

19/10

מדינת ישראל

משרד הממשלה

משרד

מס' תיק

12

מס' תיק

אנוסון ואיפ

20.11.1980 — 4.11.1980



שם תיק: ראש הממשלה מנחם בגין - אוטונומיה לערביי יהודה, שומרון וחבל עזה

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מחלקה

לשכת המידע

מס' תיק מקורי

12

מדינת ישראל
משרד הפנים

המנהל הכללי

ירושלים, י"ג בכסלו התשמ"א
21 בנובמבר 1980

ס ו ד י

אל : ראש הממשלה
שר החוץ
שר הפנים

הנדון : דו"ח משיחה עם השגריר ליאונרד

ביום ה' י"ג בכסלו התשמ"א (20.11.80) קיימתי שיחה עם השגריר ג'ים ליאונרד.
להלן דיווח על עיקרי הנושאים שעלו בשיחה :

1. ליאונרד מסר לי שהצוות האמריקאי החל בריכוז החומר להכנת הדו"ח שימסר לצוות המתאים במימשל המיועד, בתקופת המעבר. עיקר העבודה נעשית בווישינגטון. חלקים מצומצמים יוכנו על ידו כאן וישוגרו לצוות בווישינגטון. הדו"ח יכלול, כנראה, סקירה אינפורמטיבית, כרונולוגית ועניינית, ויכלול בחלקו השני ניתוח, הערכות והמלצות להמשך. לדבריו יתכן שלינוביץ יעדיף להגיש חלק מניתוחו והערכותיו בהרצאה בע"פ לצוות המימשל המיועד בנוסף לחלק הכתוב.
ייעשה מאמץ להשלים את הדו"ח עד ליום 10.12.80, כדי שימסר לפני הפגרה. בכוונתם להמציא את החומר - כולו או חלקים ממנו - להערות הצוותות של מצרים וישראל. יבקשו גם לשמוע רעיונות.
2. ברי לליאונרד שלינוביץ והוא עצמו יפסיקו טיפולם בנושא עם כניסת המימשל החדש. מניח שחלק מהאנשים האחרים בצוות האמריקאי ימשיך גם בעתיד להיות מעורב בעבודה זו.
3. ליאונרד קיים ביום ג', 18.11.80 פגישה עם שר החוץ המצרי גנראל חסאן כמאל עלי. לדבריו אין כוונה מצרית לחדש בתקופה הקרובה את מסלולי השיחות, אלא אם כן יהיה ברור שנקבע מועד לפסגה והשיחות יתקיימו לקראתה. עם זה מניח שיכבדו את הסכום בדבר פגישה בעוד כמה שבועות בישראל. בין ההתרשמויות שגיבש לעצמו בעקבות שהותו במצרים :
 - א. המצרים התרופפו באמונתם כי יוכלו להגיע עם ממשלתה הנוכחית של ישראל להסכם בנושא האוטונומיה.
 - ב. הם מצפים לחילופי שלטון בישראל ומניחים כי יקל עליהם להגיע להסכם עם ממשלה שבראשה יעמוד מר פרס.
4. ליאונרד התייחס לקשיים שנתגלו במגעים על -
Memorandum of understanding .
לדבריו הביקורת הקשה שבה נתקלו בעקבות הגשת הנייר האחרון (שהוגדר כ- Non paper) - הפתיעה אותם. הוא טען כי לא סטו בהרבה ורק ניסו לעשות את ה"מסמך" אטרקטיבי יותר. הוא טען כי היו זהירים

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ס ו ד י

ורגישים כלפי העמדות היסודיות שלנו. לדבריו אין בנסוחים שלנו בנושא קרקע, מים ובטחון בגירסה שלנו כדי לעודד את הפלשתינאים. הם ניסו לתת תוכן ממשי יותר בנושא קרקע ומים. לא היתה בפיו תשובה להערתי, כי בעת הגשת המסמך בושינגטון במחצית אוקטובר, הם שיבחו אותנו ואפילו הפליגו מדי בהערכתם את העמדה כפי שנוסחה על ידינו. "מה קרה שאז הגדרתם זאת כתרומה קונסטרוקטיבית וחיובית ועתה אתם מזלזלים בכך?" - שאלתי. לא היתה לו תשובה לשאלה זו והיה במבוכה מסוימת.

בהמשך ביקש לקבל את הניסוח האלטרנטיבי שהיה לנו בשעתו בנושא הבטחון והבטחתי לתת לו (הנוסח אושר בשעתו בוועדת השרים כאפשרות אלטרנטיבית).

5. ליאונרד הביע חשש, שאם יעברו כמה חדשים בלא שהתהליך ימשך יגברו הספקות בסיכום התהליך. לדבריו ישראל צריכה לחשוש יותר ממצרים מהתפתחות כזו. לדעתו מצרים לא תפגע גם אם יעלו רעיונות אחרים בקשר לכיווני הפתרון. זה אך יבליט את נאמנותם לענין הפלשתינאי. חזר והזכיר את ענין ה- Confidence Building Measures בשטחים כמכשיר לקרוב הפלשתינאים.

בברכה,

חיים קוברסקי

מדינת ישראל
משרד הפנים

ירושלים, א' בטבת תשמ"א
8 בדצמבר 1980

המנהל הכללי

סודי ביותר

אל: ראש הממשלה
שר החוץ

הנדון: דיווח על פגישתו של שר הפנים ד"ר יוסף בורג עם השגריר
פול לינוביץ

1. הפגישה התקיימה ביום ו', 5.12.80, בלשכתו של סול לינוביץ, באגף
המשרדים של הבית הלבן בווינגטון. הפגישה החלה בשעה 9.30
ונסתיימה בשעה 11.15. נכחו בפגישה גם השגריר בווינגטון, אפרים
עברון ומנכ"ל משרד הפנים חיים קוברסקי.

2. ד"ר בורג פתח את השיחה בהערכת מאמציו של לינוביץ, הביע ספק לגבי
כוונותיהם של המצרים לקיים מו"מ רציני בנושא האוטונומיה וביקש מלינוביץ
להסביר על מה הוא מבסס את דעתו שקיימת עתה נכונות מצד סאדאת לעשות
מאמץ לקידום המו"מ על האוטונומיה. למעשה מאז הפגישה של ראשי המשלחות
בהאג אין מו"מ אמיתי. ימי הפגישה הממושכת באכדיה בראשית מאי בוזבזו
על ויכוח בנושא ועדת בטחון ולאחר ה-7.5.80 לא היתה עוד פגישה בדרג
מליאת השרים. במקום זה התנהלה קורספונדנציה בכתב בין סאדאת וראש
הממשלה ובין גנרל עלי וד"ר בורג, בנוסף לפגישת ראשי המשלחות ערב
הבחירות בווינגטון. ד"ר בורג הביע דעתו שקודם חיכו המצרים לתוצאות
הבחירות בארה"ב ועתה מחכים כנראה לתוצאות הבחירות בישראל...

3. לינוביץ אמר כי בשבועות האחרונים חל מפנה חיובי בגישתו של סאדאת
למו"מ. הוא מגיע למסקנה זו בהתבסס על כמה עובדות:

(א) לינוביץ נפגש השבוע פעמים אחדות עם סגן הנשיא חוסני מובארק.
הוא שמע ממנו דברים מפורשים על נכונות זו.
בסעודה לכבוד מובארק שערך סגן הנשיא מונדייל השמיע מובארק
דברי התקפה וביקורת על סוריה, ירדן, לוב, סעודיה, עיראק ואיראן.
לא הושמעה אפילו הערה קלה שבקלות על ישראל.
לדעתו זה מובארק אחר.

לינוביץ התרשם משיחותיו עם מובארק שסאדאת מודאג מהאדמיניסטרציה
החדשה של הרפובליקאים. הוא כועס על כך שריגן העלה הצעות בכיוון
של חוסיין. סאדאת מתכוון לבקש מריגן מחויבות לתהליך קמפ-דייביד.
לדברי מובארק היה סאדאת מוכן לנסות להגיע להבנה עם ישראל בעניין
האוטונומיה עוד בתקופת קרט. משום כך הציע לו מובארק לבקר הפעם
תחילה בישראל ואח"כ לבוא למצרים.

(ב) לינוביץ נפגש ב-22 בנובמבר עם שגריר קנדה בארה"ב, הנ"ל דיווח לו בין השאר - לפי ראשי פרקים שהועברו לו ע"י משרד החוץ הקנדי - על שיחתו של טרודו עם סאדאת. בשיחה זו השמיע סאדאת דברים קשים נגד אש"ף, מתח ביקורת על היזמה האירופאית, הביע התנגדות לאופציה הירדנית, תמך חד-משמעית בתהליך קמפ-דייויד וביקש מקנדה לא לקיים מגעים עם אש"ף ובמקום זה לנסות להשפיע על ישראל, שעמה מקיימת קנדה יחסי ידידות, להגמיש עמדתה במו"מ, כדי להגיע להסכם.

4. ד"ר בורג העיר שלפי ידיעה ששודרה ב"קול ישראל" ביקש ראלי משמיר לדחות את המשך המו"מ עד לאחר ה-20 בינואר והרי הדבר סותר את המובא בשם סאדאת ע"י מובארק.

5. קוברסקי העיר, שבדברים שהובאו לעיל בדיווחו של לינוביץ יש כמה אלמנטים מסוכנים ויש בהם כדי להחליש את ההתרשמות בדבר נכונותו כביכול של סאדאת. העובדה שסאדאת ביקש מטרודו להשפיע על ישראל ושמובארק הציע ללינוביץ לבקר תחילה בישראל, מעידה שמצרים מבקשת ללחוץ על ישראל ולא רק לנהל אתה מו"מ חפשי מלחצים.

יש לזכור שישראל מעולם לא הפסיקה את המו"מ ולחצה לקיומו הסדיר. גם התנהגותה של הפקידות המצרית במפגש ובדיונים בגיזה לפני כ-3 שבועות לא העידה על נכונות לקיים מו"מ ממשי. הורגש שהיו להם הנחיות להעביר את הזמן אך לא לפתח דיון אמיתי.

6. השגריר עברון העיר על התבטאותם של נציגי מצרים בפורומים בינלאומיים. בוטרוס ראלי לא נקרא מעולם לסדר ע"י סאדאת. אילו הדברים היו בניגוד לרוחו ולרצונו של סאדאת, היה בכוחו לשנות את הדברים.

7. בתגובה להערות הנ"ל אמר לינוביץ כי הוא מבחין במפורש בין סאדאת ובין האחרים. גם ב-3 בספטמבר כשהגיע להסכמה עם סאדאת על ההודעה המשותפת, אמר לו הנשיא כי הוא יודע שאנשיו יתנגדו לכך, אך הוא מאמין כי זו הדרך ועליו ללכת בה. לינוביץ הוסיף ואמר כי הרגשתו חזקה שיש אפשרות להתקדם עם סאדאת אפילו לפני חילופי השלטון בארה"ב וכי הוא, אישית, יכול לתרום בכיוון זה.

8. להלן מסר לינוביץ לד"ר בורג את ההודעה שפרסם הבית הלבן על ביקורו הקרוב במצרים ובישראל. לינוביץ הוסיף ואמר כי הנשיא קרטור רוצה לבסס אפילו בימים אלה את תהליך קמפ-דייויד, הוא רואה בו גולת הכותרת של הישגיו המדיניים והוא מבקש להקשות על נסיגת המימשל הבא מדרך זו. בפגישת הקבינט בסוף השבוע (שהיתה כנראה האחרונה לפני חילופי המימשל) אמר הנשיא קרטור שיקיים שיחה מפורטת עם הנשיא הנבחר על המחויבות של ארה"ב להשלים את תהליך קמפ-דייויד.

9. ד"ר בורג ביקש מלינוביץ להתייחס לדו"ח המסכם שהוא מכין על שיחות האוטונומיה. כמו כן הזכיר ד"ר בורג את הערתו של ליאונרד במפגש גיזה, כי יהיו בו גם Discouragements לישראל ולמצרים.

10. לינוביץ אמר כי בדו"ח הוא מתכוון להציג באורח חיובי את אשר הושג. הוא אמר כי ב-Modalities הושגה הבנה רבה וגם בנושא Powers and responsibilities יש הסכמה על מספר מרשים של תפקידים וסמכויות. יש גם הבנה בסיסית לגבי הצורך בתיאום ובשיתוף פעולה. הוא ימנה כמובן גם את הבעיות שאין בהן הסכמה או התקדמות המחייבות המשך מאמצי מו"מ והדברות.
11. השגריר עברון העיר שבתדרוך שקיים המזכיר מסקי עם העתונות הוא הפנה אצבע מאשימה כלפי ישראל, שאילו גילתה גמישות יכלו להתקדם יותר. לינוביץ לא ידע על כך. עם זה אמר שהדו"ח שהוא מכין אינו צריך להטריד אותנו.
12. להלן העלה לינוביץ הצעה שבסיכום ביקורו באזורנו תתפרסם הודעה על Re-Commitment של סאדאת ובגין לתהליך קמפ-דייויד. הדבר חשוב לדעתו מבחינה מדינית בינלאומית וכלפי המימשל החדש בווישינגטון. הוא אמר שהנשיא קרטזר מעוניין בפרסום הצהרה משותפת כזו.
13. קוברסקי העיר שהודעות מסוג זה נתפרסמו כבר פעמים אחדות בעבר. אין מניעה מלחזור עליהן, אולם כדי להוכיח רצינותן וממשותן יש להבטיח קודם כל חידוש המו"מ ופיתוח דיונים רציניים וענייניים. למעשה מאז חודש מאי מתחמקים המצרים מדיון כזה. קוברסקי הציע ללינוביץ שייזום מפגש ראשי שלוש המשלחות למו"מ או מפגש מליאה בדרג שרים בעת שהותו באזור ולא להסתפק בהצהרה בלבד. לינוביץ לא התחייב על קיומה של אפשרות כזו, אך הבטיח לבדוק אותה. כמו-כן הודיע שיעביר לד"ר בורג באמצעות השגריר עברון הצעה לנוסח הודעה משותפת.
14. להלן העיר לינוביץ כי ישראל לא נתנה לו מרחב תמרון לצורך מגעיו עם המצרים. יתכן שהפסדתם אפשרות שהיתה לכם - אמר. ד"ר בורג העיר שבפגישה שהתקיימה עמו בראשית ספטמבר בירושלים, הלכה ישראל לקראתו בכמה סעיפים ואעפ"י כך לא הביא הדבר לחידוש ממשי של המו"מ. השגריר עברון הסביר כי ישראל היא מדינה דימוקראטית וראש הממשלה פועל במסגרת הקונסנסוס הלאומי וההסכמה הקואליציונית ובמצרים יכול סאדאת להרשות לעצמו נקיטת עמדות גם על דעת עצמו.
- קוברסקי הזכיר ללינוביץ את המחמאות שניתנו על ידו לישראל במפגש ראשי המשלחות באוקטובר, בווישינגטון, על תרומתה הקונסטרוקטיבית והחיובית בטיוטת ה-MOU שהגישה.
- האם יש היום דעה אחרת בווישינגטון בנושא זה ? - שאל קוברסקי.
- לינוביץ הגיב, שאכן הוא עצמו נתן את המחמאות בפומבי והוא דבק בהן גם עתה. הוא הזכיר את הופעתו בוועדת החוץ של הסנאט.
15. סול לינוביץ שאל את ד"ר בורג אם הוא יכול להודיע למצרים שישראל מוכנה לדון בנושא הבטחון כאשר יתחדש המו"מ. לדבריו זה יכול לעודד אותם להחיות את המו"מ. ד"ר בורג אמר כי ישראל תקיים את אשר הבטיח ראש הממשלה לנשיא קרטזר באפריל והיא תציג במו"מ אינפורמציה כנדרש.

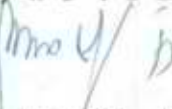
ותכניותיה בנושא הבטחון, הכל לפי העניין והמחוייב לפי קמפ-דייוויד
אך אין הוא רוצה לתת זאת כנדוניה לצורך חידוש המו"מ. אם יתחדש
המו"מ נדון בכל נושא וגם במתחייב לדון בנושא הבטחון.

16. בשיחה עלתה גם שאלת היורש ללינוביץ במימשל הרפובליקאי. לינוביץ
לא ידע לנקוב בשם, אך העיר "אולי בכל זאת הנרי". אבל מייד הוסיף
ואמר, הוא הרי נגד הפתרון של אוטונומיה כיוון שלדעתו זה יוביל למדינת
אש"ף.

17. לשאלת ד"ר בורג אם יש אולי מקום שישראל תפרסם עתה מחדש את המודל
שלה ואת נוסח ה-MOU שלה, כדי לפתח תנופת הסברה מצדה. לינוביץ המליץ
שלא לעשות זאת עתה. לדעתו יטענו שזו חזרה על תכנית בגין המקורית.

18. בסיום הפגישה חזר לינוביץ והבטיח שמצדו יעשה להציג באורח חיובי
ואופטימי את אשר הושג במו"מ אעפ"י ששאלות חשובות מחכות עדיין
לפתרון.

ב ב ר כ ה


ח. קוברסקי

העתק: שר הפנים

דו"ח משיחה עם דר' מוסטפה חליל
ודר' בוטרוס ראלי
תל-אביב, מלון רמדה, י"א טבת תשמ"א
(18.12.80), שעה 15:00

נוכחים: דר' מ. חליל
דר' ב. ראלי
דר' י. בורג
מר ח. קוברסקי

בעת הפגישה הוברר שדר' ראלי טילפן כבר לפני הצהריים לביתו של דר' בורג וביקש למסור דרישת שלום.
לפגישה היה אופי של ביקור נימוסין ושיחת רעים ידידותית.
דר' חליל הזכיר את הספר שהוא כותב על ישראל, במגמה להציג את עם ישראל ומדינת ישראל בצורה פופולרית לפני הציבור המצרי.
החלפו דברים בנוגע למשא ומתן על האוטונומיה.

דר' בורג אמר שלמעשה מאז הפגישה בהאג לא התקיים משא ומתן רציני.
צויינו על ידי המשתתפים התוצאות הממשיות של השיחות בעיקר בעניני הבחירות וגם בעניני הסמכויות והתפקידים.

דר' חליל הסביר שהמצרים חוששים מאוד מפני קיום מפגשים בדרג של שרים כיון שאם פגישה בדרג כזה אינה מניבה פירות הדבר עלול לערער את הרגיעה שישנה היום סביב המשא ומתן על האוטונומיה.
מוטב לעסוק בשקט במאמצי הבהרה ורק אם מסתמנת אפשרות לסיכומים נוספים, אז להתכנס ולתת גושפנקא בדרג המיניסטריאלי.

מר קוברסקי העיר שגם בדרג המומחים לא היה ביטוי לנכונות לקיים דיון ממשי, ולדוגמא הוא הביא את המפגש האחרון במצרים באמצע חודש נובמבר. ישראל הציעה במפגש הזה כמה דרכים לפתוח מסלולי עבודה כדי שהתהליך ימשך ועל מנת שיעשה מאמץ למצות את כל האפשרויות לפתרון הבעיות השונות. אך למצרים היו הוראות שלא להכנס למשא ומתן כזה.

דר' חליל ודר' ראלי אמרו שאין להם התנגדות לכך שדרג המומחים ימשיך בפגישותיו בכיוון שהוצע על ידי מר קוברסקי. אך הם הצביעו על הקושי הקיים בשל העובדה שהאמריקאים נמצאים עכשיו בשלב מעבר וזה לא יהיה נאה שהפגישות הטרילאטרליות תהפוכנה לבילאטרליות. עם זאת, אם האמריקאים יסכימו לשגר נציגים למפגש כזה, הוא יוכל להתקיים עוד לפני תום כהונתו של הממשל הנוכחי בארה"ב.

מר קוברסקי קיבל על עצמו לברר זאת עם האמריקאים ולהודיע למצרים באמצעות שגרירות ישראל בקהיר על מפגש שיתקיים בישראל בתחילת ינואר 81.

דרי חליל אמר שהוא רוצה לקבל את תמיכתו של הנשיא סאדאת להפעלת דרג המומחים ומקוה שתמיכה זו תינתן. הוא ביקש שיאפשרו לו עוד לעסוק בכך מספר ימים.

סוכס שבשלב ראשון תתנהלנה השיחות ב- Low key - to explore the problems כדי לא לעורר ציפיות מוגזמות. אם העבודה מתקדם יוחלט על הגברת הקצב והעלאת הדרג.

בהמשך הוחלפו דברים בנושא הביטחון. דרי חליל שאל אם אפשר לאמץ את סעיף 5 מהסכם השלום בין ישראל למצרים. לדבריו לפי סעיף זה ניתן כעבור כמה שנים, בהסכמה הדדית לבדוק את סידורי הביטחון. במקרה כזה סידורי הביטחון לא יהיו סטטיים אלא תישמר האפשרות להתאים אותם להתפתחויות שתיינה, למשל בחזית המזרחית.

דרי בורג אמר שאינו יכול להתייחס לנקודה זו מיד אולם יבקש חוות דעת בקשר לזה ויבדוק אם הדבר תואם את האמור בקמפ דייוויד.

דרי חליל הביע במהלך השיחה ביטחון שבסופו של דבר יושג הסכם בעניין האוטונומיה. הוא הוסיף הערות בזכות העמקת הנורמליזציה.

המשתתפים סיכמו שבמקרה שעחונאים יתענינו, יאמר שהשיחה היתה שיחת בימוסים אישית.

ס ו ד י

ירושלים, י"ט בתשרי תשי"מ
29 בספטמבר 1980

מנהל הכללי

אל: שר הפנים, יו"ר ועדת השרים לאוטונומיה

הנדון: שיחה עם נד ווקר

1. כפי שטובם בינינו שוחחתי אמש עם נד ווקר (עוזרו המדיני של סול לינוביץ ב"סטייט דפרטמנט"). להלן עיקרי הדברים שעלו בשיחה זו.
 2. התכנית לפגישת שלוש המשלחות בווינגטון ב- 14 - 15 באוקטובר בעינה עומדת. מטרת המפגש - חידוש פורמאלי של המו"מ. ווקר לא יכול היה לומר לי מה נועד לדעתם להיות נדון במפגש זה, פרט למתן ביטוי פומבי של התחדשות המו"מ. לגבי הרכב אמר כי כל צד יקבע לעצמו היקף והרכב המשלחת.
 3. הפניתי תשומת לבו לכך, שקיום מפגש כזה יעורר ציפיות רבות וללא הכנה מוקדמת ומדוקדקת של פרטיו יכולה גם לבוא הסתבכות נוספת בתהליך. הזכרתי בהקשר זה שאלת כינוסה של וועדת ההיגוי כדי לתכנן את המגעים הבאים.
 4. ווקר אמר לי כי יבדקו אפשרות קיום פגישת וועדת ההיגוי בווינגטון בסוף השבוע הבא או בראשית השבוע שבו יתקיים מפגש שלוש המשלחות. תגובתי לכך הייתה, שמבחינתנו רצויה התכנסות ועדת ההיגוי בשבוע הבא באזור, אבל הצעתו היא המינימום הדרוש, כדי להכין את המפגש של המשלחות.
 5. בשיחה הוזכר גם ענין הדיון בינינו ובין האמריקאים על Memorandum. ווקר שאל אם אפשר יהיה להמציא להם לעיון את הנייר עוד לפני בואנו לווינגטון. הסברתי לו שאין אנו רוצים לשגר אליהם מכתב אלא להציג מסמך ולהסביר את תפישתנו ומשום כך רצוי שהמסמך ימסר על ידינו לעיונם באותה צורה שהם הציגו לפנינו את הטיוטה שלהם. הוא הצדיק עמדתנו זו.
- לשאלת, אם נוכל להקדים בואנו לצורך זה, אמרתי שאין הדבר נטוח וכי נוכל לקיים את הבירורים בינינו ובין האמריקאים בנושא זה, בימי ההתכנסות ובמקביל לפגישות המשולשות, או להשאר לצורך זה לכמה ימים לאחר המפגש המשולש.

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מדינת ישראל
משרד הפנים

המנהל הכללי

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6. לשאלתי בדבר אופי הדיון שהתקיים בינם ובין המצרים בנושא Memorandum אמר לי כי דנו במשך 8 שעות בנושא עם עמר מוסה. לדבריו היתה טחינת מים מיגעח. כלליה אמר שבכמה נושאים המצרים הראו נכונות להגמשת עמדתם, אולם בחלק היה קו קשוח. הוא לא פירט. אזכיר במיוחד עמדתם הקשוחה והמתעקשת בענין ירושלים. בגלל הפרעות אי-אפשר היה להרחיב דברים בנקודה זו בשיחה הטלפונית.
7. סיכמנו שביום ד' תהא שיחה טלפונית בינך ובין סול לינוביץ (הוא נמצא עד אז מחוץ לווישינגטון).

ב/כ ה.
ח. קוברסקי

העתק: ראש הממשלה
שר החוץ

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ס' 701/80

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שיחת טלפון

ביום 30.9.80 בשעה 22:50 טלפן השגריר עברון לשר הפנים והודיע שלינוביץ מחוץ לעיר אבל השגריר השיג את לינוביץ.

לינוביץ חושב שמסביב ל-15-14 לאוקטובר צריכים לקיים פגישת ראשי הממשלות: א. בשביל שיחה תלת-צדדית בענין הסדרים במשא ומתן. ב. שיחה דו-צדדית בענין המסמך.

שר החוץ שמיר בזעה שלא צריכים לקיים הפעם פגישת מליאה. הוא יביא את הצעותיו עם שובו לארץ.

השגריר אמר שלינוביץ יטלפן לשר הפנים ב-1.10.80 בשעה 13:00.

העתק: ראש הממשלה
מ"מ שר החוץ
מנכ"ל פנים



סודי

העתק מספר: 7 מתוך: 7
דף מספר: 1 מתוך: 5

היחידה לעניני חקיקה
- העתקת מסמך מסוג -
מרשומה זו דוכנו עותקים
ההעתיקה אושרה על ידי
האגף ההעתיקה 7.10.80
השם והמקום מספר
גרשם ביומן בדף

דיווח מפגישה בין שגריר ארה"ב
מר לואיס ושר הפנים דר' בורג
ירושלים, כ"ו תשרי תשמ"א (6.10.80)

נוכחים: דר' י. בורג, שר הפנים
מר סם לואיס, שגריר ארה"ב בישראל
מר חיים קוברסקי, מנכ"ל פנים
מר מ. שטרנברג, שגרירות ארה"ב
מר י. לביא, משרד הפנים

לאחר שקידם בברכה את הנוכחים דר' בורג ציין שקיבל את המכתב של מר לינוביץ.

מר לואיס: ישנה ידיעה של עוזי בנזימן בהארץ אודות אי הכנות שאתה הבעת באשר לשיחה עם לינוביץ.

דר' בורג: הידיעה אינה מדויקת. אמרתי ששיחת הטלפון שלי עם לינוביץ הופרעה רבות והיו קשיים טכניים בשמיעה, על כן ביקשתי שתוכן השיחה יופיע בכתב. הכינותי שהפגישה בושינגטון אמורה להיות פגישה של שלושת ראשי המשלחות לינוביץ עלי ובורג. אתמול בעת ישיבת הממשלה הגיעו ידיעות שעלי בדרכו הביתה לקהיר כשהיה בחגיית ביניים בשוויץ אמר שהשיחות מיועדות להכנת פיסגה זו הנקודה בה יש חילוקי דעות בסיסיים בין בגין לבין סאדאת. סאדאת רוצה רק פיסגה ולא דיונים על אוטונומיה. כל פעם יש להם למצרים טיעון אחר בענינים האלה.

מר קוברסקי: אני חושב שסעיף 3 להודעה שפירסם לינוביץ היה ברור באשר הוא קבע ש:
"The parties agreed to resume the autonomy negotiations at a mutually agreed date and to consult regarding the preparation, venue and timing of a summit meeting".

דר' בורג: ואז מכיוון שעלי פה ובורג פה, שאלו מדוע לא לקיים את המפגש באזור. על כן הברקתי לאפי עברון את המברק בו ציינתי שהיינו מעדיפים שהפגישה תתקיים באזורנו, לאחר ששרי החוץ של ישראל ומצרים חוזרים השבוע ואין כבר סיבה מיוחדת לקיום הפגישה בושינגטון דוקא. עם זה, כמחווה להזמנת ארצות הברית ואם האמריקאים עומדים על קיום הפגישה בושינגטון, נסכים לכך. אם ההצעה לקיום המפגש בושינגטון עומדת בתקפה אנו חוזרים ומציעים שבימים 12-13 באוקטובר תקיים שם גם ועדת היגוי, כדי להכין את המפגש על כל פרטיו. קוברסקי יגיע לניו-יורק ביום ששי 10.10.80 ויבוא לושינגטון ביום א' 12.10.80 כמבוקש. תצטרף אליו פרופ' לפידות. קוברסקי יציג לפני האמריקאים את מסמך ה-Draft of Memorandum of understanding, כפי שאושר על ידי הממשלה. ביקשתי להפנות תשומת לבו של לינוביץ לסעיף 3 בהודעה שנתפרסמה ביום 3 בספטמבר על ידו בשם הנשיא סאדאת וראש הממשלה בגין וצוטטה זה עתה על ידי מר קוברסקי. ישראל עומדת על כך שיהיה ברור מראש כי המפגש נועד למלא את ההחלטה של חידוש המשא ומתן על האוטונומיה ובשום פנים לא להחליש עובדה מוסכמת זו. בינתיים יש לי רושם, וזה רושם שלי, שידידינו באפריקה אינם מעוניינים לקיים את הפיסגה.

מר לואיס: זה דבר חדש לגבי. לי לא ידוע.



העתק מספר: 7 מתוך: 7

דף מספר: 2 מתוך: 5

סודי

- 2 -

דר' בורג: למעשה פרוש מכתבו של לינוכויץ הוא בתחילה שיחות דו-צדדיות, על Draft of Memorandum ותלת-צדדית על המשך המשא ומתן. ה-

מר לואיס: דיברתי עם חברי בוועידה והרעיון הוא שחיים יסע ימים מספר קודם וידונו בתגובות שלכם על המסמך שלנו.

מר קוברסקי: אין לנו תגובות. יש לנו נייר שהוכן על ידנו ואושר על ידי צוות השרים ואותו אנו מתכוונים להביא אתנו.

מר לואיס: אם כן תוכלו להגיב.

מר קוברסקי: ברצוני להבהיר שאנו נעשה כפי שאתם נהגתם כאשר צורת התגובה היא באמצעות מסמך ולא בתגובות על מסמך.

מר לואיס: אני משער שגם המצרים הכינו נייר ומהדיון הזה ברצוננו ללכת לדיון תלת-צדדי לגבי אותן נקודות בהן יש הסכמה או התקרבות בין הצדדים ותוכלו אולי לעבוד על אותן נקודות. איני מאמין שבכל יום יוסכם ועל כך יתקיים דיון.

דר' בורג: אני רואה דיון כזה מתקיים במסגרת של מליאה.

מר לואיס: נכון. הכוונה בראשונה לדיון בצורה דו-צדדית על המסמך ולאחר מכן תלת-צדדית על לוח זמנים ורמות המפגש. כן יהיה צורך למקד את אותן נקודות שבהן ידונו בפיסגה ובזה יש מעין הכנה לפיסגה.

דר' בורג: אם מדובר על פיסגה זה עניין של בגין כולל קביעת המקום והזמן וכד'.

מר לואיס: החומר שיוכא לדיון בפיסגה, הוא בדיון הלא כן?

דר' בורג: כלאמר זה Clearing Station, בין פגישתנו בוועידה לפיסגה אם ומתי שתתקיים. יש מישורים שונים כיצד להמשיך. יש ראשי ועדות יש הצוותות. הכל לפני הפיסגה ואז ישנה אפשרות להגיע להסכמה בנושאים מסוימים.

מר לואיס: אני חושב שזה יפתור את הבעיה.

דר' בורג: אני מוכרח לחזור ולאמר, שעלינו לקיים מליאה.

מר לואיס: האם אתה אומר שבין הפגישה בוועידה לבין הפיסגה צריכה להיות פגישת התזמורת כולה?

דר' בורג: אני חושב שנצטרך דבר כזה. כי עד לפיסגה יצטרכו הרבה פגישות ואיני מאמין שעד ה-5.12.80 נוכל להגיע להישגים ללא פגישות.



סודי

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העתק מספר: 7 מתוך: 7

דף מספר: 3 מתוך: 5

מר לואיס: מר בגין אמר כי הפיסגה תהיה בתחילת דצמבר. הוא יהיה ב-12.11.80 בווינגטון, מועד שאני אצטרף אליו. בגין יחזור לאחר מכן לארץ ויסע פעם נוספת. אם כי אתה צודק שום דבר טרם הוסכם.

מר קוברסקי: ברצוני להיות ברור. יש לנו כאן שני אלמנטים, האחד המשך השיחות וצריכה להיות הרגשה בציבור שיש המשכיות בשיחות-

דר' בורג: שאלתי אותו (את קוברסקי) בבוקר אם עלי יאמר בסוף המפגש שזו היתה הכנה לפיסגה, מה יהיה אז?

מר קוברסקי: זה לא מטריד אותי, כי אני מניח שתימצאנה המילים הנכונות. צריך שתהיה הבנה עם המצרים על המשכיות והמשא ומתן כפי שזה מופיע במכתב לינוביץ. הבעיה היא שעלינו להיות בהרגשה שהשיחות נמשכות ולא היינו רוצים לבוא לווינגטון ולאחר מכן שלא יהיה המשך כלשהו. כפי שכבר קרה בעבר.

דר' בורג: את הדוגמאות אתה יודע.

מר לואיס: היו מפגשים לאחר יולי הקהיר.

מר קוברסקי: הייתי שמח אם ועדת ההיגוי היתה נפגשת לפני כן ואיני יודע אם המצרים הסכימו לכך והאם זה אפשרי. על כל פנים זה לטובת האינטרס המשותף של כל הצדדים. כך נוכל לדון ולהגיע למשהו מוסכם וזה יעזור להמשך המשא ומתן.

מר לואיס: אני חושב שזה יעזור.

דר' בורג: נראה מה תהיינה התוצאות הפגישה בין לינוביץ לבין אפי.

מר קוברסקי: הבעיה שלא דנו עם האמריקאים. הבעיה היא עם המצרים וגם לנד ווקר היתה הרגשה שזה יעזור. הוא היה בדעה שכדאי לקיים את ועדת ההיגוי.

מר לואיס: יתכן, איני יודע. לדעתי, אוביקטיבית זה לא צריך ליצור קושי כלשהו כי צריך לקיים שיחות מוקדמות ואפשר לקיים את זאת במישור שר או מנכ"ל.

דר' בורג: יהיו עלי וגאלי כי אם אין עלי לא יהיה גם בורג.

מר לואיס: מי יהיה מצידכם?

דר' בורג: אני חשבתי על שמיר, אבל הוא יבוא כיום ג' ואז נדע.

מר לואיס: הפגישה הזו היא של ראשי משלחות?

מר שטרנברג: ראשי משלחות |



סודי

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העתק מספר: 7 מתוך: 7
דף מספר: 4 מתוך: 4

מר לואיס: הבינותי שהמיקום שאתם מעוניינים בו זה דוקא באזור. אך כיון שאנו בדעה שיש צורך לקיים זאת בושינגטון אתם לא תתנגדו.

דר' בורג: יש לי דין בעית של בלתי זמני שאמור להוולד בשבוע הבא.

מר קוברסקי: אני אהיה ביום ששי בניו-יורק ואז נדון עם אנשי וושינגטון לגבי ההמשך.

מר לואיס: האם אוכל להעלות נושא קרוב? נשאלתי על ידי לינוביץ באשר לנושאים שקימתם עליהם שיחה, בין השאר מסמך 14 הנקודות.

מר קוברסקי: זה לא קיים כמסמך.

מר לואיס: זה, נייר-לא נייר. אתה (דר' בורג) אמרת שתדווח ללינוביץ.

דר' בורג: הוא הזכיר זאת ואני לא רציתי לקחת את זאת.

מר לואיס: זה היה בידיהם של כל השרים בועדה. וידין שוחח על זה עם כל מיני גורמים.

דר' בורג: איני רוצה ליגוע בנושא ברצוני לדעת מה הנקודות העיקריות שאתם מעוניינים להעלות כעת?

מנקרת בראשי שאלה: למי זה חשוב? האם זה יביא להבאת הפלסטינאים? האם זו תעמולה למצרים?

מר לואיס: אנו אמרנו לכם שאנו מבינים ממגענו עם הפלסטינאים שצעדים מסוימים גורמים לקשיים ולהקשחה מצידם. לעומת זאת יש צעדים שיכולים להביא לקירוב ויטלו חלק על ידי יצירת אקלים יותר טוב. אפשר להשיג רבות, זאת מחשבתנו. מה שכן קיימנו דיון עם ראש הממשלה והוא אמר לי שיהיה ניתן לשחרר אי אלו אסירים מעזה. האם לינוביץ סיפר לך על זה?

דר' בורג: אברר.

מר קוברסקי: סם, עד כמה שאני זוכר היתה לך פגישה עם ראש הממשלה והוא אמר שאתם דיברתם על מסמך שלא נדון עם המצרים.

דר' בורג: מה עוד מלבד אסירים?

מר לואיס: עדיין בענין האסירים. יש כאן משהו מוזר המצרים אמרו שנתנו רשימה של 200 אסירים לפני חדשים.

דר' בורג: אני זוכר משהו עמום. אברשה בודאי יודע, דובר על זה שחלק שוחררו. נברר בכל אופן.



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סודי

העתק מספר: 7 מתוך 7

דף מספר: 5 מתוך 5

מר לואיס: אתם תעיפו מבט מחדש, על 14 הנקודות ואם תוכלו לאמר לי משהו על הנקודות, זה יהיה למועיל. יש נקודה שיש לה השפעה פסיכולוגית והיא הקשיים שאתם מערימים על תנועתם החופשית של ראשי העיריות ואישים אחרים בשטחים. זה גורם להם לחשוב מה מטרתכם האמיתית בנושא האוטונומיה.

דר' בורג: אני מציע שלא תשכח שישנה סיבה לפעילות הזו שלנו. הם ביצעו פעולה אקטיבית של תעמולה אנטי-ישראלית שאינה עוזרת לשקט באזור.

מר לואיס: זה גרם לשקט, אבל זה מריר.

דר' בורג: המפגש של ראשי העיריות עם גסטון תורן היה הצגה של ה-P.L.O.

מר לואיס: אבל כל עוד שהם מרגישים שמדינת ישראל לוחצת וכל מה שנאמר על האוטונומיה הוא ההפך מהצורה שבה מתנהלים החיים במסגרתה, הרי זה מביא לחוסר רצון לקיומה.

דר' בורג: יש עוד טרור ופעילות חתרנית, אין פלשתינאים שירצו לשבת. מי הציע להם את האוטונומיה, הירדנים? אש"פ? מדינות ערב? אנחנו?

מר לואיס: מה משמעות האוטונומיה? אין תשכנעו אותם כאשר המצב הוא כזה? המלה אוטונומיה קיבלה משמעות של מלה מלוכלכת אצלם. ניסינו להביא את הפלשתינאים לשיחות נפגשנו עמם ואנו משוכנעים שהיחס שלכם עושה את זה לקשה יותר ויותר. זה חלק מ-14 הנקודות. ואתם אינכם לוקחים ברצינות את דברינו. אמור לי האם בכלל הסתכלתם על הרשימה?

דר' בורג: לא באחרונה.

מר לואיס: לינוביץ אמר שלא חש בשום תגובה.

דר' בורג: איני מרגיש שיש לי מחויבות או שנתתי מחויבות כלשהי ביחס ל-14 הנקודות. 14 הנקודות שייכות לרמה של ראש הממשלה. אמנם יש בהן שתיים שלוש נקודות השייכות למישור שלי אבל לא זכור לי שנתתי התחייבות.

מר לואיס: יתכן שאתה צודק. אני קיבלתי הנחיה לשאול כפי ששאלתי.

דר' בורג: דובר על אסירים ועל עוד נקודה.

חיים קוברסקי

אולט
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כ"ה חמ"ט ב' תשס"א

בצד אולט לזן טולט אפוקאולת חמ"ט
אלט ב' מרמלוקים למלך ל' הפקולט מחמ
כרמל אפמלל ל' חמל כ' מלול לזן
חמלל אל לזן הפקולט.

ב' מרמלוקים חמלל כ' אל חמלל
כ' Non paper אפוקאולת כ' אל
לזן חמלל חמלל

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5/11/80

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US NON-PAPER DRAFT MOU

November 4, 1980

The Arab Republic of Egypt, the State of Israel, and the United States of America are agreed that the document entitled "Memorandum of Understanding" is a preliminary agreement on the nature of the arrangements to be established for the transitional period envisioned in the Framework for Peace in the Middle East agreed at Camp David ("Framework") their objective is to provide full autonomy to the inhabitants of the West Bank and Gaza during the transitional period, to ensure a peaceful and orderly transfer of authority and to give due consideration both to the principle of self-government by the inhabitants of these territories and the legitimate security concerns of the parties involved. They reaffirm that the aim of the Framework is a comprehensive peace based on the United Nations Security Council Resolution 242 in all its parts, assuring Israel's security in the transitional period and beyond and recognizing the legitimate rights of the Palestinian people and their just requirements.

The parties agree that the principles in the Memorandum of Understanding must be more fully elaborated in a final autonomy agreement, and they have committed themselves to this end.

The parties further agree that the participation of the Palestinian inhabitants is essential to meet the goals envisioned in the Framework, and the parties therefore encourage Palestinian participation in completing the definition of the powers and responsibilities of the self-governing authority (administrative council). In order to provide the most constructive atmosphere for the elaboration of these principles, the parties recognize that the negotiations must rest on a firm foundation of mutual understanding and trust. They agree to seek to ease tensions which have arisen in the areas and invite the Palestinian inhabitants of the West Bank and Gaza to join in this effort. Further, the parties reaffirm their commitment to the Camp David Framework and agree to take actions to encourage its faithful implementation.

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The parties also recognize the significance of a comprehensive peace to the international community. Accordingly, the parties reiterate their invitation to all other concerned parties to support the on-going peace-making efforts. All states should consider ways and means to enhance the effectiveness of the existing peace process and to conform their policies and actions accordingly in order to further the attainment of a comprehensive, just and lasting peace in the Middle East.

- - -

MEMORANDUM OF UNDERSTANDING

The Arab Republic of Egypt and the State of Israel, in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the nature of the transitional arrangements provided in the Framework for Peace in the Middle East agreed at Camp David ("The Framework"). Therefore, in order to achieve the objectives set forth in the Framework, the Arab Republic of Egypt and the State of Israel have, subject to the terms of the final Autonomy Agreement ("The Autonomy Agreement"), agreed as follows:

Elections

In order to provide full autonomy, a self-governing authority will be freely elected by the inhabitants of the West Bank and Gaza.

Elections will be free elections based on the rights of peaceful assembly, free expression and secret ballot. Arrangements will be agreed upon to assure preservation of law and order during the electoral process.

Free electoral campaigning will be guaranteed. Representation will be apportioned with due regard to population and municipal boundaries. The elections will

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be organized, conducted and supervised by a central electoral commission, composed of authorized Israeli civilian personnel, local Palestinian Arabs and other civilians -- individuals and institutions -- as worked out and agreed upon by the autonomy negotiators. There will be free access for the international media and experts pursuant to agreed procedures.

Structure and Procedure

The self-governing authority will consist of one body of members. It will constitute an administrative council and allocate functions among its members. The SGA(AC) will select its officers from among its members and determine its rules of procedure.

The Transitional Period

There will be transitional arrangements for the West Bank and Gaza for a period not exceeding five (5) years.

The SGA(AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Civilian Administration

The Israeli military government and its civilian administration will be withdrawn as soon as the SGA(AC) has been established and inaugurated to replace the existing military government in the West Bank and Gaza. At that time, the SGA(AC) will assume the powers and responsibilities defined in the Autonomy Agreement. The transfer of authority will be carried out in a peaceful and orderly manner.

Withdrawal of Israeli Forces

A withdrawal of Israeli armed forces will begin promptly and there will be a redeployment of the remaining Israeli forces into specified security locations.

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Powers and Responsibilities

(1) The SGA(AC) will have responsibility in the following areas: Administration of Justice; Administrative Operations and Civil Service; Administration of Public Buildings and Moveable Property; Agriculture; Education and Culture; Environmental and Energy Affairs (including Natural Resources); Finance (including Budget, Taxation and Banking); Health and Social Welfare; Housing and Public Works; Industry, Commerce and Tourism; Internal Transportation, Communication and Posts; Labor and Manpower; Local Police; Municipal Affairs and Public Utilities; and Religious Affairs.

(2) The SGA(AC) will, in addition, have the responsibilities with respect to land and water defined in the sections below dealing specifically with these matters.

(3) The SGA(AC) will also constitute the strong local police force stipulated in the Framework and will have the responsibilities with respect to assuring public order and internal security set forth in the provisions on security in the Autonomy Agreement.

(4) Provisions will be made in the Autonomy Agreement for the establishment of adequate mechanisms for cooperation and coordination between the SGA(AC) and Israel.

(5) The SGA(AC) will have the powers necessary for the discharge of its responsibilities, including all powers necessary to formulate plans and policies, supervise the implementation of policies and legislation, employ staff, sue and be sued, collect and disseminate public information, and fulfill its responsibility to promote and protect human rights and fundamental freedoms in the West Bank and Gaza including the right of the inhabitants to lawful travel.

(6) Following its establishment, the SGA(AC) will participate in all stages of subsequent negotiations provided for in the Framework as the representative of the inhabitants of the West Bank and Gaza.

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(7) In addition to other principles and limitations as may be agreed upon, the SGA(AC) will not:

(a) Curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, nationality or ethnicity;

(b) Alter its jurisdiction, enlarge its powers, or affect the status of the West Bank and Gaza; and

(c) Conduct foreign relations.

Land

(1) The final settlement of the subject of land in the West Bank and Gaza will be determined in the course of the negotiations on the final status which will take place as soon as possible, but not later than the third year after the beginning of the transitional period.

(2) During the transitional period:

(a) The SGA(AC) will have responsibility with respect to private land transactions. Lawful private possession of and ownership of land by any person will be protected without discrimination on grounds of race, religion, sex, nationality or ethnicity.

(b) Public land will be administered in accordance with the following principles:

(I) The title of public land will not be alienated or otherwise affected.

(II) Specified lands allocated for security purposes pursuant to the Framework will be administered in accordance with the security provisions of the Autonomy Agreement.

(III) Existing lawful uses of public land will not be disturbed and the administration of such land will be consistent with this principle.

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(IV) The SGA(AC) will have responsibility to administer and ensure the protection and preservation of public parks, grazing lands, and nature preserves.

(V) Presently unutilized public lands will be available during the transitional period for new uses which will be subject to approval by a joint body involving representatives of Israel and the SGA(AC). Priority will be given to use of such land for the rehabilitation of displaced persons and refugees and for the development of housing and infrastructure for the benefit of the inhabitants.

(3) Claims concerning the lawfulness of possession or use of land during the transitional period may be submitted for determination to a joint body involving representatives of Israel and the SGA(AC). Pending such determination by agreement, an existing use will not be disturbed.

Water

(1) The final settlement of the subject of water in the West Bank and Gaza will be determined in the course of the negotiations on the final status which will take place as soon as possible, but not later than the third year after the beginning of the transitional period.

(2) During the transitional period:

(a) The SGA(AC) will, consistent with the procedure and principles described below, have the responsibility to administer and determine the uses of the following water resources:

(I) Surface and subsurface water sources which lie solely within or under the West Bank and Gaza;

(II) The current relative rate of flow presently used in the West Bank and Gaza and

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derived from sources that underlie or flow between the West Bank and Gaza and one or more of its neighbors; and

(III) Such additional water resources as the SGA(AC) might obtain through negotiations.

Procedures will be set forth in the Autonomy Agreement to assure that existing users will not be adversely affected and to guard against depletion and spoilation of common water resources.

(b) A joint body involving representatives of both the SGA(AC) and Israel will deal by agreement with such matters as changing water needs affecting both the SGA(AC) and Israel and the preparation of cooperative development projects for the benefit of all those involved. All increases in the use of water resources which underlie or flow between the West Bank and Gaza and also Israel must be approved in advance by agreement of this body subject to the following principles: (I) The present use of water by the inhabitants of the West Bank and Gaza and of Israel will not be adversely affected; and (II) equitable apportionment will be promoted.

(3) Egypt, Israel and the United States will view with favor the establishment of a regional body representing the peoples of the area in order to develop and use the water resources of the area for the benefit of all these peoples.

Security

To assure the security of all parties during the transitional period:

(1) There will be a redeployment of the remaining Israeli forces into specified security locations.

(2) Arrangements will be implemented to assure internal and external security and public order.

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(3) To assist in assuring internal security. a strong local police force will be constituted by the SGA(AC), which will assume its responsibilities as its capabilities are developed. The local police force will maintain continuing liaison in internal security matters with designated Israeli and Egyptian officers.

Arrangements to assure the security of Israel and its neighbors beyond the transitional period will be determined in the course of the negotiations on the final status.

Laws

Laws in the nature of sovereign enactments presently in force in the West Bank and Gaza will remain in force to the extent consistent with the Autonomy Agreement, unless changed in accordance with procedures to be outlined in the Autonomy Agreement. The SGA(AC) will have the authority to issue necessary supporting legislation in its areas of responsibility consistent with the aforesaid laws in force. All supporting legislation must conform to the provisions of the Autonomy Agreement, and in particular the provisions concerning security.

Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel and the SGA(AC) will constitute a continuing committee to decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The committee may also deal with other matters of common concern.

The committee will take its actions and resolutions on the basis of unanimity, unless otherwise provided in the Autonomy Agreement.

The United States will be invited to participate in the committee.

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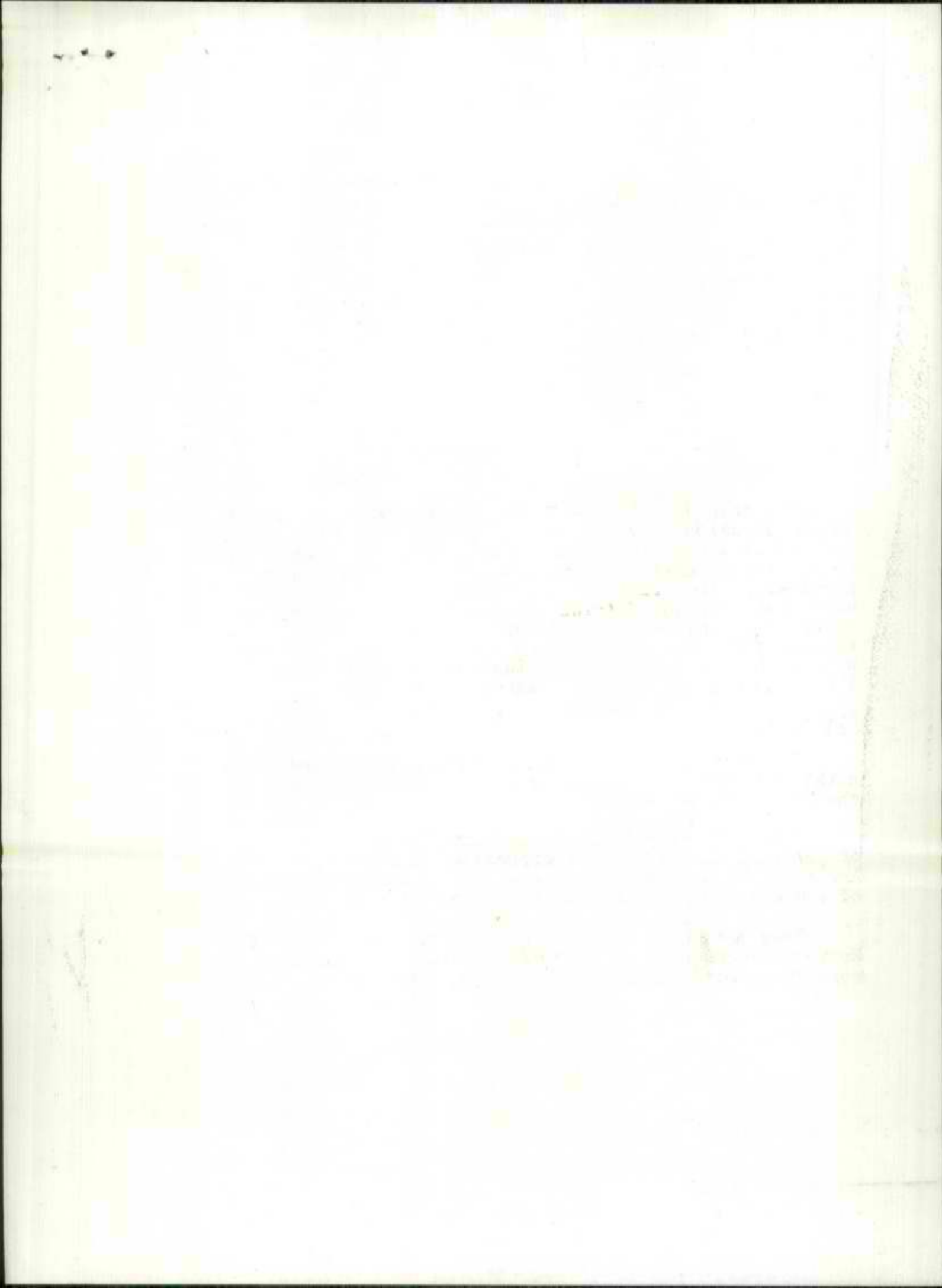
November 4, 1980

The Arab Republic of Egypt, the State of Israel, and the United States of America are agreed that the document entitled "Memorandum of Understanding" is a preliminary agreement on the nature of the arrangements to be established for the transitional period envisioned in the Framework for Peace in the Middle East agreed at Camp David ("Framework") their objective is to provide full autonomy to the inhabitants of the West Bank and Gaza during the transitional period, to ensure a peaceful and orderly transfer of authority and to give due consideration both to the principle of self-government by the inhabitants of these territories and the legitimate security concerns of the parties involved. They reaffirm that the aim of the Framework is a comprehensive peace based on the United Nations Security Council Resolution 242 in all its parts, assuring Israel's security in the transitional period and beyond and recognizing the legitimate rights of the Palestinian people and their just requirements.

The parties agree that the principles in the Memorandum of Understanding must be more fully elaborated in a final autonomy agreement, and they have committed themselves to this end.

The parties further agree that the participation of the Palestinian inhabitants is essential to meet the goals envisioned in the Framework, and the parties therefore encourage Palestinian participation in completing the definition of the powers and responsibilities of the self-governing authority (administrative council). In order to provide the most constructive atmosphere for the elaboration of these principles, the parties recognize that the negotiations must rest on a firm foundation of mutual understanding and trust. They agree to seek to ease tensions which have arisen in the areas and invite the Palestinian inhabitants of the West Bank and Gaza to join in this effort. Further, the parties reaffirm their commitment to the Camp David Framework and agree to take actions to encourage its faithful implementation.

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The parties also recognize the significance of a comprehensive peace to the international community. Accordingly, the parties reiterate their invitation to all other concerned parties to support the on-going peace-making efforts. All states should consider ways and means to enhance the effectiveness of the existing peace process and to conform their policies and actions accordingly in order to further the attainment of a comprehensive, just and lasting peace in the Middle East.

- - -

MEMORANDUM OF UNDERSTANDING

The Arab Republic of Egypt and the State of Israel, in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the nature of the transitional arrangements provided in the Framework for Peace in the Middle East agreed at Camp David ("The Framework"). Therefore, in order to achieve the objectives set forth in the Framework, the Arab Republic of Egypt and the State of Israel have, subject to the terms of the final Autonomy Agreement ("The Autonomy Agreement"), agreed as follows:

Elections

In order to provide full autonomy, a self-governing authority will be freely elected by the inhabitants of the West Bank and Gaza.

Elections will be free elections based on the rights of peaceful assembly, free expression and secret ballot. Arrangements will be agreed upon to assure preservation of law and order during the electoral process.

Free electoral campaigning will be guaranteed. Representation will be apportioned with due regard to population and municipal boundaries. The elections will

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be organized, conducted and supervised by a central electoral commission, composed of authorized Israeli civilian personnel, local Palestinian Arabs and other civilians -- individuals and institutions -- as worked out and agreed upon by the autonomy negotiators. There will be free access for the international media and experts pursuant to agreed procedures.

Structure and Procedure

The self-governing authority will consist of one body of members. It will constitute an administrative council and allocate functions among its members. The SGA(AC) will select its officers from among its members and determine its rules of procedure.

The Transitional Period

There will be transitional arrangements for the West Bank and Gaza for a period not exceeding five (5) years.

The SGA(AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Civilian Administration

The Israeli military government and its civilian administration will be withdrawn as soon as the SGA(AC) has been established and inaugurated to replace the existing military government in the West Bank and Gaza. At that time, the SGA(AC) will assume the powers and responsibilities defined in the Autonomy Agreement. The transfer of authority will be carried out in a peaceful and orderly manner.

Withdrawal of Israeli Forces

A withdrawal of Israeli armed forces will begin promptly and there will be a redeployment of the remaining Israeli forces into specified security locations.

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Powers and Responsibilities

(1) The SGA(AC) will have responsibility in the following areas: Administration of Justice; Administrative Operations and Civil Service; Administration of Public Buildings and Moveable Property; Agriculture; Education and Culture; Environmental and Energy Affairs (including Natural Resources); Finance (including Budget, Taxation and Banking); Health and Social Welfare; Housing and Public Works; Industry, Commerce and Tourism; Internal Transportation, Communication and Posts; Labor and Manpower; Local Police; Municipal Affairs and Public Utilities; and Religious Affairs.

(2) The SGA(AC) will, in addition, have the responsibilities with respect to land and water defined in the sections below dealing specifically with these matters.

(3) The SGA(AC) will also constitute the strong local police force stipulated in the Framework and will have the responsibilities with respect to assuring public order and internal security set forth in the provisions on security in the Autonomy Agreement.

(4) Provisions will be made in the Autonomy Agreement for the establishment of adequate mechanisms for cooperation and coordination between the SGA(AC) and Israel.

(5) The SGA(AC) will have the powers necessary for the discharge of its responsibilities, including all powers necessary to formulate plans and policies, supervise the implementation of policies and legislation, employ staff, sue and be sued, collect and disseminate public information, and fulfill its responsibility to promote and protect human rights and fundamental freedoms in the West Bank and Gaza including the right of the inhabitants to lawful travel.

(6) Following its establishment, the SGA(AC) will participate in all stages of subsequent negotiations provided for in the Framework as the representative of the inhabitants of the West Bank and Gaza.

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(7) In addition to other principles and limitations as may be agreed upon, the SGA(AC) will not:

- (a) Curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, nationality or ethnicity;
- (b) Alter its jurisdiction, enlarge its powers, or affect the status of the West Bank and Gaza; and
- (c) Conduct foreign relations.

Land

(1) The final settlement of the subject of land in the West Bank and Gaza will be determined in the course of the negotiations on the final status which will take place as soon as possible, but not later than the third year after the beginning of the transitional period.

(2) During the transitional period:

(a) The SGA(AC) will have responsibility with respect to private land transactions. Lawful private possession of and ownership of land by any person will be protected without discrimination on grounds of race, religion, sex, nationality or ethnicity.

(b) Public land will be administered in accordance with the following principles:

(I) The title of public land will not be alienated or otherwise affected.

(II) Specified lands allocated for security purposes pursuant to the Framework will be administered in accordance with the security provisions of the Autonomy Agreement.

(III) Existing lawful uses of public land will not be disturbed and the administration of such land will be consistent with this principle.

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(IV) The SGA(AC) will have responsibility to administer and ensure the protection and preservation of public parks, grazing lands, and nature preserves.

(V) Presently unutilized public lands will be available during the transitional period for new uses which will be subject to approval by a joint body involving representatives of Israel and the SGA(AC). Priority will be given to use of such land for the rehabilitation of displaced persons and refugees and for the development of housing and infrastructure for the benefit of the inhabitants.

(3) Claims concerning the lawfulness of possession or use of land during the transitional period may be submitted for determination to a joint body involving representatives of Israel and the SGA(AC). Pending such determination by agreement, an existing use will not be disturbed.

Water

(1) The final settlement of the subject of water in the West Bank and Gaza will be determined in the course of the negotiations on the final status which will take place as soon as possible, but not later than the third year after the beginning of the transitional period.

(2) During the transitional period:

(a) The SGA(AC) will, consistent with the procedure and principles described below, have the responsibility to administer and determine the uses of the following water resources:

(I) Surface and subsurface water sources which lie solely within or under the West Bank and Gaza;

(II) The current relative rate of flow presently used in the West Bank and Gaza and

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derived from sources that underlie or flow between the West Bank and Gaza and one or more of its neighbors; and

(III) Such additional water resources as the SGA(AC) might obtain through negotiations.

Procedures will be set forth in the Autonomy Agreement to assure that existing users will not be adversely affected and to guard against depletion and spoilation of common water resources.

(b) A joint body involving representatives of both the SGA(AC) and Israel will deal by agreement with such matters as changing water needs affecting both the SGA(AC) and Israel and the preparation of cooperative development projects for the benefit of all those involved. All increases in the use of water resources which underlie or flow between the West Bank and Gaza and also Israel must be approved in advance by agreement of this body subject to the following principles: (I) The present use of water by the inhabitants of the West Bank and Gaza and of Israel will not be adversely affected; and (II) equitable apportionment will be promoted.

(3) Egypt, Israel and the United States will view with favor the establishment of a regional body representing the peoples of the area in order to develop and use the water resources of the area for the benefit of all these peoples.

Security

To assure the security of all parties during the transitional period:

(1) There will be a redeployment of the remaining Israeli forces into specified security locations.

(2) Arrangements will be implemented to assure internal and external security and public order.

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(3) To assist in assuring internal security. a strong local police force will be constituted by the SGA(AC), which will assume its responsibilities as its capabilities are developed. The local police force will maintain continuing liaison in internal security matters with designated Israeli and Egyptian officers.

Arrangements to assure the security of Israel and its neighbors beyond the transitional period will be determined in the course of the negotiations on the final status.

Laws

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הערות כלליות

- א. נראה לי כי זהו הנייר האמריקני החמור ביותר מבחינתנו לא רק מבחינת תכנון אלא גם מפני שהוא בא לאחר הנייר הישראלי מ-21.9.80 אשר ניסה לגשר על הפערים. נראה כי האמריקנים לקחו את הנייר הישראלי כנקודת מוצא מובנת מאליה ועתה הם מנסים לדחוף את ישראל לעמדות אחרות תוך אי ויתור על עמדות אמריקניות ומצירות בסיסיות.
- ב. התפיסה האמריקנית הכללית הנובעת מהכתוב במסמך נראית כלהלן:
- ישראל מחד וי"ש ועזה מאידך הינן שתי ישויות טריטוריאליות נפרדות לחלוטין בעלות משטר שונה לחלוטין, כל אחת מהן שולטת על שטחה כאשר מקור הסמכות בשטחי האוטונומיה הוא ההסכם שיושג על מהותה.
- לישראל אינטרסים מסוימים בשטחי האוטונומיה הנובעים מצרכיה הבטחוניים בלבד ויש למצוא דרך לשמור על אינטרסים אלה (נושא המים הוא חריג אך גם כאן יש צורך למצוא דרך כיצד לשמור על האינטרסים של ישראל מבלי שתהיה לה שליטה כל שהיא).
- ג. האוטונומיה תהיה ישות פלשתינאית עצמאית בבל, פרט לשם, נשלטת ע"י רשות מינהל עצמי שהיא מעין מועצה מחוקקת שתבחר בעצמה את הממשלה, סמכות החקיקה תהיה אמנם מוגבלת אך היא תתאפשר במידה מסוימת ע"י ההסכם שיחתם ואשר יהווה את מקור הסמכות.
- ד. ישראל תיסוג מהגדה ועזה, תעביר את הסמכויות במלואן לרשות המינהל העצמי, אינטרסיה של ישראל יישמרו באמצעות שיתופה בועדות משותפות לנושאים שונים שבחלקן לא תהיה לה אפילו זכות זו.
- ה. נושא בטחון הפנים יועבר בהדרגה למשטרה המקומית והיא אשר תהיה אחראית לו באופן בלעדי. נושא בטחון ישראל או בטחון החוץ נשאר לגבי תקופת המעבר להסכם האוטונומיה הסופי ולגבי התקופה שלאחריה לדיון על הסטטוס הסופי.
- ו. הפתיחה שהוספה למסמך מתאפיינת בשני אלמנטים מדאיגים:
ההליכה לקראת מצרים בדבר שיתוף הפלשתינאים: הן במו"מ על האוטונומיה והן בנוגע לצעדים שעל ישראל לנקוט בשטחים כדי לאפשר שיתופם.
ההתעלמות מירדן מחד (גם במסמך עצמו) ומאידך הקריאה למדינות אחרות (והפניה בברור היא לארופה) לנקוט יזמות מקבילות כדי לתמוך בהליך הנוכחי.
- ז. צורת הגשמת המסמך וכל הכלול בו נוטעים בלבי את ההרגשה שעלינו לדחות המסמך כולו מבלי להתייחס לפרטים הכלולים בו.

הקדמה

- א. האמריקנים הוסיפו הקדמה שלא ברור מה מעמדה.
- ב. המשפט הראשון לקוח מההצעה האמריקנית מ-3.9.80. הדגש הוא כמובן על היות המסמך הנוכחי-
preliminary agreement
- ג. המטרות, לא ברור אם הן של הצדדים החתומים או של ה- *arrangements*.
- ד. הוסף המשפט הלקוח מק.ד. בנוגע ל- *self-government* לתושבים לעומת *legitimate security concern of the parties involved*. להכנסת סעיף זה יש חשיבות רבה והוא מעיד למעשה על התפיסה האמריקנית של התהליך.
- ה. הפיסקה הבאה מדברת על מטרות הסכם ק.ד.: שלום כולל המבוסס על ^(p. 242)כל חלקיה, הבטחת בטחון ישראל בתקופת המעבר ואחריה (סעיף זה מורחב אח"כ), הכרה בזכויות הלגיטימיות של העם הפלשתינאי ובצרכיו הצודקים.
- ו. הפיסקה על הצורך בגיבוש העקרונות שונה במהותה מהצעת ישראל התפיסה כאן היא שהעקרונות נקבעים בנייר שלפנינו ופירוטם יבוא אח"כ ואין הסכם זה תלוי בהסכם שיבוא אחריו.
- ז. המשפט הוא הליכה ברורה לקראת המצרים: שיתוף התושבים הפלשתינאים (צרוף חדש) הכרחי להשגת המטרות של ק.ד. הגדרה חדשה שלא הוכללה בק.ד. עצמו. הפלשתינאים מוזמנים להשתתף בהשלמת הגדרת הסמכויות ותחומי האחריות של המועצה המינהלית - מכאן נובע כי הנייר הנוכחי מכוון להיות ההסכם עצמו, הפרטים יוספו תוך שיתוף הפלשתינאים בהסכם האוטונומיה. יש פה הליכה ברורה לכיוון המצרי הסכמה על עקרונות ואילו את הפרטים צריכה ישראל לסכם עם הפלשתינאים.
- ח. המשפט הבא מתייחס למחוות המבוקשות ע"י המצרים כדי לטהר את האוירה בי"ש ועזה.
- ט. המשפט האחרון בעמ' הראשון הינו חזרה מיותרת ומעליבה.
- י. המשפט האחרון בהקדמה הינו קריאה לכל המדינות (!) - מדינות ערב, אירופה, הגוש המזרחי, הבלמ"ז - ולא רק לירדן לתמוך בתהליך. יש פה קריאה ברורה ליזמות מצד, מדינות אחרות, זאת בניגוד לעמדה האמריקנית המוצהרת נגד יזמות אחרות.
- י"א. בהקדמה ובמסמך כולו הושמטה ההערה בה נאמר כי ישראל רואה בגדמ"צ את יהודה ושומרון.

המכוא

- א. מכיוון שחלקו של המכוא הובא בהקדמה הרי שני האלמנטים המרכזיים באן הם אלה: ההסכמים וההבנות אינם לגבי הצעדים שהצדדים ינקטו כפי שנאמר במסמך הישראלי אלא לגבי מהות (nature) הסדרי המעבר.
- נאמר כאן כי הסעיפים הבאים הם:

*subject to the terms of the final
Autonomy Agreement.*

הבחירות

- א. במשפט הראשון הושמטו הסוגריים המכילים את המועצה המינהלית ולא נאמר כי יוסכמו ה- *modulities*.
- ב. הושמטה ההתייחסות במשפט הבא ל- *measures to prevent disruption* וגם שמירת החוק והסדר נתונה להסכם.
- ג. גם במערכת הבחירות הושמטה ההתייחסות לשמירת הסדר הציבורי.
- ד. הוכנס משפט על צורת הבחירות האזורית בהתאם לאוכלוסיה ולגבולות המוניציפליים.
- ה. הושמטה ההתייחסות להסכמה על המפקחים מבין הפלשתינאים וכן הוספה ההתייחסות לאמצעי התקשורת ולמומחים בהתאם לדרישת המצרים.

מבנה ופרוצדורה

- א. הסעיף הוכנס שוב מיד לאחר הסעיף על הבחירות ולא כפי שמופיע בהצעה הישראלית לאחר הדיון בסמכויות ובאחריות.
- ב. יש כאן הפרדה ברורה בין הגוף הנבחר לבין המועצה המינהלית הגוף הנבחר יקיים מועצה מינהלית ויחלק תפקידים בין חבריו.
- ג. בעוד שכתחילה מדובר על רשות המינהל העצמי בלי הסוגריים המכילים את המועצה המינהלית הרי לפתע מופיעים ראשי התיבות (SGA/AC) ללא שהיתה לכך כל התייחסות מוקדמת.

תקופת המעבר

- א. המשפט הראשון לקוח מק.ד. אולם הכנסתו כאן באה להדגיש את ארעיות ההסדר:
not exceeding five (5) years
- נסיגת המימשל הצבאי ומינהלו האזרחי
- א. בכותרת המסמך הושמטה המילה *the* ופירוש הדבר נסיגה של כל מינהל אזרחי אתר ולא רק של המימשל הצבאי.
- ב. חזר הביטוי *the same* במקום הביטוי *when* שהוצע ע"י ישראל.
- ג. הדגש פה הוא על *replace* של הסמכות בגדמ"צ ועזה-ולא^{נעל} התושבים.
- ד. רשות המינהל העצמאי תקבל את תפקידיה מן ההסכם ההשלמה ברורה מקור הסמכות הינו ההסכם.
- ה. העברת הסמכות פירושה אחד ובמשפט האחרון כלולה אזהרה מעליבה לישראל..

נסיגת כחות ישראל

- א. סעיף זה הוכנס כאן תוך כוונה להבהיר כי כחות הצבא של ישראל מטרתם אך ורק בטחון ישראל. משום כך גם הושמט חלקו הראשון של הסעיף, בסעיף המדבר מאוחר יותר על בטחון. ההקשר כאן אינו בטחוני אלא מבחינת הסמכות בשטח.
- ב. הוכנסה המילה *promptly* שאינה מצויה בשום מסמך קודם כולל ק.ד.

סמכויות ותחומי אחריות

1. א. ההתייחסות היא לסמכות ביחיד ולא ברבים הכוונה היא להמנע מאפשרות העברת חלק מהסמכויות מכיוון שלא מדובר כאן בתפיסה הישראלית של משרדים או פרטיביים אלא בתחומי אחריות בלבד.
- ב. ברשימת הסמכויות כלולים מספר אלמנטים שישראל התנגדה להם בעבר או חדשים שלא ברורה מהותם:

פעולות אדמיניסטרטיביות

ניהול בניני ציבור ונכסי דנידי (?)

איכות הסביבה, עניני אנרגיה (כולל משאבים טבעיים)

הפירוט בעניני כספים - תקציב, מיסוי ובנקאות.

הוחזר נושא ה- *public utilities*

הוסף נושא הבריאות.

2. ג. איזכור סמכות המועצה בנושאי הקרקע והמים מענין כי נאמר *the responsibilities*

3. ד. ההתיחסות למשטרה היא חדשה מכיון שלא המשטרה אחראית לסדר הציבורי ובטחון

הפנים אלא רשות המינהל העצמי לא חו"ח ישראל.

ה. מדובר כמובן בסעיפים בנושאי בטחון בהסכם האוטונומיה.

- (4) ו. סעיף זה מעמיד את ישראל והמועצה כשתי ישויות נפרדות שוות במעמדן שיש פשוט לדאוג לשחוף פעולה ותיאום ביניהן. אין שום זיקה אחרת.
- (5) ז. סעיף זה נותן סמכויות נרחבות ביותר למועצה והופך אותה לממשלה לכל דבר:
- סמכויות תיכנון
 - קביעת מדיניות ופיקוח על ביצועה
 - שמירה על ביצוע החוק
 - גוף משפטי
 - שליטה על אינפורמציה
- ח. הפיסקה על חופש התנועה מקורה במצרים ולא ברור למה הכוונה כאן (דרכונים)?
- (6) ט. הסעיף על השתתפותה של הרשות כנציגת התושבים לדיונים המאוחרים יותר אינה תואמת את קמפ-דייויד ששם מדובר על צורת נציגות אחרת.
- (7) י. באיסורים המוטלים על הרשות בסעיף (9) הושמטה ההתייחסות ל- residence and citizenship, השאר דומה להצעת ישראל.
- הושמטה ההתייחסות לסמכויות השיוריות

קרקע

- (1) א. מכיון שהתפיסה של כל הסעיף בנושא הקרקע שונה הרי אין למעשה צורך בהתייחסות להסדר הסופי והוא הוכנס כנראה רק כדי להראות לישראל שמקבלים חלק מניסוחיה.
- (2) ב. התוספת המשמעותית היא סמכות הרשות על כל העברת קרקעות שפירושה שליטת הרשות על רישום המקרקעין. ההשמטה המשמעותית היא של ההתייחסות לתושבות ואזרחות.
- ג. החלוקה שלא היתה קימת במסמך הישראלי והיא קימת כאן היא בין קרקע פרטית לקרקע ציבורית.
- ד. ישראל אינה מוזכרת כאחראית על קרקע כלשהיא - אפילו לא באזורי הבטחון. בנושא זה השליטה על הקרקעות תיקבע בהסכם על הבטחון. שינוי יעדי קרקע - בשיתוף ישראל עם הרשות.
- ה. העדיפות בשימושי הקרקע לשוב עקורים ופליטים - ניסוח ועמדה הנוגדת הנאמר בקמפ-דייויד.
- ו. אין התייחסות לשובים ולתושבים הישראליים.
- (3) ז. תביעות לגבי שימושי קרקע (ואולי כאן הכוונה לשובים הישראליים ולכן כאן מקומה של ישראל לא נפקד) על ידי ועדה משותפת.
- ח. בכל מקום בו יש ועדה משותפת לא נאמר כיצד יתקבלו החלטותיה (פה-אחד, רוב?)

מים

- (1) א. הסעיף על ההסדר הסופי אינו נחוץ לאור הנאמר לאחר מכן.
- (2) ב. התפיסה העקרונית היא שהרשות שליטה על כל המים שברשותה והזורמים במתחומה לתחום שכניה. היא אמנם לא יכולה לעשות ככל העולה על רוחה במים הזורמים לשכניה אך זכותה לתבוע שינויים בשימוש.
- ג. הרשות תוכל לנהל משא ומתן על רכישת מקורות מים מגורמים אחרים (מצרים? ירדן?) כגוף עצמאי ותוכל לשלוט שליטה מלאה על מים אלה.
- ד. העקרונות נקבעים כאן, הפרטים יקבעו בהסכם האוטונומיה וההתייחסות היא רק לאי פגיעה בשימושים נוכחיים ולשמירה על טהרת המים.
- ה. ישראל משותפת רק בנושאי המים הנוגעים לה ולרשות ורק בשינוי או בהגדלת השימוש ובתכניות לפיתוח מקורות משותפים - וגם בועדה זו הזכות מותנית בהסכמה הדדית. התנאים לפיתוח ולשינויי שימוש: האחד הוצע על ידי ישראל ואילו השני קשה לעיכול מכיון שלא ברור מהו ה- *equitable apportionment*.
- (3) ו. הסעיף האחרון מקובל על כולם בהיותו הצהרה יפה לעין ולאוזן.

בטחון

- א. השינוי בפתיחה הוא מבטחון ישראל לשכנותיה לבטחון כל הצדדים.
- ב. בסעיף (1) הושמט החלק המתייחס לנסיגה של כוחות ישראליים מכיון שהוא הוכנס כבר בהקשר של סמכויות המועצה המינהלית.
- ג. סעיף (2) זהה להצעה הישראלית בהיותו גייטרלי וללא התייחסות לסמכויות ישראל.
- ד. בנוגע למשטרה נאמר בהצעת ישראל *to assist in providing* כאן נאמר *assuming*. אולם האלמנט העיקרי כאן הוא העברה בשלבים של הסמכויות בענייני בטחון פנים למשטרה בהתאם ליכולתה ולהתפתחות האמצעים שברשותה.
- ה. הציטוט מקמפ-דייויד בנוגע לקישור אינו מדויק ואינו נחוץ.
- ו. הסעיף האחרון נוגד את עמדת ישראל הבסיסית.

חוקים

- א. האמריקנים עושים כאן הפרדה בין חוקים שהם *sovereign enactments* שבהקשר יו"ש הכוונה היא לחוקים הירדניים, לבין צוי הממשל. החוקים הירדניים ניתנים לשינוי בהתאם למוסכם בהסכם האוטונומיה (מקור הסמכות) ואילו צוי הממשל ניתנים לשינוי על ידי הרשות באמצעות *supportive legislation* בניגוד לניסוח ישראל *subsidary legislation* (ההבדל הסמנטי הוא גם הבדל מהותי).

- ב. החוקים הם טריטוריאליים ואינם חלים רק על אנשים הכפופים לסמכות האוטונומיה.
ג. בפיסקה האחרונה יש רמז לתחיקת הבטחון שתופיע בסופו של דבר בהסכם האוטונומיה.

הועדה המתמדת

- א. הניסוח כמעט זהה לניסוח הישראלי פרט לשינויים "פעוטים":
- הושמטה ההתייחסות לירדן כחברת ועדה.
- הושמטה ההתייחסות לשיתוף כלכלי ולהסכם האוטונומיה.
- הושארה האפשרות, בהסכם הסופי, לאפשר קבלת החלטות לא פה אחד ולנטרל הצבעת וטר.

הושמטה ההתייחסות, שהופיעה בנייר הישראלי, לישראלים המצויים ביו"ש ועזה.

הערות

- (1) במסמך המקורי היתה הקדמה אחת. יש יסוד להשערה, כי בעצת המצרים הוסיפו האמריקנים הקדמה שניה, שהיא מיותרת מבחינה מהותית. המשפט האחרון שבה (על השתתפותם של Palestinians) הוא בודאי מזיק. על ענין זה כתוב בהסכם קמפ-דיויד כי הם יכולים להיות במשלחת המצרית, או הירדנית, או בהסכמת הכל. במכתב המשותף של הנשיא סאדאת ושלי הודענו^{על פניו} אין לחזור כלל לענין זה מוטב למחוק את כל ההקדמה השניה (שהיא הראשונה).
- (2) בהקדמה המקורית נוסף משפט שלא היה במסמך המקורי, לאמור:
the security concerns of all the parties
בהסכם קמפ-דיויד יש גם משפט אחר:
the legitimate security concerns of the parties involved
זוהי חוצאה של ציטוט מקרי, מוצא מן ההקשר. מוטב לוותר על התוספת.
- (3) elected body איננו קיצור הנובע מן השם או "Council" או חזרה מלאה על (administrative council) Self-Gov. authority
- (4) Elections במסמך המקורי, על-פי הצעתנו נאמר:
in accordance with modalities to be agreed
- במסמך האמריקני - מצרי (זה שמו הנכון) כתוב
with agreed modalities
הנוסח שלנו הוא המתאים למציאות.
- (5) את כל שאר הפיסקאות על הבחירות (שאינן כלל במסמך המקורי) יש להוציא, כדי למסור את הדיון בשיטות הבחירות וכו' לועדה מיוחדת.
- (6) The transitional period
כנ"ל - elected body
- (7) Withdrawal of Israeli Military Gov.
and its Civilian Administration (להוסיף)

הפסקה 14

לעמוד ולהשאיר את הנוסח שלנו. הענין הוא עקרוני: מקור הסמכות. המסמך
האמריקני - מצרי (פסקא שניה בסעיף הופך את הקערה על פיה).

Structure and Procedure

(8) אבסורד: the elected body will consist of one body

למחוק את המלים החדשה to its representational nature

להשאיר את הנוסח שלנו: appropriate to and determined by..

הסיפא אינה מופיעה כלל בהסכם קמפ-דיוויד.

Powers and responsibilities (9)

להשאיר את הרשימה שלנו, בלי התוספות המלאכותיות.

(10) להוציא את התוספת החדשה ולהשאיר את ההמשך ככתוב במסמך המקורי (על-פי הצעתנו).

(11) Water Land

שר החקלאות יציג הצעותיו בשני שטחים אלה.

(12) Laws

להשאיר את הנוסח שלנו.

(13) Security

למחוק את המלים (המסוכנות!) as provided in the final autonomy agreement

elected body ...

(14) Dispute Resolution

פיסקא מיותרת שייכת להסכם שייקרא "סופי"

Negotiations regarding final status.

זוהי חזרה מילולית על פיסקא שלמה של הסכם קמפ-דיוויד. לשם מה היא דרושה?
צריך למחוק אותה. היא לא מורידה, אך גם לא מוסיפה דבר.

- (1) במסמך המקורי היתה הקדמה אחת. יש יסוד להשערה, כי בעצת המצרים הוסיפו האמריקנים הקדמה שניה, שהיא מיותרת מבחינה מהותית. המשפט האחרון שבה (על השתתפותם של Palestinians) הוא בודאי מזיק. על ענין זה כתוב בהסכם קמפ-דיוויד כי הם יכולים להיות במשלחת המצרית, או הירדנית, או בהסכמת הכל. במכתב המשותף של הנשיא סאדאת ושלי הודענון ^{Page 17} אין לחזור כלל לענין זה מוטב למחוק את כל ההקדמה השניה (שהיא הראשונה).
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(10) להוציא את החוספת החדשה ולהשאיר את ההמשך ככתוב במסמך המקורי (על-פי הצעתנו).

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שר החקלאות יציג הצעותיו בשני שטחים אלה.

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(13) Security

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צריך למחוק אותה. היא לא מורידה, אך גם לא מוסיפה דבר.

משורד הפנים
לשכת השו

10.12.20

2005: 9
2006: 10

2018

התורה והמצוה

மாண்புமிகு
உறுப்பினர்

ממכר

۳۰۰

SECRET

Meeting

Sunday, November 16, 1980, 6:30 p.m.
Mina House, Giza

Present:

For Israel

Mr. Chaim Kubersky
Mr. Meyer Gabay
Prof. Ruth Lapidot
Brig. Gen. A. Tamir
Mr. Gilad Stern

For Egypt

Ambassador Shash
Ambassador Latif
Mr. A. Mussa
Mr. N. Isdawi
Ms. Nour Attia

- - -

MR. SHASH: Let's see what we can do. There's been a change of administration in the United States. So we have to think about this.

MR. KUBERSKY: The Autonomy is not for the United States. We can see what we two, the Egyptians and the Israelis, can do. We have to progress, to investigate all topics where work can be done. For example, on the Memorandum of Understanding, we have been talking through the United States and not directly. We can consider this. On legal matters some progress can be made. Several problems can be analyzed together in order to provide alternatives for the summit meeting which may take place. We can prepare the issues for the higher level.

MR. SHASH: Did you study the US non-paper?

MR. GABAY: There are two avenues which are not exclusive. In legal matters, some useful work has been done.

MR. SHASH: But not completed. . . I still have to explain my

ideas to Prof. Zamir.

MR. GABAY: We can take these ideas and items and decide to continue in legal matters. Or on modalities there are items to be discussed and elaborated as well. Or in powers and responsibilities, there are also items. We can prepare a paper.

PROF. LAPIDOTH: There is also the economic group.

MR. GABAY: Despite not discussing the non-paper, we can in parallel discuss other substantive issues.

MR. SHASH: We decided to resume the talks to prepare for the summit. Now there is no summit. What is our destination? The third leader is to fix the date of the meeting. What is the purpose of working now?

MR. KUBERSKY: We are talking informally. I don't want to open a principle discussion of what was decided. Ali and Ghali in Washington tried to put the emphasis on the summit meeting. But the Israeli party and Ambassador Linowitz stressed that there were two elements: firstly the resumption of talks and secondly the preparation for a summit. In Linowitz' announcement he mentioned this. We should stick to this. When the summit dates are set, we can put the weight on this. But the international community understood that the talks were being resumed. We should be in conformity with what was decided. We can't force each other. I believe we must work day and night. In May 1980 we should have done this instead of having an interruption. Now we must try and serve the process without embarrassing each other. We can point out subjects where we can do the work so that there shouldn't be a vacuum in the

is clear that the first station, which was a former gas station, has been converted into a garage. The second station, which was a former gas station, has been converted into a garage. The third station, which was a former gas station, has been converted into a garage. The fourth station, which was a former gas station, has been converted into a garage. The fifth station, which was a former gas station, has been converted into a garage. The sixth station, which was a former gas station, has been converted into a garage. The seventh station, which was a former gas station, has been converted into a garage. The eighth station, which was a former gas station, has been converted into a garage. The ninth station, which was a former gas station, has been converted into a garage. The tenth station, which was a former gas station, has been converted into a garage.

talks. Maybe we can summarize what was done so far. We should act in good faith to do what we can and leave for the heads of government what they can do. What are your ideas?

BRIG. GEN. TAMIR: We know from the beginning that we would some day have a summit. All that we have done so far is as a basis for a summit. We should continue with the process and try to narrow the gaps. We should do staff work.

MR. LATIF: In this frank discussion I can say that in the committees we made progress and then the Israeli government made certain steps . . . the Jerusalem resolution and steps taken against the Palestinians. This forced certain issues and created a certain atmosphere. The negotiations were interrupted and Sadat proposed a summit to clear the atmosphere, to help the negotiators in practical steps. Also, in the face of the Jerusalem resolution and the West Bank steps. . . Egypt won't overlook this. With these steps you made it difficult for the Egyptian party to continue. You pre-judged the final status. Linowitz came and there was a formula on continuing the negotiations. Your thesis was that nothing has happened, but we could not resume the negotiations unless under a pretext. The summit was the pretext. This formula balanced the requirements of both parties. The Washington meeting reaffirmed that on the 17th we should do both things. We can only continue under the umbrella of a summit, but the summit is a question mark. We can prepare for a theoretical summit which will take place some time but it will be an illusion. Let us think of ways to continue work without going back to the committees. But we can't talk of working for a summit.

to the same place for

them.

It is not possible to have a

single person in the

house at any one time.

It is not possible to have a

single person in the

house at any one time.

It is not possible to have a

single person in the

It would embarrass the United States. I suggest that tomorrow we can't talk of either. We have to improvise tomorrow.

MR. KUBERSKY: I appreciate your frankness.

MR. SHASH: We have a third difference. We haven't agreed on the geographical scope of the autonomy. . . elections. . . where. . . Jerusalem or what?

MR. LATIF: Before we spoke of Jerusalem without mentioning Jerusalem, knowing it would come up some time. Now we can't be theoretical. It would seem that we condone non-participation of East Jerusalemites.

MR. GABAY: That's a good example. An advantage in modalities was that we avoided the question of Jerusalem. It was to be dealt with by the heads of state. If we refuse to talk of other things we aren't helping the heads of state.

MR. LATIF: Would you say in the modalities committee that the Jerusalem question is open?

MR. GABAY: We left the Jerusalem question open in our work. We can't reverse the order. Let us leave the principle issue for later.

MR. LATIF: Things have changed. We would have carried on on the assumption that the Jerusalem issue would eventually be addressed but the Jerusalem resolution spoiled this. If Israel is ready to confirm the previous position. . . that Jerusalem is open to negotiations at a later stage, well and good.

MR. MUSHA: Now you have heard the Egyptian worries and understand them. Do you have a suggestion to deal with our worries?

1. The first part of the report
describes the general situation
of the company and its
activities during the year.
2. The second part of the report
describes the results of the
company's activities during the
year and the reasons for the
results.
3. The third part of the report
describes the company's financial
position and its prospects for
the future.

MR. GABAY: In April your parliament. . .

MR. MUSSA: No, no. . . on a point of order . . .

MR. GABAY: Allow me to finish. In April your parliament pre-judged the Jerusalem issue. Secondly, I don't think the Jerusalem law changed the position. We have always maintained that Jerusalem is not included in these negotiations. You will remember Prime Minister Begin's letter to Sadat after Camp David. There is no reason that we can't discuss the overall question of autonomy. You are asking us to state something which we were never willing to state, even before the Jerusalem bill. In practical terms we should return to a pragmatic approach, leaving certain items to the heads of state. We are technicians.

MR. LATIF: Gabay speaks as if I didn't speak at all.

MR. MUSSA: Do you have an answer to our worries concerning the new situation in the wake of the Jerusalem bill? I subscribe to your opinion that the Jerusalem bill changed nothing, for different reasons. Regarding the Egyptian parliament's Jerusalem bill, it was one of many international declarations and has no bearing on the law in the city. Again I ask: can you help the Egyptian delegation pass this hurdle?

MR. LATIF: We don't need an immediate reply. You can sleep on it.

MR. KUBERSKY: You mentioned not only Jerusalem. Let me think aloud. You have a problem. You agree to resume the negotiations under the umbrella of a summit and now we don't know about the summit, and we don't want to embarrass ourselves by continuing. On the 3rd

U.S. President.

MR. TAYLOR: Yes.

MR. CHAMBERLAIN:

of September the Jerusalem bill existed when Prime Minister Begin and Sadat made the statement about the summit. Since the 3rd of September nothing has changed in the area except the election of a US President.

MR. LATIF: Yes.

MR. KUBERSKY: On the 3rd of September we agreed concerning the summit. The changes in the United States caused the difference.

MR. LATIF: You are taking the words at face value. For us the resumption meant the summit, as a launching point for the resumption of the talks. This remains our position. Linowitz' formula was to meet our concerns. Now the resumption has a question mark until the summit is fixed. . .or we should find other frameworks.

MR. KUBERSKY: Let us try to keep the two elements and be in conformity with the understanding reached then. We can say we are reviewing the work done until now. We don't have to resume work in modalities but we can meet and discuss subjects where we don't have to use tools which cause us problems. You mentioned Jerusalem. You know our position. I am sure that when Prime Minister Begin and President Sadat meet, they may discuss it, if they choose to. I understand what you say but you must know that our answer is that given by Gabay. We will report to our superiors that you raised the question. We can't give you a better answer tomorrow morning.

MR. MUSSA: We appreciate your frankness but we also can't give another answer. The Jerusalem law raises difficulties and we can't simply go back to the old system. What about the confidence-building measures? These are linked to the acceptance by the inhabitants of the West Bank and Gaza of what we are suggesting to them. An

[illegible]

answer to this might help. Secondly, what did Gabay mean by a paper which might be worked out? Thirdly, there is a third party, the Palestinians. We can't embarrass them. We can't simply keep things going by modifying committees and continuing all the same. We have to address ourselves to problems.. After seventeen months we have achieved almost nothing because of the Jerusalem bill and the settlements.

BRIG. GEN. TAMIR: There are four partners in these negotiations: Israel, Egypt, the inhabitants and Jordan. Jordan is the main factor for security problems. Two parties are missing. I hope that Jordan and the Palestinians will join. The United States is not a partner in the autonomy. They participate in the negotiations. I think we can reach an agreement. All things which aren't agreed can be discussed at the summit. But we can't say that the Jerusalem law doesn't exist. We are now discussing the transition period and not the final status. The question of the residents of East Jerusalem voting does not relate to the status of Jerusalem.

MR. MUSSA: You are right.

BRIG. GEN. TAMIR: The Arabs of East Jerusalem are Jordanian citizens and can vote for the Jordanian parliament.

MR. SHASH: All West Bankers are Jordanian citizens.

MR. KUBERSKY: He is talking of Jerusalem.

BRIG. GEN. TAMIR: It is a vital interest of all parties to continue the negotiations. I am optimistic. People in Israel complain about normalization, about the International Supervision Force in Sinai, etc. There are lots of obstacles for us as well. We can

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continue until the summit and, if necessary, change the structure as Kubersky said. But we should fill the gap until the summit in a dynamic fashion.

MR. KUBERSKY: Let me narrow the scope to tomorrow's meeting. We should review a list of problems which have to be discussed and solved. . . where we have reached full understanding, where we have reached partial understanding or where there is no understanding - where we can't make any progress and leave things to the heads of state. Then we can have a picture. . .

MR. GABAY: This was the paper I mentioned. . .

MR. KUBERSKY: Then the leaders can decide what they want to talk about. We can't force them to accept our agenda. We can make a common assessment. What you said about Jerusalem was heard by us. You have said it publicly too. We can list the problems to be discussed and tackled. Whether we prepare for a summit or continue the negotiations, this work has to be done. We can also decide, understanding your difficulties, to take a few subjects on which we can sit together in the coming weeks to prepare staff work, an analysis of certain issues and our standpoints. The question of the date of a summit is not known but the fact of a summit is agreed to. We can forward items to the summit. The Americans can participate in this. This way we can keep the process as an on-going process. We can discuss how often to meet. We don't have to exaggerate, but we should keep the process going.

MR. MUSSA: With one proviso: how to deal with the hurdles.

MR. KUBERSKY: We heard what you said.

MR. LATIF: We also heard. Let's carry on informally tomorrow.

1. The first part of the report
2. The second part of the report
3. The third part of the report
4. The fourth part of the report
5. The fifth part of the report
6. The sixth part of the report
7. The seventh part of the report
8. The eighth part of the report
9. The ninth part of the report
10. The tenth part of the report

MR. MUSSA: Kubersky has a fine way to put things, but there were lacunae.

MR. KUBERSKY: I don't want to say more than I am authorized to say. We heard what you said and we will report it. Gabay's answer was correct and open and reflects what goes on in Israel.

MR. MUSSA: What about the confidence building measures?

MR. KUBERSKY: Dr. Burg received a request and I don't know whether he discussed this with the Prime Minister.

MR. GABAY: Many prisoners were released already.

MR. MUSSA: I am not talking of prisoners but of things happening in the West Bank and Gaza.

MR. KUBERSKY: Dr. Burg is an honest man and will give an answer. He is not responsible for the West Bank and Gaza. The Prime Minister, as Defence Minister, is. We have discussed a lot this evening.

MR. SHASH: Your list. . .you want to discuss this tomorrow?

MR. KUBERSKY: Yes.

MR. MUSSA: 11 a.m. tomorrow.

MR. KUBERSKY: With the US?

MR. LATIF: Yes. Tomorrow is the 17th.

MR. SHASH: Mr. Kubersky, is the list from the past or is it for the future?

MR. KUBERSKY: There could be three categories. One, the past; two, those items which have to be worked on, and, three, categories for a summit.

MR. SHASH: That will be a long time off.

MR. KUBERSKY: Our leaders are strong and well.

MR. SHASH: We must still discuss this idea.

(The meeting ended at 8 p.m.)

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The meeting was recorded
by Gilad Stern.

Meeting

Monday, November 17, 1980, 11 a.m.

Mina House, Giza

Present:

For Egypt

Ambassador Shash
Ambassador Latif
Mr. A. Mussa
Mr. S. Anwar
Mr. N. Isdawi

For Israel

Mr. Chaim Kubersky
Mr. M. Gabay
Prof. R. Lapidoth
Brig. Gen. A. Tamir
Mr. G. Stern
Mr. E. Dubek

For USA

Ambassador J. Leonard
Mr. M. Sternberg
Mr. E. Edleman
Mr. A. Kreczko
Mr. D. Kurtzer

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MR. SHASH: It is my pleasure to welcome the Israel and US delegations. We will have lunch together at 1:30 p.m.

MR. MUSSA? We can go to any other restaurant if you prefer not to stay at Mina House.

MR. KUBERSKY: This can be the first point of understanding.

M R. SHASH: Yesterday, we, the Egyptians and the Israel delegations, had informal talks on the development of the negotiations. To you, Ambassador Leonard, we want to say that we appreciate the US role and the US participation is essential for these talks. What is the US opinion on the situation in the coming months? Do you have any suggestions?

MR. LEONARD: Thank you, Ambassador Shash, for your words of hospitality. We agree to the lunch as suggested by you. We take your words on the US contribution very seriously. I will see that this point is made and brought to both the new and old administrations' attention.

Let me make some comments on the US elections. I am repeating things that I already said to some of you. There is a transitional transfer of administrations. The present administration maintains its responsibility for affairs but there are no new initiatives. The Reagan administration has begun to carry out the transition process but there are no serious contacts yet. What we, the US delegation, can do at this meeting is limited. We hope you understand this. We will be keen to hear your views and hear how you think we should go ahead. We probably won't be able to react to your suggestions or your proposals. We are grateful for your courtesy for allowing us to express our rules but this time we are playing a low-key role.

MR. SHASH: Thank you, Mr. Ambassador. Once again, thanks to you for your contribution. Now we can inform you of our talks yesterday. Mr. Kubersky has an idea which he would like to develop.

MR. KUBERSKY: Thank you, Mr. Chairman. It is again a pleasure to meet with our Egyptian and US colleagues. For a year and one-half we have worked together. We want to see this work continue. We believe that the best way for this process is to go on. We know that in our countries the governments change, but the general ideas continue. We are here as agreed on the 3rd of September by President Sadat and Prime Minister Begin and as read out by

Mr. Linowitz. In Washington recently when General Ali, Dr. Burg and Sol Linowitz met, Mr. Linowitz read out a text and said, "Representatives of Egypt, Israel and the US will attend a tripartite meeting in the area on November 17th to discuss this revised Memorandum of Understanding, to review the work done thus far and to deal with such issues as can then be appropriately considered, as well as to further preparations for the summit conference. The parties will then decide as to the next steps in the negotiations and in the summit arrangements."

I would suggest that we do what we intended to do and spell out what was intended in the common understanding. We suggest that we do certain things at this meeting and, if necessary, that we continue at the coming meetings. We should try to sum up those items where understanding was reached or almost reached. Secondly, we should try to list those subjects where more discussion is needed and where we can even draft alternatives, and then we can expect our leaders to meet at the summit - We understood what our Egyptian colleagues said yesterday about the change in the United States, but we can prepare a list, and this is the third item, of subjects where we have exhausted our efforts and where we recommend them for a summit meeting. We can also exchange views on working on a Memorandum of Understanding, although the circumstances have changed. The Memorandum was originally started in April as a tool for the 26th of May. Even now it could be useful to arrive at such a preliminary Memorandum, or we can invest all our efforts on the final agreement. Today or tomorrow morning, if we continue tomorrow

morning, we can point out certain subjects which we might go into. I understood our Egyptian colleagues when they said they would not like to continue with the present institutional structure. We can change this. We can have a list of subjects and people here can discuss them. We recommend not to leave a vacuum for several months. It is our obligation to negotiate continuously and in good faith as Prime Minister Begin and President Sadat wrote to President Carter. Thank you.

(Short break for tea.)

MR. LATIF: I would like to associate myself with what was said about our American friends. We hope for their continued cooperation in the transition period.

MR. LEONARD: Camp David said, "...the transition period and beyond".

MR. LATIF: Before commenting on yesterday's discussion, I want to comment on what Mr. Kubersky said about the decision to meet. This very meeting is in fulfillment of the decision made. He was selective in quoting from the 3rd of September announcement. It didn't stop where he said it stopped. Also in the Washington statement it didn't end there. Kubersky was very selective.

MR. KUBERSKY: I fully agree with you that we have to honor all that was agreed.

MR. LATIF: On the 3rd of September, the summit idea was used as a way out of the disruption. The disruption was firstly caused by the Jerusalem resolution in the Knesseth. It introduced a new element which shouldn't have been imposed on the negotiations and

which pre-empted and pre-judged steps for the future. The negotiations couldn't simply be carried on as before. It would be misrepresented as condoning it. Secondly, the steps taken on the West Bank and Gaza by Israeli authorities, by deporting the mayors, created an atmosphere which wasn't conducive to positive autonomy negotiations. When these two elements made themselves felt, it needed a new step to move forward. President Sadat proposed a summit to give new impetus and give meaning to the Palestinians after the Jerusalem resolution. It was agreed that such a summit would take place and give political directives to the negotiations. When Linowitz came to the area and made the statement of September 3rd, it tried to take into account the Israeli and Egyptian requirements for negotiations in preparation for a summit. This was our expectation. The meeting here on the 17th was decided upon and held with this purpose in mind. . . preparation for a summit. . . we proposed a preparatory committee and it wasn't agreed to. It was called a general committee to discuss the Memorandum and to review the work done and to discuss whatever work it deems necessary and to prepare for the summit. Now we are meeting in fulfilment of the agreement. The first item on our agenda is to see what work we will do in this general committee. The subject is open to discussion. We are perfectly in order and everything is in accord with what was decided. The Egyptian view of what to talk about is as follows:

There is a changing situation around us. In the forthcoming weeks we will not be in a position to decide on anything and it would not be proper to present our US colleagues with anything to take any decision about during this period. The question of the

summit. . . it is the raison d'etre of this meeting, but we can't talk about this in a definite way. We have to discuss what we can achieve today and tomorrow. I agree fully with what Kubersky said. The best way is to carry on the process. I hope I made myself clear. We can discuss among ourselves any proposals from any side.

MR. SHASH: Thank you. Can you, Ambassador Leonard, help us in order to proceed, taking into account the present situation. It would help us very much. We are not asking for a concrete suggestion, just for ideas.

MR. LEONARD: One comment to underline the difficulties. Ambassador Latif has explained the role of the summit and the importance given to it at the Washington meeting. It is the one area which is the most difficult to address ourselves to. . . we understand the difficulty it causes to our partners and especially to the Egyptians because of the importance they attach to the summit.

(At this point, there was a pause of about 30 second in which nothing was said.)

MR. KUBERSKY: I agree with what Ambassador Latif said. We should be constructive in order to see the main part, as he said, to carry on the process; it is our common target despite the difficulties. I want to make a very slight correction on the information side. The basis for our work is Camp David. None of us wish to depart from Camp David. It is a strong basis and it is our obligation. Secondly, I didn't intend to quote selectively. I agree with you, you are right, there are two elements in the September 3rd statement: the agreement to continue negotiating and the summit

meeting. We have to deal with this and we should omit no elements. You are right. This is what Sol Linowitz said at the press conference. Thirdly, it was not agreed at Washington to establish a general or a preparatory committee. General Ali and Butrus Ghali suggested this. We are called, however, the "representatives of Egypt, Israel and the United States". We have not been given a new institutional role.

MR. LATIF: We will be nameless and faceless.

MR. KUBERSKY: We are not faceless. I am happy to represent my government, and I want to be very frank, we weren't called to Washington in order to ratify the suspension of the talks but in order to resume talks. Therefore, if the target is to carry on the process, let us see what we can do at this meeting. Let us point out items of agreement, not all together in this forum, but possibly by having meetings on designated subjects. We have to work out an agenda, as you suggested, and to do preparatory work for a summit. We can be flexible and try our best. I put this concrete suggestion to you and you can put your suggestion. Let us try to proceed. I understand that our US friends are not in a vacuum. They are in a transitional period but not in a vacuum. They will report things and let us try to go on.

MR. MUSSA: I want to add a few words. There are three or four main points. Firstly, we, as Kubersky said, are working on the basis of Camp David and will continue to respect all its provisions. But Camp David is not a document in a vacuum. It is part of an inter-related system, the charter of the UN, with all its resolutions too.

Secondly, it isn't only Israel, Egypt and the US negotiating but also the Palestinian people or, to use the words of Camp David, the Palestinian inhabitants of the West Bank and Gaza. . .their interests should be safeguarded. Thirdly, the changes. . .I agree with Kubersky that the US government continues. The changes I talk of are the situation regarding Jerusalem and in the occupied territories. We want you to know that the situation in these talks since the Jerusalem law has changed. You know the importance we attach to this and the unanimous international stand in this. We can't conceal the situation. The Palestinian inhabitants are disturbed by Israeli military government activities and also by the Jerusalem resolution. Egypt requested a summit to deal with these issues in an atmosphere of dialogue and trialogue. We want you to know in this meeting that the atmosphere was disturbed by the Jerusalem action of the Knesset.

Fourthly, the resumption of the talks. . .we are talking so that we don't interrupt, but interruptions are caused by Jerusalem resolutions, settlements, etc. We went to Washington to discuss this. You know of the document which we gave you and the Americans on the confidence building measures. We know each other's restrictions. We will make a concrete suggestion to be considered with yours. Basing ourselves on the situation in the West Bank and Gaza and the effects on the atmosphere in these talks, we should at this meeting consider two points. Firstly, the rationalization of the work should deal with the confidence building measures. This is the basis. And also the situation in the West Bank and Gaza and other procedural suggestions submitted by any party. Secondly, the

preparation for the summit. . .all the suggestions made. . .to fix the target, which is the summit and to consider how to prepare for it. We should take our time considering the difficulties. Thank you.

MR. SHASH: We have two ideas, an Israel one and an Egyptian one. . .to consider both in order to find a way out. Should we break for lunch and continue in the afternoon?

MR. GABAY: There is no difference between us on Camp David as the basis. The question of Jerusalem is an issue on which the parties differed right from the beginning. There was no ambiguity here. Throughout the negotiations, while every part expressed its views, in modalities for example, we could find formulations which would enable the parties to raise objections at the appropriate stage. Jerusalem was an issue which we weren't able to resolve. We could continue our work and ask the heads of state to resolve the problem. There is no great difference between the proposals this morning. There are three key words: continue our work, review what has been done and what is to be done, prepare for the summit... continue, review, prepare.

MR. MUSSA: I have another word.

MR. GABAY: I know. I don't think it is worth going into the Jerusalem issue. Some international experts think the Jerusalem bill didn't alter the status or the decision of the Egyptian parliament in April. . .we know what happened in the past. We perceive there will be a summit in the future. Let us concentrate on our work. If there is a basic understanding in a practical

manner, we can take Kubersky's suggestion. Firstly, issues resolved; secondly, issues where we can indicate options, and thirdly, issues for the summit. It can give this committee a positive course if we start to work on this. I think we don't have to eliminate committees, but Kubersky has indicated that he sees your views and we can set up a new administrative structure.

BRIG. GEN. TAMIR: May I add a word on confidence measures? Jerusalem is one point. Also the military government headquarters and prisoners. We are dealing with this and hope to find the solution. But regarding the West Bank, without an agreement on autonomy we keep this status as it is today since the day we asked Hussein, and I was Ezer Weizman's assistant at the time, not to go to war. We are the military government in the areas. If we told you what the mayors did, you will see that we behaved very liberally. It was brought to the high court. We are responsible for security. We have the military law for lives and for security. Our system is very liberal compared to other systems in the world. This status will remain until we reach an autonomy agreement.

To review, Jerusalem is one issue. On the military government and the prisoners, we have begun to find a solution. Security is a very intricate issue for us. We are defending ourselves and we are taking measures which we hope won't affect the population. At the moment it is quiet. I hope that these things won't happen again.

MR. SHASH: General Tamir, you mentioned the deportations.

Meeting

Monday, November 17, 1980, 11 a.m.

Mina House, Giza

Present:

For Egypt

Ambassador Shash
Ambassador Latif
Mr. A. Mussa
Mr. S. Anwar
Mr. N. Isdawi

For Israel

Mr. Chaim Kubersky
Mr. M. Gabay
Prof. R. Lapidoth
Brig. Gen. A. Tamir
Mr. G. Stern
Mr. E. Dubek

For USA

Ambassador J. Leonard
Mr. M. Sternberg
Mr. E. Edleman
Mr. A. Kreczko
Mr. D. Kurtzer

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MR. SHASH: It is my pleasure to welcome the Israel and US delegations. We will have lunch together at 1:30 p.m.

MR. MUSSA? We can go to any other restaurant if you prefer not to stay at Mina House.

MR. KUBERSKY: This can be the first point of understanding.

M R. SHASH: Yesterday, we, the Egyptians and the Israel delegations, had informal talks on the development of the negotiations. To you, Ambassador Leonard, we want to say that we appreciate the US role and the US participation is essential for these talks. What is the US opinion on the situation in the coming months? Do you have any suggestions?

PROF. LAPIDOTH: Ambassador Shash and Mr. Mussa mentioned international law. As you know, we think, as we said in the letters, that we had the right to our actions. In the UN we never agreed to the discussions taking place. They were foisted on us and by participation we didn't agree that that body has a right to discuss the issues.

MR. SHASH: We can meet at 5 p.m. Lunch will be around the swimming pool.

(The meeting ended at 1 p.m.)

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The meeting was recorded by
Gilad Stern.

SECRET

Meeting

Monday, November 17, 1980, 4:30 p.m.

Mina House, Giza

Present: (Same as morning session, 17.11.80)

MR. SHASH: We have two proposals, an Israeli proposal, where Mr. Kubersky suggests three lists. First, points of agreement; secondly, points where we have to progress and, thirdly, where a political decision on a higher level is needed. We also have a proposal by Amer Mussa. There are two sides to this proposal. One, a rationalization of our work; two, to start preparing for a summit. Mr. Kubersky, do you want to develop the idea or is it developed enough?

MR. KUBERSKY: I like my idea. It is clear.

MR. SHASH: Does the US have anything to say?

MR. LEONARD: I could comment on this, but more in terms of what we the US naturally have to do in the weeks ahead. We are in a transition and don't have full freedom of action. I have listened carefully to the two proposals. I see differences but also overlap and parallels. There is less of a fundamental difference than a substantial one. We have encountered this problem in our reports to Washington. There are often five or ten ways to say the same thing. In reporting to Washington, we can talk of issues which are n't resolved, issues which need work, issues which are in negotiation or in the environment of the negotiations. In this case we will report back to Washington to give them a feel and to make recommendations on how to go forward in the future. One way we

originated was the MOU. .a check list of main problems in an attempt to put down on paper where we were. It wasn't instructive what happened in the memorandum. Often we thought that we were close to agreement, but almost invariably in writing it down we created a wider gap and opened up new problems. It was a disappointing experience and reflects on the attempt to find new topics of agreement and disagreement. Nonetheless, we will report to Washington on the progress and on both sides' view of Camp David. There is a common dedication to Camp David but there are different approaches. The Israelis focus on what is inside the Camp David envelope and the Egyptians on things that are around Camp David in order to attract the Palestinians. We will report this to the new administration. We must prepare this report and discuss it with both of you. We have had a long gap and only superficial discussions with both sides, only regarding those items which are included in the Memorandum of Understanding. I would propose that we arrange to go over our draft report, and I will be open with you about what we plan to say to Washington and state honestly, I promise, your comments on whether you think our reporting is right. I think that out of this will come a consensus on what the situation is. I think we should next meet in Israel, but on the timing and the contents of the meeting, I don't see agreement yet. I think that by that Washington will give us instructions, instead of the don't do this and don't do that, which we get now.

In referring to the MOU, Ambassador Linowitz referred to this in his press conference in Washington. He said we would take it up

here. I don't want to get into it. I just have one or two conclusions about the MQJ.. Several of you have cited reasons, purposes the MQJ. . .especially the 26th of May. That was a reason but not the only one. There are two more important reasons. Firstly, to provide a basis and to make a new appeal to the Palestinians. This is still valid. I am pleased to refer to this and I urge you not to lose sight of this. A piece of paper can do this job. This pretext is not satisfactory but it is potentially useful. Secondly, to make us work harder on some difficult issues, by using the US drafting. We were disappointed by the spirit by which both sides approach certain issues and we felt that on those subjects it was not worth continuing unless one side evaluated its position. I say this to both sides equally. This is true on secondary and even smaller issues. There is a need for recommitment on the small issues; otherwise we won't be able to present a small number of issues to the summit. We will have to present 200 or 300 issues.

I hope we did our work well on the MQJ. I don't know if we always did. The MQJ can still serve us as a focus for dealing with certain subjects. I am pleased there haven't been leaks of this document. Anyway, it would be almost unintelligible to a person not involved. We will continue to refer to the positions of the two sides when certain issues come up in the MQJ.

That's an awful lot of talk. My basic point is that we will be making a report and I hope to consult with you and make recommendations to you on the basis of Washington's instructions.

MR. SHASH: Thank you for your wisdom. The US side has always contributed to our discussions. Can you clarify. . .you will prepare your report after this meeting on the basis of the MOU and our comments. . .?

MR. LEONARD: Yes.

MR. KUBERSKY: I found Ambassador Le_onard's thoughts interesting. I would like to warn ourselves not to focus our activities or disactivities according to an internal process in the United States. We are in the middle of an on-going process and we have to exhaust what we can. If Ambassador Leonard wants to consult with us, we will be pleased to speak to him. This can't be an alternative, however, to the work which we have to do at this table.

I have a remark to make in the spirit of people who have been involved together, as a family. I find too much inconsistency in the way we work. In December 1979, we decided to discuss models. We didn't continue. In May we started with problems of security and we said that the negotiators would continue with these issues of security. There has been no continuation. Then we entered the Memorandum of Understanding and now we are leaving it. We can't agree to any method. We aren't doctrinaire, but we shouldn't jump around. Our problem is political, but we have to establish a methodology. We are speaking amongst ourselves. There is no press here. If we want the former structure, we agree to continue. If we agree to put all our efforts into the MOU, it is okay with us. If we want partly the former structure, partly preparations for the summit, that's fine, but a vacuum shouldn't be created. The process should be

continuous. We can sit from today on a continuous basis and work. If we work we have a chance to achieve something. If we don't work we get nowhere. Difficulties were created, our rabbis said, in order to overcome them. We received the MQJ and we made our comments and submitted our own draft. We received even some public compliments in Washington. Mr. Shash asked me in Washington if we were prepared to exchange our documents. . .

MR. SHASH: That was on a personal basis. . .

MR. KUBERSKY: Let's say that I suggested it. We can exchange papers and work on it. The US draft was a non-draft, or we can return to the former US draft which was not a non-draft. We can see if we can work with it. You may say that the MQJ way is not applicable today. We can discuss it but we shouldn't leave the table today without knowing where we are going.

MR. SHASH: You misunderstood things. We aren't intending leaving this table and forgetting the autonomy talks. We have diplomatic channels. We don't intend to stop but things happened and we are keen that the process should be successful and give results. We don't want to spoil the process. We want to remove the obstacles. We don't want to forget the autonomy talks. We signed Camp David and we are attached to the autonomy process. It wasn't our fault that the process was disturbed. The next three months will not be negative. We can get together, we can maintain contacts through our embassies in Israel, Egypt and Washington. We won't simply close down.

BRIG. GEN. TAMIR: The autonomy talks are based on Camp David. These are negotiations between Egypt and Israel, with the US participation. What is the use in waiting until the new US administration comes into office? For example, the US hasn't yet finished the supervision agreement, but the process continues. We won't stop the process even if the US finishes the job or doesn't finish the job. I don't see why we should stop the negotiations.

MR. SHASH: We can have bilateral talks.

BRIG. GEN. TAMIR: Embassies have nothing to do with this negotiation. Camp David said we should negotiate until we finish. Sometimes I feel as if an axe hangs over my head and I am a moderate.

MR. SHASHA: By diplomatic channels, I mean that Ambassador Shash, for example, will come with ideas. . .it is not only embassies.

MR. GABAY: It is important to continue to negotiate. That way we have a chance to progress and limit the amount of issues to be presented to the summit.

MR. SHASH: Issues are interlinked. We talk of modalities and then the Jerusalem issue comes up.

BRIG. GEN. TAMIR: Two things. Our interpretation of the talks in Washington is that we should continue the talks until the summit meeting. We can't accept a gap. There are three sides and we can't accept a vacuum. There is the continuing of negotiations and the preparation of the summit. Secondly, there are many disagreements about things which aren't in Camp David; for example,

the settlements and the source of authority. Here we have to discuss and state our views. One can't say that no progress is possible. We feel there is an axe over our heads. We are always punished by the stop-start of the talks. I have said in my country that we have a peace process. In Camp David it says that we have to continue until we reach an agreement. We know why the Palestinians don't come. . .because of Mr. Arafat. For the two main countries involved to wait for a report, etc., in the third country is not the way.

MR. MUSSA: General Tamir has exaggerated. We don't understand and totally reject all references to the Israeli-Egyptian peace treaty. We know you are a moderate man but the references did not go concealed and were noticed. Both Kubersky and Tamir referred to the protracted negotiations. . .to the stop-start. I want to say that we shouldn't take the negotiations at face value. You know what Geula Cohen did. You know what the Knesseth did.

MR. KUBERSKY: May I correct you. . .

MR. MUSSA: Wait, Chaim. We know what happened. There are mistakes on your part. Why were the negotiations interrupted? We are committed to Camp David. . .

MR. KUBERSKY: A slight correction. You said the suspensions had reason. I want to keep it all pleasant without raising my voice. We met in the Accadia until the 6th of May and decided to come to Egypt on the 12th of May. I even suggested that you spend one extra day in Israel to plan the meeting. That was before the Geula Cohen bill. The suspension of the talks in May took place

before the bill.

MR. MUSSA: No.

MR. KUBERSKY: Yes. You can check this and if I'm wrong, I will apologize. What has happened since our recent meeting in Washington? No Israeli steps have been taken. If Egypt wants to stop the talks. . .but we are ready to fulfill what the joint letter of Begin and Sadat says, in difficult and easy times. In Washington we decided to continue the negotiations. What has changed? We have received no explanation. I reiterate my suggestion that we make a plan for continued negotiations in whatever form that we decide on but if we don't continue the negotiations we don't fulfill our duty. We all have to report to our governments. I would like as a man who has been involved for one and one-half years that our report will contribute to the good atmosphere.

MR. LATIF: We don't want to suspend the talks. In fact, there are three proposals to continue. Ambassador Leonard has told us of his report. Let us take the contents of your proposals, Mr. Kubersky, and the substance of Mr. Leonard's proposal and then find ways and means to find the form in the negotiations. Mr. Kubersky, can you tell us the contents of your proposals again? Gabay said continue, review and prepare. . .Can't we relate this to Ambassador Leonard's suggestion? This is what negotiations are about. Let us discuss this and try to relate this work.

MR. SHASH: I agree with Latif. Even the three proposals can be married together.

MR. KUBERSKY: I wouldn't like to complicate things. I don't want to repeat everything I said. Maybe we can take three people, and this is a proposal, in order to prepare a proposal which can be the conclusion of this meeting here. They can try to draft something and we can meet tomorrow to approve it. I want to be constructive, not polemic.

MR. MUSSA: I didn't get it. Can you repeat it?

MR. KUBERSKY: As there are three proposals and as our intention is to continue, these three people, one from each delegation, can sit together to understand the real intentions and try to find a positive outcome.

MR. SHASH: Let's take ten minutes for consultations and tea.

(After a half-hour break for consultations, each party appointed one representative: Egypt, Amer Mussa; Israel, Meyer Gabay; US, Michael Sternberg. The representatives spent one hour discussing the proposed draft.)

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The meeting was recorded by
Gilad Stern.

SECRET

Meeting

Tuesday, November 18, 1980, 10 a.m.

Mina House, Giza

Present: (Same as previous day, 17.11.80)

MR. SHASH: Allow me to read the text which was arrived at at the meeting yesterday:

"It was agreed that the delegations of Egypt, Israel and the U.S.A. will continue to evaluate the state of the negotiations. In this context the delegations of Egypt and Israel noted that the U.S.A. delegation is preparing a comprehensive report on the process of negotiations which will also be submitted to the parties.

"The parties agreed to study further and reconsider those issues which remain to be resolved. In preparation for the summit meeting the parties will also prepare reports on their work including unresolved issues.

"The representatives of Egypt, Israel and the U.S.A. will meet in Israel within the next few weeks. Contacts will be made to decide upon the exact date of the meeting."

(After reading the text, all parties agreed that the text was acceptable.)

MR. KUBERSKY: We have made a good conclusion but what have we really done? I'd like to know what we intended to do practically. I read this morning in the Egyptian Gazette that representatives of Egypt and Israel and the US met to review the US paper and to review positions on the stalled process, and that Egyptian sources said that they did not expect real progress. . .that this meeting was basically just for show.

MR. SHASH: I won't comment on this. I didn't see any

journalists.

MR. KUBERSKY: I know. But the public get cynical from such writing. We want to search for a solution, not to make the impression of momentum. We are prepared to negotiate. The summit is not a replacement for the negotiation. For the Israelis, we are not sure that there can be a summit if there are no negotiations. We came here with reports prepared but we didn't find a willingness to negotiate. We found a feeling of escapism, not negotiation. If we really want to pursue the process, we must try to work systematically and rationally to assist our leaders. I have said what I said and would like you to think about it. I have concrete solutions. The contacts must go on. Every week or second week we should meet for at least a half-a-day. Yesterday you said the US was a neutral partner. They are participating but all of us are objective. The two sides who undertook to negotiate are Egypt and Israel. The US is a full participant. A waiting stage doesn't serve the good of these negotiations. We should see each other and speak to each other. We are neighbors at peace and we don't need proximity talks any more. I would be happy to receive your reaction.

MR. SHASH: Thank you. I share your keenness to proceed. I said yesterday that there was no thought of suspending the talks. There are diplomatic channels. We have decided to prepare. We can have consultations. Be sure that everyone here is keen to serve the talks, not to suspend the talks. We have to prepare reports. On normalization we had committees which met from time to time. We could do the same thing.

MR. KUBERSKY: I would like to ask you, Mr. Shash, would it be useful for one of you to meet in two weeks time in Tel Aviv or here? It may not serve the purpose to meet in a formal meeting, but we should consult and do staff work. Let us make arrangements for a steady contact. I would also invite our US colleagues. I understand your problems. Maybe Michael Sternberg can participate informally. Otherwise, I see problems arising on the horizon.

MR. SHASH: I take note of the idea and will talk to my superiors about it.

MR. GABAY: Suppose we have another meeting like this. We haven't covered some of the issues which we should have. We have to work on the reports. Let us take two or three persons who can meet and take one or two subjects like legislation.

MR. SHASH: You can add so much if you prepare so much. If from now until the summit you can prepare on Jerusalem, it would be useful.

MR. KUBERSKY: Please, Mr. Shash, be aware that the summit for us is part of the process but it is not a replacement for the process. Therefore, we must have a routine of negotiations. If the people in Israel feel that there are no negotiations, there will be difficulties.

MR. MUSSA: What sort of difficulties?

MR. KUBERSKY: We also have a public opinion in Israel. It is a common interest to start to build on those things which we have in common. We have to continue and we can't guarantee success but we have to do our very best with the summit as a highlight. / We ^{Therefore,}

should have steady contacts within the process without the long intervals.

MR. GABAY: If we are going to prepare the work and agree on options and possibilities, we have to sit together and work.

BRIG. GEN. TAMIR: If I take as an example the process leading to the peace process, we had two summits, one at Camp David and the other during President Carter's visit to Israel. We knew the main differences leading to the summit from talks between ourselves. There were three drafts of the principles. We knew the points of difference. Now, we don't know your opinion on water, land. . . we gave a model and didn't see your views. General Ali gave a lecture on security at the Accadia and this is still to be discussed. We always knew there would be a summit. There is a need for discussion. I would suggest to my Prime Minister not to raise security at the summit because we don't know each other's views. There has to be discussion beforehand. We have to talk of how to attack this problem. We will thereby prepare for the summit and narrow the gaps between us. It is not a question of keeping the momentum. We can combine preparation for the summit and preparation of issues. Otherwise, each of us will bring his own report to the summit. In Camp David we came prepared for a draft of the final agreement. There is also a difference now as compared to the period before Camp David. Then we didn't have peace and the US played an essential role. Now we have direct talks with US participation.

On the Memorandum of Understanding we haven't seen your paper.

Why don't we exchange papers? Maybe we will find only differences of language in some areas. I could list the issues for the summit right now. Camp David is the basis for a transitional solution. One of the dangers is that we leave this basis because of Europe, because of the new President, the elections in Israel. . . Camp David is a strong basis.

MR. MUSSA: Why this lecture? We all accept Camp David.

BRIG. GEN. TAMIR: I am stressing why it is important to prepare the summit well.

MR. SHASH: We have obligations in accord with the paper we prepared. It is not a press statement or a communique. We are keen to have the peace process go on. We take note of your views. We want to make it easier for our leaders. We may prepare our leaders. We must show them what we the technicians have done. We are committed to the process. I will report in full to my superiors. I can't bind myself to any action. I will report to my minister or ministers. Leave the matter of invitations to you or me, to our ministers. Thank you for your efforts. They are not in vain. We have diplomatic channels now. You, General Tamir, are a military man. You said we have peace. I say we have diplomatic channels. I can always call Ambassador Ben-Elissar to talk. I appreciate your contribution and look forward to seeing you again and wish the best to the autonomy talks and to the area.

MR. LEONARD: A final word on the question of how to go forward on what Kubersky says. We had a method, the Memorandum of Understanding. As I said, it led to a serious discussion of issues and

and to a deadlock on those issues. Speaking very frankly, I don't see how much use there is in taking up those subjects again unless one party or the other brings new views. On other issues, Tamir mentioned some, we haven't discussed enough. It would be welcome if either or both parties, even in the transition period now, came forward and wanted to discuss these things. We will draw attention to all these categories in our report to the new administration. This is an outline of a very frank but discouraging report if on January 20th the negotiations are where they are today. It is up to both parties now to move things forwards. I hope you will find ways to change the tone of our report. We can't do this; the initiatives must come from you.

MR. KUBERSKY: Allow me to thank our hosts for the hospitality and for the good atmosphere and also to say that we hope to meet our US colleagues again.

MR. LEONARD: Yes. Michael Sternberg and myself will be in the area and we would be pleased to meet with you.

(The meeting ended at 11 a.m.)

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The meeting was recorded by
Gilad Stern.



official text

NOVEMBER 20, 1980

TEXT: AMBASSADOR LINOWITZ ON THE MIDDLE EAST

WASHINGTON -- HERE IS THE STATEMENT OF AMBASSADOR SOL M. LINOWITZ, PERSONAL REPRESENTATIVE OF PRESIDENT CARTER TO THE WEST BANK AND GAZA AUTONOMY NEGOTIATIONS AS PREPARED FOR DELIVERY NOVEMBER 19 TO THE SUBCOMMITTEE ON EUROPE AND THE MIDDLE EAST OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON FOREIGN AFFAIRS:

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I GREATLY APPRECIATE THIS OPPORTUNITY TO APPEAR BEFORE YOU IN ORDER TO DISCUSS THE PRESENT STATUS OF THE AUTONOMY NEGOTIATIONS FOR THE WEST BANK AND GAZA AND THE GENERAL PROGRESS WE HAVE MADE IN THE MIDDLE EAST PROCESS SINCE THE SIGNING OF THE CAMP DAVID ACCORDS A LITTLE OVER TWO YEARS AGO. WITH THE ELECTION BEHIND US, AND WITH THE TRANSITION FROM ONE ADMINISTRATION TO THE NEXT NOW UNDERWAY. THIS IS A PARTICULARLY APPROPRIATE MOMENT TO ASSESS WHERE WE ARE AND TO FOCUS ON THE CHALLENGES AND OPPORTUNITIES AHEAD.

AS YOU KNOW, THE CAMP DAVID ACCORDS ESTABLISHED A FRAMEWORK FOR PEACE WHICH EGYPT, ISRAEL AND THE UNITED STATES HOPED WOULD MAKE POSSIBLE THE ACHIEVEMENT OF A JUST, LASTING AND COMPREHENSIVE PEACE IN THE MIDDLE EAST. TO TRY TO MAKE THIS DREAM A REALITY, THE FRAMEWORK SET FORTH THREE BASIC GOALS: FIRST, THE ACHIEVEMENT OF PEACE AND A CONSTRUCTIVE WORKING RELATIONSHIP BETWEEN EGYPT AND ISRAEL; SECOND, THE ESTABLISHMENT OF TRANSITIONAL ARRANGEMENTS FOR A FIVE-YEAR PERIOD IN THE WEST BANK AND GAZA WHICH WOULD PROVIDE THE INHABITANTS OF THESE AREAS WITH "FULL AUTONOMY" WHILE ASSURING PRESERVATION OF ISRAEL'S (SECURITY) AND THIRD, THE COMMENCEMENT OF NEGOTIATIONS AMONG EGYPT, ISRAEL, JORDAN, AND ELECTED REPRESENTATIVES OF THE INHABITANTS OF THE WEST BANK AND GAZA TO RESOLVE THE FINAL STATUS OF THESE TERRITORIES FOLLOWING THE FIVE-YEAR TRANSITIONAL PERIOD.

DURING THE PAST YEAR, I HAVE SERVED AS THE PRESIDENT'S PERSONAL REPRESENTATIVE TO THE AUTONOMY NEGOTIATIONS AND I SHALL WANT TO DISCUSS WITH YOU WHERE THEY STAND TODAY AND THEIR PROSPECTS FOR THE FUTURE. BEFORE DOING SO, HOWEVER, I WANT TO FOCUS ON THE EXTRAORDINARY AND DEEPLY GRATIFYING SUCCESS ACHIEVED WITH RESPECT TO THE FIRST GOAL OF THE CAMP DAVID FRAMEWORK, THE PEACE BETWEEN EGYPT AND ISRAEL. FOR THIS IS AND MUST BE THE CORNERSTONE OF OUR EFFORTS TO HELP BRING A BROADER PEACE TO THE MIDDLE EAST.

ON MARCH 26, 1979, EGYPT AND ISRAEL SIGNED A TREATY OF PEACE. THIS TREATY, LET ME REMIND YOU, MARKED A PEACE WITHOUT VICTOR OR VANQUISHED, ENTERED INTO BY TWO NATIONS DETERMINED TO REJECT A LEGACY OF HOSTILITY AND WARFARE. SINCE THEN, BOTH EGYPT AND ISRAEL HAVE SCRUPULOUSLY ADHERED TO THEIR COMMITMENTS UNDER THE TREATY. THUS ISRAEL TURNED OVER TO EGYPT ON SCHEDULE NOT ONLY THE MAJOR PORTION OF THE SINAI, BUT ALSO THE ALMA OIL FIELDS, DESPITE THE IMMENSE BURDENS THAT THE LOSS OF THIS OIL IMPOSES ON THE ISRAELI ECONOMY. FOR ITS PART, EGYPT HAS PROCEEDED DILIGENTLY TO NORMALIZE ITS RELATIONS WITH ISRAEL IN THE FACE OF STRONG, EVEN FIXED REACTION OF ITS ARAB NEIGHBORS AND FORMER ALLIES. EMBASSIES HAVE BEEN OPENED AND AMBASSADORS EXCHANGED. TODAY THE FLAG OF ISRAEL FLIES IN EGYPT AND THE FLAG OF EGYPT IN ISRAEL.

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EVEN MORE IMPORTANT THAN THESE TANGIBLE ACHIEVEMENTS, HOWEVER, IS THE ACHIEVEMENT IN SPIRIT. TODAY AN ATMOSPHERE OF COOPERATION AND TRUST PREVAILS WHERE ONLY BITTERNESS AND HATRED AND SUSPICION ONCE REIGNED. EVERY TIME I SIT DOWN WITH PRESIDENT SADAT AND PRIME MINISTER BEGIN AND WITH MY COLLEAGUES IN THE AUTONOMY NEGOTIATIONS, I AM REMINDED THAT THESE SHIFTS IN ATTITUDE ARE DEEP AND GENUINE IF WE REFLECT...ATTITUDES OF THEIR PEOPLES; OVER THE PAST YEAR, I HAVE WATCHED THE MUTUAL TRUST AND CONFIDENCE GROW SLOWLY BUT STEADILY. THIS WAS VIVIDLY EVIDENCED BY THE HISTORIC WELCOME THAT THE PRESIDENT OF ISRAEL, YITZHAK NAVON, RECEIVED JUST THREE WEEKS AGO WHEN HE PAID THE FIRST OFFICIAL ISRAELI STATE VISIT TO EGYPT. MY FREQUENT TRAVELS TO BOTH EGYPT AND ISRAEL DURING THIS PAST YEAR HAVE CONVINCED ME THAT BOTH NATIONS HAVE SET THEIR FEET FIRMLY ON THE ROAD TO PEACE, BOTH UNDERSTAND THERE CAN BE NO TURNING BACK. AND BOTH ARE DETERMINED THAT THERE WILL BE NO TURNING BACK.

AGAINST THIS BACKDROP, I WANT TO MOVE TO THE AUTONOMY NEGOTIATIONS IN WHICH WE HAVE BEEN ENGAGED AS A "FULL PARTNER" WITH EGYPT AND ISRAEL DURING THE LAST FEW MONTHS; THE CAMP DAVID ACCORDS CALL UPON THE PARTIES TO DEVISE TRANSITIONAL ARRANGEMENTS WHICH WOULD PROVIDE FULL AUTONOMY TO THE INHABITANTS OF THE WEST BANK AND GAZA AND PERMIT THEM TO ELECT A SELF-GOVERNING AUTHORITY. THE ACCORDS CALL FOR THE PARTIES TO DEFINE "FULL AUTONOMY" BY NEGOTIATION OF THE POWERS AND RESPONSIBILITIES THAT THE ELECTED BODY WOULD EXERCISE DURING THE TRANSITIONAL PERIOD. THEY ALSO CALL FOR THE AUTONOMY AGREEMENT TO INCLUDE ARRANGEMENTS FOR ENSURING INTERNAL AND EXTERNAL SECURITY AND PUBLIC ORDER DURING THIS TRANSITIONAL PERIOD. IN SUM, AND IN THE WORDS OF THE ACCORDS, THE TRANSITIONAL ARRANGEMENTS ARE TO GIVE DUE CONSIDERATION BOTH TO THE PRINCIPLE OF SELF-GOVERNMENT BY THE INHABITANTS OF THESE TERRITORIES AND TO THE LEGITIMATE SECURITY CONCERNS OF THE PARTIES INVOLVED."

NO ONE AT CAMP DAVID IN 1978 BELIEVED THAT THE NEGOTIATION OF THESE MATTERS WOULD BE EASY. THE ISSUES ARE EXCEEDINGLY COMPLEX; THEY ARE EXTRAORDINARILY EMOTION-LADEN FOR THE PARTIES; AND THEY COULD INVOLVE MATTERS OF LIFE AND DEATH, OF WAR AND PEACE. THROUGHOUT THE NEGOTIATION PROCESS, ALL THREE PARTNERS HAVE HAD TO ENSURE THAT THE SUBSTANTIVE ISSUES WERE METICULOUSLY EXAMINED, AND WE HAVE HAD TO PROCEED WITH EXTREME CARE AND WITH (GARBLED) OF BOTH ISRAEL AND EGYPT, AS WELL AS THE PALESTINIANS. UNFORTUNATELY, THE NEGOTIATION PROCESS HAS BEEN MADE EVEN MORE DIFFICULT IN RECENT MONTHS BY A HOST (OF PROBLEMS) AND TANGENTIAL DISTURBANCES AND DISTRACTIONS WHICH HAVE DIVERTED ATTENTION FROM THE CENTRAL ISSUES UNDER DISCUSSION. (GARBLED) AS VIOLENCE ON THE WEST BANK, THE SEEMINGLY ENDLESS (NUMBER) OF U.N. RESOLUTIONS, AND THE VARIOUS ACTIONS AND STATEMENTS BEARING ON THE STATUS OF JERUSALEM HAVE INTERFERED WITH AND EVEN INTERRUPTED OUR EFFORTS TO FOCUS ON THE COMPLEX AND CRITICAL SUBSTANTIVE ISSUES.

BUT DESPITE THE FRUSTRATIONS AND DISAPPOINTMENTS, I AM GRATIFIED TO BE ABLE TO TELL YOU THAT WE HAVE MADE CONSIDERABLE PROGRESS IN THE AUTONOMY NEGOTIATIONS DURING THE PAST YEAR; AND I REMAIN HOPEFUL THAT A CONTINUED AND SUSTAINED EFFORT TO ACHIEVE AN AUTONOMY AGREEMENT AS CALLED FOR BY THE CAMP DAVID ACCORDS CAN BE SUCCESSFUL IN THE MONTHS AHEAD.

THE PROGRESS MADE HAS INCLUDED AGREEMENT ON A LARGE RANGE OF POWERS AND RESPONSIBILITIES TO BE EXERCISED BY THE ELECTED SELF-GOVERNING AUTHORITY, AND THE MODALITIES FOR THE FREE ELECTION PURSUANT TO WHICH THE MEMBERS OF THE SELF-GOVERNING AUTHORITY WOULD BE CHOSEN. AND IN RECENT DAYS WE HAVE BEEN FOCUSING ON FIVE CRITICAL AND DECISIVE ISSUES WHICH THE AUTONOMY NEGOTIATIONS MUST RESOLVE IF WE ARE TO REACH AGREEMENT:

1. HOW CAN ISRAEL BE ASSURED THAT ITS SECURITY INTERESTS WILL BE FULLY PRESERVED AND PROTECTED UNDER THE AUTONOMY ARRANGEMENT?
2. HOW CAN WE ASSURE THAT THE LIMITED WATER RESOURCES OF THE REGION WILL BE FAIRLY AND EQUITABLY SHARED?
3. HOW SHOULD WE DEAL WITH THE PUBLIC LANDS IN THE WEST BANK AND GAZA DURING THE TRANSITIONAL PERIOD AND HOW SHOULD SUCH AN ARRANGEMENT BEAR ON ISRAELI SETTLEMENTS IN THESE AREAS?

4. WHAT SHOULD BE THE NATURE OF THE POWERS EXERCISED BY THE SELF-GOVERNING AUTHORITY, RECOGNIZING THAT THE AUTONOMY ARRANGEMENTS ARE TRANSITIONAL AND THAT THE FINAL STATUS OF THE TERRITORIES WILL HAVE TO BE DETERMINED BY AGREEMENT AMONG ISRAEL, EGYPT, JORDAN, AND THE PALESTINIANS?

5. SHOULD THE ARAB INHABITANTS OF EAST JERUSALEM PARTICIPATE IN THE ELECTIONS FOR THE SELF-GOVERNING AUTHORITY?

DURING THE PAST FEW MONTHS, WORKING BOTH BILATERALLY AND TRILATERALLY, WITH ISRAEL AND EGYPT, WE HAVE BEEN ABLE TO HELP THE PARTIES MAKE SIGNIFICANT PROGRESS ON SEVERAL OF THESE FUNDAMENTAL ISSUES. SPECIFICALLY, ISRAEL AND EGYPT HAVE NARROWED THEIR DIFFERENCES ON THE (QUESTION OF) LAND AND WATER. IN ADDITION, OUR WORK DURING THE PAST MONTHS INDICATES THAT THE PARTIES ARE FAR CLOSER ON THE VITAL ISSUE OF SECURITY THAN MANY HAD THOUGHT. WE HAVE ALSO BEGUN, I BELIEVE, TO NARROW DIFFERENCES ON THE NATURE OF THE POWERS THAT THE SELF-GOVERNING AUTHORITY SHOULD APPROPRIATELY EXERCISE DURING THE TRANSITIONAL PERIOD. IN SUM, THROUGH THEIR SERIOUS AND CONSTRUCTIVE EFFORTS OVER THE PAST MONTHS, ISRAEL AND EGYPT HAVE BEGUN TO BRIDGE THEIR DIFFERENCES ON EVEN THE MOST CRITICAL, COMPLEX, AND EMOTIONAL ISSUES.

IN EARLY SEPTEMBER, PRESIDENT SADAT AND PRIME MINISTER BEGIN AUTHORIZED ME TO RELEASE A JOINT STATEMENT ON THEIR BEHALF. IN THAT STATEMENT, THEY AFFIRMED THAT EGYPT AND ISRAEL "REMAIN FIRMLY COMMITTED TO THE CAMP DAVID ACCORDS AND PROCESS AND ARE CONVINCED THAT THEY OFFER THE ONLY VIABLE PATH TOWARD A COMPREHENSIVE PEACE IN THE MIDDLE EAST." BOTH EMPHASIZED THEIR DETERMINATION "TO SEE THE PROCESS THROUGH TO A SUCCESSFUL CONCLUSION REGARDLESS (OF DIFFICULTIES) THAT MAY ARISE ALONG THE WAY." LAST WEEK, DURING HIS VISIT TO THE UNITED STATES, PRIME MINISTER BEGIN REASSERTED THIS DETERMINATION.

THE REAFFIRMATION OF COMMITMENT BY PRESIDENT SADAT AND PRIME MINISTER BEGIN IS OF IMMENSE IMPORTANCE. IT IS PREMISED ON THEIR CONFIDENCE THAT DESPITE THE DISAGREEMENTS, FRUSTRATIONS, AND ENORMOUS DIFFICULTIES OF THE NEGOTIATIONS, THE CAMP DAVID APPROACH REMAINS ESSENTIALLY SOUND. TO THEIR VOTE OF CONFIDENCE, I WANT TO ADD MY OWN. MY EXPERIENCE DURING THE COURSE OF THESE NEGOTIATIONS HAS CONVINCED ME MORE THAN EVER THAT THIS APPROACH REMAINS BOTH VALID AND PROMISING.

SOME HAVE CRITICIZED THE CAMP DAVID PROCESS FOR ITS FAILURE TO ADDRESS IMMEDIATELY THE ULTIMATE QUESTIONS: THE FINAL STATUS OF THE WEST BANK AND GAZA; THE FINAL ARRANGEMENTS REGARDING JERUSALEM; AND THE PERMANENT ASSURANCE OF ISRAELI SECURITY. THESE CRITICS, HOWEVER, MISS THE CENTRAL POINT. FOR IT WAS THE GENIUS OF THE NEGOTIATORS AT CAMP DAVID TO RECOGNIZE THAT TOO MANY PAST EFFORTS TO ACHIEVE PEACE IN THE MIDDLE EAST HAD FAILED PRECISELY BECAUSE THEY HAD GRASPED FAR TOO MUCH TOO SOON. THEY RECOGNIZED THAT THE ISSUES IN THIS REGION ARE SO COMPLEX, THE EMOTIONS SO DEEP, THE CONTENDING FORCES SO MANY, THE STAKES SO GREAT, THAT THE PROBLEMS DEFY SHORTCUT SOLUTIONS. THE WISDOM OF CAMP DAVID WAS TO RECOGNIZE THIS FACT, TO UNDERSTAND THAT BITTERNESS DIES HARD WHILE TRUST GROWS SLOWLY. THE KEY TO CAMP DAVID WAS ITS RECOGNITION THAT THE BEST HOPE FOR ENDURING PEACE LAY IN A PHASED PROCESS -- ONE IN WHICH AGREEMENTS ATTAINABLE AT ONE STAGE BECAME BUILDING BLOCKS FOR FUTURE PROGRESS ON MORE DIFFICULT ISSUES.

AT NO TIME DURING MY INVOLVEMENT IN THESE NEGOTIATIONS HAVE I DISCOVERED ANY VIABLE ALTERNATIVE COURSE, AND I HAVE CONSISTENTLY SOUGHT THE ADVICE OF LEADERS AND EXPERTS IN THE MIDDLE EAST, EUROPE, AND THE UNITED STATES TO ASCERTAIN IF ANY ALTERNATIVE EXISTS WHICH WOULD OFFER GREATER PROMISE OF SUCCESS. THE SIMPLE UNDENIABLE FACT IS THAT THERE IS NONE. NOT ONLY IS THE CAMP DAVID PROCESS THE ONLY GAME IN TOWN; IT IS THE ONLY SENSIBLE APPROACH AT THIS TIME.

IN CLOSING, LET ME SAY THAT THIS IS AN APPROPRIATE OCCASION TO UNDERSCORE AN IMPORTANT POINT WELL-UNDERSTOOD BY THE MEMBERS OF THIS COMMITTEE -- THAT THE FOREIGN POLICY OF THE UNITED STATES HAS BEEN AND REMAINS A BIPARTISAN MATTER AND ONE WHERE CONTINUITY IS VITAL. PERHAPS IN NO OTHER AREA OF THE GLOBE IS THE IMPORTANCE OF SUCH CONTINUITY AND BIPARTISAN COMMITMENT BETTER EVIDENCED THAN IN THE MIDDLE EAST. THE EFFORTS OF THE JOHNSON ADMINISTRATION

AFTER THE JUNE 1967 WAR LED TO U.N. RESOLUTION 242, WHICH TODAY REMAINS THE CORNERSTONE FOR MIDDLE EAST PEACE. THE INTENSIVE SHUTTLE DIPLOMACY OF SECRETARY KISSINGER UNDER BOTH THE NIXON AND FORD ADMINISTRATION ENABLED ISRAEL AND EGYPT AND SYRIA TO TAKE THE FIRST STEPS TOWARD PEACE. AND NOW PRESIDENT CARTER'S UNPRECEDENTED EFFORTS HAVE BROUGHT ABOUT PEACE BETWEEN ISRAEL AND HER LARGEST AND MOST POWERFUL ARAB NEIGHBOR AND ESTABLISHED AN ONGOING NEGOTIATION PROCESS WHICH, FOR THE FIRST TIME, PLACES ON THE SAME (AGENDA) RIGHTS OF THE PALESTINIANS AND SECURITY FOR ISRAEL.

IN ALL THESE DEVELOPMENTS, THE UNITED STATES HAS CONSISTENTLY AND INCREASINGLY PLAYED AN ACTIVE AND ESSENTIAL PART IN OUR COMMITMENT TO WORK ACTIVELY AND UNCEASINGLY TO MOVE CLOSER TO THE COMPREHENSIVE PEACE WE SEEK IS BASED ON A NUMBER OF FACTORS, NOT THE LEAST OF WHICH IS THE UNTHINKABLE THREAT TO WORLD PEACE THAT A FUTURE CONFLAGRATION IN THE VITAL MIDDLE EAST REGION MIGHT PRESENT. SUCH A U.S. ROLE IN PURSUIT OF PEACE ADVANCES OUR STRATEGIC INTERESTS WHILE FURTHERING OUR MORAL COMMITMENT TO THE PEACEFUL RESOLUTION OF DISPUTES THROUGHOUT THE WORLD. I KNOW THAT PRESIDENT-ELECT REAGAN JOINS PRESIDENT CARTER IN RECOGNIZING THE IMPORTANCE OF MAINTAINING THE CONTINUATION OF OUR FOREIGN POLICY AND THE VITAL ROLE THE UNITED STATES MUST PLAY IN THE SEARCH FOR PEACE IN THE MIDDLE EAST.

THROUGHOUT THE AUTONOMY NEGOTIATIONS, THE UNITED STATES HAS SOUGHT TO PLAY AN ACTIVE AND ESSENTIAL PART AS A "FULL PARTNER". INDEED, AS RECENTLY AS TWO DAYS AGO, REPRESENTATIVES OF THE THREE COUNTRIES MET IN CAIRO IN FURTHERANCE OF THE NEGOTIATIONS. WE HAVE UNDERTAKEN TO ACT AS A CATALYST AND A CONSTRUCTIVE SPUR TO PROGRESS, AND HAVE TRIED TO HELP BOTH PARTIES FIND COMMON GROUND AND NARROW DIFFERENCES BETWEEN THEM. IN DOING SO, I THINK THAT WE HAVE EARNED THE TRUST AND RESPECT OF BOTH EGYPT AND ISRAEL.

I BELIEVE THAT MEANINGFUL FURTHER PROGRESS CAN BE MADE IN THE COMING MONTHS IF THE UNITED STATES REMAINS RESOLUTE IN ITS COMMITMENT TO WORK INTENSIVELY, TIRELESSLY, AND PATIENTLY FOR PEACE IN THE MIDDLE EAST. THAT IS BOTH THE CHALLENGE AND THE UNIQUE OPPORTUNITY WHICH WILL GREET THE INCOMING ADMINISTRATION. EGYPT AND ISRAEL, AND NATIONS AND PEOPLE THROUGHOUT THE REGION AND AROUND THE WORLD, EXPECT THE U.S. TO CONTINUE TO RESPOND TO THAT CHALLENGE AND THAT OPPORTUNITY. I AM CONFIDENT THAT WE WILL NOT FAIL THEM. THE WORDS OF THEODORE ROOSEVELT ARE TRULY RELEVANT TO OUR POSITION IN THE MIDDLE EAST TODAY.

"THE UNITED STATES DOES NOT HAVE AN OPTION AS TO WHETHER IT WILL OR WILL NOT PLAY A GREAT PART ON THIS ISSUE. IT MUST PLAY A GREAT PART. THE ONLY QUESTION IS WHETHER WE WILL PLAY THAT PART WELL OR BADLY."

Press bulletin

JERUSALEM, 18 DECEMBER 1980

JOINT STATEMENT
BY
PRESIDENT ANWAR EL SADAT (EGYPT)
AND
PRIME MINISTER MENACHEM BEGIN (ISRAEL)

DECEMBER 18, 1980

SINCE THE SIGNING OF THE CAMP DAVID ACCORDS WE HAVE, WITH THE FULL PARTICIPATION OF THE UNITED STATES, MADE IMPORTANT PROGRESS IN THE NEGOTIATIONS AIMING AT THE REALIZATION OF THE OBJECTIVES OF THE ACCORDS.

WE RECOGNIZE THAT MUCH MORE REMAINS TO BE DONE IN THE WEEKS AND MONTHS AHEAD. WE ARE CONFIDENT THAT THROUGH PERSEVERANCE AND MUTUAL RESOLVE WE CAN FULFILL FULLY THE PROMISE OF CAMP DAVID. ACCORDINGLY, WITH THE FIRM CONVICTION THAT THE CAMP DAVID PROCESS IS THE ONLY VIABLE PATH TOWARDS COMPREHENSIVE PEACE IN THE MIDDLE EAST TODAY, WE AGREE TO NEGOTIATE IN GOOD FAITH IN ORDER TO CONCLUDE THE NEGOTIATIONS AT THE EARLIEST POSSIBLE DATE.

WE ARE GRATEFUL TO PRESIDENT CARTER FOR THE PART HE AND HIS ADVISERS PLAYED IN HELPING US TO MOVE FORWARD IN OUR QUEST FOR PEACE IN THE MIDDLE EAST AND ARE GRATIFIED BY THE AFFIRMATION BY PRESIDENT-ELECT REAGAN THAT THE UNITED STATES WILL REMAIN COMMITTED TO THE CAMP DAVID PROCESS.

/SA
(INST)

17:00 HOURS



official text

DECEMBER 8, 1980

VISIT OF AMBASSADOR LINOWITZ TO THE MIDDLE EAST

THE FOLLOWING STATEMENT WAS RELEASED BY THE WHITE HOUSE PRESS OFFICE ON AMB. LINOWITZ'S UPCOMING VISIT TO THE MIDDLE EAST:
BEGIN TEXT:

"THE PRESIDENT HAS ASKED AMBASSADOR SOL M. LINOWITZ TO TRAVEL TO BOTH EGYPT AND ISRAEL TO CONSULT WITH PRESIDENT SADAT AND PRIME MINISTER BEGIN AND THEIR COLLEAGUES ON HOW TO ENSURE CONTINUED MOMENTUM AND PROGRESS IN THE MIDDLE EAST PEACE PROCESS.

THROUGHOUT HIS ADMINISTRATION, THE PRESIDENT HAS ACCORDED THE HIGHEST PRIORITY TO FURTHERING PEACE EFFORTS IN THE MIDDLE EAST AND, THEREFORE, TO MAINTAINING MOMENTUM IN THE CAMP DAVID PROCESS.

BOTH PRESIDENT CARTER AND PRESIDENT-ELECT REAGAN HAVE PLEDGED THEMSELVES TO ENSURE CONTINUITY AND AN EFFECTIVE TRANSITION IN FOREIGN POLICY MATTERS.

UPON HIS RETURN, AMBASSADOR LINOWITZ WILL REPORT TO THE PRESIDENT SO THAT THE PRESIDENT CAN INSURE THAT THE PRESIDENT-ELECT WILL BE FULLY INFORMED AND PREPARED WITH RESPECT TO THE UNITED STATES' EFFORT TO ATTAIN COMPREHENSIVE PEACE IN THE MIDDLE EAST."

01

אל:

יפה לך כהן

מאת:

א. ב. ג. ד. ה. ו. ז. ח. ט. י. יא. יב. יג. יד. טו. טז. יז. יח. יט. כ. כא. כב. כג. כד. כה. כו. כז. כח. כט. ל. לא. לב. לג. לד. לה. לו. לז. לח. לט. לך.

תנ"ך:

לכך, הנה אתה לך לך לך

המספר היחיד אצלך הוא 24

לכל המספרים שיש להם חלקים
לכל המספרים.

לך לך

לך.

תזכיר הבנה מיקדמי

הרפובליקה הערבית של מצרים ומדינת ישראל (להלן "הצדדים"), כתאום עם ארה"ב של אמריקה, הגיעו למספר הבנות והסכמים באשר לצדדים אשר ינקטו כדי ליישם את תנאי הסכם המסגרת לשלום במזה"ת, עליהם סוכם בקמפ דייויד (להלן "המסגרת").

לכן, ע"מ להעניק אוטונומיה מלאה לתושבי יו"ש וחבל עזה, ולהבטיח מעבר שקט ומסודר של סמכויות ואחריות, להבטיח בטחונה של ישראל ושכנותיה, ולהשיג את שאר היעדים אשר הובאו במסגרת, הסכימו הצדדים לתזכיר הבנה מקדמי זה אשר יהיה כפוף לתנאי ההסכם הסופי על האוטונומיה (להלן ההסכם).

בחירות

1. רשות מינהל עצמי (מועצה מינהלית) תיבחר בחופשיות ע"י התושבים בהתאם לנוהלים אשר יוסכם עליהם.
2. בחירות יהיו בחירות חופשיות מבוססות על שמירת הזכויות להתקהלות שקטה, חופש התבטאות והצבעה חשאית וצעדים מתאימים למניעת אי סדרים, בהתחשב בצורך לשמירה על החוק והסדר, וכן על העקרונות המנחים של המסגרת.
3. תעמולת בחירות חופשית תובטח כפופה לצעדים אשר הוזכרו בסעיף 2 ובהתאם להסכם על נוהלי בחירות. הבחירות יוארגנו, יונהלו ויהיו תחת פיקוחה של ועדת בחירות מרכזית, אשר תהיה מורכבת מכוח אדם אזרחי ישראלי מוסמך ופלשתינאים ערבים מקומיים אשר הוסכם לגביהם ע"י מנהלי המו"מ על האוטונומיה, ביחד עם אזרחים נוספים - בודדים ומוסדות - כפי שיוסדר ויוסכם ע"י מנהלי המו"מ על האוטונומיה.

תקופת המעבר

רשות המינהל העצמי (המועצה המינהלית) תיכון ותיחנך תוך חודש לאחר הבחירה ובמועד זה תחל תקופת המעבר של חמשת השנים.

נסיגת הממשל הצבאי הישראלי והמינהל האזרחי שלו

כאשר תיכון ותיחנך רשות המינהל העצמי (המועצה המינהלית) תהיה נסיגה של הממשל הצבאי הישראלי והמינהל האזרחי שלו. תהיה העברה מסודרת מהממשל הצבאי לרשות המינהל העצמי (המועצה המינהלית) של אותן סמכויות ואחריות אשר בהתאם להסכם יופעלו ע"י הרשות למינהל העצמי (המועצה המינהלית).

סמכויות ואחריות של הרשות למינהל עצמי (המועצה המינהלית)

כפוף לתנאי ההסכם ולהקמתם ותיפעולם המסודרים של מנגנונים מתאימים לשיחוף פעולה ותיאום עם ישראל, תועברנה אחריות בשטחים הבאים לידי רשות המינהל העצמי (המועצה המינהלית)

התורה העליונה העליונה

[illegible]

ընդ, Կ"Ա ճոպուցոց արտաբանութիւն ձեռն ճոպուցոց Կ"Ս իմե՛ն զի, իճեմութիւն արեւոյ զարեւոյթ
 Ե՛ն թաւարեւոյ իմարութեան, ճեմութիւն լսութեան Ե՛ն Կ"Ս իմե՛ն թաւարեւոյ իմարութեան, իճեմութիւն
 արեւոյ իմարութեան, թաւարեւոյ իմարութեան իմարութեան իմարութեան իմարութեան իմարութեան իմարութեան
 իմարութեան իմարութեան (ճեմութիւն իմարութեան)։

ת"ת

1. רשות אילנות ושיח (אדמיניסטרציה) תכנה את השטחים הנכנסים לתחום שטח הפעולה.
2. הרשות תכנה את השטחים הפעילים את שטחי הפעולה הנכנסים לתחום שטח הפעולה, וכן את השטחים הפעילים את שטחי הפעולה הנכנסים לתחום שטח הפעולה.
3. תכנית הרשות תכנה את השטחים הפעילים את שטחי הפעולה הנכנסים לתחום שטח הפעולה, וכן את השטחים הפעילים את שטחי הפעולה הנכנסים לתחום שטח הפעולה.

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[illegible]

ՀՅՄԻՆ ԲԱԾԱՇՔ ԽՂԸՈՒՄ ԲԵՄԴՈՒՄՆԵՐ ԻՌԱՎՈՒՆՔՆԵՐ ԽՈՏԻՐՈՒՄ ՄՃԻՐ

[illegible]

(ה'תשנ"ח) חסד

ՀԱՅՐ ՀՈՒՅԻ ՌՈՏԵՑՈ ՐՆԳՈՒՄ ԻՆՎԵՍԻՇՆ ՍԵՏՈՐԻՆԻ ՍԵ ԱՇԽԱՏԱՆԻ ԱՊԿԱՆԻ ՀՆԻՐՈՒ ՎԵՐՈՒ
ԻՆԿՈՒՍ ՎՍ ԿՄԻՔՆՆՆԻ, ՍՐՎԵՐՈՒ ՊՈՐՏՈՒՄ ԸՍՏՈՒՄ ԻՆԿՈՒՍ ՀՆԻՐ ԴՄՈՒ ՍԵՐՈՒՆԻ ՍՐՎԱՆ
(ՍԵՐՎԱՆ ՍԵՐՈՒՆԻ)

ניהול המערכת המשפטית
חקלאות
כספים
השירות הציבורי
חינוך ותרבות
בריאות
שיכון ועבודות ציבוריות
תחבורה, תקשורת ודאר פנימיים
עבודה, כוח אדם ורווחה חברתית
ענייני העיריה
משטרה מקומית
ענייני דת
תעשיה, מסחר ותיירות

לרשות המינהל העצמי (המועצה המינהלית) יהיו, כפוף לתנאי ההסכם, הסמכויות הדרושות לה כדי למלא את חובותיה.

הסדרים לתיאום ושיתוף פעולה יוגדרו בהסכם:

בנוסף לעקרונות ומגבלות נוספות אשר יוסכם עליהן, הרשות למינהל העצמי (המועצה המינהלית) במיוחד לא -

(1) תגביל או תשהה סמכויות אישיות;

תפלה נגד פרטים, קבוצות או אישיות משפטיות אחרות על בסיס גזע, דת מין, לאום או מוצא אתני, מקום מגורים ואזרחות.

(2) תשנה את סמכות שיפוט, תרחיב סמכויותיה או תשפיע על מעמדם של יו"ש וחבל עזה.

(3) תנהל יחסי חוץ

סמכויות ואחריות שאיריות (RESIDUAL)

סמכויות ואחריות אשר לא תועברנה למועצה המינהלית תשמרנה בידי ישראל.

כל שינוי המתייחס לסמכויות ואחריות והפעלתן בהתאם יוכל להעשות אך ורק בהסכמה פה אחד של הצדדים.

מבנה ונוהל

המועצה המינהלית תהיה מורכבת מגוף אחד. מספר חבריה יהיה בהתאם ל- ויקבע על פי התפקידים בפועל שימלאו חבריה. היא תחלק תפקידיה בין חבריה ותקבע כללי נוהל המתייחסים לנוהליה.

מ י ם

(1) ההסדר הסופי בנושא המים ביו"ש וחבל עזה ייקבע במהלך המו"מ על המעמד הסופי

אשר יחל לא יאוחר משלוש שנים לאחר תחילת תקופת המעבר.

(2) במשך תקופת המעבר, כל פתוח נוסף של מקורות המים ביו"ש וחבל עזה ושמושם יהיה מבוסס על:

- (א) השימוש הנוכחי במים של תושבי יו"ש וחבל עזה וישראל לא יושפע לרעה.
- (ב) החלטה פה אחד של ישראל ורשות המינהל העצמי (המועצה המינהלית).
- (3) גוף משותף לישראל ולרשות המינהל העצמי (המועצה המינהלית) יורשה לעסוק בשינויי הצריכה במים ובהכנת מפעלי פיתוח לטובת כל אלה המעורבים בכך, אשר יוסכם עליהם פה אחד ע"י ישראל ורשות המינהל העצמי (המועצה המינהלית)
- (4) מצרים, ישראל וארה"ב יראו בברכה הקמתו של גוף איזורי אשר ייצג את עמי האיזור למטרת פיתוח ושימוש של מקורות המים לטובת עמים אלה.

ק ר ק ע

- (1) ההסדר הסופי בנושא הקרקע ביו"ש וחבל עזה ייקבע במשך המו"מ על המעמד הסופי אשר יתחיל לא יאוחר משלוש שנים אחרי התחלתה של תקופת המעבר.
- (2) במשך תקופת המעבר -
- א. חזקה פרטית חוקית ובעלות על קרקע ע"י כל אדם שהוא תהיה מוגנת ללא הפליה מטעמי דת, לאום או מוצא אתני, מקום מגורים או אזרחות:
- ב. קרקע, הנמצאת בחזקה של או שהוקצה ל- או מנוהלת ע"י סביבות מיושבות ע"י ישראלים וקרקעות בתחום איזורי הבטחון הישראליים יונהלו ע"י רשות שתיקבע ע"י ישראל.
- ג. השימוש בקרקעות נוספות יהיה כפוף להסכמתו של גוף משותף לישראל ולרשות המינהל העצמי (המועצה המינהלית)

מ ש פ ט

החוקים, התקנות והצווים הנמצאים בתוך יו"ש וחבל עזה וכל הסמכויות המוקנות על פיהם ישארו בתוקף במידה והם תואמים את ההסכם, אלא אם כן ישונו בהתאם לתהליכים אשר יותוו בהסכם. ההסכם יגדיר סמכותה של הרשות למינהל עצמי (המועצה המינהלית) להוציא (issue) חקיקת משנה הדרושה בהתאם לחוקים וצווים קיימים בתחומי אחריותה.

חקיקת המשנה תהיה כפופה להסכמה או לבחינה מחדש בהתאם לתהליך אשר יוסכם עליו בהסכם.

בטחון

- ינקטו כל הצעדים הדרושים ויעשו כל ההסדרים כדי להבטיח את בטחונה של ישראל ושכנותיה במשך תקופת המעבר ולאחריה.
- (1) תהא נסיגה של כוחות מזוינים ישראליים ותהיה פריסה מחודשת של הכוחות הישראליים אשר ישארו באיזורי בטחון שיפורטו.
- (2) יושמו הסדרים ע"מ להבטיח בטחון הפנים והחוץ והסדר הציבורי.
- (3) כדי לסייע בשמירה על בטחון פנים תכונן הרשות למינהל העצמי (המועצה המינהלית) כח משטרי מקומי חזק.

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is a summary of the work done and the results obtained. It is a general statement of the work done and the results obtained.

2. The second part of the report deals with the details of the work done during the year. It is a detailed statement of the work done and the results obtained. It is a detailed statement of the work done and the results obtained.

3. The third part of the report deals with the financial statement of the work done during the year. It is a statement of the financial statement of the work done and the results obtained. It is a statement of the financial statement of the work done and the results obtained.

4. The fourth part of the report deals with the conclusions of the work done during the year. It is a statement of the conclusions of the work done and the results obtained. It is a statement of the conclusions of the work done and the results obtained.

ועדה מתמדת

בהתאם להוראות המסגרת במשך תקופת המעבר, יהוו נציגיהם של מצרים, ישראל, ירדן והרשות למינהל העצמי (המועצה המינהלית) ועדה מתמדת כדי להחליט מתוך הסכמה על העקרונות להכנסתם של בני אדם שעזבו את יו"ש וחבל עזה ב-1967, יחד עם אמצעים נחוצים כדי למנוע אנדרלומוסיה ואי סדר.

ועדה זו תוכל גם לטפל בנושאים אחרים בעלי עניין משותף (כגון שיתוף פעולה כלכלי וכו') בהתאם להוראות ההסכם.

הועדה תבצע פעולותיה ותקבל החלטותיה על בסיס של הסכמה פה אחד.

ארה"ב תוזמן להשתתף בוועדה.

ישראלים ביו"ש וחבל עזה

הסמכויות והאחריות של הרשות למינהל העצמי (המועצה המינהלית) לא תחולנה על כוחות צה"ל ולא על אזרחים ישראלים ביו"ש וחבל עזה.

ישראלים לא ישתתפו בבחירות למועצה המינהלית.

Introduction

When I first came to this country, I was very much interested in the people and their customs. I had heard that the people were very friendly and that the country was very beautiful. I was not disappointed. The people were indeed very friendly and the country was indeed very beautiful. I was very much interested in the people and their customs.

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Conclusion

I had heard that the people were very friendly and that the country was very beautiful. I was not disappointed. The people were indeed very friendly and the country was indeed very beautiful. I was very much interested in the people and their customs.

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SECRET

19.9.80

21.9.80 11:00 AM
08:00 21.9.80
21.9.80 11:00 AM

Preliminary Memorandum of Understanding

The Arab Republic of Egypt and the State of Israel ("The Parties"), in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework for Peace in the Middle East agreed at Camp David ("the Framework"). Therefore, in order to provide full autonomy to the inhabitants of the West Bank* and Gaza District, to ensure a peaceful and orderly transfer of powers and responsibilities, to assure the security of Israel and its neighbors, and to achieve the other objectives set forth in the Framework, the Parties have agreed to this preliminary Memorandum of Understanding which will be subject to the terms of the final autonomy agreement ("the Agreement").

Elections

1. ~~Free elections.~~

A Self-Governing Authority (Administrative Council) ("SGA (AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

~~2. Conduct and Limitations of Campaigning, of Political Expression and Elections.~~

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

2. Elections will be free elections based on the preservation of the rights of peaceful assembly, free expression and secret ballot, and appropriate measures to prevent disruption, bearing in mind the need to preserve law and order as well as the underlying principles of the Framework.

3. Free electoral campaigning will be guaranteed ^{measures} *subject to the limitations mentioned in* in accordance with the agreement on election modalities.

The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians - individual and institutions - as worked out and agreed upon by the autonomy negotiators.

The Transitional Period

The SGA (AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

When the SGA (AC) is established and inaugurated, the Israeli military government and its civilian administration will be withdrawn. There will be an orderly transfer from the military government to the SGA (AC) of those powers and responsibilities which according to the Agreement will be exercised by the SGA (AC).

Powers and Responsibilities of the SGA (AC)

Subject to the terms of the Agreement and to the establishment and proper functioning of adequate mechanisms for cooperation and coordination with Israel, responsibility^{ies} in the following ~~areas~~^{new} will be transferred to the SGA (AC):

Administration of Justice

Agriculture

Finance

Civil Service

Education and Culture

Health

Housing and Public Works

Internal Transportation, Communications and Posts

Labor, Manpower and Social Welfare

Municipal Affairs

Local Police

Religious Affairs

Industry, Commerce and Tourism

The SGA (AC) will, subject to the terms of the Agreement, have powers which are necessary for the discharge of its responsibilities.

Arrangements for coordination and cooperation will be defined in the Agreement.

In addition to other principles and limitations to be agreed upon, the SGA (AC) will, in particular not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, residence and citizenship;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank* and Gaza District;
- 3) conduct foreign relations.

Residual Powers and Responsibilities

Powers and responsibilities which are not transferred to the SGA (AC) will be reserved to Israel.

Any change concerning the powers and responsibilities and the exercise thereof can be made only with the unanimous agreement of the Parties.

Structure and Procedure

The SGA (AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

1. The final settlement of the subject of water in the West Bank* and Gaza District will be determined in the course

of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period, every additional development of water resources in the West Bank* and Gaza District and their use will be based on the following:
 - a. the present use of water by the inhabitants of the West Bank and Gaza District and Israel will not be adversely affected;
 - b. a unanimous decision of Israel and the SGA (AC).
3. A joint body of Israel and the SGA (AC) will be authorized to deal with the changing needs of water, and with the preparation of development projects for the benefit of all those involved, which will be decided upon unanimously by Israel and the SGA (AC).
4. Egypt, Israel and the United States will view with favor the establishment of a regional body representing the peoples of the area in order to develop and use the water resources for the benefit of these peoples.

Land

1. The final settlement of the subject of land in the West Bank* and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period -

a) lawful private possession and ownership of land by any person will be protected without any discrimination on grounds of religion, national or ethnic origin, residence or citizenship;

b) land in the possession of or allocated to or administered by localities inhabited by Israelis and lands included in the Israeli security locations will be administered by an authority designated by Israel;

~~c) other lands will be administered by the SGA (AC);~~

c) Uses of other lands will be subject to approval by a joint body of Israel and the SGA (AC).

Law

The laws, orders and regulations in force in the West Bank* and Gaza District and all powers vested by virtue of them shall remain in force to the extent consistent with the Agreement, unless changed in accordance with procedures to be outlined in the Agreement. The Agreement will define the authority of the SGA (AC) to issue the necessary subsidiary legislation in accordance with existing laws and orders, in the areas of its responsibilities. ~~All~~ ^{The} such subsidiary legislation will be subject to approval ^{on review} in accordance with a procedure to be agreed upon in the agreement.

Security

All necessary measures will be taken and provisions made to assure the security of Israel and its neighbors during the transitional period and beyond.

1. A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations.
2. Arrangements will be implemented to assure internal and external security and public order.
3. To assist in providing internal security, a strong local police force will be constituted by the SGA (AC).

Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel, Jordan and the SGA (AC) will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the 'West Bank' and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The Committee may also deal with other matters of common concern (e.g. economic cooperation, etc.), as provided in the Agreement.

The Committee will take its actions and resolutions on the basis of unanimity.

The United States will be invited to participate in the Committee.

Israelis in the West Bank* and Gaza District

The powers and responsibilities of the SGA (AC) will not apply to the Israeli Defence Forces nor to Israeli civilians in the West Bank* and Gaza District. Israelis will not participate in the elections for the SGA (AC).

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19.9.80

Preliminary Memorandum of Understanding

The Arab Republic of Egypt and the State of Israel ("The Parties"), in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework for Peace in the Middle East agreed at Camp David ("the Framework"). Therefore, in order to provide full autonomy to the inhabitants of the West Bank* and Gaza District, to ensure a peaceful and orderly transfer of powers and responsibilities, to assure the security of Israel and its neighbors, and to achieve the other objectives set forth in the Framework, the Parties have agreed to this preliminary Memorandum of Understanding which will be subject to the terms of the final autonomy agreement ("the Agreement").

Elections

1. Free elections.

A Self-Governing Authority (Administrative Council) ("SGA (AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

2. Conduct and Limitations of Campaigning, of Political Expression and Elections.

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

(2) Elections will be free elections based on the preservation of the rights of peaceful assembly, free expression and secret ballot, and appropriate measures to prevent disruption, bearing in mind the need to preserve law and order as well as the underlying principles of the Framework.

(3) Free electoral campaigning will be guaranteed in accordance with the agreement on election modalities. The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians - individual and institutions - as worked out and agreed upon by the autonomy negotiators.

subject to the modalities mentioned in annex (2)

The Transitional Period

The SGA (AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

When the SGA (AC) is established and inaugurated, the Israeli military government and its civilian administration will be withdrawn. There will be an orderly transfer from the military government to the SGA (AC) of those powers and responsibilities which according to the Agreement will be exercised by the SGA (AC).

Powers and Responsibilities of the SGA (AC)

Subject to the terms of the Agreement and to the establishment and proper functioning of adequate mechanisms for cooperation and coordination with Israel, responsibility in the following areas will be transferred to the SGA (AC):

Administration of Justice

Agriculture

Finance

Civil Service

Education and Culture

Health

Housing and Public Works

Internal Transportation, Communications and Posts

Labor, Manpower and Social Welfare

Municipal Affairs

Local Police

Religious Affairs

Industry, Commerce and Tourism

The SGA (AC) will, subject to the terms of the Agreement, have powers which are necessary for the discharge of its responsibilities.

Arrangements for coordination and cooperation will be defined in the Agreement.

In addition to other principles and limitations to be agreed upon, the SGA (AC) will, in particular not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, residence and citizenship;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank* and Gaza District;
- 3) conduct foreign relations.

Residual Powers and Responsibilities

Powers and responsibilities which are not transferred to the SGA (AC) will be reserved to Israel.

Any change concerning the powers and responsibilities and the exercise thereof can be made only with the unanimous agreement of the Parties.

Structure and Procedure

The SGA (AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

1. The final settlement of the subject of water in the West Bank* and Gaza District will be determined in the course

of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period, every additional development of water resources in the West Bank* and Gaza District and their use will be based on the following:
 - a. the present use of water by the inhabitants of the West Bank and Gaza District and Israel will not be adversely affected;
 - b. a unanimous decision of Israel and the SGA (AC).
3. A joint body of Israel and the SGA (AC) will be authorized to deal with the changing needs of water, and with the preparation of development projects for the benefit of all those involved, which will be decided upon unanimously by Israel and the SGA (AC).
4. Egypt, Israel and the United States will view with favor the establishment of a regional body representing the peoples of the area in order to develop and use the water resources for the benefit of these peoples.

Land

1. The final settlement of the subject of land in the West Bank* and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period -

- a) lawful private possession and ownership of land by any person will be protected without any discrimination on grounds of religion, national or ethnic origin, residence or citizenship;
- b) land in the possession of or allocated to or administered by localities inhabited by Israelis and lands included in the Israeli security locations will be administered by an authority designated by Israel;
- c) other lands will be administered by the SGA (AC):
- c) Uses of other lands will be subject to approval by a joint body of Israel and the SGA (AC).

Law

The laws, orders and regulations in force in the West Bank* and Gaza District and all powers vested by virtue of them shall remain in force to the extent consistent with the Agreement, unless changed in accordance with procedures to be outlined in the Agreement. The Agreement will define the authority of the SGA (AC) to issue the necessary subsidiary legislation in accordance with existing laws and orders, in the areas of its responsibilities. All such subsidiary legislation will be subject to approval in accordance with a procedure to be agreed upon in the agreement.

Security

All necessary measures will be taken and provisions made to assure the security of Israel and its neighbors during the transitional period and beyond.

1. A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations.
2. Arrangements will be implemented to assure internal and external security and public order.
3. To assist in providing internal security, a strong local police force will be constituted by the SGA (AC).

Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel, Jordan and the SGA (AC) will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the "West Bank" and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The Committee may also deal with other matters of common concern (e.g. economic cooperation, etc.), as provided in the Agreement.

The Committee will take its actions and resolutions on the basis of unanimity.

The United States will be invited to participate in the Committee.

Israelis in the West Bank* and Gaza District

The powers and responsibilities of the SGA (AC) will not apply to the Israeli Defence Forces nor to Israeli civilians in the West Bank* and Gaza District. Israelis will not participate in the elections for the SGA (AC).

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19.9.80

Preliminary Memorandum of Understanding

The Arab Republic of Egypt and the State of Israel ("The Parties"), in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework for Peace in the Middle East agreed at Camp David ("the Framework"). Therefore, in order to provide full autonomy to the inhabitants of the West Bank* and Gaza District, to ensure a peaceful and orderly transfer of powers and responsibilities, to assure the security of Israel and its neighbors, and to achieve the other objectives set forth in the Framework, the Parties have agreed to this preliminary Memorandum of Understanding which will be subject to the terms of the final autonomy agreement ("the Agreement").

Elections

1. Free elections.

A Self-Governing Authority (Administrative Council) ("SGA (AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

2. Conduct and Limitations of Campaigning, of Political Expression and Elections.

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

(2) Elections will be free elections based on the preservation of the rights of peaceful assembly, free expression and secret ballot, and appropriate measures to prevent disruption, bearing in mind the need to preserve law and order as well as the underlying principles of the Framework.

(9) Free electoral campaigning will be guaranteed in accordance with the agreement on election modalities.

subject to the measures to be implemented in article (2)

The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians - individual and institutions - as worked out and agreed upon by the autonomy negotiators.

The Transitional Period

The SGA (AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

When the SGA (AC) is established and inaugurated, the Israeli military government and its civilian administration will be withdrawn. There will be an orderly transfer from the military government to the SGA (AC) of those powers and responsibilities which according to the Agreement will be exercised by the SGA (AC).

Powers and Responsibilities of the SGA (AC)

Subject to the terms of the Agreement and to the establishment and proper functioning of adequate mechanisms for cooperation and coordination with Israel, responsibility in the following areas will be transferred to the SGA (AC):

Administration of Justice

Agriculture

Finance

Civil Service

Education and Culture

Health

Housing and Public Works

Internal Transportation, Communications and Posts

Labor, Manpower and Social Welfare

Municipal Affairs

Local Police

Religious Affairs

Industry, Commerce and Tourism

The SGA (AC) will, subject to the terms of the Agreement, have powers which are necessary for the discharge of its responsibilities.

Arrangements for coordination and cooperation will be defined in the Agreement.

In addition to other principles and limitations to be agreed upon, the SGA (AC) will, in particular not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, residence and citizenship;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank* and Gaza District;
- 3) conduct foreign relations.

Residual Powers and Responsibilities

Powers and responsibilities which are not transferred to the SGA (AC) will be reserved to Israel.

Any change concerning the powers and responsibilities and the exercise thereof can be made only with the unanimous agreement of the Parties.

Structure and Procedure

The SGA (AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

1. The final settlement of the subject of water in the West Bank* and Gaza District will be determined in the course

of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period, every additional development of water resources in the West Bank* and Gaza District and their use will be based on the following:
 - a. the present use of water by the inhabitants of the West Bank and Gaza District and Israel will not be adversely affected;
 - b. a unanimous decision of Israel and the SGA (AC).
3. A joint body of Israel and the SGA (AC) will be authorized to deal with the changing needs of water, and with the preparation of development projects for the benefit of all those involved, which will be decided upon unanimously by Israel and the SGA (AC).
4. Egypt, Israel and the United States will view with favor the establishment of a regional body representing the peoples of the area in order to develop and use the water resources for the benefit of these peoples.

Land

1. The final settlement of the subject of land in the West Bank* and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period -

- a) lawful private possession and ownership of land by any person will be protected without any discrimination on grounds of religion, national or ethnic origin, residence or citizenship;
- b) land in the possession of or allocated to or administered by localities inhabited by Israelis and lands included in the Israeli security locations will be administered by an authority designated by Israel;
- c) other lands will be administered by the SGA (AC):
- c) Uses of other lands will be subject to approval by a joint body of Israel and the SGA (AC).

Law

The laws, orders and regulations in force in the West Bank* and Gaza District and all powers vested by virtue of them shall remain in force to the extent consistent with the Agreement, unless changed in accordance with procedures to be outlined in the Agreement. The Agreement will define the authority of the SGA (AC) to issue the necessary subsidiary legislation in accordance with existing laws and orders, in the areas of its responsibilities. All such subsidiary legislation will be subject to approval in accordance with a procedure to be agreed upon in the agreement.

Security

All necessary measures will be taken and provisions made to assure the security of Israel and its neighbors during the transitional period and beyond.

1. A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations.
2. Arrangements will be implemented to assure internal and external security and public order.
3. To assist in providing internal security, a strong local police force will be constituted by the SGA (AC).

Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel, Jordan and the SGA (AC) will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the West Bank* and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The Committee may also deal with other matters of common concern (e.g. economic cooperation, etc.), as provided in the Agreement.

The Committee will take its actions and resolutions on the basis of unanimity.

The United States will be invited to participate in the Committee.

Israelis in the West Bank* and Gaza District

The powers and responsibilities of the SGA(AC) will not apply to the Israeli Defence Forces nor to Israeli civilians in the West Bank* and Gaza District. Israelis will not participate in the elections for the SGA(AC).

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17.9.1980

Preliminary Memorandum of Understanding

The Arab Republic of Egypt and the State of Israel ("The Parties"), in coordination with the United States of America, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework for Peace in the Middle East agreed at Camp David ("the Framework"). Therefore, in order to provide full autonomy to the inhabitants of the West Bank* and Gaza District, to ensure a peaceful and orderly transfer of powers and responsibilities, to assure the security of Israel and its neighbors, and to achieve the other objectives set forth in the Framework, the Parties have agreed on this preliminary Memorandum of Understanding which will be subject to the terms of the final autonomy agreement ("the Agreement").

Elections

1. Free elections.

A Self-Governing Authority (Administrative Council) ("SGA (AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

2. Conduct and Limitations of Campaigning, of Political Expression and Elections.

Elections will be free elections based on the principles of peaceful assembly, free expression and secret ballot, bearing in mind the need to preserve law

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

and order as well as the underlying principles of the Framework.

Free electoral campaigning will be guaranteed in accordance with the agreement on election modalities. Representation will be apportioned with due regard to population and municipal boundaries. The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians - individual and institutions - as worked out and agreed upon by the autonomy negotiators.

The Transitional Period

The SGA (AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

When the SGA (AC) is established and inaugurated, the Israeli military government and its civilian administration will be withdrawn. There will be an orderly transfer from the military government to the SGA (AC) of those powers and responsibilities which according to the Agreement will be exercised by the SGA (AC).

Powers and Responsibilities of the SGA (AC)

Subject to the terms of the Agreement and to the establishment and proper functioning of adequate mechanisms for cooperation and coordination with Israel, responsibility in the following areas will be transferred to the SGA (AC):

Administration of Justice

Agriculture

Finance

Civil Service

Education and Culture

Health

Housing and Public Works

Internal Transportation, Communications and Posts

Labor, Manpower and Social Welfare

Municipal Affairs

Local Police

Religious Affairs

Industry, Commerce and Tourism

The SGA (AC) will, subject to the terms of the Agreement, have the powers which are necessary for the discharge of its responsibilities.

Arrangements for coordination and cooperation will be defined in the Agreement.

In addition to other principles and limitations to be agreed upon, the SGA (AC) will, in particular not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, nationality;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank* and Gaza District;
- 3) conduct foreign relations or enter into international agreements.

Residual Powers and Responsibilities

shared

Power and responsibilities which are not transferred to the SGA (AC) will be reserved to Israel.

Any change concerning the powers and responsibilities and the exercise thereof can be made only with the unanimous agreement of the Parties.

Structure and Procedure

The SGA (AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

1. The final settlement of the subject of water in the West Bank* and Gaza District will be determined in the course

of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period, every additional development of water resources in the West Bank* and Gaza District and their use will depend on the fulfillment of two cumulative conditions:
 - a. the present use of water by the inhabitants of the West Bank and Gaza District and Israel will not be adversely affected;
 - b. both Israel and the SGA (AC) have given their consent.
3. A joint body of the SGA (AC) and Israel will be authorized to deal with the changing needs of water, and with the preparation of development projects which will be subject to approval by the SGA (AC) and Israel.
4. Egypt, Israel and the United States will view with favor the establishment of a regional body including all the peoples of the area in order to develop and use all the water resources for the benefit of all these peoples.

Land

1. The final settlement of the subject of land in the West Bank and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the transitional period

- a. all the lands in the possession of private owners of any race, religion, sex, nationality, national or ethnic origin, who live in the West Bank* and Gaza District, will be in the possession of their lawful possessors for any lawful use. The rights of the possessors will be protected against any violation.
- b. all the lands that are in the possession of any category of localities inhabited by Israelis will be administered by an authority designated by Israel.
- c. all the lands included in the Israeli security locations will be under the administration of an authority designated by Israel.

The authority designated by Israel to administer the lands of the security locations will, as far as possible, permit the continued cultivation of agricultural lands situated in the security locations.

- d. all other lands will be under the administration of the SGA (AC).

Law

The laws, orders and regulations in force in the West Bank* and Gaza District and all powers vested by virtue of them shall remain in force to the extent consistent with the Agreement, unless changed in accordance with procedures to be outlined in the Agreement. The Agreement will define the authority of the SGA (AC) to issue the

necessary subsidiary legislation in accordance with existing laws and orders, in the areas of its responsibilities. All such subsidiary legislation will be subject to approval in accordance with a procedure to be agreed upon in the agreement.

Security

- a) All necessary measures will be taken and provisions made to assure the security of Israel and its neighbors during the transitional period and beyond.
- 1. A withdrawal of Israeli armed forces will taken place and there will be a redeployment of the remaining Israeli forces into specified security locations.
- 2. Arrangements will be implemented to assure internal and external security and public order.
- 3. To assist in providing internal security, a strong local police force will be constituted by the SGA(AC).

Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel, Jordan and the SGA(AC) will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the West Bank* and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The Committee may also deal with other matters of common concern (e.g. economic cooperation, etc.), as provided in the final autonomy agreement.

The Committee will take its actions and resolutions on the basis of unanimity.

The United States will be invited to participate in the Committee.

Israelis in the Areas

The powers and responsibilities of the SGA (AC) will not apply to the Israeli Defence Forces nor to Israeli civilians in the West Bank* and Gaza District. Israelis will not participate in the elections for the SGA (AC).

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15 September 1980

Draft Proposal for the Ministerial Committee
Memorandum of Understanding
(Agreed Interim Report)

The Arab Republic of Egypt, the State of Israel and the United States of America are agreed that the document "Memorandum of Understanding" is a preliminary agreement on the nature of the arrangements to be established for the transitional period envisioned in the Framework for Peace in the Middle East agreed at Camp David ("Framework"). They agree that these principles must be more fully elaborated in a final autonomy agreement, and they have committed themselves to this end. The present Memorandum of Understanding (Agreed Interim Report) will become binding and operative when the final autonomy agreement ("The Agreement") enters into force

Egypt and Israel, in coordination with the United States, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework. Therefore, to provide full autonomy to the inhabitants of the West Bank^{*} and Gaza during the transitional period, to ensure a peaceful and orderly transfer of authority, to assure the security of Israel and its neighbours, and to achieve the other objectives set forth in the Framework, Egypt and Israel, in coordination with the United States, have agreed as follows:

Elections

A Self-Governing Authority (Administrative Council) ("SGA(AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

Elections will be free elections based on the principles of peaceful assembly, free expression and secret ballot, bearing in mind the need to preserve law and order as well as the underlying principles of the Framework.

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

Free electoral campaigning will be guaranteed in accordance with the agreement on election modalities: ^{to be agreed upon} Representation will be apportioned with due regard to population and municipal boundaries. The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians -- individual and institutions -- as worked out and agreed upon by the autonomy negotiators.

The Transitional Period

The SGA(AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

a) The Israeli military government and its civilian administration will be withdrawn after the inauguration of the SGA(AC). There will be an orderly transfer from the military government and its civilian administration to the SGA(AC) of those powers and responsibilities which according to the Agreement, will be exercised by the SGA(AC).

or b) The Israeli military government and its civilian administration will be withdrawn after the inauguration of the SGA(AC).

The replacement of the Israeli military government and its civilian administration will occur through the transfer to the SGA(AC) of those powers and responsibilities which will be defined by the final autonomy agreement.

or c) The Israeli military government and its civilian administration will be withdrawn after the inauguration of the SGA(AC).

The replacement of the Israeli military government and its civilian administration will occur through the transfer to the SGA(AC) of the powers and responsibilities which will be defined in the final autonomy agreement.

Powers and Responsibilities of the SGA(AC)

There is understanding between the parties that, subject to the terms of the final agreement and to the establishment and proper functioning of

adequate mechanisms for cooperation and coordination with Israel, the SGA(AC) will exercise responsibility in the following areas:

Administration of Justice

Agriculture

Finance (Budget - Public Consumption; Direct, Personal and
Property Taxation)

Civil Service

Education and Culture

Health

Housing

Internal Transportation

Labour and Social Welfare

Municipal Affairs

Local Police

Religious Affairs

Tourism

Any ^{new / 232 21} ~~additional~~ change concerning the ~~exercise of~~ powers and responsibilities in the areas can be made only with the unanimous agreement of the parties. ^{and}

The SGA(AC) will have all powers, subject to the terms of the final autonomy agreement, which are necessary for the discharge of its responsibilities.

Arrangements for coordination and cooperation will be defined in the final autonomy agreement.

In addition to other principles and limitations to be agreed upon, the SGA(AC) will, in particular, not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, nationality; or interfere with the rights of the parties under the final autonomy agreement;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank ^{*} and Gaza District;
- 3) conduct foreign relations or enter into international agreements.

Structure and Procedure

The SGA(AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

- a) To be deleted.
- b) 1. The final settlement of the subject of water in the West Bank and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.
- 2. During the period of the autonomy, every additional development of water resources and their use will depend on the fulfillment of two cumulative conditions:
 - a. the present use of water by Israel and by the inhabitants of the West Bank and Gaza District will not be adversely affected;
 - b. both Israel and the SGA(AC) have given their consent.
- 3. A joint body of Israel and the SGA(AC) will be authorized to deal with the changing needs of water, and with the preparation of development projects which will be subject to approval by Israel and the SGA(AC).
- 4. Egypt, Israel and the United States will view with favour the establishment of a regional body including all the peoples of the area in order to develop and use all the water resources for the benefit of all these peoples.

Land

- a) Delete.
- b) 1. The final settlement of the subject of land in the West Bank and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.

2. During the period of the autonomy, there will be four categories of land:

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[Fall-back for category d: all the remaining lands will be within the responsibility of the SGA(AC).]

Inhabitants of the West Bank and Gaza District who own land situated in the security locations, will be allowed to continue to cultivate it.

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The laws, orders and regulations in force in the West Bank and Gaza District and all powers vested by virtue of them shall remain in force to the extent consistent with the final autonomy agreement, unless changed in accordance with procedures to be outlined in the agreement. The agreement will define the authority of the SGA(AC) to issue the necessary subsidiary legislation in accordance with existing laws and orders, in the areas of its responsibilities. All such subsidiary legislation will be subject to approval in accordance with a procedure to be agreed upon in the agreement.

Security

- a) All necessary measures will be taken and provisions made to assure the security of Israel and its neighbours during the transitional period and beyond.

- (1) A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations.
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Continuing Committee

In accordance with the provisions of the Framework, during the transitional period, representatives of Egypt, Israel, Jordan and the SGA(AC) will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the West Bank^{*} and Gaza in 1967, together with necessary measures to prevent disruption and disorder.

The Committee may also deal with other matters of common concern (e.g., economic cooperation, etc.), as provided in the final autonomy agreement.

The Committee will take its actions and resolutions on the basis of unanimity.

The United States will be invited to participate in the Committee.

Israelis in the Areas

The powers and responsibilities of the SGA(AC) will not apply to the Israeli Defence Forces nor to Israeli civilians in the West Bank^{*} and Gaza District. Israelis will not participate in the elections for the SGA(AC).

15 September 1980

Draft Proposal for the Ministerial Committee
Memorandum of Understanding
(Agreed Interim Report)

The Arab Republic of Egypt, the State of Israel and the United States of America are agreed that the document "Memorandum of Understanding" is a preliminary agreement on the nature of the arrangements to be established for the transitional period envisioned in the Framework for Peace in the Middle East agreed at Camp David ("Framework"). They agree that these principles must be more fully elaborated in a final autonomy agreement, and they have committed themselves to this end. The present Memorandum of Understanding (Agreed Interim Report) will become binding and operative when the final autonomy agreement ("The Agreement") enters into force

Egypt and Israel, in coordination with the United States, have arrived at a number of understandings and agreements with regard to the steps they will take to implement the terms of the Framework. Therefore, to provide full autonomy to the inhabitants of the West Bank^{*} and Gaza during the transitional period, to ensure a peaceful and orderly transfer of authority, to assure the security of Israel and its neighbours, and to achieve the other objectives set forth in the Framework, Egypt and Israel, in coordination with the United States, have agreed as follows:

Elections

A Self-Governing Authority (Administrative Council) ("SGA(AC)") will be freely elected by the inhabitants in accordance with modalities to be agreed upon.

Elections will be free elections based on the principles of peaceful assembly, free expression and secret ballot, bearing in mind the need to preserve law and order as well as the underlying principles of the Framework.

* In each paragraph in which the expression "West Bank" appears, it is being, and will be, understood by the Government of Israel as Judaea and Samaria.

Free electoral campaigning will be guaranteed in accordance with the agreement on election modalities. Representation will be apportioned with due regard to population and municipal boundaries. The election will be organized, conducted and supervised by a Central Electoral Commission, composed of authorized Israeli civilian personnel and of local Palestinian Arabs agreed upon by the autonomy negotiators, together with other civilians -- individual and institutions -- as worked out and agreed upon by the autonomy negotiators.

The Transitional Period

The SGA(AC) will be established and inaugurated within one month after it has been elected, at which time the transitional period of five (5) years will begin.

Withdrawal of Israeli Military Government and Its Civilian Administration

a) The Israeli military government and its civilian administration will be withdrawn after the inauguration of the SGA(AC). There will be an orderly transfer from the military government and its civilian administration to the SGA(AC) of those powers and responsibilities which according to the Agreement, will be exercised by the SGA(AC).

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The replacement of the Israeli military government and its civilian administration will occur through the transfer to the SGA(AC) of those powers and responsibilities which will be defined by the final autonomy agreement.

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Any additional change concerning the exercise of powers and responsibilities in the areas can be made only with the unanimous agreement of the parties.

The SGA(AC) will have all powers, subject to the terms of the final autonomy agreement, which are necessary for the discharge of its responsibilities.

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In addition to other principles and limitations to be agreed upon, the SGA(AC) will, in particular, not

- 1) curtail or suspend individual freedoms; discriminate against individuals, groups, or other legal personalities on the basis of race, religion, sex, national or ethnic origin, nationality; or interfere with the rights of the parties under the final autonomy agreement;
- 2) alter its jurisdiction, enlarge its powers, or affect the status of the West Bank^{*} and Gaza District;
- 3) conduct foreign relations or enter into international agreements.

Structure and Procedure

The SGA(AC) will consist of one body. The number of its members will be appropriate to and determined by the practical functions to be fulfilled by its members. It will allocate its functions among its members and will determine the rules of procedure relating to its own proceedings.

Water

- a) To be deleted.
- b) 1. The final settlement of the subject of water in the West Bank and Gaza District will be determined in the course of the negotiations on the final status which will start not later than three years after the beginning of the transitional period.
- 2. During the period of the autonomy, every additional development of water resources and their use will depend on the fulfillment of two cumulative conditions:
 - a. the present use of water by Israel and by the inhabitants of the West Bank and Gaza District will not be adversely affected;
 - b. both Israel and the SGA(AC) have given their consent.
- 3. A joint body of Israel and the SGA(AC) will be authorized to deal with the changing needs of water, and with the preparation of development projects which will be subject to approval by Israel and the SGA(AC).
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