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**GENERAL PRINCIPLES FOR THE FINAL  
ISRAELI-PALESTINIAN AGREEMENT**

Prepared by the Joint Working Group on Israeli-Palestinian Relations

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**PICAR Working Paper**

With an introduction by Herbert C. Kelman and Nadim N. Rouhana,  
Co-chairs of the Working Group

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**\*This statement of General Principles has been approved by the members of the Working Group in the English version that follows. It is also available in Arabic and Hebrew.**

**September 1998**

## Introduction

In September 1993, Israel and the PLO signed the Oslo Declaration of Principles, which sought to establish certain patterns of mutual conduct by the two parties. At the political level, these principles helped to guide the parties through several stages of the peace process, albeit with great difficulty. But at the level of building mutual trust and confidence, and promoting economic and other interactions between the peoples, the Oslo DOP has not been successful, despite an initial positive climate.

For this reason, and also in anticipation of the initiation of the official final status talks, a set of general principles now appears to be needed. In this spirit, the Joint Working Group on Israeli-Palestinian Relations has drafted a proposed set of principles on which a final agreement should be based, if it is to be conducive to a long-term peaceful, cooperative, and mutually enhancing relationship between the two societies and polities.

The Joint Working Group is a project of the Program on International Conflict Analysis and Resolution (PICAR), which is based at Harvard University's Weatherhead Center for International Affairs. The Working Group was established early in 1994, in the wake of the Oslo agreement. It consists of influential Palestinians and Israelis, who have been meeting periodically for private, unofficial discussions and for the drafting and review of joint concept papers on final-status issues, including Palestinian refugees and Israeli settlements, and on the long-term relationship between the parties. The members of the Working Group have participated in this project as individuals, rather than as representatives of their respective organizations or governments.

In its first three sessions, between May 1994 and January 1995, the group developed a set of general principles for a final agreement that would open the way to a durable peace and reconciliation. The group has since used these principles as criteria for evaluating options for resolving the settlements and refugees issues. The group has now decided to revise these principles in the light of new developments, and to make them public. The hope is that these principles can inform the final-status negotiations in their attempt to shape a final agreement conducive to a lasting peace. As part of the revision, the group has added a brief concluding section on conditions that must prevail in the interim period in order to create an appropriate atmosphere for the final-status negotiations.

## **General Principles for the Final Agreement**

*Principle 1.* **RESPONSIVENESS TO THE NEEDS AND SENSE OF JUSTICE OF BOTH PARTIES**

The final agreement should be seen by both parties as one that takes account of the needs, rights, and concerns of both parties. Thus:

- a) It should emerge from a process in which each society has made a genuine effort to empathize with the other's perspective and has acknowledged the other's rights and grievances.
- b) It should represent an outcome that does not allow one side to gain advantages at the expense of the other, but transcends the balance of military, political, and economic power to accommodate each side's sense of justice and fairness.
- c) To both assure and indicate the above, the agreement should have international legitimacy, as determined by the following criteria:
  - The agreement should be anchored in UN resolutions 242 and 338 and other relevant UN resolutions as agreed upon by the parties;
  - It should be consistent with accumulated principles of international law; and
  - It should derive from the freely achieved consent of both parties.

*Principle 2.* **CONDUCTIVENESS TO A RELATIONSHIP BASED ON TRUST AND EQUALITY**

The final agreement should promote patterns of interaction between the two societies that are conducive to improving the relationship and to building trust rather than to undermining the relationship by causing friction and suspicion. Key factors of a final agreement conducive to such a relationship are provisions and measures for:

- a) maintaining each community's security and independence from outside domination and control
- b) preventing incitement to violence against each other's polity and territorial integrity, and hostile propaganda against each other's religion, culture, and society
- c) promoting a resolute effort by each side to adapt its educational system to the values of peaceful coexistence between Palestinians and Israelis

Meanwhile, both parties should avoid unilateral steps that would be damaging to the other party, or detrimental to the spirit of the final settlement.

*Principle 3.* **COMPREHENSIVENESS**

The final agreement should be comprehensive in the following senses:

- a) It should address the needs and concerns of the Palestinian people both "inside" and "outside," as well as those of the Israelis.
- b) It should address all outstanding problems between Israelis and Palestinians, giving both sides the sense that the conflict has been terminated.
- c) It should enhance the relations between each party and its other neighbors in the region by facilitating the development of mutually beneficial contacts in security, economic, cultural, and other spheres.
- d) It should be accompanied by agreements with Arab states relevant to the arrangements agreed upon by the Palestinians and the Israelis.
- e) It should strive to be part of an overall agreement with the Arab states.

*Principle 4.* **FINALITY BALANCED BY GRADUALISM AND FLEXIBILITY**

The final agreement should convey a sense of “finality” in two important respects:

- a) It should address and resolve all of the issues in the conflict, with the aim of removing the conditions that in the past have led to the perpetuation and escalation of the conflict (see Principle 3, point b).
- b) It should be accepted by both parties as a permanent and final resolution of the conflict, with the understanding that neither party will raise any further claim that contradicts the agreement.

To convey this sense of finality, the agreement must be very clear about the new political arrangements and the new relationship between the two societies that it brings into being. It is not possible or desirable, however, to implement all aspects of the agreement immediately or to spell out all the steps of implementation in minute detail. In light of all this:

- a) The agreement should set a timetable for gradual implementation of the agreed-upon arrangements in a way that will help, over time, to eliminate points of friction and build mutual trust.
- b) It should have a degree of flexibility built into it, allowing the parties to deal creatively with unanticipated problems and making it possible for their new relationship to evolve as they work out the concrete patterns of coexistence.
- c) It should embody a problem-solving orientation and establish joint mechanisms for solving all problems as they arise.

*Principle 5.* **SECURITY ARRANGEMENTS**

The final agreement should address the security needs of each side, with the understanding that security is mutual, and has a regional dimension.

Arrangements for meeting the security needs of each side must be worked out cooperatively and in ways that do not infringe on the other side’s vital interests. In this spirit, the two parties should agree to cooperate in combating terrorism and those who promote terrorist acts on both sides.

The agreement should stipulate that differences between the two sides will be resolved by peaceful means, without recourse to force or military measures.

*Principle 6.* **ECONOMIC WELL-BEING**

The final agreement should contribute to the economic well-being of both societies.

To promote economic well-being, as well as to improve the overall relationship between the two societies, the agreement should encourage economic cooperation and freedom of movement – of people, goods, services, and capital – across the borders.

*Principle 7.* **NATIONAL RIGHTS AND SELF-DETERMINATION**

The final agreement should be based on the acknowledgment of both peoples' national rights, including the right to self-determination, for each people within its borders. This principle should be implemented through a two-state solution that safeguards the sovereignty, viability, and security of each state.

## **Conditions for the Interim Period**

The main objective of this document has been to set down general principles for the permanent agreement resolving the Israeli-Palestinian conflict. However, the lessons gathered from the experience of the interim period show that unless the two parties adhere to an appropriate code of behavior during the period preceding the negotiations on the permanent status, they will not be able to launch these talks in an atmosphere of mutual trust and in conditions of stability and security that are vital for their success.

Above all, it is imperative that the interaction between the two sides in the interim period be conducted on the basis of shared interests and mutual respect and not on that of a power relationship. A zero-sum interaction, in which the stronger party uses its advantage to extract maximum benefits for itself, may yield some immediate gains for that party, but will in the long run destroy the chances for a stable agreement that satisfies basic needs.

The following conditions should also be met:

- The parties must fully implement all agreements previously reached. Delays in the implementation of such agreements should not be used to justify counter-violations, but rather should be dealt with by the two parties in a spirit of positive problem-solving and, if necessary, by resorting to effective and impartial mechanisms for resolving differences. All other differences that may arise between the parties in this stage should be solved through consultation and by mutually agreed-upon mechanisms in a similar fashion.
- None of the parties should take actions that alter the situation on the ground in areas relevant to the final-status negotiations.
- The responsible authorities of each side should disarm organizations devoted to the destruction of the peace process by force.
- The two sides should be responsible to each other for acts of violence committed, supported, or encouraged by their citizens or from their territories. The competent authorities of the two sides should fully and efficiently cooperate with each other in order to prevent such actions and effectively punish those responsible for them.
- None of the parties should take measures that impose collective punishment on the other for crimes committed by individuals. Preventive security measures should be applied within reasonable limits.



## About the Authors

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