
FRIENDS OF ISRAEL INITIATIVE

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How to Proceed After the Palestinian
Reconciliation Agreement

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Right after delegates from the Fatah and Hamas movements met on April 23, 2014 and concluded their reconciliation agreement at the Shati Refugee Camp in the Gaza Strip, the UN Security Council convened to consider the impact of this latest development on the Middle East. The UN discussion was illuminating because it revealed the national positions each of the member states towards the latest Palestinian accord, which confronted them with a dilemma considering that the US, the EU, and other states categorized Hamas as an international terrorist organization.

Not all the Security Council members appeared to be affected to the same extent by that fact. The British ambassador, Mark Lyall Grant, welcomed the possibility of re-uniting the West Bank and the Gaza Strip under a Palestinian Authority committed to peace. His French counterpart, Gerard Araud, stated that his country was prepared to work with a new Palestinian Government if it renounced violence and showed commitment to the peace process. But he warned that “if the parties were incapable of finding a solution, the international community must conclude sooner or later that it might have to intervene.”¹

Ambassador Vitaly Churkin of Russia saw the reconciliation agreements as a positive development emphasizing “that without Palestinian unity, no future agreements would last.” He did not utter a word about the Palestinians having to make change their policies to join the peace process. The US ambassador to the UN, Samantha Power, was critical of the Fatah-Hamas agreement by stating that “The announcement of a technocratic Palestinian Government was unhelpful to efforts for agreement on extending the negotiations.”

Her comment was like that of the State Department spokeswoman, Jen Psaki, who called the Palestinian move “disappointing.” Notably, Ambassador Power did not rule out working with such a government if it met certain conditions adding: “the United States would measure any such Government

against its commitment to non-violence and its recognition of the State of Israel and previous agreements.”

Throughout all these statements, when a political demand by the members of the UN Security Council was made, it was directed to the new Palestinian government, that was to be formed, but not to Hamas, itself. This was very different from the Israeli position. On April 24, the Israeli security cabinet decided unanimously that it would not negotiate with a Palestinian government backed by Hamas.²

Israeli officials told the *New York Times* that they did not want to be in a situation in which the Palestinians put out front apolitical technocratic figures for their new government, while behind them Hamas was pulling all the strings exercising effective control.³

Implicit in this Israeli position was the view that for Israel to have anything to do with such a government, Hamas itself would have to change by accepting the well-known Quartet principles: renunciation of violence, recognition of Israel, and abide by previous Israeli-Palestinian agreements.

The Quartet was a diplomatic grouping formed in 2002, which consisted of the US, Russia, the EU, and UN Secretariat. Its purpose was to review the Israeli-Palestinian peace process and to issue statements that were assumed to have greater impact because the body represented such an influential international grouping.

What became known as the Quartet Principles were enunciated by UN Secretary-General Kofi Annan, at the end of a quartet meeting held on January 31, 2006, after Hamas won the Palestinian Authority elections for the first time. The UN Security Council adopted Resolution 1850 on December 16, 2008, which incorporated the Quartet Principles and enshrined them in a UN resolution.⁴

Looking carefully at what Washington was saying, there appeared to be some US recognition that Hamas itself would have to address the Quartet Principles, as well. On April 23, Pseki responded to a question at the State Department in a way that placed the burden of change on Hamas and not just on the new Palestinian government:

QUESTION: “When you say, though, it’s in the Palestinians’ court to do this – this is in President Abbas’s court, with Fatah, or is it – or are

you expecting this – are you expecting Hamas to come out and say, “Okay, we’re changing our longstanding principle that we don’t recognize Israel has a right to exist”?

MS. PSAKI: “Well, if Hamas were to – if this reconciliation – if the Palestinian Government, the PLO – if President Abbas were to continue to pursue reconciliation, Hamas would need to abide by these principles in order to be a part of the government. So if it’s a unified government, yes, they would need to abide by these principles.”⁵

Yet, subsequently, Psaki also spoke about a “Palestinian government” that is unambiguously committed to “our principles.” In the immediate aftermath of the Fatah-Hamas agreement the State Department appeared to support both a change in policy by Hamas and by the new Palestinian government.

Why was it important to demand that Hamas itself change, as Israel demanded, and not just settle for a declaration of support for the Quartet Principles by a Palestinian unity government or a technocratic government they would appoint? Certainly the latter standard would be easier to meet.

First, the technocratic government that the Palestinians mentioned at times was not the body that would be empowered to negotiate peace arrangements with Israel. PLO (Palestine Liberation Organization) Chairman Mahmoud Abbas in fact told PLO officials that the unity government, he was negotiating, would not deal with the peace process with Israel. He stressed that the PLO leadership would be the party responsible for the peace process.⁶

Thus the only Palestinian body that was empowered to sit across from Israel at the negotiating table was the PLO. In fact all the Israeli-Palestinian agreements reached between Israel and the Palestinians since 1993 were formally signed by the PLO—not by the Palestinian Authority or any other Palestinian governing entity.

Indeed, looking at past history, the US demanded that the PLO renounce violence and recognize Israel, in the original memorandum signed by Secretary of State Henry Kissinger in 1975 that set the standard for Palestinian participation in the peace process. Since the present day reconciliation agreement envisions Hamas joining the PLO, it only makes sense to seek from it the same standard that was demanded by the PLO as well.

A second concern comes from the question of whether the reconciliation process will pull Hamas in the direction of the PLO or pull the PLO in the di-

rection of Hamas. Certainly there was no indication that Hamas had moderated in recent years with respect to its ideological view of Israel and thereby prepare itself to engage with Israel diplomatically. Back in 1988, the Hamas Charter stated: “Israel will exist and will continue to exist until Islam will obliterate it.” In many respects, Hamas ideologues in recent years stressed the genocidal aspects of the organization’s world view.

For example, Sheikh Younis al-Astal who chairs the Department of Islamic Law at the Islamic University in Gaza, more significantly heads the “Clerics Association of Palestine”, which is the most influential religious institution in the Hamas movement. He is also a member of the Palestinian Legislative Council. On March 13, 2008, al-Astal called for a *mahraqa* (literally, burning, but also holocaust, of the Jews).

Al-Astal has since further amplified this theme. Appearing on Hamas-owned *Al-Aqsa* TV, he explained that Allah punished the Jews by means of the Germans and now “it is the turn of the Islamic nation to punish them once again.” Al-Astal was not condemned for his declarations either by Hamas or by Fatah. Indeed, his genocidal threats were amplified by other religious leaders during their mosque sermons in the Gaza Strip, many of which were broadcast on Hamas television.⁷

In early May, in the aftermath of their agreement with Fatah, Hamas leaders demonstrated that they were not any more prepared to make the ideological leap to a more moderate line that previously. For example on May 3, 2014, Moussa Abu Marzuk, the deputy head of the Hamas political bureau, held a press conference in the Gaza Strip at which he made clear that his organization was not prepared to accept the Quartet Principles: “Hamas rejects the Quartet’s conditions because it denies some of our people’s rights.”⁸

Hamas leader, Khaled Mashaal, in fact declared a week after the reconciliation agreement with Fatah was signed that Hamas remained committed to conducting Jihad against Israel: “Our path is resistance and the rifle, and our choice is jihad.” Other Hamas leaders concurred that the agreement with Fatah did not require Hamas to change its policies towards Israel. This was also stated by Mahmoud Zahar, who once served as the foreign minister of the Hamas regime in the Gaza Strip. International responses to these statements were virtually non-existent.⁹

If Hamas does not feel there are international pressures compelling it to change, then unfortunately Fatah might well be the party that might have

to adapt its policies. There are serious issues at stake. Hamas has opposed the readiness of Mahmoud Abbas to allow his security services to work with those of Israel. One of Abbas' interests in working with Israel in the security field is to protect his regime from organizations like Hamas.

But if the reconciliation agreement turns into a framework of real cooperation between the two Palestinian movements, then Abbas' need for working with Israel will be substantially lowered. The implications of the reconciliation agreement for Israel's security are likely to be serious if the Palestinian Authority goes ahead and releases its Hamas prisoners into the West Bank as it reportedly is intending.

Abbas needs reconciliation with Hamas for a number of reasons, many of which are internal. But principally, as he moves down the road of Palestinian unilateralism in order to establish a Palestinian state, he wants to be assured about that state's territorial parameters—specifically, he wants it to include the Gaza Strip, where his Ramallah-based government has not exercised effective authority since 2007. In other words, his embrace of Hamas is partly motivated by international considerations. The West could follow the political logic it adopted in 1993, when Yasser Arafat was compelled to renounce terrorism and recognize Israel as a *quid pro quo* for gaining access to the White House and the full recognition by the West as a peace partner. Thus it could condition its backing of any Palestinian political position on the adherence of the Palestinian leadership to the Quartet Principles. For example, to gain UN membership, new states are expected to back the principles of the UN Charter; a state that uses force in the conduct of its international relations should not become a UN member.

Unfortunately, in the case of Hamas, the same criteria are not being applied, except by the US, for now. Most of the Western powers say that a Palestinian government, which might be made up by technocrats, will have to accept the Quartet Principles, but not necessarily Hamas. By prematurely accepting the involvement of Hamas in a diplomatic process, Western states are allowing the diplomatic fabric of the Oslo process to completely unravel. Moreover, why should the PLO adhere to non-violence, if Hamas is not required to adopt it as a pre-condition to any diplomatic engagement? This question will become even more compelling should Hamas join the PLO, in accordance with the understandings reached between Fatah and Hamas. Thus the diplomatic debate over the terms of Hamas's integration into Middle Eastern diplomacy has much broader implications for the future of peacemaking. Bringing an un-reformed Hamas to the peace table will set

the stage for erasing whatever understandings Israel and the Palestinians have reached and are now increasingly at risk.

Notes

- 1 <http://www.un.org/News/Press/docs//2014/sc11373.doc.htm>
- 2 <http://www.pmo.gov.il/English/MediaCenter/Spokesman/Pages/spokecabi240414.aspx>
- 3 <http://www.nytimes.com/2014/04/29/world/middleeast/israel-appears-to-raise-new-peace-talks-issue-with-us.html?src=twrhp>
- 4 <http://edition.cnn.com/2006/WORLD/meast/01/30/hamas.funding/>
- 5 <http://www.state.gov/r/pa/prs/dpb/2014/04/225092.htm#MIDDLEEASTPEACE>
- 6 <http://www.gatestoneinstitute.org/4298/hamas-abbas-jihad>
- 7 <http://jcpa.org/the-myth-of-the-moderate-hamas/>
- 8 <http://news.yahoo.com/hamas-wont-recognise-israel-accept-quartet-terms-133913126.html>
- 9 <http://www.jpost.com/Diplomacy-and-Politics/Khaled-Mashaal-Hamas-remains-committed-to-jihad-against-Israel-350937>

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