

24/6/93

HIGHLY CONFIDENTIAL (NK/AH)

MEMO ON JOINT CONCEPT/LAND WORKING GROUP MEETING 24/6/93

Rubinstein's questions today deserve to be taken with the utmost seriousness. The words used ("In your model, which I have been asked about by my government, in the territorial model, what will be the legal status of Israelis and the legal status of Israeli armed forces in the territories") represent an explicit formal request for clarification of our model, particularly since he repeated twice that he was speaking at the instructions of his government, and he made it at a special joint session he requested. They also represent a tentative, limited movement onto the ground of our approach, which is a partly result of our efforts over the past few days (notably the discussion of security with the US and them, and our critique of their functional approach).

This may be a small breakthrough, and must be seen in light of persistent information from different sources that the Israelis will sooner or later give up some aspects of their denial of our territorial approach. This will probably not come soon, but how soon it comes will be materially affected by whether, and how, we choose to respond to their questions. Camille and I tried to answer as carefully and as positively as possible during the session (see the minutes). I suggest that strict instructions be given that this tone and NO OTHER be used by all members of the delegation in dealing with this matter, with US and Israel.

Clearly, a full response to these difficult questions cannot be made immediately, and perhaps some aspects of them cannot be answered now at all. However, this is definitely the time to try to develop aspects of a response which can be reviewed by the leadership and given to the Israeli side, perhaps as early as next week, if that is approved. Camille could continue initial work he and I have started on settlements, and Ahmad what his group began on security, in order to produce a draft response on each question.

It would be a mistake to treat this as a debating point, or to reject it out of hand, or to refuse to offer anything unless the Israeli side offers something in return. They have asked us about our territorial approach, which they have always rejected, and have said that it is for the information of their government.

It would be tactically wrong not to TRY to answer these questions, if that is approved by our leadership, which has already given us clear guidelines which can be used as a basis (see my "Draft Talking Points on Security" for ideas taken from these guidelines, some of which could be reused for this purpose).

It is very much in our interest to show the Israelis and the US how a territorial approach is fully compatible with a) reasonable Israeli concerns on security and settlers, and b) options for permanent status compatible with the terms of reference remaining open. This MAY be an opportunity for us to achieve progress along the lines of our own proposals, for the first time. We should not waste this limited opportunity, nor minimize it, nor exaggerate

it.