a great expert on international law, will have to sit with your legal people since we may one day have to put into the proposal that the Military Governor will have to transfer the powers to the Administrative Council. Therefore, we did not put it into this paper because it is a purely legalistic problem. Also, on the paragraph on security we may have to add "public order." After all, there may be attempts to make trouble. The PLO will not just fade away. The PLO may try to incite people. Perhaps, therefore, we will have to insert "public order."

To sum this up: Why do I think this proposal is fair? We did not decide here about sovereignty. We intentionally left out this question. I wish to say that we claim sovereignty over these areas. It is the right of our people. There are two claims. We leave the problem open in order to make peace possible. We look for an agreement and therefore we intellectually made this effort by leaving out sovereignty. As Secretary Vance has twice said, it is not clear who has claim to the sovereignty. This is a very important statement. We leave it out to make peace possible.

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What we did therefore is to deal with the human beings. There are in these areas approximately one million who are of Arab nationality. Judea and Samaria were under Jordanian rule. Sometimes there were great disturbances there and a manner of physical oppression. The inhabitants of this area never dealt with their own problems.

In the Gaza Strip Egypt ruled for nineteen years. Egypt never gave them citizenship. All the time they were closed up in their slums. They never had their own home rule. For the first time we make a proposal to the effect that all will have a home rule.

The proposal covers all daily activity. We will not deal with their affairs. There will not be Israeli rule but the rule of the local population. This will be the administrative situation. From the parliamentary point of view, there will be free option of citizenship. Here is a double expression of democratic arrangements: in the administrative and in the parliamentary sense.

Twice in our paper we have used the terms "stateless." This refers to the residents of Gaza. The residents of Judea and Samaria are all Jordanian citizens. Even in East Jerusalem they keep the Jordanian citizenship. In Gaza, however, they are "stateless."

Of course the problem of our security is decisive. As I explained, Mr. President five months ago, to us national security means to make our civilian population secure. If guns are again placed along the green line all our civilians are in mortal danger. Every man, woman and child will be in the range of Soviet-supplied guns. This is absolutely inconceivable.

There is a lesser but considerable problem of security. It is the problem of the Cretela missile. Anybody can handle it. It can shoot down any plane from any height.

I repeat the decisive factor is the lives of our civilian population. Therefore, we will take responsibility for security in these areas - camps for our soldiers and internal security. The proposal makes it possible for the Palestinian Arabs to live in autonomy and ourselves in security. It is fair to both sides. The path is now paved for an agreement. The risks are there. Nobody can see how exactly it will work out. Therefore, we put in our paper that it should be reviewed after five years. Let us see how it works out in five years.

I thank you, Mr. President, for your great attention.

PRESIDENT: I have three questions.

A) The basis for our agreements and negotiation both with you and Rabin on the one side, Sadat, Hussein and Assad on the other, has been Resolution 242. All Israeli governments have endorsed 242. The crux of 242 and 338 was withdrawal of Israel from occupied territories in exchange for secure boundaries and the guarantee of permanent peace. I realize that 242 has been interpreted differently by Israel and the Arabs, and we have basically taken the Israeli position that this does not mean total withdrawal. In your presentation this question is left open.

1) What degree are you willing to commit Israel to withdrawal particularly in Judea, Samaria and the Gaza Strip? Now is it minor adjustments as we put it or adjustments to guarantee secure boundaries? Is it - you will not permit an independent Palestinian state

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with which we agree. Or is it that you require assurance of credible Arab promises of commitments.

I hope Israel will not ignore the crux of 242 on withdrawal.

B) The second question is how will the question be handled of immigration into the territory of the West Bank of the Gaza Strip of Palestinian Arabs who live in other areas of the Middle East?

C) And the third question is, since the question of sovereignty is left open, I presume your proposal is an interim one. How do you conceive this to be dealt with?

PRIME MINISTER: About 242: Mr President, having produced this map (of Sinai) it cannot be said that we are not committed to withdrawal. We have committed to withdrawal of hundreds of kilometers. It means great risks. We remember what happened eleven years ago. They put their army in Sinai. This geographic position will be restored in three years time, according to our map. I committed Israel today to the deepest withdrawal possible. Nobody knows who President Sadat's successor might be. I of course want him to stay fifteen years in power. But this is not in our hands. Therefore, the principle of withdrawal is completely and utterly covered.

Now, with regard to the question of Palestine - Judea, Samaria and the Gaza Strip. 242 as you rightly said does not oblige Israel to total withdrawal. 242 envisages secure boundaries. If we withdraw with minor modifications in the East we lose all our security. We have the experience of nineteen years. The issue is not an army but incursions.

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The green line is absolutely indefensible: Petach Tikva ✓ on this line, Ramat Gan, Afula and of course Jerusalem were under their guns. It was impossible to stop the incursions. Since we have defended the Jordan River there have been no incursions for the past two years; perhaps only one. This is for us the question of our lives, the men, women and children. The PLO exists. One day it may go away but they are there. The opposite of a constructive solution is withdrawal from the East. Now we propose to give them freedom of autonomy and ourselves what? Security. What do we propose? We leave the question of sovereignty open but we will have security. What we propose is to give our neighbors all they can reasonably ask.

BREZEZINSKI: Are you saying that your security line is the River Jordan but your territorial sovereignty is the '67 line?

PRIME MINISTER: Yes, you have defined it exactly. The Jordan River is the security line, Judea, Samaria and the Gaza Strip will be under their autonomy with sovereignty undefined. Israeli state sovereignty will reach the former line leaving undefined the sovereignty of the other line.

BRZEZINSKI: From whom would the Administrative Council derive its powers? From Israel, from Israel and Jordan or from the U.N.?

PRIME MINISTER: From the Military Governor. But this is a purely legal problem.

BRZEZINSKI: It is also a political problem.

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PRIME MINISTER: You might be right.

BRZEZINSKI: Who would have the right to expropriate land?

PRIME MINISTER: We don't want to expropriate land. The Administrative Council.

BARAK: This however will be subject to Israeli powers within the concept of public order.

PRIME MINISTER: About immigration. The problem will be dealt with by the Administrative Council. From our point of view we will have no objection to reasonable numbers.

VANCE: Therefore it is to be dealt with by the Administrative Council subject to Israel's view on security if no more than a certain number would be immigrants.* This will mean some veto by Israel.

BARAK: That is correct. Therefore there is no department for immigration proposed.

PRIME MINISTER: We don't know if it will be a real problem. If there is a problem we will deal with it in a humane way.

BARAK: The basic norm - from which all the legal norms in the region will emanate - the proper way is for the Military Governor to delegate the authorities needed to allow the Administrative Council to carry out its functions.

VANCE: Does the Military Governor reserve the right to revoke the powers of the Administrative authority?

BARAK: Yes, in principle.

PRIME MINISTER: A general remark: It is a unique proposal because the situation is unique.

BARAK: It is a sui generis situation.

PRIME MINISTER: There are problems to which you cannot find a precedent.

PRESIDENT: The only other concern I have is the public description of the proposal when it is made. An interpretation of the proposal that it did not deal with withdrawal and the Palestinian problem in all its aspects could be a very serious blow to Sadat and might even cause his downfall and resignation. He expressed to the Knesset the positions he expounded and committed himself to the Arab leaders and he is committed. I hope that in your meeting with Sadat that the public statement will be considered in terms that will not discredit Sadat.

PRIME MINISTER: I would be grateful if you, Mr. President, could say to Sadat that it is a fair basis for negotiations. It is a real step forward from his point of view. If he agrees that there should not be a Palestinian state, which is also your position and Callaghan's point of view (Foreign Secretary Owen said that ^{of} Palestinian ^{State} and Demilitarization are a contradiction in terms.) If this be agreed, it could be a basis for a good talk with Sadat. Arrangements are being made for a meeting next week in Ismailia. We want him to stay in power and help. But we cannot forego the security of our people for any purpose in the world.

PRESIDENT: You mentioned the demilitarization of territory (Ref: West Bank).

PRIME MINISTER: No Arab force.

PRESIDENT: What about Israel force.

PRIME MINISTER: Yes - in closed camps. Without that we are open to any attack.

PRESIDENT: Do you conceive of forces confined to the River Jordan area?

PRIME MINISTER: No, also on the hills some emplacements are necessary. We must have camps. If the mountains are in control of the PLO we will shot at. I am speaking of a number of camps in defined places.

VANCE: How do you deal with the question on your position of sovereignty?

PRIME MINISTER: We have a claim but now it isn't put into realization. The other side has a claim, but the claims will be sleeping, left unclear. We solve the problems of people.

VANCE: For five years?

PRIME MINISTER: No, we will look at it again as to how it works in five years. We will take the principles and review them in practice.

BRZEZINSKI: So there is a process?

PRIME MINISTER: I agree.

BRZEZINSKI: From the Arab point of view it will make it more palatable if it is part of a process, a significant step of the process. It is a proposal that can be seriously considered.

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PRIME MINISTER: I agree.

(The meeting ended at 10:05 am. It was decided to reconvene on Saturday night, December 17, 1977, at 7:00 pm.)

BRZEZINSKI: Can you tell me why you placed the seat of the Administrative Council in Bethlehem and not in East Jerusalem?

PRIME MINISTER: Because Jerusalem is the Capitol of Israel. Nablus has always been a source of trouble. Something happened at Nablus with Dinah, the daughter of Jacob. The President knows the story well. It might be Ramallah but Bethlehem is a very good place.

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PRIVATE MEETING BETWEEN PRIME MINISTER BEGIN AND PRESIDENT CARTER IN THE OVAL OFFICE OF THE WHITE HOUSE, WASHINGTON, D.C., DECEMBER 17, 1977, AT 2040 HOURS.

The meeting lasted fifteen minutes.

They spoke about the F-16 and the Prime Minister spoke about the documents on Israel's contribution to U.S. National Security and Congressman Lehman's document.

On National Security, the President said: "We help each other mutually and we are allies. It is all based on reciprocity."

The Prime Minister cited Israel's request for 150 F-16's and that there is a need for coproduction in February or March requiring U.S. financing beginning with \$300 million. The President said that he could not answer on the spot but "I'll take it up immediately." The Prime Minister gained the impression that the response would be positive.

The President made a link between the supply of F-16 and a certain military supply of Egypt. They spoke about Ethiopia and the whole question of a strategic western oriented alliance in the Middle East.

The President said that when he visits Saudi Arabia he will make an effort to bring us somehow together.

The Prime Minister also reported to the President on his forthcoming visit to Morocco at the invitation of King Hassan.

Yehuda Avner

721 6161

כל המוסר תוכן מסמך זה, כולו או מקצתו לאדם שאינו מוסמך לכך - עובר על הדין לתיקון דיני העונשין (כטחון המדינה יחסיחוקן וסודות רשמיים), תשי"ז - 1957.

משרד החוק

מחלקת הקשר

מברק נכנס - מסווג

דף מספר 1 מתוך 2 דפים
עותק מספר 3 מתוך 10 עותקים

סודי ביותר

25/16

מסי 238:
נשלח: 161800 דמ 77
התקבל: 162182 דמ 77

אל : ומשרד
מאת: רוטינגטון

ב ה ו ל

בוע

אל: שחה-למע בלבד.

רוחם נפגש לפנות ערב עם ברז'ינסקי בבלייר הארז לשיחה שנמשכה כחצי שעה. השיחה נתקיימה לפי בקשתו של ברז'ינסקי בנוכחות החי"מ.

א. ברז'ינסקי פתח בדברי ברכה מתנשיא ומצפה לפגישה עם רווחם. סיפר כיצד מיהר הנשיא לאשר את חפגי שוח מיידי כאשר נתקבלה חפגי"ה באמצעות ואנס. ציי"נ שתנשיא רואה תקופה זו כמכריעה וגורלית לעתיד השלום.

ב. רווחם אמר שמוחה ומעריכי נכונותו ומהירה של הנשיא לסיידור הפגישה. רווחם חי"מ טבור שהתפתחויות הנוכחיות במזאת מחייבות לעדכן הנשיא ישירות. מן כ. טבור רווחם שיש בידי מחשבות העשויות לקדם החליט השלום. רווחם תאמי"נ בעבר ותאמי"נ עתה שארוב צריסוז להשאר במרכז התמונה כגורם מרכזי בקידום החליט השלום. רווחם סיפר על שיחתו השלפונית עם קלואז ועל כוונתו להתעכב בלונדון בדרכו ארצה. ג. ברז'ינסקי שאל ורווחם השיב על כוונתו לקיים מפגש עם סאדאת באיסמעליה לאדי טובו.

ד. ברז'ינסקי אמר שגם כאקדמאי הוא משקיף על הקדופה זו כקופת שיידוד זערכות מבחינה בינלאומית ואזורית. יש לעשות הכל כדי שהחליט שהוחל בין מצרים וישראל יתקדם בעצמו וכפ' יקום האזור כולו לקראת שלום. הסוד כזה, כאשר ילכד את כל הכוחות והתונים (מצרי"מ, ירדן, סעודיה, מרוקו, סודאן וכפ' פלשתינאים מתוני"מ) יכול ליצור חזית נורשימה של כוחות קונסטרוקטיביים מול הקיצוני"מ ובריתו. רווחם אמר שגם הוא תשב במונחים אלה של מהפכ ואטרשגי שיכול לבנות מהסוד כזה ושישנה את כל פגי החמונה תג'אפולטיית.

ה. ברז'ינסקי אמר שדוחותיו של ואנס ממזאת חיו או פשימיים. חי"מ נרגש

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כך המוסר תוכן מסמך זה, כולו או מקצתו לאדם שאינו מוסמך לכך - עובר על הרוש לתיקון דיני העונשין (כטחון המדינה יחסייחוק וסודות רשמיים), תשיז - 1957.

משרד החוק

מחלקת הקשר

מברק נכנס - מסווג

דף מספר 2 מתוך 2 דפים
עותק מספר 3 מתוך 10 עותקים

סודי-ג'יותר

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מביקורו בישראל. ירדן החיה נכונה להצטרף להחליט כאשר תרגיש שיש התקדמות וסעודיה תיתב ביסודו של דבר את המיכוח. אפילו סוריה אינה רוצה להינתק כליל מהחליט המדיני והמומ ולפי הערכתו בסופו של דבר השלים עם החליט. לבנון תלויה סמוכא במחלטה של סוריה. בזינגסקי רוצה להדגיש והחשיבות להגיע להבנה עם סאדאת שתאפשר לו להראות התקדמות גם מעבר לחקשר הביטחוני.
ו. אדרי כנ נסבה השיתה על אתיופיה כאשר ברזג יסקי מקשה אמ ניתב בכלל להציל את אתיופיה ממלחנות הקומון יאם בתנהגת מנג יסטר ואילו רוזם תביע דעה שאטור להתיאש ולהפקיר מדינה גדולה זו לקומון יסטיים. בזינגסקי אמר שהם מסרו למצרים על OVERFLIGHTS רוטיים מעל שטחה בחדם לאתיופיה ומצרים כנראה תודוש לשים לזח קצ. סו כנ אמר בזג יסקי שמאות קובני י ורוטיים נמצאים עתה באתיופיה. בזינגסקי אמר שתקוות אמריקה שחדוטיים יפסידו השפעתם תב בטומליה ותב באתיופיה.
ז. השיתה נסתיימה בהבעת תקווה שבשיתה מחד עם הנשיא כח יציג לו רודם לראשונה את התוכ יות והרעיונות שהביא תזכח להבנת הנשיא ותודום להתקדמות החליט השלום.

דין יצ-

שהיה רחוק סלוחא שהסס את ה





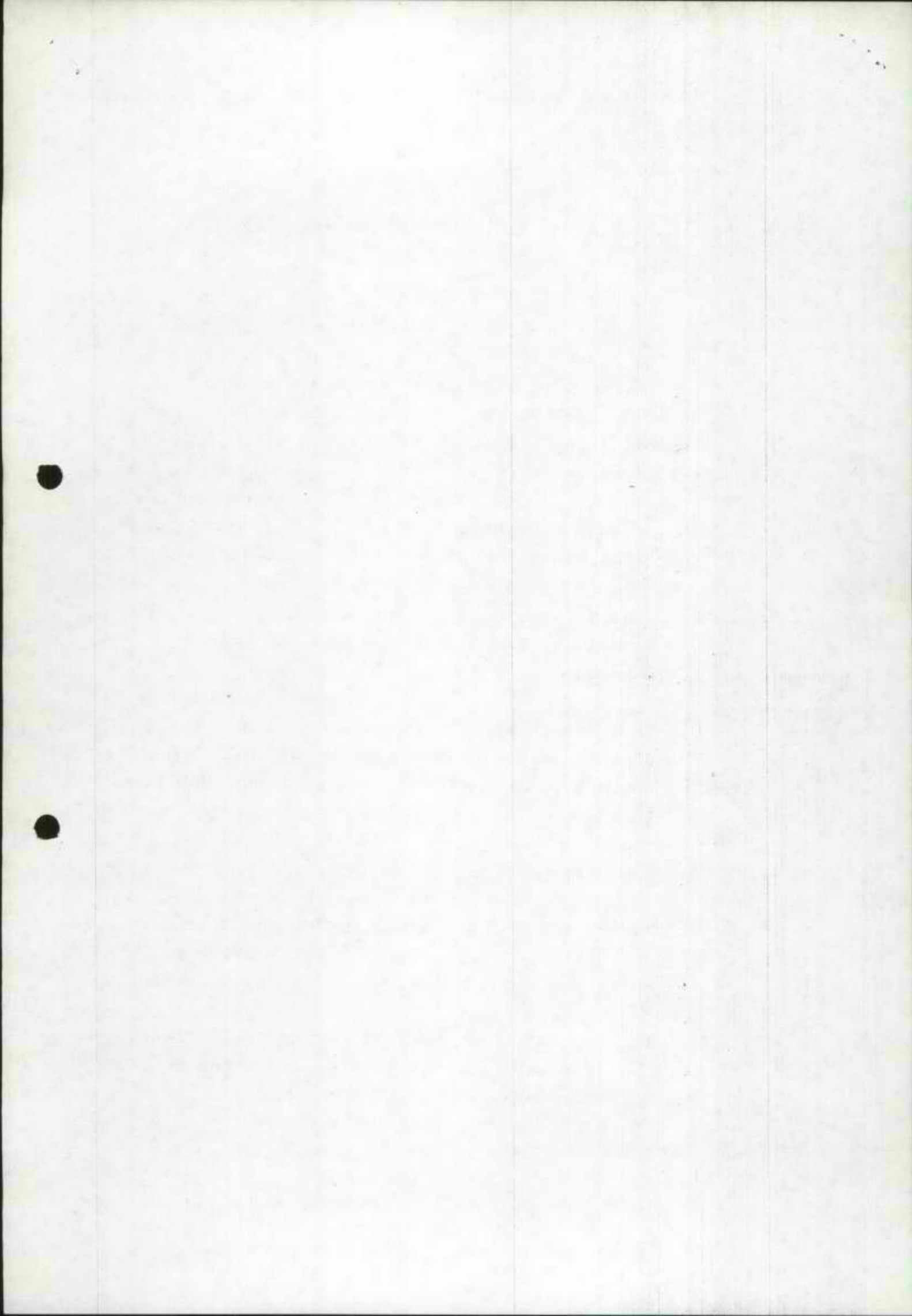
PROPOSAL FOR A PEACE TREATY BETWEEN EGYPT
AND ISRAEL

- I. The ideas presented in this proposal are based on the assumption that a peace treaty is to be concluded which will bring about the complete normalization of the relations between Egypt and Israel, including the establishment of diplomatic relations.

- II. In Jerusalem the President said, inter alia, to the Prime Minister:
 - A) That it is his intention to declare the Straits of Tiran to be an international waterway.

 - B) That the Egyptian Army will not move eastwards of the Mitla and Giddi Passes and that the whole area east of the passes will be demilitarized.

- III. Our suggestions are:
 - A) Israel will withdraw its forces to the international boundary between Palestine (of the Mandate period) and Egypt in two phases:
 - 1) Phase A: Withdrawal to the line, El-Arish - Ras-Muhammad, east of El-Arish and west of Ras-Muhammad.





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- 2) Phase B: Withdrawal to the aforesaid boundary. This phase will be implemented in 3-5 years from the signing of the treaty.
- B) Upon the implementation of Phase "A" there will remain in the area between the line El-Arish - Ras-Muhammad and the international boundary:
- 1) The airfields: Etzion, Eitam and Ophira.
 - 2) The early-warning stations at Jebel-Hillal and Jebel-Harim.
 - 3) The mobile land and naval IDF units.
- C) Upon the implementation of Phase "B" the area between the line Ras-Muhammad - El-Arish and the international boundary will be demilitarized under the supervision of a U.N. force under the U.N. flag.

The Israeli civilian settlements in the U.N. zone will remain in place and will maintain a local defense force. They will be linked to Israel's administration and courts. Two of the three airfields will be turned into civilian installations. The third will remain a military airfield. The civilian airfields will be administered by Israeli civilians and will be placed under U.N. supervision.



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- D) Israeli civilians, as well as Arab residents of Sinai, will be permitted free entry into the U.N. zone.
- E) The deployment of Egyptian military forces in the area between the east bank of the Suez Canal and the Mitla and Giddi line will continue to be in accordance with the agreement of September 22, 1975.
- F) U.N. forces will not be removed from the aforementioned zone except with the agreement of the two parties, Egypt and Israel, and a unanimous decision of the U.N. Security Council.
- G) The above principles will be subject to review in the year 2001.



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December 15, 1977

Proposal Subject to the Confirmation of the Government
of Israel

HOME RULE, FOR PALESTINIAN ARABS, RESIDENTS
OF JUDEA, SAMARIA AND THE GAZA DISTRICT

1. The administration of the Military Government in Judea, Samaria and the Gaza district will be abolished.
2. In Judea, Samaria and the Gaza district administrative autonomy of the residents, by and for them, will be established.
3. The residents of Judea, Samaria and the Gaza district will elect an Administrative Council composed of eleven members.
4. Any resident, 18 years-old and above, without distinction of citizenship, or if stateless, is entitled to vote in the elections to the Administrative Council.
5. Any resident whose name is included in the list of the candidates for the Administrative Council and who, on the day the list is submitted, is 25 years-old or above, is entitled to be elected to the Council.



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6. The Administrative Council will be elected by general, direct, personal, equal and secret ballot.
7. The period of office of the Administrative Council will be four years from the day of its election.
8. The Administrative Council will sit in Bethlehem.
9. All the administrative affairs of the areas of Judea, Samaria and the Gaza district, will be under the direction and within the competence of the Administrative Council.
10. The Administrative Council will operate the following Departments:
 - a) The Department of Education;
 - b) The Department of Religious Affairs;
 - c) The Department of Finance;
 - d) The Department of Transportation;
 - e) The Department for Construction and Housing;
 - f) The Department for Industry, Commerce and Tourism;
 - g) The Department of Agriculture;
 - h) The Department of Health;
 - i) The Department for Labor and Social Welfare;
 - j) The Department for Rehabilitation of Refugees;



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- k) The Department for the Administration of Justice and the Supervision of the Local Police forces; and promulgate regulations relating to the operation of these Departments.
11. Security in the areas of Judea, Samaria and the Gaza district will be the responsibility of the Israeli authorities.
 12. The Administrative Council will elect its own chairman.
 13. The first session of the Administrative Council will be convened 30 days after the publication of the election results.
 14. Residents of Judea, Samaria and the Gaza district, without distinction of citizenship, or if stateless, will be granted free choice (option) of either Israeli or Jordanian citizenship.
 15. A resident of the areas of Judea, Samaria and the Gaza district who requests Israeli citizenship will be granted such citizenship in accordance with the citizenship law of the State.
 16. Residents of Judea, Samaria and the Gaza district who, in accordance with the right of free option, choose Israeli citizenship, will be entitled to vote for, and be elected to the Knesset in accordance with the election law.



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17. Residents of Judea, Samaria and the Gaza district who are citizens of Jordan or who, in accordance with the right of free option will become citizens of Jordan, will elect and be eligible for election to the Parliament of the Hashemite Kingdom of Jordan in accordance with the election law of that country.
 18. Questions arising from the vote to the Jordanian Parliament by residents of Judea, Samaria and the Gaza district will be clarified in negotiations, between Israel and Jordan.
 19. Residents of Israel will be entitled to acquire land and settle in the areas of Judea, Samaria and the Gaza district. Arabs, residents of Judea, Samaria and the Gaza district will be entitled to acquire land and settle in Israel.
 20. Residents of Israel and residents of Judea, Samaria and the Gaza district will be assured freedom of movement and freedom of economic activity in Israel, Judea, Samaria and the Gaza district.
 21. These principles may be subject to review after a five-year period.
-