

DRAFT

MINUTES OF THE MEETING AT THE STATE DEPARTMENT  
WEDNESDAY, FEBRUARY 26, 1992

The meeting was held at the State Department on February 26, 1992. Present on behalf of the State Department were Ed Djerejian (ED), Dan Kurtzer, Molly Williamson, Aaron Miller, Bill Brew and Edmund Hull. Present on behalf of the Palestinians were Faisal Husseini, Hanan Ashrawi, Saeb Erakat and Elias Samber. George Salem maintained notes of the meeting. The meeting lasted from approximately 10:35 a.m. until 11:55 a.m.

The meeting began with the typical pleasantries. ED asked how everyone was. Faisal responded, "Fine, you know Saeb Erakat." ED responded that yes, he knew Saeb. Saeb reminded him that they met in 1981, 82 and they also met in Syria. Faisal also introduced Elias. ED was told that he teaches history in Paris and served last year as a visiting professor of history at Princeton. ED stated, "Allah Atteek il Affyeh."

Faisal began the meeting by stating that we had closely followed the testimony of Secretary Baker. ED responded, "The whole world is following the testimony of the Secretary." Faisal stated, "We hope that this line or position will continue." ED stated, "He has made clear that the parties should look at what we say and do. The Secretary makes a telling point, which is that the President is not going to pursue policies that contravene long standing positions. The President said the same thing on Air Force One yesterday. This represents strong conviction on their part. The loan guarantee question is a US -

Israeli issue. Therefore, any comments by others may be misconstrued."

Hanan stated, "We haven't interfered. We have said nothing with respect to the loan guarantees. It's an American policy." Dan Kurtzer added, "Faisal, you now understand why the Secretary suggested that you not create a crisis and a major issue within Israel now. You now understand why he said that."

ED stated the following, "It's very important for all parties, not just the Palestinian delegation. I've just returned from a trip to the Gulf, and met with the leaders there including Turkey, etc. The perception there is that nothing really is happening in these talks." Hanan interjected, "They haven't started yet." ED went on, "You know that negotiations start with maximalist positions, and problems. The moves forward that were made in the last round in Washington were positive. You overcame procedural problems. This is not insignificant. There is much more to be done. The leadership decision must be that the parties should look to long term interests. Don't accentuate the negative. Take a longer view. The perception out there is that nothing is happening, and that is not true."

Hanan responded, "You may be reacting to some of my comments. The Israelis are out there saying that there is progress. It is in their interest to say so, but they raise procedural issues and problems in the negotiations which prevent substantive discussions on the issues. We don't want to be part of a deception. Secondly, we have our own considerations and

imperatives. If we don't achieve anything substantive, then it will be impossible to continue, because of the facts that are being created on the ground by the Israelis. It's time to say, we gave our proposal last time. Our proposal was based on democratic principles, and we can get support in Israel for our proposal. What they gave us in return was a "reorganization of the occupation." Faisal interjected, "What they proposed gives us less authority than we already have." Hanan continued, "There were technical, administrative issues and other functional issues. There was nothing with regard to elections and nothing on source of authority. It is worse than the occupation as it presently exists. It confirms the occupation and legitimizes the annexation of land."

ED asked, "Does the Israeli proposal legitimize occupation of land and annexation?" Hanan responded, "Yes. It has the Israelis maintaining control, etc. We can discuss this in detail. The Israeli approach is in violation of the Letter of Invitation, and the substance of the transitional phase. The proposal negates the confidence building measures (CBMs). The Israelis say that we'll add settlements, we will use our laws; you will have no authority, and they add annexation. Either they're playing games, or they're not serious about the transfer of authority to the Palestinians. This is totally unacceptable."

ED then asked, "Was the statement on settlements and human rights a reaction to their proposal?" Hanan responded, "No. This is our consistent, strategic position. The settlements

activities are escalating, and the peace process hasn't checked them. We cannot move into discussions with these facts remaining and escalating on the ground."

Faisal stated, "We're thinking about the long term. Shamir is unable to take further steps toward a peaceful solution. He is telling his people he won't give one inch of land, nor will he give watermelons. There is no land for peace. At the same time, he is telling his people that I am keeping the land for you and still dealing with the Arabs, with China, with Russia, India and Japan. So, why elect anyone else? If he's elected it will be because of this policy. By allowing him to go forward we strengthen him and we weaken the moderates. We strengthen the rejectionists and weaken the reasonable, moderates and the main line. Therefore, we must do something. Because of that, we want to call the baby by its name, and say that nothing has moved forward. What the Israelis gave us is less than Camp David and less than what we have now."

ED asked, "When was the proposal given?" Hanan responded, "Two days ago." ED stated, "Then I assume you've given it extensive study?" Hanan stated, "We have taken it apart." ED stated, "You have conveyed your views to the Israelis?" Faisal stated, "Yesterday." ED asked, "What was the Israeli reaction?" Hanan stated, "They say this is our land, etc." Faisal interjected, "But they said, you can stay there too." ED then asked, "What is the Israeli's reaction to the Palestinian model?"

Faisal stated, "This is a state without a title, and it is therefore unacceptable."

Saeb stated, "In the traditional sense of a negotiation, this is something that we have never done. The point is that Shamir is succeeding in saying that we're talking to the Arabs, and especially to Syria, and to China, etc, and he is also waging a campaign to our population, so that we are disadvantaged. There have been limitations placed on us from the beginning. From the beginning, Shamir has started a campaign to discredit all of our people in the negotiations. I went back to Jericho after the last Washington round, and people were banging the table saying it's payback time, and that this is our land. Never in the last twenty four years of occupation has Ramallah been under sixteen days of curfew. Never before have soldiers taken and broken people's furniture and told them to go to see Hanan Ashrawi and have her pay for your furniture. The negotiations have not started. However, on the other hand, we're disadvantaged in that we have no television, no radio, no uncensored press to get our message out, yet we are answerable directly to the people."

Molly Williamson stated, "Saeb, you've consistently mentioned this discrediting by the other side of the peace team. I have previously asked you whether anyone was doing a tally, or keeping records. I'd like to get the fruits of your research. We're trying to track this." Kurtzer added, "It's more than that. We did an assessment of the Israeli broadcasts. It

doesn't show what you are claiming." Hanan stated, "There are sins of omission and commission. When we have a press conference, they misquote, and they have Saeb's picture and my voice. When the opposition speaks, however, they're given five full minutes of uninterrupted press time." Kurtzer stated, "Give us specific examples." Saeb said, "I'll give you one right now. Shamir said, we're not negotiating with one Palestinian delegation, we're negotiating with forty Palestinian delegations." Kurtzer stated, "We're following up." Molly added, "We're keeping track." Hanan stated, "It's not the real issue." Kurtzer responded, "The issue is whether the Israeli press is discrediting and distorting what is happening."

Elias stated, "The misimpression is due to the fact that we're permanently giving them real material, and they give us nothing. In the Israeli draft on February 20 or 21st, they gave us 12 pages." ED then asked his staff, "Do we have both the Israeli and Palestinian proposals?" He was told that he did. Faisal then said, "You should address these proposals."

Elias then said, "We don't have real, serious material from the Israelis. This gives the impression that we are meeting and discussing, and we give them real material, and they rebuff it. On the news this morning, the Israelis said that we gave the Palestinians materials, and they rejected them. Our daily problem is that their material is not real. The Israelis want to explain to us why the annexation is good for the Palestinian

economy. We could bring historians, etc. They're not addressing the real issues."

Aaron Miller stated, "Between the meeting with the Secretary that Faisal had last Thursday and this meeting, my impression is that something is going to happen because of your perception that they are not serious, and because of your own and the Israeli domestic politics. I want to ask the question directly, have you made a calculation, based on certain factors, on how you will proceed or continue."

Hanan responded, "We're here, with a clear strategy to discuss the transitional phase. We have presented an expanded PISGA, with elections. The Israelis refuse to address the real issues showing negotiations in good faith. They say the Occupied Territories aren't occupied. Stay there. How do you expect us to react? We're going to continue presenting the major issues, but for our own credibility, we cannot be part of a charade for a long time. We can't continue like this. We've had an impasse for a long time, and we're not just approaching an impasse as we've been saying publicly. This has been an exercise in futility. Our credibility with our people is diminished. Things are worse on the ground. They must show good faith."

ED stated, "I need a clarification on whether your approach to negotiations include the settlements and human rights in interim arrangements, or are you discussing settlements and human rights and are in fact committed to negotiations on interim arrangements." Hanan stated, "We cannot negotiate endlessly. We

presented our papers, with crucial issues on our agenda to continue negotiations. How can you continue to talk?"

Kurtzer responded, "That's implementable. We met you last June/July regarding our own engagement. We talked about the differences between negotiations and external negotiations. You're describing a posture. You've adopted a position to this process and you're not seriously negotiating. If the Israelis are giving you a slide show, you don't have to accept it. There is raw data and material that is presented in a slide show. If it's unacceptable, take the raw data and negotiate about that." Hanan responded, "Before we can discuss raw data we have our raw data on the ground." Kurtzer responded, "Your posturing. If what's happening on the ground is sufficient to cut the negotiations off, that's your decision. The Secretary made his decision clear. But, so long as you're in negotiations, see what's there. They won't put a position on the table you like. Just argue against it."

Elias stated, "The problem is that land is completely absent from their presentation." Kurtzer stated, "So make it present."

Elias stated, "If you negotiate and land is not the issue." ED interjected, "If they're talking about tomatoes then you can't grow tomatoes without land." Hanan stated, "Isn't land the basis of the process?" Kurtzer stated, "Your position is 242 is this, and the Israeli's position is 242 means that. The principles don't have to be yielded at the beginning. Work on a way you can effectively exercise authority over the land. If you want to



posture for the other reasons, that's okay. But, if you want to negotiate, invest in these negotiations."

Faisal stated, "In the beginning, we thought we could argue on several subjects, all based on land and settlements. We stated that the negotiations are like a castle with 24 gates and behind each gate is settlements or land. We're willing to open the subjects, but now we're in a new period with the elections. We are not serving the negotiations, but we are serving Shamir's success."

Miller stated, "The Secretary made clear that just the opposite is the case. It introduces a new, negative element. The Secretary stated that engagement, regardless of objective, is essential. You can shape the transitional arrangements, land and security and water. Engagement is essential. Engage in each. It is conceivable that it can be done." Hanan responded, "All right, provided there is no change in the status quo. If we can stop the changes on the ground, in accordance with the Letter of Assurances that there be no unilateral changes, then we can verbally exercise, then fine. However, we verbally exercise, and they change the facts on the ground." Kurtzer asked, "Will stopping the negotiations help?" Hanan responded, "We have to decide that question." Kurtzer said, "The Secretary said that it is now our issue. The issue is joined. You have to calculate, will this help achieve the actions you intend. Are you going to help or will it cut across what we are doing. We can't stop you. But, you must decide."

Aaron stated, emphatically, "You'll directly undercut what the Secretary's trying to do." Kurtzer added, "In Congress, there is an increasingly large base of support for the Secretary. The reason is that the Secretary has held out US interests. He has stated that we want the Soviet Jews settled and we have a policy. If it is perceived in Congress that the Secretary has played into a Palestinian strategy to stop settlements and to get a settlement freeze, he's finished." Hanan interjected, "Conversely, if we negotiate with the settlements continuing, we're finished."

Faisal stated, "We will start with a small Palestinian demonstration, followed by a huge Israeli demonstration. You'll find huge Israeli support for you." Miller responded, "Don't do that at the price of stopping the negotiations. It is not mutually exclusive. Why not work both ends." Faisal then asked, "Why do you think we will leave the room?" Saeb then asked, "Can we work both ends? How can we stop the Israelis from their plan of dividing up the West Bank. Shamir is about to finalize his settlement projects. In a few months, we won't have any land left to talk about."

ED stated, "In absence of a peace process, all of this will happen and there will be less restraints than there are now. You're making a major miscalculation. If your approach to the peace process is that this is a fundamental, essential driving force to achieve Palestinian rights, then you are correct. If you're posturing to influence the Israeli elections, then this is

a major miscalculation. You feel you're being duped into helping the coalition in power." Hanan and Faisal interjected, "Yes." ED continued, "By trying to manipulate and playing with the elections, you're playing with fire. You destroy the only vehicle to achieve Palestinian rights. We have made the decisions to not attempt to influence the Israeli elections. That's a quick way to burn your fingers. I want to make that point clearly. Secondly, the central objective of this peace process in the initial phase is the interim self-government arrangements, in a time frame that is defined. Don't transfer the central element of the negotiations to one of negotiating settlements and human rights, and making those the terms of reference. To transfer the terms of reference to negotiating human rights is a mistake. You are transferring the terms of reference. Third, the President of the United States and the Secretary of State have given the peace process their highest foreign policy priority, akin to restructuring the Commonwealth of Independent States after the dissolution of the Soviet Union. It is a major foreign policy priority, and is valuable. This should not be wasted. These are fundamental considerations. I state these larger perspectives for you, so you can decide what to do."

Kurtzer added, "I don't know if we can come out in a way you like if you run an orchestrated settlements campaign. The Secretary's strategy is his own. If what you do negatively impacts Congress, and there are charges of collusion and backroom deals, we have to think through that seriously. Maybe Aaron is

saying more than you implied. Think through what positions that we must take, within the next six weeks. We will have a continuing resolution within that time possibly, and we're looking to win on the foreign assistance legislation. This will all be sorted out within the next five, six or seven weeks. That's when the issue will be joined, or when we and Israel go our separate ways." Hanan responded, "This is not an abstract issue." ED stated, "We're taking a concrete approach for the first time in US history to adhere to the 1967 principles. What more can you ask the U.S. to do? The Secretary said in his testimony in response to Senator Johnston that there is plenty of room behind the green line for building settlements." Hanan stated, "Our position is Palestinian rights, and we must be able to maintain our position in the peace process."

Kurtzer stated, "I would like to state a hypothetical. If the Secretary achieves what he laid out last week, that help you. The second is the government of Israel withdraws the loan guarantees request, because the settlements are too important to their government. In your estimation, does that have a bigger impact? Or will demonstrations by Palestinians and Israeli peaceniks have more impact? We have more impact, not you. We're orchestrating for American policy interests. Think about what you seek and what's in the train. You only have to negotiate." Hanan asked, "In the meantime, are there any checks on Israeli action over the next five, six or seven weeks?"

Edmund Hull responded, "Settlements have been going on for decades. What's the critical importance of the next five, six or seven weeks?" Hanan responded, "Because of the increased pace of settlement activity." ED stated, "If you were in a vacuum, then that's okay. But, something significant is happening. The reaction to what we're doing is much more important than what you will be able to do. Remained engaged." Hanan asked, "For what." ED stated, "For all we are discussing now. Peace is in the interest of your people. Do not have Palestinians obstructing or walking away from it."

Miller stated, "In 1989 or 90 the Israeli government fell apart because of peace. In March the government collapsed. In May the PLO attacked. In June, the right wing Israeli government got elected. The Palestinians jumped too early, and I hope you're not thinking of unilaterally suspending the negotiations." Hanan responded, "No." Faisal added, "There will be a crisis." Saeb stated, "It is our intention, and we're here to give the peace process a chance. Because the Palestinian public is suffering so much, what if 2,000 people appear in front of my house or Hanan's or Zachariya's or Faisal's door, what do we do? The level of suffering since Madrid is unprecedented. We're not trying to torpedo. We want, more than anyone, for this process to succeed. However, a major consideration for us is Palestinian public opinion."

Kurtzer stated, "You have two assets working with you that you have not used. The first is the engagement of the United

States. You haven't worked with it. You have only given criticism of the U.S. role, instead of saying never in U.S. history has the U.S. been so willing to take on the Israelis and been such an honest broker. Secondly, Shamir says there is progress and Hanan says there is no progress. You solidify Shamir's position. If you start engaging, listen to their plan, and then put yours on. Do that with regard to water. Say we're putting forward a Palestinian position. Start to 'educate' the Palestinians on the ground that this is the art of negotiations. Right now, Israel has everything. The only way it can go is toward you." ED added, "You can be honest, and say the Israelis reject the proposals. We know what you are going through. You have been thrust in the role of leadership positions, and you have to assert that role and lead your people."

Hanan stated, "First of all, we cannot afford to praise the U.S. too much. That may hurt you." Kurtzer interjected, "Yes I agree." Hanan continued, "Secondly, I was attacked on the ground because I said there is abstract political progress when the facts on the ground are so bad. Land is being taken away. People are dying. It's impossible. It's important to be honest about all of this. If we can point to one thing, elimination of the taxation, or the curfews or administrative detentions, then if any of these are stopped then that is progress. People need to see the progress in terms of alleviation of the pain and suffering. People are being beaten daily. People die daily. Therefore, you have to work hard to get the Israelis to show some

progress through their activities on the ground. Third, I have also been attacked because I have been perceived as trusting Baker and praising him. We have to steer a razor's edge. Life was better before the negotiations commenced." Kurtzer stated, "I can't believe that." Kurtzer continued, "Saeb says Shamir's about to consummate a plan for the West Bank. That is not so. People are building settlements because they're scared. They did the same thing in Sinai in 1969." Faisal said, "With the Egyptians, there was the practical and the theoretical or political. If I can say there are political advances so that everyone keeps supporting---" Saeb added, "We need credibility and flexibility." Faisal added, "The practical points are that they are settling more and they are hurting us more."

ED asked, "Do you raise these issues as confidence building measures?" Hanan responded, "Haidar did." Faisal stated, "Rubenstein complained that his family lost dunums in Tel Aviv." Hanan stated, "Their position is racist. We start with the premise that we are human beings. Israelis only talk about Israeli interests, and say that we can stay under conditions of coexistence under their own terms. When Secretary Baker sent Faisal a letter about the three steps and presenting concrete ideas and bridges, we said fine. We presented PISGA. They, however, start from totally different premises."

Kurtzer said, "It's 48 hours since they've given you their proposal. The gulf is still very wide. You don't like what is there, but work on it." Hanan responded, "It stinks."

Saeb said, "We're disadvantaged in the negotiating room and also outside. Our situation is difficult on the ground." Kurtzer responded, "Faisal said last summer, and I'll never forget it, that there has never been a case with a people who have been able to negotiate their own way out of occupation. He was correct. Work with their proposal so there will be a beginning of a bridge. You and the Israelis cannot consummate the building of a bridge, but you need the foundation for a bridge. However, I still say that you may be able to negotiate your own way out of occupation. The grist for the mill may be laid in the foundation."

ED said, "You're not on your own." Miller added, "You will undercut everything the Secretary's trying to do."

Hanan stated, "We will study what you've said very carefully."

ED stated, "This was a timely and useful exchange. We will also study what you have said and we will share your views with the Secretary." Faisal asked, "What about the meeting with the President?" ED responded, "It's difficult because of the campaign." Faisal responded, "You see how difficult it is in a campaign context and you see what we are dealing with." ED responded, laughing, "That is a false analogy, Faisal. I was educated in Jesuit schools and that is a false analogy. He is in California now, and then he is going to the drug summit in Texas." Hanan stated, "Get us some confidence building measures." ED stated, "Your point is important."



Faisal raised Jamal Shoubaki and Mr. Hournai. He said, " The Israelis gave Shoubaki six months administrative detention, which means they have no charges to bring against him. I spent 18 months in prison due to a secret file."

Hanan added, "We challenge them. There has been no change." Saeb added, "We need to have a support system on the ground." Hanan added, "I told Ed about Shoubaki and told him that we needed three people and then they were arrested. We didn't have a public campaign. We relied on you to deal with it behind the scenes." Kurtzer stated, "The Secretary followed up and argued forcefully for a trial." Faisal added, "Then make a forceful public statement. Remember the suit. We need someone to change some of the trimming."

Kurtzer stated, "Whenever we are asked about administrative detention, we say we want hearings and open court. If we are asked a question in a press conference, then we will answer." When asked if we should send someone to ask the question, he responded, "Send someone."

Saeb then reiterated, "We are looking for way of creating a support system. Sari could not cross the bridge without the people that have been arrested or detained. Therefore he is staying there."

ED then stated, "You have the four visas."

The meeting ended at 11:55 a.m.