

Current P/I Positions*
reflecting discussion up to
May 23, 2008

**Note: This chart is for informational purposes only. Nothing in it shall be construed to bind either party to the positions indicated herein.*

File (Committee)	Issue	Palestinian Position	Israeli Position
Refugees (Plenary/SE-TB)	Framework/ principles	<p>Palestinians seek:</p> <ul style="list-style-type: none"> - a comprehensive, just and agreed resolution of the Palestinian refugee issue - in accordance with international law and the Arab Peace Initiative <p>The solution should ensure closure/end of claims with respect to the refugee issue.</p>	<p>Israelis seek:</p> <ul style="list-style-type: none"> - a comprehensive, just and agreed resolution of the Palestinian refugee issue - in accordance with the vision of the two States for two people <p>The solution should ensure closure/end of claims.</p>
Refugees (Plenary/SE-TB)	Recognition of responsibility / apology	Palestinians seek recognition of Israel's moral and legal responsibility /apology as a core element of refugees' rights for reparations.	Israel so far opposes to recognize its responsibility.
Refugees (Plenary/SE-TB)	Right of return / relocation options	<p>Refugees shall be provided with repatriation, resettlement and integration options. They must have a choice that will include:</p> <ul style="list-style-type: none"> - return to Israel (scope & modalities to be agreed with Israel): - return/resettlement to the Palestinian state (at Palestine's discretion); - resettlement/integration in consenting third countries & host States. 	Refugees shall be entitled to Palestinian citizenship and provided with resettlement and integration options only (no return to Israel)
Refugees (Plenary/SE-TB)	Reparation / Compensation	Refugees shall be granted restitution and compensation for the material and non material damages they have	Refugees shall be granted compensation only.

TB)		<p>suffered (including loss of livelihood and opportunities and human suffering, as a result of refugees' protracted displacement)</p> <p>[Therefore, compensation is only one part of reparations due.]</p> <p>States that have hosted Palestinian refugees shall be entitled for remuneration.</p>	
Refugees (Plenary/SE-TB)	International Mechanism (IM)	<p>An IM shall be established to enable implementation of all Palestinian refugee rights. Palestine, Israel, the host countries and other relevant countries and entities should be represented in the mechanism.</p> <p>IM comprehensive mission will include the repatriation, resettlement and integration of the refugees and the management of their claims for restitution & compensation.</p> <p>IM will also provide rehabilitation assistance to Palestinian refugees and to relevant States.</p>	<p>Israel agrees to an IM mechanism, but which would be established and led by the US, in coordination with Israel & Palestine.</p> <p>IM mission will extend to all aspects of the agreed solution. It shall bring an end to the Palestinian refugee status and enable the phased termination of UNRWA.</p> <p>IM will also provide rehabilitation assistance to Palestinian refugees and to relevant States.</p>
Refugees (Plenary/ SE-TB)	International fund	<p>An international fund shall be established to finance the restitution and compensation claims process & the process of repatriation, resettlement, integration and rehabilitation of the refugees.</p> <p>Israel shall commit to contribute financially to the fund as necessary to cover restitution and compensation claims. International stakeholders will also contribute to the funding.</p>	<p>International fund shall be established to enable the IM to fulfill its mission.</p> <p>Israel will make a fixed financial contribution to the</p>

		[General Principle: All financial contributions should be based on responsibility.]	fund, together with contributions from international stakeholders.
Refugees (Plenary/ SE-TB)	UNGAR 194	UNGAR 194 does not represent all of the rights of the refugees.	Israel does not recognize Resolution 194.
Territory (Plenary/ Territory)	Jordan Valley	Is part of the West Bank and not up for discussion in terms of territory	To be addressed after Security
Territory (Plenary/ Territory)	1967 border	1967 is the only basis for two state solution, and defines sovereign Palestinian area 1967 is the only baseline Cannot discuss a baseline piecemeal (i.e. baseline would also need to address Jerusalem)	1967 only “symbolic” Will not use it as a baseline Baseline is “WB outline map” (1967 minus E.J. and NML) Want to discuss baseline piecemeal, omitting Jerusalem
Territory (Plenary/ Territory)	Maritime border	Is part of the Territory negotiations. Palestine will have its full share of maritime zones that are entitled to a coastal state under international law (including United Nations Convention on the Law of the Sea).	Will be addressed after concluding maritime Security arrangements.
Jerusalem (Plenary)	Jerusalem	Jerusalem is the only capital of Palestinian state. Sovereignty and modalities are two different issues. Sovereignty on 1967 border. When discuss modalities, could consider open city.	Unwilling to put forward clear position.
Territory (Plenary/ Territory)	Swaps	Any modification to 1967 would be based on 1 to 1 (equal and equitable) swaps, which is a concession.	Willing to discuss swap but not 1:1. Palestinians do not have ‘rights’ to the land and Israel is not under obligation to ‘return’ land to Palestinians. Defines interests in Palestinian territory as: - Realities on the ground

			<ul style="list-style-type: none"> - To keep 80% of Israeli settlers (i.e., 89% with E.J. and NML) - No Palestinians taken - Security needs <p>Map presented similar to the Wall</p>
Territory (Territory)	Settlements	Address settlements on a case-by-case basis (<i>i.e.</i> , settlement built-up areas).	Want to keep all major “blocs” (esp. Etzion, Adumim, Modi’in, Ariel/Shomron) PLUS Qiryat Arba/Hebron and other settlements “close to the line”.
Territory (Plenary)	Territorial Link	<p>Necessary for a viable state.</p> <p>Must be a permanent land corridor, under Palestinian sovereignty, control, and jurisdiction, permanently open, and shall be of sufficient width to allow for multiple lanes, a rail connection and public utilities and water infrastructure.</p>	No clear position stated as to nature or sovereignty of link.
Security (Plenary)	International force	Agree to international presence with multiple responsibilities: defend borders; supervise crossings; build capacity; monitor and assist with implementation of agreement.	Inconsistent: reject international force (MoD); no formal position by Livni.
Security (Plenary)	Limitation on military capacity	<p>State with limited and appropriate arms based on definition of responsibilities: internal and defensive security policy.</p> <p>Do not need an army but need more than police to carry out responsibilities.</p>	<p>“Demilitarized state”</p> <p>No substance on what this means other than restriction of security capability to internal police function.</p>
Security (Plenary)	Israeli presence / control	<p>No physical presence of Israelis or control over borders, airspace, or territorial waters.</p> <p>Legitimate security concerns met by third party presence.</p>	<p>Military presence (specifically along the border);</p> <p>Right to deploy under particular circumstances;</p> <p>Control over airspace (civil aviation); use of airspace for military operations; control over EMS (unspecified); other?</p>
State to State	Framework/	The state to state relations between the parties shall be	Israel will consider on an ad hoc basis whether, and

(State to State)	Principles for S+S relations	<p>governed by international law, treaties, customary international law, conventions, regulations and standards, including, <i>inter alia</i> the instruments regulating the work of international institutions and organizations such as the World Tourism Organization, the World Health Organization and UNESCO.</p> <p>Any relations that are not covered by international and/or regional instruments will be developed and agreed bilaterally between the parties.</p> <p>The decidable issues for the bilateral negotiations in the State to State Committee and the timeframe for their conclusion will be agreed at the initial meetings of the State to State Committee.</p> <p>The negotiations between the parties will focus primarily on three components:</p> <ol style="list-style-type: none"> 1. Agreement on all issues relating to the Permanent Status Agreement including the resolution of all claims. 2. Transitional arrangements to ensure continuous provision of services and the smooth handover of responsibilities, relevant assets and documents as part of the process to achieving full Palestinian sovereignty. 3. Future cooperation and coordination between the State of Palestine and the State of Israel, especially cooperation and coordination needed for the building of an independent and viable Palestinian State. 	<p>what, framework will apply in the circumstances.</p> <p>Israel considers any potential agreement on the use of international law and standards to only result from an agreement, and not to be the basis for engaging in discussions.</p> <p>Whatever not covered under the other committees will be within the mandate of the State to State Committee.</p>
Energy Telecom	Infrastructure link	An infrastructure link between the West Bank and Gaza is necessary to determine interconnection for electricity,	Not authorized to discuss infrastructure link.

<p>Transportation (Infrastructure)</p>		<p>gas, transportation, telecommunications, etc.</p> <p>On speculation that there are some security dimensions to the issues, security experts have been invited to attend the infrastructure meetings.</p>	<p>Telecommunications, aviation and airports, navigation and sea ports, crossings, and water canal, among other subjects, are not to be discussed in the infrastructure committee. Israeli side is not sure where they will be discussed, if at all.</p> <p>The existing crossings on the green line, as well as Allenby and Damya crossings, can be assumed to be part of the infrastructure crossings for the state of Palestine.</p>
<p>Infrastructure (Infrastructure)</p>	<p>Mandate</p>	<p>Mandate should cover all infrastructure in Palestine and infrastructure connecting the West Bank and Gaza and connection Palestine to Israel, Egypt, Jordan and other regional networks.</p> <p>Subject matters include:</p> <ol style="list-style-type: none"> 1. Transportation <ol style="list-style-type: none"> a. Aviation and airports b. Navigation and seaports c. Roads d. Rail ways 2. Telecommunications 3. Energy <ol style="list-style-type: none"> a. Electricity b. Gas c. Fuels d. Renewables 5. Settlements' infrastructure including: <ol style="list-style-type: none"> a. housing units b. factories 	<p>Authorized to discuss road network, energy and the Red-Dead Canal.</p>

		<ul style="list-style-type: none"> c. green houses d. public buildings e. infrastructure networks and equipments <ul style="list-style-type: none"> 6. Crossings infrastructure 7. Regional infrastructure projects <ul style="list-style-type: none"> a. Red Sea Dead Sea Canal b. West Ghor canal 8. Disposal of Wall infrastructure 9. Compensation for occupation concerning infrastructure 	
Economics (Economics)	Economic Relations Agreement	<p>Must include labor, services and agriculture to compensate for the trade deficit with Israel.</p> <p>Economic relations will be based on and compatible with established rules and principles of global trade including those of the WTO.</p> <p>Must include asymmetrical preferential treatment for Palestinian products until existing gap remedied.</p> <p>Israeli operation of their side of Palestinian-Israeli border crossings must be free, in line with international standards, and not act as either a political tool or as a non-tariff barrier to trade.</p>	<p>Trade agreement limited to Industrial goods only.</p> <p>Don't agree to base trade relations on WTO standards</p> <p>Didn't agree to discuss other principles for a trade agreement</p>
Culture of Peace (Culture of Peace)	Agenda	<p>In agreement and for the period after the agreement, dealing with negative aspects and fostering a culture of peace.</p> <ul style="list-style-type: none"> 1. Education 	<p>In agreement and for the period after the agreement, dealing with negative aspects and fostering a culture of peace.</p> <ul style="list-style-type: none"> 1. Education

		2. Incitement 3. Implementation	2. Incitement 3. Implementation
Prisoners (Prisoners)	Agenda for committee	Three areas: 1. Release of all prisoners imprisoned as a result of the conflict upon signing of agreement 2. Continued release until signing in support of the peace process and in order to signal that we are moving towards an atmosphere of peace 3. Improving conditions of the prisoners.	Agreed to discuss all three issues in the committee.
Environment (Environment)	Agenda	Presentation of list of decidable issues (11 substantive and 1 administrative).	Provide list of 8 agenda items in response to Palestinian list of decidable issues.
Environment (Environment)	Approach	International Environmental Law, Principles and Best Practices shall form general framework for negotiating position.	International Multilateral Agreement's are not helpful in negotiations. Negotiate bilateral arrangement on a subject by subject basis.
Water (Water)	Water Right	Fundamental to achieve equitable allocation of shared water resources (West Bank and Coastal Aquifers, and Jordan River, Wadi Gaza, etc.) Palestinians invited Israelis to discuss Israeli water rights and interests.	Pragmatic approach to start with Oslo II and provide for additional Palestinian needs. Israelis have delayed response until finalization of Committee agenda.
Water (Water)	Jordan River	Access essential to Jordan River as a source of water and adjacent valley for a viable Palestinian State.	Border not to be discussed in water committee. Jordan River and surface water is too political to allow expert on surface flow to initiate information sharing and baseline.
Water (Water)	Experts Subcommittee	Necessary to establish expert subcommittee to create data baseline on natural sources, including aquifers and surface water. Can't establish subcommittee without inclusion of surface water experts at the beginning.	Expert subcommittee should only review aquifers at this time, as well as include climatologist and wastewater experts. Surface water, especially Jordan River, is too political to involve experts until discussion at the Committee.
Legal (Legal)	List of Decidable issues	To be presented in the next committee meeting.	<i>Modeled on the Protocol Concerning Legal Affairs, Annex IV of the Palestinian-Israeli Interim Agreement on the West Bank &</i>

			<p><i>the Gaza Strip:</i></p> <ul style="list-style-type: none"> A. Criminal Jurisdiction <ul style="list-style-type: none"> I. Permanent status agreement: <ul style="list-style-type: none"> ➤ Immunities of (Exceptions for) Israelis from Palestinian jurisdiction, subject to Israeli Law vs. Palestinian Law: (Subject and following agreement in other committees) <ul style="list-style-type: none"> Non exhaustive list which includes 4 issues: <ol style="list-style-type: none"> 1. Israelis visiting holy sites and places in Palestine. 2. Israeli technicians and experts in Palestine pursuant to agreement on the state to state level 3. Israelis using roads in Palestine. 4. Israeli forces in Palestinian territory II. Interim agreement <ul style="list-style-type: none"> ➤ The arrangements under annex 4 of the interim agreement should be maintained until a final status agreement is implemented, i.e., no Palestinian jurisdiction over Israelis. B. Legal Assistance in Criminal Matters <ul style="list-style-type: none"> I. Permanent status agreement: <ul style="list-style-type: none"> ➤ Legal assistance in criminal matters and cooperation between the police
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			<p>modeled on the provisions of the interim agreement which include cooperation in criminal matters; handing over of suspects; restarting orders; summons and questions of witnesses; assistance in the execution of court orders for the purposes of investigation; legal assistance in the conduct of judicial proceedings</p> <p>II. Interim agreement</p> <ul style="list-style-type: none"> ➤ The arrangements under annex 4 of the interim agreement should be maintained until a final status agreement is implemented ➤ PA to build its capacity to demonstrate capacity and structure the required domestic mechanism <p>C. Civil Jurisdiction</p> <p>I. Permanent status agreement:</p> <ul style="list-style-type: none"> ➤ Jurisdiction of the Palestinian courts ➤ Claims against the state in other states: to be discussed <p>II. Interim agreement</p> <p>D. Assistance in Civil Matters</p> <p>I. Permanent status agreement</p> <ul style="list-style-type: none"> ➤ Legal assistance in civil matters modeled on the provisions of the interim agreement which include
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			<p>service of documents, taking of evidence and enforcement of judgments</p> <p>II. Interim agreement</p> <p>E. General Jurisdiction (personal, territorial, functional)</p> <p>F. Powers of legislation of Palestine: non-prejudicial to Agreement</p> <p>G. Transfer of legal cases in areas C which will be transferred</p> <p>H. Dispute Settlement: for the plenary with Legal</p> <p>I. International child abduction</p> <p>J. Legal Committee to provide support analyzing issues for other committees</p>
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