



The Institute for National Security Studies
Strategic, Innovative, Policy-Oriented Research

INSS Insight No. 979, October 17, 2017

The New Reconciliation Agreement: A Turning Point in the Palestinian Arena?

Shlomo Brom

On October 12, 2017, Fatah and Hamas delegations signed a new reconciliation agreement in Cairo. In essence, this agreement constitutes a commitment to implement the reconciliation agreement signed by the two organizations in 2011. Within the framework of this agreement, both parties agreed to the establishment of a national unity government that would be a government of technocrats and would not incorporate political figures. It was also agreed that within one year, elections would be held for the presidency, the Palestinian Legislative Council, and the PLO's Palestinian National Council (PNC). These elections are to be coordinated by a Central Elections Committee consisting of judges agreed to by both sides. It was also decided that Hamas would join the PLO; that in the meantime, security control in the West Bank would be under the Palestinian Authority and in the Gaza Strip under Hamas; that a security committee would be established to coordinate between the two sides; and that both sides would release their political prisoners.

The agreement specifies concrete commitments and a timeline for implementation regarding the transfer of civil government in the Gaza Strip to the government in Ramallah; adjustment of the status of the public employees that Hamas recruited into its service in Gaza; control of the border crossings, and the repeal of the Ramallah government's sanctions against the Gaza Strip. On the other hand, regarding the sections dealing with the "national issues," including the fate of the military wing of Hamas, Hamas's joining the PLO, and general elections for the parliament and the presidency, the only stipulation is a commitment to negotiate these issues.

According to the timetable endorsed by both sides regarding the civil issues:

- a. The PA will assume responsibility for the Kerem Shalom and Erez border crossings by November 1 (a date has yet to be set for the Rafah border crossing).

b. The transfer of administration of the Gaza Strip to the Palestinian Authority will be completed by December 1. In this framework, the PA and Hamas security apparatuses will apparently meet to coordinate the transfer of the civilian security apparatuses to the PA government.

c. The status of the approximately 45,000 public employees appointed by Hamas will be regulated by February 1, 2018.

This process will include lifting the sanctions that the PA imposed on the Gaza Strip.

With regard to the national issues, only a timetable for talks was set:

a. On November 21, all the Palestinian organizations will meet in Cairo to discuss the issue of elections.

b. In the first week of December, Fatah and Hamas will meet in Cairo to discuss the national issues.

The Considerations of the Main Actors

The reconciliation agreement is the product of an Egyptian initiative supported by Jordan, Saudi Arabia, UAE, and other countries belonging to the pragmatic Sunni block. The initiative was meant to further the interests of Egypt and the Sunni bloc as a whole by cutting Hamas off from the Muslim Brotherhood movement and the countries supporting it (Qatar and Turkey); preventing Hamas from being pushed into the arms of Iran; preventing cooperation between Hamas and jihadist groups, particularly in the Sinai Peninsula; preventing outbreaks of violence between Israel and Hamas, which may divert attention from the major problems of the Sunni bloc – jihadist Islam, the Muslim Brotherhood, and Iran; detracting from the ability to contend with these challenges in cooperation with Israel; and finally, restoring Egypt's leadership status in the Arab world by enabling it to reassume its central role in Israeli-Palestinian negotiations.

In the first stage, Egypt succeeded in achieving the goal of distancing Hamas from the Muslim Brotherhood and the jihadist groups, as reflected in Hamas's issuing of a new "Document of Principles," which inter alia cut its ties with the Muslim Brotherhood and committed to cease its contacts with the jihadist groups operating in the Sinai Peninsula and cooperate with Egypt in the resistance to them. In the second stage, Cairo brokered an agreement between Hamas and Fatah, in part by playing the Mohammed Dahlan card of conflict against the leadership in Ramallah. Reports appearing in the Palestinian media regarding the central role that Dahlan was meant to play in Gaza pushed the PA leadership to practical negotiations for a reconciliation agreement. As far as Mahmoud Abbas and his associates are concerned, appointing Dahlan to any position in the Palestinian arena is not negotiable. Dahlan's ability to raise funds from the UAE was not sufficient to contend with Abbas's fierce opposition to Dahlan, who, as far as we know, has no role in the agreements that were ultimately concluded between Fatah and Hamas.

Overall, Abbas and Fatah are pleased with the reconciliation agreement. From their perspective, the signing of the agreement, and in this framework, the denial of any role for Dahlan, was a victory achieved by their resolve to take stern measures against the Gaza Strip, dispossess it of certain economic resources, and aggravate the conditions there. Implementation of the sections that were already agreed to in full will facilitate a resumption of the Palestinian Authority's extensive security presence in the Gaza Strip. First, armed personnel operating in the non-military organizations (the Blue Police and Internal Security, National Security, and General Intelligence units, a total of 20,000 people) will be placed under the authority of the PA government. Second, Hamas was forced to accept the removal of its forces from the border crossings (including the Rafah crossing) and their replacement by PA forces, apparently the Presidential Guard. However, the Fatah leadership still faces a difficult challenge with regard to the "national issues" – most importantly, the goal of "one government, one weapon," meaning subordination of the military wing of Hamas to PA control.

Hamas was pushed to the agreement by the terrible situation prevailing in the Gaza Strip, which was exacerbated by the measures implemented by the PA with Israel's cooperation; Hamas's understanding of its dependence on Egypt, which controls Gaza's only point of entry and exit that is not under Israeli control; and the escalating conflict between the Saudi-led Sunni states and Qatar, which cut off Hamas from its primary source of financial support. An important role was also played by the personnel change in Hamas's leadership, with Ismail Haniyeh's replacement of Khaled Mashal as chief of Hamas's political bureau, and the election of Yahya Sinwar, of Hamas's military wing, as the organization's leader in the Gaza Strip. In practice, this resulted in a shift in the focus of leadership to Gaza and Sinwar's transformation into a dominant figure. The widespread assessment in Israel was that Sinwar's election constituted the seizure by Hamas's military wing of the organization's political wing, as well as a precursor to a more militant policy that would be led by Sinwar. In reality, however, Sinwar's dominant personality has enabled Hamas's political wing to impose its will on its military wing. This development has found expression in Sinwar's statement that he would "break the bones" of those who oppose his measures. Sinwar has adopted a pragmatic, rational policy based on his assessment that the solutions to the Strip's problems are to be found in Egypt as opposed to Iran, and he has acted accordingly.

The timing of the current reconciliation agreement also comes at an opportune moment as far as the Trump administration and Israeli government are concerned. The US negotiating team led by Jason Greenblatt has urged reconciliation, under the assumption that this would remove one impediment from the obstacle-strewn path of the Israeli-Palestinian political process. On September 19, 2017, the Quartet, including the United States, proclaimed that

the Gaza Strip had to be returned to the Palestinian Authority, though clearly such an act could only be facilitated by an inter-organizational reconciliation agreement. The Israeli government also responded with relative moderation and, despite its expressed opposition to the agreement, took no practical measures against the Palestinian Authority after the signing. This response appears to have stemmed primarily from Israel's lack of desire to clash with the Trump and el-Sisi governments. However, it may also reflect an understanding in Israel that the agreement will help stabilize the situation in the Gaza Strip and help prevent another round of violence between Israel and Hamas.

Possible Scenarios and Policy Recommendation

Previous attempts at reconciliation between Fatah and Hamas ended in failure, even after the signing of agreements and the beginning of implementation, due to each party's view of the dynamic as a zero-sum game whereby the gain of one constitutes the loss of the other. Each side is only interested in an agreement that will ultimately result in its complete dominance. This dynamic resulted in the collapse/non-implementation of previous attempts to normalize relations between the two camps as a result of disagreement over the "national issues," including:

- a. The subordination of Hamas's military wing to the Palestinian government: Hamas aspires to create a reality akin to what exists in Lebanon, in which the central government operates in Beirut and, in parallel, Hezbollah maintains an armed militia that operates outside the authority of the central government. The PA leadership insists on implementation of the "one government, one weapon" principle, and thus far talks on this issue have been postponed. This issue is also related to Hamas's relations with Iran. The organization's military wing is dependent on Iranian aid, and its existence requires that it continue cultivating its relations with Tehran.
- b. Hamas's joining of the PLO and acceptance of its terms: Hamas is interested in joining the PLO as a step that will allow it to take over the organization, whereas Fatah will seek to include Hamas under terms that are as limiting as possible.
- c. Elections: Each side ostensibly supports holding elections for the legislature and the presidency, but only under terms that will ensure its own victory. This is the source of division over the election system.

There are three possible scenarios. In the first, the points already agreed upon are implemented, the thorny national issues are left unresolved, and both parties nonetheless decide not to give up all. This would establish a new balance in the Gaza Strip involving an armed presence of both parties in the region. This reality would be somewhat similar to the situation in Lebanon, although the Palestinian government would continue to be hostile to the military wing of Hamas and attempt to limit its actions, and will be free to conduct negotiations with Israel. In the second scenario, the lack of agreement regarding these issues results in the collapse of the agreement and a return to the situation before the

agreement was signed. In the third scenario, which is more optimistic but less realistic, the sides reach agreement regarding the national issues and implement them.

In any event, Israel would be wise to continue pursuing a policy that does not actively oppose reconciliation and to cooperate with the United States, Egypt, and the Palestinian Authority. A situation whereby the Palestinians are represented by one government is preferable for Israel and more conducive to progress, even if only gradual and limited, in mitigating the Israeli-Palestinian conflict and perhaps resolving it in the future. Even the Lebanon-like scenario would be preferable to the current situation, as it will stabilize the Gaza Strip, place greater limitations on Hamas's military activity, and mean that Hamas is allowing Ramallah to engage in political relations with Israel, including negotiations.