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Secret papers reveal how Middle East peace was lost

- Massive new leak lifts lid on negotiations
- PLO offered up key settlements in East Jerusalem
- Concessions made on refugees and holy sites

Seumas Milne
Ian Black Middle East editor

The biggest leak of confidential documents in the history of the Middle East conflict has revealed that Palestinian negotiators secretly agreed to accept Israel's annexation of all but one of the settlements built illegally in occupied East Jerusalem. This unprecedented proposal was one of a string of concessions that will cause shockwaves among Palestinians and in the wider Arab world.

A cache of thousands of pages of confidential Palestinian records covering more than a decade of negotiations with Israel and the US has been obtained



by al-Jazeera TV and shared exclusively with the Guardian. The papers provide an extraordinary insight into the disintegration of the 20-year peace process, which is now regarded as all but dead.

The documents - many of which will be published by the Guardian over the coming days - also reveal:

- The scale of confidential concessions offered by Palestinian negotiators, including on the highly sensitive issue of the right of return of Palestinian refugees.
- How Israeli leaders privately asked for some Arab citizens to be transferred to a new Palestinian state.
- The intimate level of covert co-operation between Israeli security forces and the Palestinian Authority.
- The central role of British intelligence in drawing up a secret plan to crush Hamas in the Palestinian territories.
- How Palestinian Authority (PA) leaders were privately tipped off about Israel's 2008-9 war in Gaza.

As well as the annexation of all East Jerusalem settlements except Har Homa, the Palestine papers show PLO leaders privately suggested swapping part

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A Palestinian man protesting against Israel's separation barrier in the West Bank. Palestinian negotiators offered a range of concessions on key issues that will shock many Palestinians Photograph: Abbas Momani/AFP/Getty Images

Now we know.
Israel did have
a partner



Jonathan Freedland

Who will be most damaged by this extraordinary glimpse into the reality of the Israeli-Palestinian peace process?

Perhaps the first casualty will be Palestinian national pride, their collective sense of dignity in adversity badly wounded by the papers revealed today.

Many on the Palestinian streets will recoil to read not just the concessions offered by their representatives - starting with the yielding of those parts of East Jerusalem settled by Israeli Jews - but the language in which those concessions were made.

To hear their chief negotiator, Saeb Erekat, tell the Israelis that the Palestinians are ready to concede "the biggest *Yerushalayim* in Jewish history" - even using the Hebrew word for the city - will strike many as an act of humiliation.

Referring to Ariel Sharon as a "friend" will offend those Palestinians who still revile the former prime minister as the "Butcher of Beirut" for his role in the 1982 Israeli invasion of Lebanon.

Telling Tzipi Livni, Israel's then foreign minister, on the eve of national elections "I would vote for you" will strike many Palestinians as grovelling of a shameful kind.

It is this tone which will stick in the throat just as much as the substantive concessions on land or, as the Guardian will reveal in coming days, the intimate level of secret co-operation with Israeli security forces or readiness of Palestinian negotiators to give way on the highly charged question of the right of return for Palestinian refugees.

Of course it should be said that this cache of papers is not exhaustive and may have been leaked selectively; other documents might provide a rather different impression. Nevertheless, these texts will do enormous damage to the standing of the Palestinian Authority and to the Fatah party that leads it. Erekat himself may never recover his credibility.

But something even more profound is at stake: these documents could

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The Palestine papers

East Jerusalem

20 years of failed peace talks

1991

Oct Madrid peace conference. Israel, Lebanon, Syria, Jordan and the Palestinians lay groundwork for 1992 talks aimed at improving regional co-operation.

1992

13 July Yitzhak Rabin becomes prime minister of Israel for second time, promising to cut back on Israeli settlements.

1993

Sept Secret talks between Israel and Palestine Liberation Organisation result in Oslo accords: agreements on mutual recognition and Palestinian self-government.

1995

Arafat returns to Gaza as head of self-ruling Palestinian Authority. **28 Sept** Arafat and Rabin sign Taba agreement expanding Palestinian self-rule and allowing Palestinian elections.

Arafat elected president of Palestinian Authority in 1996. **4 Nov** Rabin assassinated. Binyamin Netanyahu, an opponent of the Oslo accords, later elected in his place.

1998

Oct Wye River memorandum agreed, outlining further Israeli withdrawal from West Bank and commitment from PA to combat terrorism.

1999

18 May Israeli government's collapse over implementation of the Wye deal leads to early elections. Ehud Barak becomes new PM, pledging to establish peace in Middle East.

Sept Sharm el-Sheikh memorandum calls for creation of a final peace accord by September 2000 and transfer of more Israeli-occupied territory to Palestinian control.

2000

25 July Camp David summit between Israel and PLO ends in deadlock. **September** Second Palestinian intifada begins.

guardian.co.uk/palestine-papers

Israel spurned Palestinian offer of 'biggest Yerushalayim in history'

Secret plan to surrender illegal Jewish settlements

Bush backed decision to reject deal out of hand

Ian Black and Seumas Milne

Palestinian negotiators secretly agreed to allow Israel to annex all but one of the settlements built in occupied East Jerusalem in the most far-reaching concessions ever made over the bitterly contested city. The offer was turned down by Israel's then foreign minister as inadequate.

Palestinian Authority leaders also privately discussed giving up part of the flashpoint Arab neighbourhood of Sheikh Jarrah, and proposed to leaked documents. And they proposed a joint committee to take over the Haram al-Sharif/Temple Mount holy sites in the Old City of Jerusalem – the highly sensitive issue that, along with refugee rights, sank the Camp David talks in 2000 and triggered the second Palestinian intifada.

The unprecedented offer on the East Jerusalem settlements, made in May 2008, is revealed in confidential Palestinian records of negotiations with Israel in the year before the Gaza war of 2008-09.

Ahmed Qureia, the lead Palestinian negotiator, proposed that Israel annex all Jewish settlements in Jerusalem except Har Homa (Jabal Abu Ghneim) – and hammered home the significance of the concession. “This is the first time in history that we make such a proposition,” he said at a meeting in the city's King David hotel. “We refused to do so in Camp David,” he said, referring to the talks where the two sides had come closer than ever to an agreement.

For many Palestinians it is anathema to agree to give up or even swap prime parts of the city they hope to make their capital. The settlements are regarded as illegal in international law and Israel's 1967 annexation of East Jerusalem has never been recognised internationally, though it is supported by a large majority of Israeli Jews – including many who back a West Bank withdrawal.

But the Israeli negotiator Tzipi Livni is recorded as dismissing the offer out of hand because the Palestinians had refused to concede Har Homa, as well as the settlements at Ma'ale Adumim, near Jerusalem, and Ariel, deeper in the West Bank. Israel's position was fully supported by the Bush administration.

“We do not like this suggestion because it does not meet our demands, and probably it was not easy for you to think about it, but I really appreciate it,” Livni said.

The Palestinians agreed that Israel could annex French Hill, Pisgat Ze'ev, Neve Ya'akov, Ramat Shlomo and Gilo near Bethlehem – all routinely described as “neighbourhoods” by Israel.

Construction has continued rapidly in East Jerusalem in defiance of Barack Obama's call for a freeze. Palestinian Authority leaders have publicly

denounced the building work in areas it is now revealed they had agreed in principle to give up. Only last week the Israeli authorities gave the go-ahead for 1,400 new homes in Gilo.

The Palestine Liberation Organisation's chief negotiator Saeb Erekat told the Israeli minister: “It is no secret that ... we are offering you the biggest Yerushalayim [the Hebrew word for Jerusalem] in history. But we must talk about the concept of al-Quds [Jerusalem in Arabic]. We have taken your interests and concerns into account, but not all. This is the first time in Palestinian-Israeli history in which such a suggestion is officially made.”

The same document reveals that Qureia raised the possibility of the Palestinians conceding part of the predominantly Arab East Jerusalem neighbourhood of Sheikh Jarrah in return for land swaps in line with the pre-1967 map of Israel. The area has been a focus of conflict in recent months because of internationally condemned attempts by rightwing Israeli settlers to take over Palestinian homes.

“So for an area in Sheikh Jarrah, I have to see [an] equivalent area,” Qureia is recorded telling the Israeli negotiator Tal Becker in June 2008.

On the most sensitive issue of the Old City's Muslim and Jewish religious sites, Erekat – then chief Palestinian negotiator – told US officials in October 2009 that he was prepared to consider “creative ways” to solve the problem of control of the Haram al-Sharif/Temple Mount. For Muslims across the world, the area is the most important in the conflict and Yasser Arafat's refusal to compromise over its sovereignty triggered the final breakdown at Camp David.

“Even the Old City can be worked out except the Haram and what they call Temple Mount. There you need the creativity of people like me,” he explained to US state department official David Hale, emphasising he was speaking in a personal capacity. “It's solved ... there are creative ways, having a body or a committee.”

The Palestine papers reveal the twists and turns of feverish talks throughout 2008, with the US closely involved. Condoleezza Rice, Bush's secretary of state, declared in mid-June that an agreement was possible by the end of the year. But the Palestinians complained that Israeli settlement activities were a “deadly” problem. “If they continue they will embarrass us before Palestinian public opinion and the Arab world,” Qureia told her.

The documents show how the negotiations were complicated by a private channel between the Palestinian president, Mahmoud Abbas, and Israel's prime minister, Ehud Olmert, who met without aides. In August 2008, Olmert offered Abbas a “package deal” that fell short of Palestinian demands, but it went beyond his negotiating brief and he was forced to resign the following month because of corruption allegations.

Abbas's colleagues complained that they didn't know what happened in the leaders' talks. He was not even allowed to keep the map that accompanied the Israeli offer, the documents reveal.

Bargaining chips Israeli settlements which the Palestinians put on the table



Latrún 63,206 Israeli settlers

Palestine gives up 18.19km²

Mainly living in Hashmonaim 2,450 Kfar HaUranim 2,220; Kfar Rut 237; Lapid 2,291; Macabi'im 15,600; Matityahu 1,349; Modi'in Illit 38,677; Shilat 382

Samih al-Abed, the Palestinian negotiator, said that although the Latroun monastery (above) was important to his side: “We have drawn the line in a manner that keeps for you the main road connecting Tel Aviv and Jerusalem.”



North-east Jerusalem 136,204 Israeli settlers

Palestine gives up 15.4km²

Mainly living in French Hill 6,511; Ma'alot Dafne east 3,665; Mt. Scopus 1,157; Neve Ya'cov 20,085; Pisgat Ze'ev (above) 42,253; Ramat Eshkol east 3,050; Ramat Eshkol west 3,368; Ramat Shlomo 15,162; Lamot Alon N/A

Saeb Erekat declared that this section gave Israel “the largest Jerusalem in history”. Israeli negotiator Tal Becker was worried about connecting Pisgat Ze'ev and French Hill, to which his Palestinian counterpart Samih al-Abed suggested building a bridge



Above, Har Homa. The Palestinians refused to concede the Israeli settlements Har Homa, Ma'ale Adumim and Ariel. The Bush administration supported the Israeli position



Qalqilya 18,646 Israeli settlers
Palestine gives up 13.1km²
Mainly living in Alfe Menashe 5,984; Oranit 5,934; Sha'ar Tikva 3,793
Palestinian negotiator Khaled Elgindi said they had agreed these concessions to avoid creating Palestinian enclaves.



South of Jerusalem & Old City

41,504 Israeli settlers

Israel loses 0.37km² Palestine gives up 6.68km²

Mainly living in East Talpilot 11,962; Jewish Quarter Old City (Dome of the Rock, above) 2,507; and Gilo

Palestinian negotiator Khaled Elgindi said: “The interest is to reconnect Jerusalem and Bethlehem. Such reconnection has a social, religious and economic significance ... the area is also important for the expansion of Beit Safafa, which has become an isolated town between Gilo and Har Homa.”



Near Bethlehem 40,019 Israeli settlers

Israel loses 8.12km² Palestine loses 22.95km²

Mainly living in Beitar Illit (above, March 2010) 31,481; Alon Shvut 3,346; Neve Daniel 1,836; Elazar 1,498; Bat Ayin 900; Kfar Etzion 463; Rosh Tzurim 493; Gva'ot

Tzipi Livni said the problem with this concession was the road to the Gush Etzion area. Throughout the negotiations, Livni stressed the importance of security for those living in the settlements.

How Middle East peace was lost

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of the flashpoint East Jerusalem Arab neighbourhood of Sheikh Jarrah for land elsewhere.

Most controversially, they also proposed a joint committee to take over the Haram al-Sharif/Temple Mount holy sites in Jerusalem's Old City – the neuralgic issue that helped sink the Camp David talks in 2000 after Yasser Arafat refused to concede sovereignty around the Dome of the Rock and al-Aqsa mosques.

The offers were made in 2008-9, in the wake of George Bush's Annanopolis conference, and were privately hailed by the chief Palestinian negotiator, Saeb Erekat, as giving Israel “the biggest Yerushalayim [the Hebrew name for Jerusalem] in history” in order to resolve the world's

most intractable conflict. Israeli leaders, backed by the US government, said the offers were inadequate.

Intensive efforts to revive talks by the Obama administration foundered last year over Israel's refusal to extend a 10-month partial freeze on settlement construction. Prospects are now uncertain amid increasing speculation that a negotiated two-state solution to the conflict is no longer attainable – and fears of a new war.

Many of the 1,600 leaked documents – drawn up by PA officials and lawyers working for the British-funded PLO negotiations support unit and include extensive verbatim transcripts of private meetings – have been independently authenticated by the Guardian and corroborated by former participants in the talks and intelligence and diplomatic sources. The Guardian's coverage is supplemented by WikiLeaks cables, emanating from the US consulate in Jerusalem and embassy in Tel Aviv. Israeli officials also kept their own records of the talks, which may differ from the confidential Palestinian accounts.

The concession in May 2008 by Palestinian leaders to allow Israel to annex the settlements in East Jerusalem – including Gilo, a focus of controversy after Israel gave the go-ahead for 1,400 new homes – has never been made public.

All settlements built on territory occupied by Israel in the 1967 war are illegal under international law, but the Jerusalem homes are routinely described, and perceived, by Israel as municipal “neighbourhoods”. Israeli governments have consistently sought to annex the largest settlements as part of a peace deal – and came close to doing so at Camp David.

Erekat told Israeli leaders in 2008: “This is the first time in Palestinian-Israeli history in which such a suggestion is officially made.” No such concession had been made at Camp David.

But the offer was rejected out of hand by Israel because it did not include a big settlement near the city Ma'ale Adumim as well as Har Homa and several others deeper in the West Bank, including Ariel. “We do not like this suggestion because

it does not meet our demands,” Israel's then foreign minister, Tzipi Livni, told the Palestinians, “and probably it was not easy for you to think about it, but I really appreciate it”.

The overall impression that emerges from the documents, which stretch from 1999 to 2010, is of the weakness and growing desperation of PA leaders as failure to reach agreement or even halt all settlement temporarily undermines their credibility in relation to their Hamas rivals.

Last night Erekat said the minutes of the meetings were “a bunch of lies and half truths”. Qureia told AP that “many parts of the documents were fabricated, as part of the incitement against the ... Palestinian leadership”.

However Palestinian former negotiator, Diana Buttu, called on Erekat to resign following the revelations. “Saeb must step down and if he doesn't it will only serve to show just how out of touch and unrepresentative the negotiators are,” she said.

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The negotiators

1. Tzipi Livni

Foreign minister and lead Israeli negotiator in 2008



I t looked for a while as if Tzipi Livni might be the only woman after the redoubtable Golda Meir to become Israel's prime minister, but the rightwards drift of Israeli politics and the failing peace process seem to have put the highest office beyond her reach.

Livni, whose Polish-born father was a commander in the pre-1948 Irgun group, moved from the Likud to join the centrist Kadima party set by up Ariel Sharon, becoming party leader after Ehud Olmert was forced to resign.

Livni, now 52, worked in Paris for the Mossad secret service in the 1980s, a fact which figures prominently but with little supporting detail in her official biography. She told her curious interlocutors in one negotiating session that it was “a long time ago” and she had not been involved in Palestinian affairs.

A commercial lawyer by training, she can seem an uncharismatic figure, though the Palestine papers reveal her to have both a dry sense of humour and, by her own admission, a combative style. “Houston, we have a problem,” she quipped when the Palestinians pressed her to enter detailed discussions on Jerusalem in 2008.

In another session, devoted to Israel's insistence that a Palestinian state would have to be demilitarised, Livni took a lyrical turn: everything in life, she said, was a matter of timing. “This also applies to marriage, peace, war. If I had known my husband a year earlier or a year later things could have been different.” Fellow Israeli negotiator Amos Gilad shot back: “Perhaps he would have been demilitarised.”

On the spectrum of views in mainstream Israeli politics, she is a centrist hawk who robustly defended the last war in Gaza as a legitimate response to Hamas rocket fire. In December 2009 a London court issued a warrant – later withdrawn – for her arrest on suspicion of war crimes, prompting a diplomatic row and calls for a change in Israeli legislation.

Livni, now leader of the opposition, argues that a peace settlement is still possible with the Palestinians but she does not have great expectations of what it can achieve.

“I don't believe that, the moment an agreement is signed, we'll live in a fairytale world of prosperity and happiness,” she said in a recent interview with the Jerusalem Post. “This is a harsh neighbourhood. This is a highly complex conflict.”

Ian Black

Contact

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View from East Jerusalem

'It is ours and can't be taken apart. They have their own neighbourhoods'

Harriet Sherwood East Jerusalem

In the broad streets of Gilo, which straddles a hill overlooking Jerusalem in one direction and Bethlehem in the other, the notion that this is anything other than a benign neighbourhood of Israel's capital is met with incredulity.

“This is part of Jerusalem even if it's on the other side of the Green Line,” said Nissim Ohana, minding his flower shop in the fading winter sunshine. He insisted that Gilo and places like it – suburbs to some, settlements to others – would be part of Israel come any peace agreement with the Palestinians.

Fortunately for the 40,000 residents of Gilo, Palestinian negotiators appear to agree. According to minutes of the 2008 peace talks seen by the Guardian, the Palestinians were prepared to concede that all settlements in East Jerusalem

bar one should be annexed to Israel. The exception was Har Homa, close to Gilo, because of its critical location blocking access between Bethlehem and Jerusalem.

Ohana, 72, who lives in Har Homa and works in Gilo, dismissed the idea of even one exception. “It's something that can't happen. If the Israeli government thought it might, they wouldn't be building in Har Homa. Jerusalem is ours, not theirs, and it cannot be taken apart. They have their own neighbourhoods in East Jerusalem.”

It's not worth giving up land, even for peace. We have already given up our land in 1948'

His views were largely echoed by Anat Mamon, 43. “This is totally part of Jerusalem. It's true it was captured in 1967, but I don't relate to it as such. Jerusalem is our capital; the whole of Jerusalem belongs to Israel.”

Gilo was established in 1973 as part of what has become a ring of settlements around Jerusalem, separating the Arab east of the city from the West Bank. All settlements built on occupied or annexed land are illegal under international law. In the second intifada (uprising) about 10 years ago, the settlement came under fire from militants in the nearby Palestinian town of Beit Jala. A protective wall erected in 2002 was dismantled last year when Israeli officials concluded it was no longer necessary.

These East Jerusalem settlement blocs – home to almost 200,000 Israelis – plus those in the West Bank, in which a further 300,000 Jews live, have long

been a key issue in negotiations. Palestinians say their growth is making a viable Palestinian state impossible.

As well as ceding East Jerusalem settlements, the papers show negotiators raised the possibility that Sheikh Jarrah, a mainly Arab area of East Jerusalem, could be divided between Israel and a Palestinian state. “So for an area in Sheikh Jarrah, I have to see an equivalent area,” a senior Palestinian negotiator, Ahmed Qurei, is recorded as saying.

Sheikh Jarrah is a flashpoint area where ideologically motivated settlers have taken over Arab houses in recent years. The idea of parts of it being ceded to Israel was met with disbelieving laughter from Izzat Goshah, 48, the owner of a fruit and vegetable shop. “Not one of [the Palestinian negotiators] would dare say this in public because everyone would turn against them,” he said. “They cannot give up this land.

Nobody can move me out of my house or exchange my house on my behalf.”

Out on the street, 31-year-old Mohammed, who declined to give his full name, was scathing. “You are asking us to divide something that belongs to us and has already been divided before. Our land is like a piece of cake, and [the Israelis] are eating it all.”

Rikfa al-Kurd, 87, lost her home in the 1948 war and is now in danger of losing it again. Israeli settlers have already taken over her son's house “and they want to kick me out of here,” she said.

Sitting in front of an afternoon TV soap opera, she was not prepared to countenance a repeat. “It's not worth giving up land, even for peace. We have already given up our land in 1948. It was our land, they forced us away. You want us to do that again. They are chasing us wherever we go, but God will punish them for what they have done to us.”



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