

JOINT DOCUMENT
2008

FIRST: TERMS OF REFERENCE (TORS)

This agreement represents a framework for ending the conflict, including a just resolution of the refugees, an end to the occupation that began in 1967 and the establishment of a Palestinian state, in accordance with all United Nations Resolutions pertinent to the conflict, including UNSC resolutions 242, 338, 1397, and 1515, based on the principle of land for peace and international law [and the Arab Peace Initiative]. All steps taken by the two sides are considered an integral part of the Road Map. In addition, the parties may benefit from progress made at Camp David in 2000 and Taba in 2001.

[Both sides undertake to immediately implement their obligations under phase 1 of the Road Map.]

SECOND: PERMANENT STATUS ISSUES

1) BORDERS

- a) Borders between the two sides will be the [[June 4]1967 lines] (or) [1949 Armistice lines as they stood on the eve on the 4th of June 1967].
- b) The original area of the territory of the West Bank (including East Jerusalem) and the Gaza Strip as it was on the eve of June 4, 1967 shall be preserved.
- c) In accordance with the above principles, lands **might** be swapped on a minor and reciprocal basis, equal in amount and [objective] value, without prejudicing Palestinian water rights or territorial contiguity **and without including any land inhabited by Palestinians, regardless of their citizenship.** (Amount of territory to be swapped to be determined by the parties, but not to exceed **[125]km** (approximately 2%).)
- d) **[In addition,** there shall be a permanent territorial link between the West Bank and the Gaza Strip in accordance with the principle that they constitute one territorial unit.] (or) **[In addition,** there shall be a permanent territorial link between the West Bank and the Gaza Strip in accordance with the principle that they constitute one territorial unit. This link, if under Palestinian sovereignty, may be acquired as part of the swap of lands “equal in size and [objective] value”.]
- e) It is understood that the agreement of the two sides upon the final boundary, as described herein and to be detailed in a map annexed to the comprehensive treaty, operates prospectively from the date of entry into force of the comprehensive treaty. It does not affect any question of the rights and duties of either side prior to that date, and in particular does not affect any rights, duties, or claims based upon the location of the boundary prior to that date, which boundary is understood to be the 1967 border.

2) JERUSALEM

- a) The borders agreed above shall also apply to Jerusalem. East Jerusalem, within the pre-occupation municipal lines, is the capital of the State of Palestine.
- b) West Jerusalem is the capital of the State of Israel.
- c) East Jerusalem will have an independent municipality.
- d) West Jerusalem will have an independent municipality.
- e) Joint development council to coordinate and cooperate in areas of planning and zoning, water, sewage, roads, industrial zones and other areas of mutual interest.
- f) Complete, free and unhindered access to the holy places for all.

3) REFUGEES

- a) [UN General Assembly resolution 194 shall be included in the ToRs with respect to the refugee issue.] (or) [A just settlement of the refugee problem in accordance with UNSCR 242 must lead to the implementation of UNGAR 194.]
- b) An international mechanism will be established to implement the agreed solution on refugees[, including return and resettlement of refugees and all individual and collective claims for restitution and compensation].
- c) [*Omit reference to the Custodian of Absentee Property altogether*] (or) [The Custodian of Absentee Property records may be used for purposes of the claims program.] (or) [The claims program will follow up on all restitution and compensation issues, including the revenues collected by the Custodian of Absentee Property.]
- d) [*Omit clause on compensation entirely*] (or) [Individual refugees will receive reparations [i.e., restitution and compensation]] for their losses and suffering irrespective of return.]
- e) Israel recognizes its moral and legal responsibility for the forced displacement and dispossession of the Palestinian civilian population.
- f) Allowing [___]/[15,000]/[60,000] refugees to return annually to Israel for [___]/[15] years, renewable thereafter as per agreement.
- g) Return and resettlement of refugees to the State of Palestine is an internal Palestinian matter not subject to negotiations/ discussions with other parties.
- h) A multi-lateral process will be pursued in advance of the comprehensive treaty to discuss compensation for host countries, as well as to determine the resettlement and relocation options to be offered to Palestinian refugees.

4) SECURITY

Structure and Capacity of the Security Services

- a) Palestine shall be a sovereign independent state with limited arms, and shall adopt a defensive security strategy and policies.
- b) The security establishment will consist of three branches: Civil Police, National Security Force, and Intelligence. It may employ, where appropriate, and in accordance with the national security strategy, land, air and naval components. The size of the security sector shall be consistent with the functions it is required to perform and other standard criteria, namely the prevailing security

- environment, geography, population size at the time.
- c) The functions of the security agencies will be: to protect and uphold the national security interest based on the defensive national security strategy of Palestine; maintain internal law and order and carry out all law enforcement duties; protect international borders from infiltration and smuggling; fight crime and terrorism; and perform any other function that is necessary to fulfill these provisions. Appropriate training and equipment needs will be met in order for the security agencies to adequately perform these functions.

International Force

- a) An international force and international monitors will be deployed under the authority of either the United Nations or NATO, or both. The force will be under the leadership of either the UN, NATO, US, EU, or a combination thereof, and in coordination with all neighboring states. The force will maintain a presence in Palestine along the agreed Palestinian borders, and elsewhere within Palestine as needed.
- b) Its functions will be to assist the Palestinian government and security forces with: border security and management of international border crossings; maintaining law and order and protecting public peace; implementation of the peace agreement as necessary, including dispute resolution functions; Monitoring compliance with the agreement; carrying out training and capacity building program to upgrade the performance and capabilities of Palestinian security agencies and other institutions up to international standards.
- c) The force will be deployed based on the invitation of the Palestinian government, on Palestinian territory, without affecting the sovereignty of Palestine.

5) WATER

- a) [Israel and Palestine shall agree to share international watercourses in accordance with the principle of equitable and reasonable utilization.] (or) [Palestine and Israel shall exercise their rights over shared water resources in accordance with international law, especially the principle of equitable and reasonable utilization of shared water resources emphasizing an equal per capita approach in determining equitable.] (or) [The exercise of Palestinian and Israeli rights over watercourses that cross international borders (“international watercourses”) shall conform to the principle of equitable utilization of international watercourses emphasizing an equal per capita approach in determining equitable.]
- b) [*Omit any reference to desalination altogether (preferred)*] (or) [Without prejudice to the equitable and reasonable allocation of shared watercourses between the parties, the Palestinians and Israel will continue to engage in developing new water once rightful water allocation is defined in accordance with international law.]

6) ECONOMIC RELATIONS

- a) The parties agree to have a preferential economic relationship based on a free trade agreement which includes the removal of all tariffs and non tariff barriers, ensure the free movement of agricultural and manufactured goods, labor, services and investment and allows for the use of sea ports and airports of both parties for transit of goods to other countries.
- b) Furthermore, both parties agree to establish joint industrial zones in cooperation with concerned regional and international parties.

THIRD: POST JOINT DOCUMENT

- 1) Negotiations between the two sides will achieve a detailed peace treaty covering all Permanent Status Issues, before the end of 2008.
- 2) The Treaty will be implemented within a time line to be agreed in the Treaty.
- 3) Following the end of conflict, as defined in the treaty, Palestine and Israel will call upon the Arab and Muslim states to normalize their relations with the State of Israel, for this will be considered as an implementation of the Arab Peace Initiative which specified:
 - a) Israel's withdrawal from Arab and Palestinian occupied territories in 1967, which was specified as the objective of both the Road Map and President Bush's Vision, that called for ending the Israeli occupation that began in 1967.
 - b) Arab countries will normalize their relations with Israel in accordance with the resolutions of the Beirut Arab Summit of March 2002, and the Riyadh Arab Summit of March 2007. ⁽¹⁾
 - c) The Islamic countries will normalize their relations with Israel in accordance with the Organization of Islamic Countries Summit of June 2002.
- 4) [*Omit clause on Jordan entirely*] (or) The State of Palestine shall exercise full sovereignty in every sense, including the full capacity to enter into international agreements and relations. The State of Palestine can enter into special relationships with Jordan (confederation), with the consent of both People through Public Referendum.
- 5) All remaining Palestinian Prisoners shall be released upon signing the Treaty.
- 6) The US, on behalf of and in coordination with the Quartet, will be the judge during the implementation of the first phase of the Road Map, as provided for at the Annapolis Conference.

(1) Of the Arab Countries, only Egypt and Jordan currently have relations with Israel.