

## APPENDIX 3

# STOCKHOLM: THE FINAL AGREEMENT OF PERMANENT STATUS

(An unofficial paper summarising the Stockholm talks as at 21 May 2000)

### **Preface:**

The Government of the State of Israel and the Palestine Liberation Organisation (PLO), the legislative representative of the Palestinian People, confirm their commitments to the UN Security Council resolutions 242 and 338 and confirm that the FAPs forms the mechanism whereby these two resolutions are implemented.

They also acknowledge the unlawfulness of taking over land by war and they pledge to work in accordance with the UN Charter, international law, and the right of the Palestinian people to self-determination. They emphasize, as well, their determination to put an end to decades of confrontation and conflict and live in peaceful coexistence and mutual respect and security of their peoples, on the basis of a just, comprehensive, and final settlement, together with an historic reconciliation through the agreed peace process.

Additionally, they acknowledge each other's right to live peacefully and securely on their respective land, within borders free from threat of force.

Furthermore, they state that the framework agreement is concluded within the framework of the Middle East peace process which was started in Madrid in 1991 and the Declaration of Principles agreed on 13/09/1993. Moreover, they believe that the FAPs provides the ground for decisions related to the Palestinian-Israeli issue, and that its conclusion, hence, puts an end to the problem between the two sides and constitutes the start of a period of historic reconciliation and peace.

Therefore, the two parties have agreed on the following:

## **Article I**

The Permanent Status Agreement and the End of the Palestinian-Israeli Problem

The Permanent Status Agreement consists of the Final Agreement of the Permanent Status (FAPs) and the Comprehensive Agreement of the Permanent Status (CAPs). The FAPs lay down the principles, guidelines, time schedule, and mechanism related to all issues of the permanent status.

1. After signature, no historically-based issue can, in the future, be raised.
2. The two parties must conclude the CAPs no later than 13.09.2000, i.e. the date for declaring the establishment of the Palestinian state.
3. The CAPs shall cover later agreements and protocols of security, environment, water, law and order, legal and in crime and civil cases, and communications.
4. The Permanent Status Agreement is an integral part of decisions on historically-based issues between the two parties and bans any other claims. Its implementation is deemed a fulfilment of complete and irrevocable decisions regarding all issues of the permanent status as agreed in the agenda.

## **Article II**

The State of Palestine and its relation with the State of Israel.

5. The State of Israel shall recognise the State of Palestine when it is established, and the state of Palestine shall recognise the State of Israel.
6. The State of Palestine and the State of Israel shall establish full diplomatic relations between them.
7. On the basis of political and security separation, the relation between Palestine and Israel will rest on peaceful coexistence.
8. Israel and Palestine shall later sign a bilateral agreement on issues of mutual benefit.
9. Legislatures in Palestine and Israel shall develop programmes for cooperation and coordination.

10. Israel and Palestine shall develop a comprehensive cooperation programme on their internationally recognised borders.
11. Israel and Palestine shall encourage cooperation between their civil institutions and local government bodies.
12. Israel and Palestine shall not enter into any federations or military, economic, or political confederations whose aims are detrimental to the interests of either side.
13. The two parties shall respect the interests of each other in international relations.
14. Both parties pledge not to interfere in each other's internal affairs. Nor shall they in any shape or form offer to help any individuals or groups on the other side without prior approval by the government of that side.
15. Palestine and Israel shall create conditions conducive to permanent peace, through legislation to put an end to incitement for terror and violence.
16. Israel and Palestine shall work together to consolidate regional cooperation and coordination.

### **Article III**

#### **Borders, Settlement, and Territorial Arrangement.**

17. Demarcation of permanent borders between Israel and Palestine shall rest on and lead to the implementation of the UN Security Council resolutions 242 and 338. Thence, demarcation of the permanent borders between Israel and Palestine shall be based, in principle, on the 1948 Armistice border (The Green Line). These will be adjusted by the parties to reflect, among other things, the demographical realities, religious needs, and strategic considerations, on the basis of qualitative and qualitative reciprocity, in accordance with the rules of their articles.

Demarcation of permanent borders between Israel and Palestine in the West Bank, including Jerusalem, shall be based on the second Armistice in 1976 (Green Line) as delineated in the Jordan–Palestine Armistice Agreement on 03/ 04/ 1949; and the borders between Palestine and Israel in the Gaza Strip shall be

- the Armistice lines on 04/06/1967, as delineated in the Egyptian – Israel Armistice Agreement on 24/02/1994.
18. The integrity and continuity of both parts of Palestine – West Bank and Gaza Strip – shall be preserved by an extra territorial road [Efficient functioning of the safe passage to be under Israeli sovereignty] and with full coordination with Israel, together with an air corridor between two parts. This shall be affected without prejudice to Israeli sovereignty. The safe passage between the West Bank and Gaza Strip shall be subject to special land arrangements under Israeli sovereignty and subject to the safe passage protocol, until a permanent alternative is established, i.e. a safe hanging passage under Israeli sovereignty.
  19. Territorial arrangements between Israel and Palestine shall be made no later than [0000] with demarcation maps no. (1) to be enclosed with CAPs map no. (11). Map no. (1) shall be executed within [0000] and demarked according to the approved understanding stated in the FAPs regarding the subject of land.
  20. The two parties shall recognise the borders and territorial arrangements illustrated in the CAPs and map no. (1) as final, permanent, irrevocable, and cannot be ignored.
  21. Categories of land may be determined, based on the rules of this article (Map no.1) .
    - a. The (Land of Palestine) and the (Land of Israel) are lands for Palestine and Israel with full sovereignty over them.
    - b. Territories with agreed arrangements (TAAs) are areas whose sovereignty status is determined in the CAPs. Hence, agreements covering them and sovereignty over them could be postponed.
  22. Part of the Jordan Valley will be later determined with the TAAS 0and will be under Palestinian sovereignty, with special arrangements for the purpose of Israeli security. Another part may stay under Israeli sovereignty. The two parties will allocate military zones along the Jordan Valley for Israeli military purposes. Israeli individuals and troops shall be allocated corridors under Palestinian authority, with special territorial arrangements under Palestinian sovereignty and security control.
  23. The many Israelis resident in settlements along the Green Line and around Jerusalem shall have territorial continuity with Israel.

Demarcation of boundaries of settlement blocks shall be based on security, future needs, infrastructure, and freedom and safety of traffic and movement, and shall be part of the state of Israel. In any event, Palestinian inhabitants of villages that will be evacuated by Israel shall enjoy the same status as the one enjoyed by Israeli settlers in the Palestinian territories.

24. Settlers wishing to live under Palestinian rule shall remain as such, and the Palestinian rule shall remain as such, and the Palestinian state shall take responsibility for their safety and guarantee them normal life. These same settlers may be residents in Palestine while keeping their Israeli citizenship. Settlements and settlement areas under Palestinian sovereignty shall be subject to the TAAs as regards the territorial arrangements and shall be subject to arrangements related to the sovereign power and its tasks. Israel and Palestine shall guarantee free, safe, and unrestricted movement for these settlers on roads agreed to be for joint use.
25. With no prejudice to either party, Israel and Palestine shall conclude agreements to facilitate local movement of individuals, vehicles, and goods.
26. Settlements whose majority dwellers wish to move accommodation to Israel or to settlement concentrations defined in the TAAs shall be assigned to Palestine within the context of Israeli support to settle Palestine refugees.

#### **Article IV**

Jerusalem

(To be discussed at a later stage)

#### **Article V**

Security Issues of the Permanent Status

General

27. Both parties acknowledge each other's right to live in peace on its land and with its people, with no threat of war.
28. Both parties shall refrain directly or indirectly from threatening

to wage war or hinting at waging one against each other by any means at their disposal.

29. Israel and Palestine shall unilaterally and jointly fight violence and terrorism, through coordination and cooperation supported by legislations and penal measures.
30. Israel and Palestine shall set up a security system on their common borders to enforce law and order and to control cross-border traffic.
31. Planning and regulation aimed at reducing friction in certain areas are to be agreed.

(The Intervening clauses to be referred to specialists)

## **Article VI**

### Prisoners' Release

44. The Government of Israel shall release all Palestinian prisoners, including security ones, as soon as the FAPs agreement is signed.
45. The Government of Israel shall release all Palestinian prisoners, including security ones in two lots, starting from the signing of the FAPs agreement.
46. The first lot shall comprise the majority of prisoners who are members of organisations publicly supporting the peace process.  
The second lot shall include all other prisoners, except for those who oppose the peace process or pose a security threat.
47. Lists of prisoners to be released shall be agreed through the joint committee and be recommended to the authorities concerned.

## **Article VII**

### Refugees

48. Israel shall acknowledge the suffering incurred by Palestinian refugees because of the 1948 war and the Palestinian-Israeli problem.
49. Both parties share an historical commitment to achieve a final solution to the Palestinian refugees issue with all its practical

- and legal aspects. Both parties, together with Arab countries and the international community, shall work towards remedying the suffering emanating from the 1948 Arab–Israeli war.
50. Acknowledging the need to achieve a practical, just, political, and humanitarian solution to the refugees problem, and in order to put an end to their suffering as a result of the 1948 Arab–Israeli war, and as an absolute matter of sovereignty, Israel shall facilitate the return of (a number of . . . . .) Palestinian refugees to their homes in stages and on humanitarian grounds. Such refugees shall be reunited with their families at their present places of residence, provided they take up the Israeli citizenship and renounce their legal status as refugees.
  51. The two parties have agreed to form an international committee including Israel, PLO/Palestine, host countries (Jordan, Syria, Lebanon, and Egypt), UN, US, Canada, EU, Japan, Russia, Sweden, and Norway.
  52. The above-mentioned committee shall prepare a form to be filled in by each Palestinian refugee. The two parties shall determine the contents of the form, in order to provide the committee with answers on whether the refugee concerned wishes to:
    - a) Return home in Israel with compensation.
    - b) Return to Palestine with compensation.
    - c) Settle in his country of residence with compensation.
    - d) Emigrate to a third country with compensation.
  53. For the purpose of compensation for loss of property, each Palestinian refugee (father of the family) may make his full claim stemming from the 1948 war on a single form. No other claims shall be allowed afterwards. Completion of compensation for property shall be considered as a settlement of all personal and collective claims made by Palestinian refugees for their property as a result of the 1948 war.
  54. An international fund managed by the committee and the World Bank shall be established. The committee and the bank shall determine the international institution that will manage the resources for rehabilitation of Palestinian refugees and compensating them. The fund shall undertake the valuation process and check all claims against criteria , time schedule , and measures to be agreed upon in the CAPs.

55. The committee shall call on the world community to donate to the fund. The core of the fund shall be financed by allocating the amount of \$ (to be specified) which shall be deducted from monies accrued in the fund of properties belonging to Palestinian absentees in Israel.
56. Remitting reparations to applicants shall be tied to their renunciation of any other property claims.
57. The refugee rehabilitation fund shall be based on the following principles:
  - a) Rehabilitation fund for host countries and individuals, run according to schemes to be agreed for each host country to enable refugees to rebuild their lives.
  - b) Execution of the said programmes shall be tied up to gradually erasing the practical and official aspects of the refugee problem in the host countries, including the gradual withdrawal of the UNRWA , granting personal and legal status to all refugees, and setting all collective claims by refugees in the host countries.
  - c) Programmes shall be prepared by the fund within a number of years (to be decided) of signing the CAPs and carried out within a number of years (to be decided).

The fund shall also monitor the implementation and control of the distribution process.
58. Powers of the fund and the committee shall be determined by the parties in the CAPs, on the basis of this article.
59. The work done by the committee shall form an integral part of the permanent status agreement.
60. The UNRWA records shall be the basis for implementing this article. Other relevant records shall be scrutinized and subject to approval by the committee.
61. Full implementation of this article and completion of the committee's mission as explained in clause [above] shall be a final and permanent solution to the Palestinian refugee problem, as an implementation of the UN Security Council resolution 194.

**Article VIII** (Economic Relations), **Article IX** (Water), **Article X** (Settlement of Disputes ), **Article XI** were not discussed at this stage.