



THE PALESTINIAN QUEST FOR RECONCILIATION

CAN IT BE ACHIEVED?

SUMMARY

After a new round of talks in Cairo, Palestinian factions Fatah and Hamas have announced an initial, partial reconciliation agreement. Despite continuing obstacles, this latest attempt to reunify the long-divided Palestinian political system shows signs of potential progress. Egypt is demonstrating a new proactive willingness to mediate between the Palestinian factions and work with Hamas, having forged a constructive relationship with Yahia Sinwar, the leader of Hamas in Gaza. Nevertheless, obstacles to a deal remain, with both Israel and Palestinian President Mahmoud Abbas bluntly demanding the total disarmament of Hamas's Qassam Brigades. It remains to be seen whether Egypt will be able to impose a settlement that leads to elections and the emergence of Palestinian leadership with a renewed democratic mandate, but the November 1 handover of Gaza's border crossings to the PA is a significant positive sign.

KEY POINTS

- ◆ Internal political divisions and overdue elections have undermined the legitimacy of Palestinian leaders, hampered internal Palestinian dialogue regarding the future of their national movement, and contributed to the cycle of Israel-Gaza wars.
- ◆ President Sisi, who sees Palestinian unity as fundamental to resolving the wider conflict, is showing renewed commitment to reconciliation.
- ◆ The Palestinian factions must reach agreement on the status of Hamas's controversial armed group, the Qassam Brigades, as a key step toward sharing political power.
- ◆ Hamas appears ready for partial compromise with Egypt and Fatah, and is willing to give up a modicum of control in Gaza. If President Abbas is perceived to be obstructing this Egyptian-backed effort, it could damage his relations with Cairo and open the door for exiled Fatah leader Mohammed Dahlan to play a wider role in Gaza.



INTRODUCTION

On November 1, Nazmi Muhanna, Director of the Palestinian Authority Border and Crossings Authority formally took control of the Palestinian side of the Rafah border crossing with Egypt. The same day, Hamas also moved to dismantle its facilities at other crossings, including its “Four/Four” post, south of the Erez crossing with Israel. The border handover was the first key milestone in a Palestinian reconciliation deal, unveiled on October 12. After marathon meetings in Cairo, delegations from the Palestinian factions Fatah and Hamas announced an initial, partial reconciliation agreement. According to a leaked text of the agreement and statements by Fatah and Hamas officials, the agreement should see:

- ◆ Palestinian Authority (P.A.) forces taking over Gaza’s border crossings
- ◆ The P.A. cabinet taking control of Gaza’s governance by December 1, 2017
- ◆ An administrative committee settling the status of civil servants (which Hamas hired as part of its Gaza administration) by February 1, 2018
- ◆ Recent P.A. financial measures targeting Gaza cancelled
- ◆ Long overdue Palestinian elections organized within one year

There are also reports that Hamas’s cease-fire with Israel may be extended to cover both Gaza and the West Bank.

This agreement is the latest attempt to reunify the long-divided Palestinian political system. Given the Palestinians’ repeated failures to reconcile—this is the eighth such

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agreement since the 2007 division—there are significant reasons for pessimism. Fatah and Hamas have been at loggerheads regarding a host of practical questions pertaining to P.A. governance, security coordination, and the conduct of elections.

They also are divided by a more basic struggle for power and deep mistrust. Fatah stalwarts view Hamas as usurpers to their rightful leadership of the Palestinian national movement. They also accuse Hamas of having launched a “coup” against Palestinian President Mahmoud Abbas in 2007. Hamas hardliners view Fatah as collaborators with the Israeli occupation and a spent political force lacking an effective national agenda or strategy.

Nevertheless, despite this deep-seated animosity, there are factors working in favor of this reconciliation attempt which have not existed in the past. Foremost, there is a newfound Egyptian willingness to be di-



rectly involved in promoting and monitoring a reunification process. Egypt appears to have recognized that, if nothing else, a Fatah-Hamas agreement is in its national interest. Further, President Abdel Fattah el-Sisi appears ready—at least for now—to use the tools at his disposal to secure a deal.

The key question going forward will be whether Egypt can leverage a compromise regarding the status of Hamas’s armed wing, the Ezzidine al-Qassam Brigades. While Abbas has insisted on disbanding the Brigades, there are steps—short of dissolving the Brigades—which could do much to stabilize the Israel-Gaza relationship, while allowing Abbas to credibly claim a renewed national mandate. Also sensitive in the short-term will be working out the modalities for addressing

THE FATAH-HAMAS SPLIT HANDICAPPED THE PALESTINIANS

In the summer of 2007, skirmishing between Hamas and Fatah security forces culminated in a bloody fight which saw Fatah partisans, loyal to Abbas, routed in Gaza. In the West Bank, Hamas was driven underground by Fatah. With Abbas accusing Hamas of having launched a coup, he declared the elected government of Hamas-backed former Prime Minister Ismail Haniyeh illegal and established an alternate, “emergency” cabinet, based in the West Bank city of Ramallah. Though the Hamas-backed cabinet in Gaza was dissolved in 2014, Palestinian governance has, in practice, remained divided between the West Bank and Gaza. Because of the split,

the Palestinian Authority legislature has not convened for a full session in a decade, leaving Hamas in Gaza and Fatah in the P.A.-governed West Bank cities effectively ruling by decree. The split also has left the Palestinian parties unable to agree on the modalities for organizing national-level elec-

tions, such that the terms in office of the Palestinian president and the P.A.’s legislators have long expired.

Beyond the mounting damage to Palestinian democracy, the Fatah-Hamas division has had at least four significant, negative impacts. First, both autonomous governments increasingly have used partisan security ap-

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the salaries of Hamas-backed employees in Gaza and functioning of Gaza’s border crossings under P.A. control.



paratuses to stymie internal dissent. In a recent example, well-known Palestinian human rights activist Issa Amro was arrested by West Bank P.A. security forces, after posting Facebook messages critical of Abbas. More broadly, a pattern of detention without due process and even extra-judicial killings of opponents constitutes a new set of intra-Palestinian human rights violations, coming atop the depredations of the Israeli occupation and experienced by Palestinians in the West Bank and Gaza alike.

Second, Palestine's deep political divisions make it difficult for Abbas to speak on behalf of the Palestinian people. If Israel was serious about reaching a negotiated two-state solution, there are legitimate concerns regarding Abbas's ability to bring the Palestinian public on board, much less implement a deal on the ground in Gaza.

Third, even with prospects for a two-state agreement being remote, the Fatah-Hamas split has handicapped the ability of Palestinians to conduct a sorely-needed conversation regarding their national goals and strategy. There is widespread agreement, amongst Palestinians, that the Oslo-era strategy of relying on the United States to deliver a Palestinian state via bilateral talks with Israel has failed. There is, however, no consensus regarding how to address their current predicament. The Fatah-Hamas dispute, the grip maintained by their respective security forces, the lack of elections—all this has sucked

the oxygen out of the Palestinian political system, making it difficult to forge agreement on any issue or for new actors to emerge on the national stage.

Finally, fourth, the split and Hamas's isolation in Gaza has contributed directly to the recurring wars between Gaza and Israel, the last of which, in the summer of 2014, left

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over 70 Israelis (the vast majority soldiers) and 2,100 Palestinians (mostly civilians) dead, while devastating the Gaza Strip.

In this context, the latest agreement and the handover of the crossings—are significant.

INTERNATIONAL HINDRANCE TO REUNIFICATION

The Fatah-Hamas division has long been more than a simple partisan Palestinian affair. Going back to the 2006 P.A. elections, which saw Hamas win a majority of seats in the Palestinian Legislative Council, the stance of Western governments, particularly the United States and the European Union, has at times posed a direct obstacle to Palestinian



reunification. More recently, fractures in the Middle East between pro-Saudi and pro-Iranian forces, as well as the spike in conflict between Qatar and Turkey on the one hand, and Saudi Arabia and Egypt on the other have seen key regional states backing one or the other Palestinian faction, hardening the divide.

This history makes the October 2 statement by U.S. Special Envoy Jason Greenblatt significant. According to Greenblatt, the United States “welcomes efforts to create the conditions for the Palestinian Authority to fully assume its responsibilities in Gaza.” The statement also emphasized “that any Palestinian government must unambiguously and explicitly commit to nonviolence, recogni-


as a party, will not meet the conditions outlined in the statement (recognizing Israel, accepting prior agreements, etc.), it is possible to imagine a P.A. government backed by, or perhaps including, Hamas that could agree to these terms—if this were the price for allowing a role for Hamas in Palestinian politics and improving conditions in Gaza.

EGYPT AND HAMAS TURN A PAGE

Meanwhile, reports going back months suggest that Hamas, particularly the organization’s leader in Gaza, Yahia Sinwar, has succeeded in improving the Islamist movement’s relations with Cairo. Over a series of meetings, Sinwar successfully differentiated Hamas in Gaza from the wider Muslim Brotherhood, *bête noire* of the Sisi regime. In recent months, Hamas has also arrested dozens of Salafi-jihadists in Gaza, while working to tighten security along the Rafah border and coordinate with Egypt on

security issues, addressing longstanding Egyptian concerns regarding the Sinai insurgency.

Hamas is attempting to impose internal discipline, ensuring compliance with its obligations in these agreements. According to the *New York Times*, Sinwar recently threatened to “break the neck of anyone who doesn’t want the reconciliation, whoever he is, from Hamas or any other faction.”² Hamas also has



Sinwar successfully differentiated Hamas in Gaza from the wider Muslim Brotherhood...

tion of the State of Israel, acceptance of previous agreements and obligations between the parties, and peaceful negotiations.”¹

For Washington, this was a relatively positive response, which may reflect the close relationship between Sisi and President Donald Trump. This framing also leaves open the possibility of U.S. engagement with a future Palestinian unity government. While Hamas,



its own reasons for compromising—at least to a point. P.A. financial measures against Gaza, including cutting salaries to local civil servants and reducing the electricity supply, added to the misery in the besieged territory where unemployment hovers around 42 percent and the electricity supply is down to four hours per day.

But the most important factor working in favor of this agreement appears to be the nature of Egypt's involvement. Going back to Egyptian-brokered reconciliation talks in 2009, Cairo has zealously guarded its role as the primary intermediary between the Palestinian factions. But despite having taken on this mantle, Egypt's level of engagement with the Fatah-Hamas dispute has waxed and waned over time. Under former President Hosni Mubarak and after his fall, Egypt convened several high-profile reconciliation meetings, the most prominent of which were talks including all major Palestinian factions in April 2011. However, even in those periods when Egypt was engaged, there was little effort to work with the Palestinians on implementation.

A variety of media reports, as well as recent discussions with Palestinian analysts in Ramallah and Gaza suggest that Egypt is prepared to engage in a more serious manner this time around—including having monitors on the ground in Gaza and a willingness to call out both sides for failures to meet their commitments. Lead

Fatah negotiator for reconciliation, Azzam al-Ahmad, who has been at the forefront of years of reunification talks, may have hinted at this during the October 12 press conference announcing the agreement, noting that “the Egyptian attempt this time was different from all the preceding ones.” According to Hamas leader and former health minister, Bassem Naim, Egypt has been involved in the “finest details” of these agreements over the last two weeks.³

Sisi has come to view the Palestinian division as a logical point of engagement for Egypt, contributing to the wider peace process with Israel. In an October 8 statement, Sisi described the reconciliation talks as a “preparation for a just peace between Palestinian and Israeli sides, and the establishment of an independent Palestinian state.”⁴ After years of hostility toward Hamas, the Sisi regime

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has also reached the conclusion—at least for now—that they can better satisfy Egyptian interests by engaging Hamas in Gaza, rather than attempting to isolate them.

It is worth recalling that Sisi has a good personal relationship with Abbas's arch-neme-



sis, exiled Fatah leader Mohammed Dahlan. At several points in 2016 and as recently as the summer of 2017, Egypt quite publicly promoted Dahlan as their Fatah protégé. According to the text of an agreement between Dahlan and Hamas, leaked to Palestinian media in late June 2017, Dahlan was slated to lead a new Palestinian government in Gaza, while his Fatah allies took responsibility for Gaza’s border crossings with Egypt and Israel. Per the agreement, Hamas would have retained control of Gaza’s interior ministry—and presumably security issues inside the territory.

The leaked text stated that the agreement was “sponsored by the Arab Republic of Egypt,” something never denied by the Egyptian government. Palestinian analysts speculated at the time that the mooted agreement with Dahlan was designed to pressure Abbas into engaging with Hamas constructively, lest he see his rival ensconced in Gaza, with

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Egyptian support. There is speculation in Ramallah now that Egypt will turn back to Dahlan to manage Gaza with Hamas, should Abbas fail to cooperate.

ISRAEL’S OBJECTIONS

Given its control over the occupied Palestinian territory, Israel has a variety of levers to stymie Palestinian reunification. Besides simply preventing Palestinian officials from moving between the West Bank and Gaza, Israel controls customs revenues on goods coming into the West Bank and Gaza, which it collects at border crossings and turns over to the P.A. monthly. These funds constitute some two-thirds of the P.A.’s operating budget, and Israel has not hesitated to stop this flow of resources in the past.

After Hamas won the 2006 Palestinian Legislative Council election, customs revenues to the P.A. were cut for over a year. However, Israel has been allowing P.A. and Egyptian officials into Gaza since an early October P.A. cabinet meeting in the territory. Responding to news of the October 12 agreement, Israeli Prime Minister Benjamin Netanyahu posted

a warning on his official Facebook page that Israel opposes “any reconciliation in which the terrorist organization Hamas does not disarm and end its war to destroy Israel.”¹⁵ That said, a variety of Israeli commentators have noted that Israel’s practical response to

this agreement has been significantly more muted than in past cases. And, reports out of Israel’s first Security Cabinet meeting, to discuss the new reconciliation agreement,



suggested that Israel will not actively oppose its implementation or cut ties to the P.A.

Regardless, the Trump administration is likely to influence Israel's position on this matter. Netanyahu has demonstrated notable deference to Trump, including being accommodating to the administration's push for a peace agreement. If Egypt succeeds in restoring a veneer of P.A. unity in Gaza, it is possible to imagine Egypt and the United States working to ensure that Israel does not unduly undermine reunification. Further, if this agreement is implemented, Israel may lessen its opposition, as Gaza is stabilized.

ABBAS'S OBJECTIONS

The more immediate challenge is likely to be the position of Palestinian President Mahmoud Abbas. Abbas has long insisted that there can be no compromise on the question of Hamas's weapons. As recently as an October 2 interview with the Egyptian news station C.B.C., President Abbas repeated his standard line, emphasizing "one state, one government, one gun." According to the Palestinian president, "Just as I imprison Fatah members for holding weapons, so it will be with all groups."⁶

In the past, Abbas had been resistant to any partial redeployment of P.A. forces to Gaza. In the aftermath of the 2014 war, there was talk of sending the Palestinian Presidential Guard to Gaza's borders, as a step toward

the institutional reunification of the P.A., but Abbas never ordered his forces south. He has also stymied any serious discussion of sharing power with Hamas in the Palestinian Liberation Organization.

Abbas's reticence is not unfounded. As Hamas has made clear repeatedly, including in recent weeks, the organization refuses to surrender its weapons to P.A. control. Hamas and Fatah have seen more than a decade of sometimes violent conflict, and there are

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hardline elements in Hamas who routinely deride the P.A.'s security coordination with Israel as collaboration with the enemy.

The challenge posed by Abbas's stance is that there is no scenario in which—as long as the occupation continues—Hamas will disarm. In this regard, Hamas's position is similar to other militant groups (consider the challenges inherent in Irish Republican Army disarmament in the course of the Good Friday Accords.) However, there are scenarios through which Gaza could be stabilized, while Abbas regains a credible national mandate, even without Hamas's disarmament.



WILL THIS RECONCILIATION AGREEMENT SURVIVE?

The handing over of Gaza's border crossings is the first tangible step toward reunification since the Fatah-Hamas division over ten years ago. The crossings were transferred on schedule – despite an October 30 Israeli airstrike on a Gaza border tunnel that killed eight. This by no means assures that the Palestinian factions will agree on real pow-

modalities of wider P.A. civil service reform and reintegration to be finalized.

Some reports have suggested that the agreement includes plans for Abbas to visit Gaza, something he has not done since prior to the 2007 division. Abbas has long resisted entering Gaza while it remains under Hamas control. Advisors to Abbas have cited, among other things, threats to his safety as a concern. If Abbas goes to Gaza, it would constitute a significant symbolic gesture.

A P.A. deployment on the Rafah border will be another early test of Egyptian resolve.

But the biggest challenge in the short-term will be a framework for managing Hamas's armed wing, the Qassam Brigades. A variety of reports from Ramallah and Gaza have confirmed that Egypt sent a proposal to Hamas and Fatah that would see it convene a

er sharing, or that long overdue elections will be held – but it is a clear indication of Egyptian resolve. It demonstrates that Cairo is pushing the Palestinians hard to adhere to the terms it brokered, which bodes well for the future.

That said, experience suggests that this agreement could falter quickly. The 2014 Beach Camp Agreement began to unravel in a matter of weeks when Hamas employees in Gaza failed to receive their paychecks from the P.A. government. Going forward, keeping money flowing to these employees is key to buying goodwill and time for the

coordinating body to manage security affairs between Qassam and the Palestinian Authority. Hamas has agreed to this formula, while Abbas has yet to respond. This concept appears similar to an Egyptian proposal for addressing Palestinian security sector reform that dates back to the 2009 Cairo Accord, though Egypt never activated the body. The difference now appears to be that Egypt is pushing this forward. Such an agreement will not satisfy Netanyahu or Abbas's demands for Hamas's disarmament, but—if implemented—this mechanism could do much to finally end the bloody cycle of Israel-Gaza wars. Alternatively, if President Sisi cannot induce President Abbas to compromise on



this matter, in line with Egypt's security proposal, we may witness a serious rupture in relations between Cairo and Ramallah—one that could reopen Egyptian engagement with Mohammed Dahlan.

Hamas has gone to war with Israel three times since 2008 in part because it has been so isolated. The key to stabilizing the Israel-Gaza equation has been to end that isolation. The more Gaza is opened and Hamas is pulled into wider Palestinian and Arab political and security relationships, the less motivation and latitude Hamas will have to take Palestine to war unilaterally. Hamas's ability to do just that, without consulting the Palestinian president, much less the Palestinian public, has been one of Abbas's principal grievances with the organization.

Egypt's security proposal may finally hold out the prospect of tying Hamas into a coordination mechanism that should disincentivize its use of force against Israel. In October 12 remarks to *Asharq al-Awsat*, Fatah leader Abbas Zaki appeared to support this approach. "We believe that the weapons are needed and the resistance is a duty, but we are seeking an agreement over the need for a collective national decision as the basis for the use of those weapons."⁷

For his part, in remarks on October 24, Hamas leader Yahia Sinwar reiterated that Hamas "cannot forgo our weapons." But he suggested that Hamas's arms "certainly should be under a unifying national umbrella in which every Palestinian participates. That umbrella is the Palestine Liberation organization."⁸



ENDNOTES

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