

# The Palestinian Strategic Report 2011/12



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# Chapter One

## *The Internal Palestinian Scene*

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# The Internal Palestinian Scene

## *Introduction*

While the wider Arab political scene in 2011 saw some initial sweeping changes in favor of democratic systems that express the will, honor and dignity of the populations, the Palestinian part of this scene remained essentially slow and sluggish.

However, during the same year, the Palestinians successfully concluded the national reconciliation agreement and an honorable deal for a prisoner exchange with Israel. Moreover, for some time, the Palestinians engaged the world with the application for admission to the United Nations (UN) for a State of Palestine. Nonetheless, while the world was preoccupied with dramatic developments in the Arab world, the Palestinians sadly failed to implement their reconciliation agreement, which was employed only in a temporary tactical manner. Moreover, differences between the Palestinian factions remained as profound as ever over the issues of the peace settlement, the resistance, security forces, elections, the formation of the government, etc. Thus, the internal Palestinian conflict remained during 2011, where the schism was managed rather than ended. The status quo essentially remained intact: the governments of Ramallah and Gaza Strip (GS), the security coordination between Ramallah and Israel, and the siege of GS all continued as they had. Moreover, civil and public liberties were not sufficiently guaranteed to make the environment conducive to free and fair elections with equal opportunity for all parties to prepare for their electioneering and election campaigns.

This chapter discusses the Palestinian internal scene during 2011 and early 2012. It addresses a web of important issues:

## *First: The Emergency Government in the West Bank*

The emergency government, which the President of the Palestinian Authority (PA) Mahmud 'Abbas formed after Hamas' seizure of control over GS in June 2007, continued to function under the premiership of Salam Fayyad, but with limited



administrative and security authority over towns, villages and refugee camps in the West Bank (WB).

Throughout 2011, there were no signs of any move towards legitimizing Fayyad's government by giving it the confidence of the Palestinian Legislative Council (PLC), which had, anyhow, remained officially dysfunctional. However, in mid-February, Fayyad's government submitted its resignation at the request of Mahmud 'Abbas, who then authorized Fayyad to form a new Cabinet.<sup>1</sup> But the legal three-week period of grace, (supposedly until the end of the first week of March) expired without any success in forming a new Cabinet because of the persistent differences between Fayyad and Fatah. Hence, the former requested an extension of two further weeks to accomplish the mission.

The massive youth and popular movements of mid-March, which demanded the immediate end of schism and the conclusion of the reconciliation deal, soon overtook the relatively minor issue of the Cabinet formation. Thus, decisions on Fayyad's government were allowed to wait until after the conclusion of the reconciliation agreement in Cairo on 3/5/2011, which was officially celebrated the next day. This Agreement stipulated the formation of a national consensus government of professionals and technocrats from outside the Palestinian factions.

Thus, it was agreed that the Fayyad government would continue to perform its duties until Fatah, Hamas and other Palestinian factions concluded their deliberations on the formation of a government of national consensus, which should be, by virtue of the Doha Declaration of February 2012, presided by Mahmud 'Abbas himself.

The conflicts within Fatah had obstructed the holding of the 2010 local elections, which Fayyad was obliged to reschedule to 9/7/2011.<sup>2</sup> But in May, just a few days after the conclusion of the Cairo reconciliation agreement, the Fayyad government once more postponed these elections to 22/10/2011 on the pretext of allowing sufficient opportunity for the success of the reconciliation efforts, and to strive towards holding concurrent elections in the WB and GS.<sup>3</sup> However, due to the stumbling implementation of the Palestinian reconciliation agreement, Fayyad postponed the elections once more, this time to an unspecified date to be declared some time in the future.

Meanwhile, Fayyad continued the efforts that he started two years previously to establish the institutions of the Palestinian State, which was scheduled to be

declared by the end of the summer of 2011. In fact, Fayyad had publicly, and more than once, declared his governments' ability to meet the responsibility of the declaration of the Palestinian state in September,<sup>4</sup> as scheduled. By this date, the tireless efforts of the representatives and the embassies of the PA had succeeded in securing the recognition of the Palestinian state by 139 countries.<sup>5</sup>

Israel seemed to have seriously misjudged the seriousness of the Palestinian move to officially declare their state via international institutions. It felt this to be just a propagandist maneuver that 'Abbas and Fayyad harbored to exert pressure on Israel to secure better conditions for the resumption of the negotiations, believing that 'Abbas would ultimately, and at the last moment, back down.<sup>6</sup>

But 'Abbas did not budge an inch. Supported by Fayyad's government and the PA, he energetically pursued the drive to obtain international recognition of the Palestinian state unless and until Israel agreed to halt settlement building and recognize the 1967 borders as the basis for the negotiations. 'Abbas' determination provoked and angered Israel, which issued a range of threats: termination of the Oslo Accords, stoppage of all negotiations and contacts with the PA, invasion of the WB, exposing 'Abbas to the same fate of his predecessor, the late Yasir 'Arafat, by besieging his compound, suspension of depositing tax revenue in the Palestinian treasury and withdrawal of all the privileges granted to the leaders and senior officials of the PA. This pressure was not restricted to the occupiers, but extended to the United States of America (US) administration, which threatened to totally freeze its aid to the PA.<sup>7</sup>

Confronted with 'Abbas' stubborn determination, Israel retreated, although it did suspend clearance revenue. Meanwhile, on 23/9/2011, 'Abbas gave an important address to the United Nations General Assembly (UNGA), which featured an unprecedented condemnation of the Israeli occupation.<sup>8</sup> The speech was well received by important sectors of the Palestinian people and a number of their political forces, who viewed it as a positive step towards freeing the official Palestinian decision from foreign intervention and hegemony, and a basis for a new phase in which reconciliation and national unity will supersede and dominate. But other, equally important, Palestinian forces expressed their reservations on the speech's position towards the resistance, the peace settlement and other issues.

'Abbas and the PA were profoundly disappointed because of their failure to secure the support of nine members of the Security Council,<sup>9</sup> and the consequential



failure of their bid to secure the recognition of the UN for the Palestinian state. Nonetheless, the PA secured, on 31/10/2011, full membership in the United Nations Educational, Scientific and Cultural Organization (UNESCO). This opened the way for a bitter confrontation between the Palestinian and Israeli positions, while the US administration retaliated by stopping its subsidy to UNESCO, seemingly prompted by the PA's declared intention to apply for the membership of other international organizations and agencies.<sup>10</sup>

Though the PA had firmly claimed that it would resubmit its application for full membership, the tremendous political and economic pressure exerted on it placed it in an extremely embarrassing situation, and blocked the resumption of its drive to secure international recognition for a Palestinian state.

The position of the PA, outlined above, towards the issue of the Palestinian State cast doubt on its seriousness in pursuing this path. It is logical to wonder whether this move was somehow related to the PA's desire to improve its negotiating position in a probable peace negotiations with Israel, and whether it is at all worthwhile to focus on this option at a time when the PA is not willing to confront the Israeli-American opposition to the very end.

The Israeli suspension of clearance revenues presented Fayyad's government with a serious financial crisis with very serious economic ramifications.<sup>11</sup> In fact, Fayyad's government had, as early as the middle of 2010, admitted the financial difficulties, but signs of the crisis were vivid by early 2011.<sup>12</sup> Fayyad attributed the crisis to the reduction of the donors' subsidies as well as foreign aid, which seriously affected his government's ability to honor its commitments, particularly the monthly payment of the salaries of over 150 thousands government employees.<sup>13</sup>

Fayyad's government adopted some austerity measures to reduce its dependence on foreign aid. Nonetheless, though public expenditure was reduced from \$1.8 billion\* during 2008 to \$790 million in 2011, the financial crisis deepened.<sup>14</sup> The Israeli decision of late 2011 to pay the clearance revenue to the PA was not really effective in this respect, as it only delayed the crisis.

The economic restrictions imposed on the PA by the Paris agreement, namely the Protocol on Economic Relations signed in Paris in 1994, deprived the PA of

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\*The symbol \$ used throughout this book is the US\$.

having real and viable economic potentialities. It was therefore unable to rid itself of dependence on foreign aid, the availability of which depends on the political whims of the Western powers.

Accusations of flagrant corruption were not restricted to some of the ministers of Fayyad's government, but extended to the Prime Minister himself, who was accused of being involved in corruption by no other person than the president of the Palestine State Audit and Administrative Control Bureau, Mahmud Abu al-Rub.<sup>15</sup> Moreover, according to press releases given in early 2011 by the PA's attorney general in Ramallah, Ahmad al-Mughni,<sup>16</sup> 80 corruption cases were referred to the Anti-Corruption Commission which is headed by Rafiq al-Natsheh and that was established in 2010. Some big fishes, including incumbent ministers, were, according to al-Mughni, subjected to investigations.

Al-Natsheh had asked Prime Minister Fayyad to lift immunity from two of his ministers in preparation for investigating some corruption charges against them.<sup>17</sup> Moreover, on another occasion, al-Natsheh said that immunity had actually been lifted from a number of ministers in preparation for their trial,<sup>18</sup> while investigations of charges of corruption had actually commenced in the case of two ministers, who submitted their resignation.<sup>19</sup>

Despite the chain of corruption charges against some ministers in Salam Fayyad's government, and the undertaking given by the attorney general and the Anti-Corruption Commission that they meant business, only the Minister of Social Affairs, Hassan Abu Libdah was referred to the judiciary, in early February 2012. This indicates that investigations were, if undertaken at all, undertaken hesitantly and half heartedly, and firm measures are unlikely to be taken against the culprits.

The corruption charge was not the only issue raised against Fayyad's government in 2011; it was also blamed for targeting the resistance, as well as civil liberties, in the WB. Many activists were interrogated and arrested, and public and private liberties were violated, including dismissal from public posts for political reasons, prohibition of assembly and demonstrations by force and infringement on the freedom of speech and expression by various means. All these measures were undertaken under the pretext of the security obligations of the Oslo Accords, the agreement that initiated security cooperation with Israel.





The PA tried, in vain, to improve the image of its security forces. It claimed that they are obliged to abide by proper legal measures in all their activities, particularly with regard to arrest operations. Moreover, they were not to try civilians in military tribunals,<sup>20</sup> and had to refrain from arresting any citizen except with a prior arrest warrant issued by the Office of the Attorney General.<sup>21</sup> But none of these measures was actually applied on the ground.

Contrary to the expectation of some, the conduct of the security apparatus did not see any change after the conclusion of the reconciliation agreement in May 2011. The security forces continued their oppressive measures against the resistance, and hardly a day passed without interrogations and political arrests being carried out, though the reconciliation agreement stipulated the prevalence of freedom, and the release of detainees.

Some sectors among the Palestinian youth were so inspired by the Arab Spring that they called, on 15/3/2011, for the assembly of huge marches to put pressure on Fatah and Hamas to initiate serious steps to end the schism.<sup>22</sup>

Though seemingly welcoming this popular youth drive, Fayyad's government had evidently tried to swim with the tide in order to avoid the probable negative repercussions of the movement, and attempted to appear as a champion of unity and national reconciliation. In reality, it used its security forces to undermine the movement's fundamental objectives through repeated interrogations and arrests of its organizers and participants. Hence, in a short time, it managed to check the momentum of, and then abort, this revolutionary initiative.

Meanwhile, during 2011, tension continued between Fayyad's government and the rival government in GS. This estrangement was clearly demonstrated in the contradictory positions of the two sides on several common administrative and national issues, such as the issues of pilgrimage, *'Umrah* (smaller pilgrimage to Mecca), passports, health and electricity.

The government of GS, under Prime Minister Isma'il Haniyyah, attributed all these hostile positions on the part of Fayyad's government and the PA in Ramallah to their participation in the imposed siege on GS and their drive to exert political and financial pressure on GS through denial of its legitimate share in the financial subsidy and other funds allocated for relief and humanitarian purposes.<sup>23</sup>

## ***Second: The Caretaker Government in the Gaza Strip***

Though summarily dismissed back on 14/6/2007, by presidential decree, Haniyyah's government in GS continued to function during 2011, notwithstanding the formidable difficulties that it experienced; primarily the political and economic siege, and the repercussions of the Palestinian schism on the administration of GS and the national project in general.

Immediately after the overthrow of the former Egyptian President Husni Mubarak, Haniyyah's government expressed its earnest wish that this development would lead to a new chapter in the relationship between Egypt and GS. The latter had endured great hardship as a result of the adverse positions and policies of Mubarak's regime towards Hamas and its government.

Haniyyah cabled Field Marshal Muhammad Hussein Tantawi, chairman of the Supreme Council of the Armed Forces (SCAF), to assure him of his government's desire to maintain the security and stability of Egypt during the period of change. Moreover, he vowed that his government would undertake its duty of policing the borders in a way that ensures Egypt's security and sovereignty, vowing not to interfere in its internal affairs.<sup>24</sup>

Meanwhile, the post revolutionary Egyptian government declared its full support for GS and the legitimate demand to end the siege. Both the Egyptian Prime Minister 'Isam Sharaf, and his Foreign Minister Nabil al-'Arabi, emphasized the necessity to speedily lift the siege of GS, a move that was welcomed by Haniyyah's government, still suffering the intense and protracted blockade.<sup>25</sup>

Notwithstanding the seemingly warm relations between Haniyyah's government and Egypt, tangible changes did not go beyond the political and media arenas, with no major breakthrough taking place on any of the important issues brought about by the imposed restrictions and the siege of GS. As emphasized by Egyptian official sources, major developments remain primarily contingent on the successful conclusion of internal Palestinian reconciliation.<sup>26</sup>

Nonetheless, political and media relations between the new Egyptian regime and Haniyyah's government have significantly developed in more than one direction. It surpassed the former narrow security domain and reached broader issues and concerns, on which joint official meetings were held between ministers from both sides.



Shortly after the success of the revolution, the Egyptian government declared a new mechanism for the opening of Rafah crossing, which constitutes the only available passage for contacts between the Gazans and the outside world. Haniyyah's government welcomed this Egyptian move, declaring their hope that Egypt would "swiftly implement the decision to end continued Palestinian suffering due to siege."<sup>27</sup>

Eventually, though, the Egyptian administrative policy of Rafah gateway led to some disagreements with Haniyyah's government. This was particularly because a result of the Egyptian insistence on restricting the numbers and movements of the travelers crossing via Rafah, and their adherence to blocking black listed travelers who had been banned from entering Egypt under the Mubarak regime. Tension continued for several weeks,<sup>28</sup> but it was eventually eased by some improvements taken by the Egyptian side to facilitate the movement of the travelers. This did not constitute a comprehensive solution of the Rafah problem, though Egypt repeatedly promised to resolve the issue once and for all sometime in the future.<sup>29</sup> As things stand, it seems most likely that the problem will remain, particularly with regard to the black listed travelers, until a breakthrough is made on the formation of a Palestinian national consensus government within the dictates of the national reconciliation agreement.

Towards the end of 2011, Isma'il Haniyyah, the prime minister of the caretaker government, made his first visits since Hamas' take over of GS in mid-2007, to several Arab and Muslim countries, viz. Egypt, Sudan, Turkey and Tunisia.

Interestingly Haniyyah was officially received as a legitimate prime minister of a constitutional government in the Sudan, Turkey and Tunisia, but not in Egypt where the Egyptian prime minister and SCAF chairman declined to afford him official treatment. Nonetheless, Haniyyah's tour played an effective role in breaking up the political siege of GS, and in the discussion of several important issues, such as lifting the siege, reconstruction of GS, Jerusalem and its Judaization by the Israelis, and some educational and health matters. During his visits to Sudan, Turkey and Tunisia, Haniyyah met senior government officials, leaders of political parties and representatives of popular movements, in addition to meetings in Egypt with the general-guide of the Muslim Brotherhood (MB), the sheikh of al-Azhar, the secretary-general of the League of Arab States and the leadership of Egypt's intelligence apparatus.<sup>30</sup>

At the end of January 2012, Haniyyah undertook another tour to Qatar, Bahrain, Kuwait, Iran and the United Arab Emirates (UAE). Discussions focused on the issues of reconstruction, unemployment and electricity, where several promises of help and support were made by the leaders of these countries.

In February 2011, Haniyyah declared his intention to hold a cabinet reshuffle in order to reduce the burden on his ministers, some of whom had more than one portfolio, as well as to freshen up his government. He formed a special committee to study the means towards securing the participation of Palestinian forces, factions and personalities in the proposed new line up. But this effort led to nowhere, as all the pro-PLO forces as well as the Islamic Jihad Movement in Palestine (PIJ) declined, the former under the pretext of the schism, and the latter for political reasons.

In early March 2011, Haniyyah undertook the cabinet reshuffle in two phases, because of some legal considerations, and submitted it for the PLC vote of confidence, as stipulated by the Palestinian Basic Law.<sup>31</sup> However, Haniyyah was keen to emphasize that the arrangements did not carry significant political weight, as his government would readily resign once a new consensus government is agreed upon within the framework of the national reconciliation dialogue.<sup>32</sup> Fatah dismissed the exercise as unconstitutional, stating that it would only aggravate the schism.<sup>33</sup>

Haniyyah's government dealt carefully with rising Israeli military provocation that continued throughout 2011, stating that the national interest dictated a reserved reaction to deny Israel any excuse to attack GS, and to target the resistance factions.<sup>34</sup> Nonetheless, GS was subjected to several waves of Israeli attacks, of which the most serious was in August 2011. The Israeli target was reportedly the assassination of Isma'il Haniyyah, but this plot was foiled by direct Egyptian intervention.

Haniyyah's government tried its utmost, using through various ways and means, to control the rising Israeli military aggression, and to prevent escalation. To this end Hamas had extensive contact with the various Palestinian resistance factions, approached the leadership of the Egyptian intelligence services, and made earnest appeals to the Arab League, the Organization of Islamic Cooperation (OIC) and the international community to stop all forms of aggression and halt abort Israel's assault on GS, and impose a mutual truce on the two parties.<sup>35</sup>



Meanwhile, the wave of Israeli claims that the Palestinian resistance was significantly strengthening itself by acquiring new weapons and military equipment, allegedly constituting a grave threat to Israel, never stopped. These charges reached their apex with the Israeli claims that GS has become a base for al-Qaeda and international jihadists, and a spearhead for operations against the Israeli presence in Egypt's Sinai Peninsula.<sup>36</sup>

Israel executed a number of assassinations of Palestinian activists in GS on the pretext that they were involved in operations against Israel in the Sinai Peninsula. Israel threatened assassinations would be carried out against anyone planning or working against Israel anywhere. This highlights Israel's drive to rationalize its aggression against GS and its desire to discredit the resistance regionally and internationally. Within this context, senior Israeli military officials issued, from time to time, threats of war or a major military operation against the resistance factions, reflecting Israel's determination to destroy the infrastructure of the resistance forces and paralyze their activities. This determination was probably heightened as a result of the major anti-Israel developments across the Arab region, notably the pro-Islamist transformation and increasing expression of opposition to the occupation and its measures.<sup>37</sup>

One of the major achievements of Haniyyah's government was the noticeable success of its security forces to maintain peace and internal stability in GS. This tranquility was disturbed by the kidnapping and execution of the Italian pro-Palestinian activist, Vittorio Arrigoni, by some extreme jihadists.<sup>38</sup> Swiftly, the security forces discovered the location of Arrigoni, but their attempt to settle the matter peacefully sadly failed because a leader of this ultra-orthodox Salafist group rushed to kill Arrigoni and one of his own colleagues, before committing suicide.<sup>39</sup>

Gaza's security forces continued targeting Israeli agents in GS in 2011, and they succeeded in capturing many of them, depriving Israel of their much needed services. The GS Ministry of Interior viewed this action as a major security achievement for the resistance project and the maintenance of the Palestinian rights.<sup>40</sup>

In an act unprecedented in the history of the Palestinian security forces, the Minister of the Interior and the leaders of the security forces summarily and permanently dismissed 120 security employees because of their unsatisfactory behavior and violation of established administrative systems and procedures.<sup>41</sup>

With this action, Haniyyah's government gave a serious warning that it would not allow any of the security employees, irrespective of his/her position and loyalty, to operate outside the prevailing regulations and laws.

The economic and financial predicament constituted a formidable difficulty for Haniyyah's government in 2011, which was already overburdened by the siege imposed on GS since 2007. Thus, deteriorating economic conditions continued, and the scarcity of raw materials entering via the crossings associated with Israel had, in particular, further aggravated the poor living conditions of the Palestinian citizens of GS. Haniyyah's government tried to offset the impact of the economic crisis through various measures, including an employment drive that recruited thousands of unemployed people, an extension of financial aid to unemployed workers and efficient administration of the limited materials that were allowed entry via the crossings between GS and Israel.<sup>42</sup> Nonetheless, these measures did not shield Haniyyah's government from accusations of imposing excessive taxes on some commodities.

In its attempt to improve economic conditions, Haniyyah's government also submitted economic proposals to the Egyptian government. These included the establishment of a free trade zone in al-'Arish region, and the renting of a special platform in al-'Arish port to import commodities to GS; both sites would be far away from Israeli targeting and control. But these remained mere theoretical ventures that were never implemented by the Egyptians. However, Haniyyah asserted that his government's running of the economic affairs of GS continued to demonstrate its observance of the principles of transparency and avoidance of financial indebtedness.<sup>43</sup>

In their striving to support the besieged Palestinian people in GS, several supportive convoys and delegations from within and outside the Arab-Islamic world visited GS throughout 2011. They included regular Arab and Islamic convoys, and European delegations of incumbent and former politicians and parliamentarians. However, with the cooperation of the Greek authorities, Israel managed to prevent the arrival of Freedom Flotilla 2 to Gaza's shores. The most important of these was the international convoy "Spring of Freedom," which included more than 100 international parliamentarians, Muslim scholars, and Arab activists representing more than 40 countries. They reached GS in November 2011 and issued the International Declaration To Refuse People Blockade.<sup>44</sup>



The delegations and convoys that strove to break the siege played a major role in rallying external support to the Palestinians, including against the siege of GS. Moreover, they were instrumental in exposing Israeli policies that violate human rights, international conventions and the international and humanitarian laws.

With regards the youth movement described above, Haniyyah's government dealt with the drive flexibly right from the beginning; the government in GS even declared its determination to meet the movements objectives and to secure their attainment.<sup>45</sup> But the relationship between the two sides became rather strained following the massive youth rally of March 2011, as the government accused its organizers of departing from the national agenda and choosing to pursue narrow partisan interest. By the end of April 2011, this particular disagreement was less relevant as Hamas and Fatah signed the reconciliation agreement in Cairo.

### ***Third: National Reconciliation Process***

The issue of the Palestinian reconciliation is one of the most complicated ongoing issues on the Palestinian scene. Every Palestinian, irrespective of their intellectual orientation and party loyalty, hopes to see a resolution to the split. The internal schism has overburdened the Palestinians and discredited their case internationally.

As the Egyptian revolution gained momentum, a significant change occurred in Fatah's position towards the issue of reconciliation, namely, its acceptance of Hamas' observations on the Egyptian proposal.<sup>46</sup> But, by then, Hamas had tabled new conditions which, in effect, meant that for reconciliation to be successfully concluded, it would need to be taken outside the domain of the Egyptian document.<sup>47</sup> Following this stumbling progress, Fatah offered to conduct elections,<sup>48</sup> but Hamas refused on the grounds that it was preoccupied with crystallizing a comprehensive national vision within an initiative to end the schism.<sup>49</sup> Simultaneous to this development, both movements turned down an initiative by Salam Fayyad to maintain both governments, in GS and Ramallah; Hamas had by this point started to exhibit some flexibility towards the Egyptian paper.<sup>50</sup>

Following an Egyptian declaration that Palestinian reconciliation was the primary concern of the new Egyptian Foreign Minister Nabil al-'Arabi,<sup>51</sup> the issue

was once more raised. But this was not enough for it to be seriously pursued, as there were still differences between Fatah and Hamas on the interpretations of some points and observations in the Egyptian document.

The Arab Spring inspired a popular movement in both the WB and GS to end the schism, which included a massive march, scheduled in late March. Isma'il Haniyyah took advantage of this moment to give a televised speech, in which he invited Fatah to a comprehensive dialogue, to be held anywhere, to conclude reconciliation.<sup>52</sup> 'Abbas quickly and positively responded to this invitation by offering to visit GS and to form a consensus government.<sup>53</sup> But, because of some media skirmishes and political differences between the two sides, this visit did not materialize.<sup>54</sup>

Egypt's strict neutrality after the collapse of Mubarak regime had been a primary factor for enabling the acceptance of the Egyptian document by all the concerned parties. By then, Egypt had revived its patronage of the process of reconciliation, and its more general role towards Palestinian issue, which was based on the primacy of the conclusion and implementation of reconciliation.

The Egyptians supervised serious follow-up meetings between Hamas and Fatah during March and April. Though Turkey had tried to act as an intermediary between Fatah and Hamas,<sup>55</sup> the reconciliation issue remained an exclusive Egyptian concern, until it was finally announced that the reconciliation agreement had been signed by the two movements in Cairo on 27/4/2011.

The initiating of the reconciliation agreement certainly came as a pleasant surprise for all the Palestinians who had been extremely frustrated by the long schism. In Cairo, on 3/5/2011, the agreement was officially signed and the next day it was celebrated in a ceremony attended by all the Palestinian factions. The Palestinians were full of hope that they could bypass the past and to open a new page in domestic Palestinian relations, especially after both movements emphasized in their speeches their determination to achieve national unity and to put the Palestinian house in order. However, aware of the history of past experience, many Palestinians were concerned with the overall phraseology of the text of the agreement and by the fact that new rounds of dialogue between the two sides were needed in order to reach common agreement on many details of the reconciliation.

Palestinian forces and factions had on the whole welcomed the reconciliation agreement between Fatah and Hamas, though they demanded that there should



be sufficient guarantees to see it through.<sup>56</sup> Nonetheless, some factions, like PIJ<sup>57</sup> and the Democratic Front for the Liberation of Palestine (DFLP)<sup>58</sup> voiced reservations, while several others called for going beyond this bilateral framework into a comprehensive national agreement.

The inconsistent reactions of Israel and the US to the deal seemed to demonstrate that the conclusion of the agreement had taken them by surprise. Immediately after its initiating, Israeli Prime Minister Benjamin Netanyahu, commented that the “Palestinian Authority must choose either peace with Israel or peace with Hamas. There is no possibility for peace with both,”<sup>59</sup> and further stated that Washington “should consider stopping economic aid to the Palestinian Authority if a Hamas-Fatah unity government did not recognize Israel and renounce terror,”<sup>60</sup> while his Foreign Minister Avigdor Lieberman said that with “this accord, a red line has been crossed,” and warned that the elections envisaged under the agreement would allow Hamas “to take control of Judaea and Samaria.”<sup>61</sup>

“Speaking to the American legislators, Netanyahu quoted remarks by Secretary of State Hillary Clinton in April 2009, that Israel would not hold talks with or economically support a Palestinian government, including Hamas, until Hamas recognized Israel and abandoned violence.” Moreover, a meeting of the seven member Israeli ministerial forum known as the Septet declared its decision to launch a diplomatic campaign, with particular emphasis on the European Union (EU), to thwart international recognition of the unified Fatah-Hamas government.<sup>62</sup> As a precursor, Israel implemented its threats to suspend the transfer of clearance revenue to the PA.<sup>63</sup>

Notwithstanding explicit Israeli threats of dire consequences, other official sources gave a different angle to the official position. Amos Gilad, head of the Defense Ministry Diplomatic-Security Bureau, declared that a real reconciliation between Fatah and Hamas remained unlikely and farfetched.<sup>64</sup>

The American administration was extremely disturbed by the conclusion of the reconciliation agreement, and some members of the Congress demanded that it should lead to the stoppage of all American aid to the PA.<sup>65</sup> However, the Director of Policy Planning in the State Department, Jake Sullivan, declared that Washington would continue with its aid to the PA under the leadership of ‘Abbas and Fayyad,<sup>66</sup> reflecting a relatively balanced and rational American position in comparison to the hasty Israeli response.

The implementation of Palestinian reconciliation faltered as a result of the following issues:

**1. Political Detention:** While the Palestinians were hopeful, after the conclusion of the reconciliation agreement, of a promising new era, the security forces in the WB continued their customary practices including arrests of Hamas activists. Hence, senior Hamas figure, Musa Abu Marzuq accused certain elements within Fatah of obstructing reconciliation.<sup>67</sup> Moreover, Isma'il Haniyyah criticized the wave of summonses and arrests, and called for an honest implementation of the reconciliation agreement,<sup>68</sup> while Khalid Mish'al, head of the Hamas Political Bureau, declared that the practices pursued in the WB contradict the spirit of the reconciliation agreement, emphasizing that they are part of the past; a dark chapter in the schism that should be closed once and for all.<sup>69</sup> Nonetheless, political detention continued notwithstanding the repeated official assurances that it would cease.

**2. The Political Program:** Though 'Abbas declared immediately after the signature of the reconciliation agreement that the major concern of the new consensus government would be elections and the reconstruction of GS, he soon backed down, and began emphasizing that the transitional government was still his government, and it would be adhere to the policy of the Palestine Liberation Organization (PLO).<sup>70</sup> This sudden change of heart predictably provoked the ire of Hamas, who emphasized through a member of its political bureau, Mahmud al-Zahhar, that the Palestinian people should not be held hostage to 'Abbas' political program,<sup>71</sup> while another leader of the movement, Salah al-Bardawil, declared that the agreed upon government was not that of the President, and it was to carry no political program, as it was to be a government of technocrats.<sup>72</sup> Thus, the sharp differences between Hamas and Fatah on this issue continued, without any conciliatory settlement in prospect.

**3. The Proposed New Government:** Immediately after the end of the official signing ceremony of the reconciliation agreement in Cairo, Fatah and Hamas embarked on bilateral meetings to explore mechanisms for implementing the items of the agreement, notably the formation of a national consensus government.

Notwithstanding the positive environment that dominated the early meetings, held between the two sides under the patronage of Egyptian intelligence services in Cairo, consensus on the mechanisms for the formation of the new government and the involvement of other Palestinian factions in the discussions, things went



back to square one once Fayyad was proposed for the premiership of the national government. The dialogue between the two sides reached to a virtual stalemate, as ‘Abbas insisted on Fayyad and Hamas outright rejected the idea.<sup>73</sup>

With the failure of the dialogue between Fatah and Hamas on the formation of the national government, which would have theoretically ended the schism, and in spite of the assurance of Musa Abu Marzuq that the movement was ready to form a government acceptable to the West in order to end the siege,<sup>74</sup> some informed Palestinian sources were inclined to believe that the issue of the formation of the new government would be postponed until September 2011. This was said to be a result of American-Israeli pressure on the PA, and to await the outcome of the PA’s bid for recognition of the Palestinian state at the UN,<sup>75</sup> a move that had been rejected by Hamas.<sup>76</sup>

Meanwhile, ‘Abbas appealed to Egypt’s SCAF Chairman Field Marshal Muhammad Hussein Tantawi, to persuade Hamas to accept Fayyad,<sup>77</sup> and, on another occasion, he told the Egyptian intelligence leadership that Washington had given him only one option: accept Fayyad or to face American boycott.<sup>78</sup>

Criticism of the Palestinian factions because of the failure to reconcile fully was rife and extended to disagreements within Fatah’s leadership on ‘Abbas’ insistence on Fayyad. But ‘Abbas remained adamant. A deadlock developed, media battles continued, and there was news of Turkish intercession between the two sides that focused on convincing Hamas to accept Fayyad.<sup>79</sup> Things dragged on until September, at which point the PA failed in its bid for full UN membership, amidst sporadic dialogue between the two sides.

The above failure prepared the ground for new dialogue in order to implement the faltering reconciliation agreement, and new, higher level, dialogue was actually conducted, in preparation for a summit between ‘Abbas and Mish‘al towards the end of November. Public assurances were given that the predicament of naming the new prime minister had been overcome. For the first time signs of mutual agreement on this issue emerged, as ‘Azzam al-Ahmad, a member of Fatah’s Central Committee, declared that Fayyad had been excluded from the deliberations of the formation of the government.<sup>80</sup> But he soon came back to say that Fatah’s position on his nomination had not yet changed.<sup>81</sup>

All hopes rested on the summit between Mish‘al and ‘Abbas, held on 23/11/2011 in Cairo, producing a bilateral declaration that committed both sides

to meaningful national partnership, and the launching of practical efforts towards achieving internal domestic reconciliation.<sup>82</sup> ‘Azzam al-Ahmad declared that an agreement between the two parties had been reached on the implementation of the political program during the next phase of reconciliation, as well as on the future of the PA, the PLO, the Palestinian State, the societal reconciliation, the holding of elections on schedule, the consolidation of the armistice in the WB and GS, recognition of popular resistance and the settlement of the issue of detainees within days. Moreover, he announced that the two parties had agreed to continue deliberations on the issue of the government, and that a meeting between ‘Abbas and Mish‘al would be held on this and all other outstanding issues.<sup>83</sup>

During the meeting, it was agreed to convene the interim leadership framework which would handle the reactivation, development and restructuring the PLO. ‘Izzat al-Rishq, a member of Hamas’ Political Bureau, declared that the meeting was positive, frank and transparent, and had served to launch a new phase in which the Palestinians could move on from the prevailing political stalemate and explicit American hostility towards Palestinian demands.<sup>84</sup> Despite this injection of momentum, a subsequent meeting between Mish‘al and ‘Abbas did not produce anything new, which impelled Mish‘al to caution against foreign intervention aimed at aborting the reconciliation.<sup>85</sup> Meanwhile, Mahmud al-Zahhar spoke of ‘Abbas’ lack of determination to see the agreement through,<sup>86</sup> while Mahir al-Tahir, a member of the Political Bureau of the Popular Front for the Liberation of Palestine (PFLP), warned against administering the schism rather than ending it.<sup>87</sup>

On 18/12/2011, Fatah and Hamas’ delegations met under Egyptian patronage, where they declared practical steps to resolve pending issues, amongst which were political detainees, passports, freedom of movement, and the return of escapees from GS.<sup>88</sup> This created a new environment of optimism, and triggered Mahmud al-Zahhar, who had participated in all these meetings, to state that a breakthrough had occurred on many issues vital to reconciliation.<sup>89</sup>

On 20/12/2011, the Palestinian factions met in Cairo and reached a consensus on the members of the central elections committee, committee of freedom and confidence building in the WB and GS, and the societal reconciliation committee. Moreover, it was agreed that the issue of the formation of the new government should be finalized by the end of January 2012, and that the parliamentary blocs should hold an exploratory meeting in Cairo to be followed by another one in the



WB and GS. A presidential decree was to be issued calling for the PLC to convene in February 2012.<sup>90</sup> Some practical considerations relating to internal conditions and external intervention cast serious doubt on the chances of concluding the deal, leading some to suggest that both Fayyad and Haniyyah's governments would continue in power until elections.<sup>91</sup>

Following the decision to refer some of stumbling blocks to reconciliation to factional committees, Mish'al declared that no single person could monopolize political decision making, nor the administration of the institutions of the PA and the PLO,<sup>92</sup> and that no elections would be held before the formation of the desired unity government.<sup>93</sup> Nevertheless, political summons and detention by the security forces continued in the WB, notwithstanding the agreement between the two parties to conclusively and finally end this practice, which motivated Hamas to emphasize that there were elements attempting to abort the Palestinian reconciliation agreement.<sup>94</sup>

Hamas' suspicion seemed well-placed, as reconciliation remained dormant in spite of the consensus agreed upon in some of the committees, particularly with regard to political detention, freedom of movement and travel and the issues of freedom. Things remained stagnant until early February 2012 when Hamas and Fatah agreed that President 'Abbas would lead an interim national consensus government. But even this breakthrough did not herald the end of the conflict over the issue of the government and a number of barriers to reconciliation remained.

However, though, under internal and external pressure, the government file may be settled in the foreseeable future, the whole reconciliation process appears, at best, to continue to be extremely slow in the next phase. This is due to the PA security forces which continue to act in a way that renders reconciliation issue practically void of its major themes and concerns, refusing to respond positively to agreements made on the issues of freedom and the release of political detainees.

Weighing up prevailing conditions, no major breakthrough should be expected on reconciliation until presidential and PLC elections are held. Many view this to have been the very aim of the PA and Fatah in creating so many delays.

### ***Fourth: Prisoner Swap Deal and Its Internal Repercussions***

The prisoner swap deal between Hamas and Israel was an important event that had repercussions on the internal Palestinian political scene.

Since the failure of the deal to release captured Israeli soldier Gilad Shalit that was to be concluded with the former Israeli Prime Minister Ehud Olmert, no progress had been made and the efforts of the German and Egyptian intermediaries did not produce results because of the bias shown towards Israel. By the end of March 2011, Musa Abu Marzuq declared that that Hamas would no longer accept the Germans as intermediaries.<sup>95</sup>

Immediately after its success on the Palestinian reconciliation issue, Cairo embarked on another venture, namely to conclude a deal on Shalit, who was something of a household name in the West by this point. It was apparent that the Egyptians were more determined this time to achieve a breakthrough on the issue. On 2/6/2011, Muhammad Basyouni, the former Egyptian ambassador to Israel, surprised political circles by declaring that a deal for Shalit would be ready for implementation within hours.<sup>96</sup> Though the concerned parties denied the actual conclusion of the deal, Basyouni's statement was an indicator that the swap deal was in its final stages, and that the "deportation issue" was the only remaining obstacle.<sup>97</sup>

Meanwhile, news agencies reported that Hamas had transferred Shalit's file from Mahmud al-Zahhar to Musa Abu Marzuq,<sup>98</sup> while Israel emphasized that the deal was experiencing a crucial development.<sup>99</sup> However, the "deportation issue" finally led to the failure of this round of negotiations, and Hamas to emphasize that Shalit would not be freed unless and until the Palestinian detainees gained their freedom through an honorable swap deal.<sup>100</sup>

Though an Israeli newspaper claimed that joint Turkish-Israeli efforts were working for a breakthrough,<sup>101</sup> the issue of Shalit remained stagnant until a new round of talks started in August between Israel's Defense Ministry Diplomatic-Security Bureau Director Amos Gilad, and some Egyptian officials.<sup>102</sup> An Egyptian source revealed that shuttle negotiations had been conducted under the patronage of the Egyptian intelligence agency between a Hamas delegation, led



by Hamas Political Bureau delegate Ahmad al-Ja‘bari and an Israeli negotiating team led by David Meidan, who had been in charge of Shalit’s release.<sup>103</sup> Meanwhile, some Israeli sources claimed that Netanyahu had become more receptive to Hamas’ conditions for the release of Shalit.<sup>104</sup> Suddenly, however, Egypt declared the postponement of negotiations to an unspecified date because of the intransigence of both sides on some issues, but it undertook to continue to explore the possibility of crystallizing a compromise solution.<sup>105</sup>

The deadlock continued until, suddenly, after a successful media blackout and without an advance warning, political and media circles were informed on 11/10/2011 of the conclusion of a swap deal. In a televised message, Khalid Mish‘al explained that his government had concluded a prisoners’ swap deal, “Devotion of the Free,” in which 1,027 Palestinian prisoners would be exchanged for the Israeli soldier Shalit. He added that the release of the detainees will be in two stages: First, 477 male and female prisoners would be released within a week, secondly, after two months, 550 others (the sick, aged and children) would follow. Mish‘al emphasized that the deal was a significant achievement, as it included detainees from the WB, GS, Jerusalem, the 1948 occupied territories and the Diaspora. This, he declared, showed the unity of the nation and of the Palestinian people, as the deal included all political factions.<sup>106</sup>

Ezzedeen Al-Qassam Brigades, which captured Shalit and held him for 64 months, commended the deal as a historic achievement that had been concluded according to the conditions and principles of the resistance.<sup>107</sup>

Usamah Hamdan, head of the Hamas International Relations Department, revealed an Israeli commitment in the deal not to target the freed detainees,<sup>108</sup> while ‘Izzat al-Rishq declared that the deal was concluded after consultation and full understanding with the leadership of the detainees’ movement.<sup>109</sup>

The first stage of the deal was implemented on 18/10/2011,<sup>110</sup> whereby 450 male and 27 female detainees were freed. Their origins were as follows: six from the 1948 occupied territories, 318 from the WB, amongst whom 45 were from East Jerusalem, 125 from GS and one from the occupied Golan Heights.

According to the terms of the deal, 40 of the detainees were exiled from Palestine for different periods to Turkey, Qatar, Syria and Jordan, while another

163 were deported to GS, amongst whom 17 were due to return to their homes after three years. Of those, 315 male prisoners and 5 female were serving life-sentences, 67% of those freed in the first phase. They constituted 37% of the total number of the Palestinians convicted to life imprisonment in Israeli jails. Amongst those freed were the dean of the detainees, Na'el al-Barghouthi, who had spent 33 years behind bars, and the most senior of the detainees, the 80 year old Sami Yunus, who had been in detention for 29 years. Prominent Hamas leaders were among the prisoners released such as Yahya al-Sanwar, Rawhi Mushtaha and Zaher Jabareen.

It is worth mentioning that the resistance had managed on 2/10/2009 to secure the release of 20 detainees, 18 females from the WB and one woman and her son from GS, in exchange for a video tape showing Gilad Shalit alive.

The Palestinians, including all the resistance factions, overwhelmingly welcomed the swap deal. It was commended by al-Quds Brigades, the armed wing of PIJ, which emphasized that it would not be the last such deal,<sup>111</sup> while the PFLP viewed the deal as an important lesson for the resistance in its future drive to release detainees, and it praised Hamas for achieving this success for all the Palestinians.<sup>112</sup> The deal was also blessed and described as a historic achievement by Zuhair al-Qaissi, the secretary-general of the Popular Resistance Committees, one of the factions that captured Shalit,<sup>113</sup> and by Fatah<sup>114</sup> and the DFLP,<sup>115</sup> as well as by the rest of the factions and their representatives, who issued congratulatory press releases and declarations.<sup>116</sup>

Though Fatah had welcomed the conclusion of the deal, its disagreement and strained relations with Hamas, who had gained a lot from this development, were clear in Fatah's declarations and press releases. They cast doubt on the deal's timing, claiming that Netanyahu's government had exploited the deal to end its isolation, and to besiege the Palestinian leadership.<sup>117</sup>

On 18/12/2011, the second stage of the swap deal was implemented, whereby 550 detainees were released, who were mainly from Fatah, and included 55 minors.<sup>118</sup> Meanwhile, Abu 'Ubaidah, the spokesperson of Ezzedein Al-Qassam Brigades, declared that Hamas would raise with the Egyptians some violations that had taken place during the implementation of the second stage of the deal.<sup>119</sup>

Hamas' flexibility in accepting the deportation of some detainees and its bypassing of the liberation of some prominent detained Hamas leaders, may be justified by the fact that what they secured in the deal was the maximum that could





be extracted from the Israelis, who had actually backed down from their previous extreme rejectionist position. This obliged Hamas to make use of this opportune moment to free hundreds of the detainees who were convicted to long periods in prison, rather than to make them hostages of future rounds of negotiations that may take a long time, or to associate them with the release of a few leaders of the movement, whom Israel adamantly refused to release.

Moreover, Hamas never ignored the strategic reports that persistently spoke of the possibility of the disclosure of Shalit's hidden location in GS. Such a development would mean the loss of a unique opportunity to free hundreds of the Palestinian detainees, who had no other means by which to escape Israel jails.

The official Palestinian position towards the deal was divided into two, in accordance with the long standing political and geographical schism in the Palestinian arena. First, was the stand of Haniyyah's government in GS, who outlined the reasons that drove them to conclude the deal in line with the conditions set by the Palestinian resistance. The second position was voiced by the PA in Ramallah, which was hesitant, realizing that the swap deal strengthened the position, influence and status of Hamas at the expense of the PA.

The conclusion of the deal was a source of elation for Haniyyah's government, openly expressed by its premier and ministers. Notably, Haniyyah said on one occasion that the achievement of the deal was a watershed in the conflict with the occupation,<sup>120</sup> and indicated on another that the deal had satisfied 75% of the demands of the resistance.<sup>121</sup>

Conversely, the PA openly uttered its concerns about the deal, notwithstanding its overall welcoming position. The president and prime minister described it as a national achievement that contributed to ending the misery of Palestinian detainees in Israeli jails. While the Minister of Foreign Affairs, Riyad al-Maliki, and Minister of Prisoners 'Issa Qaraqi', cast doubt on the deal, and Major General 'Adnan al-Damiri, spokesman for the Palestinian security forces, accused Hamas of exploiting the deal to implement a partisan agenda and coup activities in the WB. By this, he was referring to the PA's prohibition of festivals that Hamas wanted to organize in the WB to honor the freed detainees. Meanwhile, Haniyyah's government condemned the administrative recalling of a number of these former prisoners by the PA security forces, which it described, along with al-Damiri's accusations, as a "moral collapse."

Simultaneously, a reliable Egyptian source revealed that ‘Abbas had sent five messages to Netanyahu, after the first stage of the deal urging him to honor the pledge of his predecessor, Olmert, to free the detainees.<sup>122</sup> This indicates the acute embarrassment and paralysis that the PA felt after the conclusion of the deal.

Popular Palestinian movements and positions gave strong support to the conclusion of the deal. All the 2011 sit-ins, parades and popular activities within and outside Palestine had called upon the Palestinian factions that detained Shalit to stick to their demands and not to surrender their conditions on the deal under any circumstances. The weekly sit-in of the relatives of the detainees in the GS branch of Palestine Red Crescent Society (PRCS) was the most outstanding interaction of the Palestinians on this issue. Their hope for the release endured until the actual conclusion of the deal.

On the declaration of the swap deal, a wave of relief and happiness swept the WB and GS, though people acknowledged their sadness at inevitable inability of Hamas to secure the release of some of the prisoners. Nationalist and Islamic forces, as well as the unions and the popular committees, organized parades,<sup>123</sup> and a feeling of victory spread throughout Jerusalem,<sup>124</sup> 1948 Palestine,<sup>125</sup> and the Palestinian refugee camps in Lebanon.<sup>126</sup>

The High Follow-Up Committee for Arab Citizens of Israel called upon the government of Netanyahu to undertake the initiative of releasing the Palestinian prisoners as a gesture for peace, rather than to wait for the kidnapping of Israeli soldiers to conclude swap deals.<sup>127</sup> In the same vein, the Palestinian Centre for Human Rights (PCHR) called for the lifting of the siege of GS on the grounds that there remained no further pretext for maintaining it.<sup>128</sup>

On the Israeli side, since early 2011, Israel kept repeating the same rejectionist position on the Shalit issue, encouraged by the pro-Israeli position of the German intermediary. But, the extent of internal pressure impelled Netanyahu and his government to maintain the façade of continued efforts and contacts to conclude the deal.

Chairman of the Knesset Foreign Affairs and Defense Committee and former Defense Minister Shaul Mofaz, was the first Israeli politician to condemn his government’s handling of the Shalit issue. He warned that Shalit could face the same destiny of the pilot Ron Arad, who was captured in 1986 by the Lebanese resistance, and he emphasized that the cost of securing Shalit’s release will increase



with time.<sup>129</sup> Subsequently, a study conducted by a team of experts of The Institute for National Security Studies (INSS) in Tel Aviv, concluded that the conclusion of the deal and the acceptance of Hamas' demands would not tilt the balance of power.<sup>130</sup> The Israeli army was placed in such an embarrassing situation that Israeli army Chief of the General Staff, Lieutenant General Benny Gantz, declared that the army was confidentially striving to secure the release of Shalit,<sup>131</sup> while Netanyahu stated that his government had been taking many measures to achieve this very same objective, of which, he claimed, the Israeli public knew very little.<sup>132</sup>

The calls within Israel for the conclusion of the deal had sharply increased. Former leaders of the Israel Security Agency—ISA (*Shabak*) and of the Institute for Intelligence and Special Operations (*Mossad*) called for its conclusion at any cost, as Hamas was not expected to retreat from its demands.<sup>133</sup> Besides, some members of the Knesset called upon Netanyahu's government to pay any price to secure Shalit's release.<sup>134</sup>

While the former Security Shabak Head Yuval Diskin, urged Egypt to be more effective on the negotiations, after the great role that it played in achieving the Palestinian reconciliation,<sup>135</sup> an Israeli security official admitted that tens of millions had been spent, in vain, on security operations to try to identify Shalit's location.<sup>136</sup> Moreover, Gabi Ashkenazi, the former Israeli army chief of staff, admitted that Israel had failed to rescue Shalit, which reflected the occupation's failure in dealing with Hamas.<sup>137</sup> In early June, Minister for Home Front Defense Matan Vilnai had emphasized the importance of releasing Palestinian prisoners, as there was no other means to free Shalit,<sup>138</sup> while Deputy Prime Minister and Defense Minister Ehud Barak said that Shalit's deal should not be concluded at any cost.<sup>139</sup>

In July 2011, as a means of pressuring Netanyahu, some members of the Knesset signed a petition calling for an exchange deal.<sup>140</sup> Only a few days later, Israeli army Chief of the General Staff, Lieutenant General Benny Gantz declared that he had appointed a special team to review the investigation on the circumstances surrounding Shalit's capture.<sup>141</sup> Thus, increasing pressure inside Israel, combined with Hamas' steadfastness on its position, contributed to the successful conclusion of the deal, which Netanyahu had to defend against criticism from some Israeli political figures and organizations.

The negotiations were initiated with a message from Hamas addressed, through a non-Israeli intermediary, to the Israeli negotiator David Meidan, “saying that Hamas was offering a final resolution on the matter.” Hence, Israel agreed to activate the talks with the Egyptians as mediators.<sup>142</sup> The breakthrough took place when the leader of the Shabak managed to convince Netanyahu to accept the deal. Meanwhile, the Israeli negotiating team was further empowered by the inclusion of Netanyahu’s Military Secretary Major General Yohanan Locker, and some senior leaders of the Shabak and the Mossad.<sup>143</sup> Finally, the Israeli government overwhelmingly endorsed the deal,<sup>144</sup> on which Minister for Home Front Defense Matan Vilnai commented, “This was a very difficult decision, but we have a profound commitment to ensure the return of any abducted soldier.”<sup>145</sup>

While Shaul Mofaz of the Kadima Party supported the swap deal, the party’s leader and leader of the opposition, Tzipi Livni, opposed it.<sup>146</sup> The Minister of National Infrastructure Uzi Landau also opposed it on the assumption that it would escalate “terrorism” and encourage future kidnapping operations.<sup>147</sup> Meanwhile, the Israeli Minister of Improvement of Government Services Michael Eitan insisted that the deal would not end the war with Hamas,<sup>148</sup> Yesha Council Head Danny Dayan stated that the deal constituted a serious blow to Israel’s deterrence capacity,<sup>149</sup> and some former Israeli officials, including Uzi Dayan, the former head of the National Security Council, warned that the Shalit deal shows Israel to be weak.<sup>150</sup>

On the implementation of the first stage of the deal, Netanyahu said that the decision to cut a deal was “among the most difficult that I have ever made.”<sup>151</sup> At his reception for Shalit at a military base, he warned that any group who “returned to terror” would be “taking their life into their own hands.”<sup>152</sup>

Some believed that the support of the Shabak and the Mossad for the deal were a cover for their own failure to discover and free Shalit<sup>153</sup> at a time when the Mossad Chief Tamir Pardo, had admitted the impossibility of freeing Shalit with a military operation.<sup>154</sup> Some Israeli military sources revealed that Israel undertook not to hurt or assassinate any of the freed detainees.<sup>155</sup> Conscious of the size of the dilemma faced and the political damage inflicted by the swap deal on the Israeli government, Barak called for new strategies for dealing with future cases of kidnapping Israeli soldiers.<sup>156</sup>



According to Israeli newspapers and other media, overall Shalit's deal was an enormous and historic loss to Israel, as it had consolidated Hamas' strength.<sup>157</sup> "In an interview with Israel Radio, Livni said that the deal strengthened Hamas and gave them legitimacy, while undermining Israel's strategic deterrence."<sup>158</sup> However, we have sufficient evidence to conclude that the intelligence and military failure to pin down Shalit's location, despite huge expense and effort, was the most important reason for the Israeli submission and acceptance of Hamas' demands and conditions.

The Israeli inclination towards flexibility on the issue was undertaken for two main reasons; First, Hamas' steadfastness and insistence on its demands throughout the previous five years. Second, the fear that the Shalit issue might get out of hand and the experience of Ron Arad may be repeated, which would mean the loss of Shalit for good.

Another important reason for the conclusion of the deal that should not be ignored is the desire of Netanyahu to exploit it politically, i.e., to make use of it to make some political and partisan gains and alleviate the pressure besieging him from all sides.

Finally, the most important lessons drawn from this deal may be summarized as follows:

- The deal revealed the ability of the Palestinian side to administer a successful negotiation process with its Israeli counterpart, unlike the case of the peace process.
- To bypass Israeli criteria, conditions and positions is not an impossible or especially difficult task.
- The deal presented an excellent example of the viability of adherence to the values of strength, steadfastness and dignity, compatible with the national Palestinian interest, not harming complex and interdependent political relations with the world and the region.
- Time should not be used as an excuse against the attainment of Palestinian aspirations, as Palestinian rights do not diminish with the passage of time, and so the rush to conclude unfair and defective peace settlements on the pretext of fear of losing the homeland is unjustified.

The most important repercussions of the deal may be enumerated as follow:

- The consolidation of Hamas' position and influence, and a defeat for Israel.
- The weakness of the position and influence of Fatah and the PA.
- Provision of a strong boost to the Palestinian people in the face of the occupation.

Based on this, the Israeli retreat on the Shalit deal and the official Israeli criteria for drawing lessons, any scenario on a future deal is expected to experience critical junctures, and its rounds of negotiations are bound to face stubborn obstacles, particularly during the preliminary stages.

In any case, Shalit's deal constituted an important precedent that paves the way for any future deals, notwithstanding the stance and tactics Israel employs.

### ***Fifth: Palestinian Factions and Forces***

2011 did not witness a fundamental change in Palestinian political affairs, and the relationship between the factions. The Palestinian arena experienced the predicaments and obstacles that it had suffered over previous years. The most prominent of these obstacles are probably the absence of a common strategic vision, a lack of a consensus on the current national priorities and the continuation of the rift between the programs of resistance and peace settlement. The Palestinians could not agree on the minimum common agenda based on national fundamentals. Moreover, the centers of decision-making are scattered across many places and areas, which adversely affects the ability of decision-making to resist external pressures, particularly from Israel and the US. In addition, the confidence crisis dominating inter-Palestinian relations, particularly between Fatah and Hamas, is a major reason for the Palestinian political and geographical schism, notwithstanding the progress attained in the Palestinian reconciliation that culminated in Cairo Agreement of 3/5/2011 which reduced the tension between the two parties that had grown since 2007, as well as the hostile media campaigns and mutual accusations.

In this context, the "security issue," which led to the failure of previous agreements, still constitutes the most prominent aspect of difference. Disagreements over security reinforce current ill-confidence between the two parties and political arrests and security coordination with Israel continue. Security coordination



has become a permanent policy despite its negative impact on the Palestinian national project, reconciliation process and reconstruction of the security forces. Consequently restrictions imposed on the resistance and on personal freedoms in the PA areas have continued.

Nevertheless, mutual attempts were made to restrict media accusations against each other, and the leadership of both Fatah and the PA in Ramallah took some positive and quite accommodative positions towards Hamas. The most prominent of those was their rejection of Netanyahu's declarations that asked the Palestinian leadership to "choose either peace with Israel or peace with Hamas." Sa'ib 'Uraiqat commented on these declarations by emphasizing that there is no room for comparison between Israel and Hamas. He stressed that Hamas is a nationalist movement, which we may or may not agree with, but it is a Palestinian movement. He, furthermore, declared his movement's commitment to the option of reconciliation.<sup>159</sup>

As for Hamas, the movement somehow evaded criticizing the then most important drive that the PLO and the Palestinian leadership had focused on during 2011, namely to secure the recognition of the UN for a Palestinian state. This was interpreted as another gesture by Hamas to promote the positive environment between the two sides, though it had a number of observations on the plea to the UN. However, just before the submission of Palestine's UN bid in September 2011, Hamas voiced some reservations since the plea was not submitted for consultation and deliberations in the Palestinian arena. Sami Abu Zuhri, Hamas' spokesman, said that it was a unilateral movement that entailed many hazards, and that it was essential that an independent Palestinian state should be established on the liberated territories, rather than declaring a state under occupation.<sup>160</sup>

In another vein, the prisoners' swap deal, "Devotion of the Free," was instrumental in consolidating the positive environment in the Palestinian arena, and in creating a kind of a national front that sympathized with the detainees in Israeli jails. The different Palestinian parties, including Fatah and the PA in Ramallah, commended the deal as a "national achievement" for all the Palestinian people.

During 2011, the relationship between the Palestinian factions and the PA in Ramallah did not experience any change, notwithstanding the resignation of the government of Salam Fayyad in February 2011, and his delegation to form a new one. However, all the factions, except Fatah, declined to participate in this

proposed government. Some quarters in Fatah even criticized the deliberations on the formation of the government, because their organization was marginalized when new ministers were named.<sup>161</sup> News spoke of a demand submitted to ‘Abbas by the Fatah Revolutionary Council that a person other than Fayyad be asked to form the new government,<sup>162</sup> and that he should also be excluded from the Ministry of Finance in protest against his economic policies.<sup>163</sup>

Aside from the differences on the formation of Fayyad’s government, other problems within Fatah itself, between Mahmud ‘Abbas and Muhammad Dahlan, continued in 2011. This conflict culminated in the expulsion of Dahlan from Fatah’s Central Committee, and subsequently his dismissal from the movement. Dahlan’s contest of this decision was rejected by Fatah’s court, and the Fatah Revolutionary Council endorsed the dismissal order.<sup>164</sup> The PA’s security forces also besieged Dahlan’s house in the WB, arrested some of his guards and associates, and confiscated a quantity of arms and ammunitions.<sup>165</sup>

The committee that investigated Dahlan accused him of attempting to poison the late President Yasir ‘Arafat, planning a military coup in the WB and plotting to liquidate some Palestinian leaders, including Major-General Kamal Midhat, who was assassinated in Lebanon on 23/3/2009; there were also accusations of bribery, corruption and channeling public funds to his own companies.<sup>166</sup>

In another context, within its attempt to put its house in order, Fatah convened its second conference for its branch in Lebanon to elect its new 15-member leadership.<sup>167</sup> Some steps were taken to do likewise in GS, where the legal duration of the leadership there had already expired.<sup>168</sup>

In the same vein, ‘Azzam al-Ahmad, a member of Fatah’s Central Committee, said that since its signature of the reconciliation agreement in May 2011, his movement had practically started its preparations for the new elections.<sup>169</sup>

Though Hamas and its government in GS had adhered to patronizing the program of the resistance, they worked for consolidating calm in agreement with the other resistance factions. On several occasions, and for the sake of avoiding a new Israeli assault against GS, they tried to convince the factions to avoid escalation, particularly during the periods in which Israel intensified its offensive against the Strip, and the Palestinians responded by bombarding surrounding Israeli targets.





Regarding Hamas, the presence of the movement's leadership in Damascus was one of the most important issues discussed in 2011. Reacting to the crisis in Syria, several media reports spoke of transferring the movement's leadership outside Damascus. But a spokesperson of Hamas, 'Izzat al-Rishq, a member of Hamas' Political Bureau, denied these reports, and emphasized that Damascus provided the best environment for the movement's activities.<sup>170</sup> This denial did not stop media speculation that recorded a kind of "alienation" between Hamas and the Syrian regime because the former refrained from publicly declaring its support to the latter. Moreover, some rumors claimed that, in an angry reaction to Hamas' position on the Syrian crisis, Iran ceased financing the movement.

In early 2012, news spread that the majority of Hamas leaders, including Khalid Mish'al and his deputy Musa Abu Marzuq and most members of the Political Bureau, had moved with their families outside Syria, either to GS or to other Arab capitals, including Cairo, Doha and Amman.

It is worth mentioning here that many Hamas members and cadres were compelled to leave Syria because violence had interrupted their activities, while others were obliged to leave because of the instability and lack of security within Syria. But these departures were quiet, gradual and without any official declaration that would provoke and anger the Syrian regime. However, at the same time, Hamas left behind some of its non-political cadres to administer the affairs of the movement, and to serve Palestinian refugees in Syria.

As for the PIJ, it did not see eye to eye with Hamas regarding participation in power under the Oslo Accords. Thus, it refused to participate in any future government or legislative elections on the grounds that they are associated with this agreement and involved security arrangements with Israel. However, relations between the two movements improved. One of the signals for this apparent rapprochement was Haniyyah's call to PIJ to engage in a serious dialogue to explore the possibility of the complete unification of the two movements. The PIJ welcomed this move, and sought to examine ways to unite the Palestinian Islamic movement and the resistance.<sup>171</sup>

The PIJ agreed with Hamas that they should avoid military escalation in GS, but, at the same time, it emphasized the right of the resistance to respond to any Israeli violations, and that any calm should be mutual and simultaneous. As for the

activities of the PIJ in WB, they were adversely affected by the strong drive of the security forces there against the resistance.

The position of the Palestinian leftist forces vis-à-vis the internal Palestinian equation did not experience any major changes. Both the PFLP and the Palestinian People's Party (PPP) continued to reject participation in the governments of Ramallah and GS on the grounds that it would consolidate the schism. However, the DFLP maintained its participation in the government of Salam Fayyad in Ramallah, but it expressed no intention to join the new government that Salam Fayyad was to form in 2011.<sup>172</sup> Though three factions had signed the Palestinian reconciliation agreement in Cairo, they continued to criticize what they called "the duality and partnership" of Fatah and Hamas in dealing with internal issues, and to press the two sides to implement what had been agreed upon.

Following the signature of the agreements, the PFLP terminated its boycott of the meetings of the PLO Central Committee, but it concurrently refused to participate in the government that was supposed to be formed because of what the PFLP Deputy Secretary-General, 'Abdul Rahim Malluh, called "the dual monopoly" of Fatah and Hamas.<sup>173</sup> Later, this was reiterated by a member of the PFLP Political Bureau, Rabah Mahanna, who said that the dual dialogue of Fatah and Hamas, instead of a comprehensive national one was a factor for the stumbling reconciliation agreement.<sup>174</sup>

Similar observations were voiced by the PPP, where, Walid al-'Awad, a member of its Political Bureau, complained that the agreement seemed to be a partnership.

The DFLP Secretary-General Nayef Hawatmeh emphasized the urgent necessity of fixing the mechanisms of implementing the agreement, and warned against international and regional forces that would strive to obstruct it.<sup>175</sup>

All the Palestine forces and factions welcomed the detainees' swap deal. The PFLP had also commended the deal, though the Israeli occupation dictated that its imprisoned secretary-general, Ahmad Sa'adat, be excluded from it. Mahir al-Tahir, a member of the PFLP's Political Bureau and its representative in the Diaspora, indicated that this issue does not by any means mitigate the importance of the deal, which he described as a Palestinian achievement to the credit of Hamas.<sup>176</sup> The DFLP viewed its conclusion as a resounding and honorable victory to the Palestinian people and resistance; while the PPP recorded that it represents a major national achievement by any standard.<sup>177</sup>



The DFLP supported the drive to secure the recognition of the Palestinian state by the UN, which Hawatmeh described as a right of the Palestinian people.<sup>178</sup> Meanwhile, Ahmad Sa'adat said that the move was a step in the right direction, although not sufficient, and declared that the whole Palestinian issue should be referred to the UN, otherwise this step would only be a change of a spare part of Oslo's vehicle.<sup>179</sup>

### ***Sixth: Internal Security and the Security Predicament***

The PA and its security forces continued to view security coordination with the occupation forces as an “obligation” by virtue of the agreements signed with the Israeli side that should not be retreated from, irrespective of the resultant stumbling negotiations process, and the rise of the encroachments of the Israeli settlers on the Palestinians and their holy sites in the WB. The PA did not take into consideration the development of Palestinian reconciliation, the impact of security coordination on internal Palestinian relations and unity, the national interest and the wider Palestinian national project. For this coordination was, and still is, a source of extensive controversy, and a major factor for igniting differences within the Palestinian domain.

At the same time, security coordination continued to be an umbrella that shielded the PA from the Israeli-American threats to impose an embargo on it after the reconciliation agreement with Hamas. Many warnings issued by Israeli and American quarters stated that the suspension of financial aid to the PA may affect its ability and willingness to continue security cooperation with Israel. The same quarters were also concerned that the PA may reduce or abolish security coordination as leverage against the stumbling negotiations, or in case the US vetoed Palestinians' bid for UN recognition of their state. All these warnings and concerns demonstrated that the PA's extension of security services to the occupation was the prime concern of Israel and its ally, the US.

The decision of the PA to continue security coordination with Israel was repeated, more than once and before and after the conclusion of the Cairo Agreement, by President Mahmud 'Abbas himself. On 14/3/2011, the Hebrew Israel Broadcasting Authority (IBA), Kol Israel – Reshet Bet, interviewed 'Abbas who affirmed that as long as he was the president of the PA, he would not allow

an *Intifadah* (uprising) or any security chaos in the Palestinian territories, or the stoppage of security coordination with Israel.<sup>180</sup> Moreover, during a meeting with a number of Israeli intellectuals in Ramallah, ‘Abbas explained that the PA and Israel “have good coordination to prevent terror and keep the situation calm and quiet. We will continue to do our job. Security will prevail as long as I am in office.”<sup>181</sup> This was seemingly a message to calm the Israelis with regard to the probable repercussions of the Palestinian move at the UN.

Head of the Fatah delegation on reconciliation dialogue, ‘Azzam al-Ahmad, repeated ‘Abbas’ position by saying that the security coordination is conducted by virtue of a signed agreement between the PA and the Israelis; in other words they do their duty and we do ours. But he emphasized that this coordination is not undertaken at the expense of the Palestinian national interest, including that of the resistance. Al-Ahmad added that resistance in the Palestinian domain is not a unilateral concept, that armed resistance does not exist in the Palestinian arena, and that there is consensus that the time is not opportune for the use of violence. He added that there is no resistance except that led by Fatah and the PLO factions, which constitutes popular, peaceful and diplomatic resistance to confront illegal settlement activities.<sup>182</sup>

In practical terms, the signature of the reconciliation agreement between Fatah and Hamas did not affect Israeli-Palestinian security coordination. According to the Israeli newspaper *Haaretz*, “No decisions have been made by the Israel Defense Forces regarding any changes in security cooperation with Palestinian Authority security forces in the West Bank following the announcement of reconciliation between Fatah and Hamas.”<sup>183</sup> A few days after the signing of the reconciliation agreement, the same newspaper reported that “coordination meetings were held among some IDF officers and PA counterparts” to discuss ways and means to contain Palestinian demonstrations and popular protests planned for the *Nakbah* (catastrophe) anniversary in the WB.<sup>184</sup>

The continuation of the security coordination after the Cairo Agreement compelled Hamas member of parliament (MP) Hamid al-Bitawi to accuse the PA’s security forces of actively striving to obstruct the reconciliation between Fatah and Hamas.<sup>185</sup>

Up to just before the Palestinian move in the UN, security coordination had continued and it was reported that “a special team, run by the Israeli Army and



the Palestinian Security Forces in the West Bank, was also formed to coordinate activities in case of clashes.”<sup>186</sup> Moreover, *Haaretz* newspaper stated that Security coordination between the Israeli army and Palestinian security forces had proven its effectiveness in the face of heightened tensions over the PA’s application for membership at the UN. Large-scale demonstrations in PA-controlled towns were kept from spilling over into other areas of the territories controlled by Israel.<sup>187</sup>

Some media close to Hamas also circulated news that the PA security forces launched a campaign to arrest Hamas activists in the WB, just before the Palestinian move in the UN. According to the Palestinian Information Center and the website of Felesteen Online, issued in GS, the Israeli army had demanded this campaign after it received news of a Hamas drive to reconstruct its forces in the WB after the reconciliation agreement. These media sources added that Israeli army officers had told the Palestinian security forces of confessions made by some Hamas activists it had recently arrested, and that the arrests by both the Palestinian and Israeli security forces were undertaken in coordination.<sup>188</sup>

What is striking is that the spread of this news synchronized with what Israeli sources told Israel’s Army Radio; that Hamas had apparently decided to restore its military capability in the WB. The security apparatus had, furthermore, warned of Hamas attempts to undertake resistance operations inside Israel, though the ISA had uncovered Hamas’ cells in Jerusalem and other places in the WB. These sources added that the Israeli security services had a rare opportunity to know Hamas’ ways and means of establishing contacts and international relations, as well as the extent of the influence of the movement’s leadership in Damascus and GS on its military activities in the WB.<sup>189</sup>

In the same context, Moti Almoz, the head of Israel’s Civil Administration, minuted that amongst the achievements of the security coordination in late August and early September 2011 was the discovery by the Israeli security services of some pro-Hamas resistance cells in the WB that were planning to launch resistance operations inside Israel.<sup>190</sup>

A report released by the Press Office of Hamas accused the Palestinian security forces of arresting 805 of its cadres and supporters during 2011, including 350 freed detainees from Israeli jails and eight journalists. The report added that political detention continued even after the reconciliation agreement to reach 434 of its supporters, of whom 95 were arrested after the

meeting of President Mahmud ‘Abbas with Khalid Mish‘al, head of Hamas Political Bureau, on 23/11/2011, and 21 others after their second meeting on 21/12/2011. The report also recorded that, within the framework of continuous security coordination, Israel arrested 160 Hamas supporters after they had been released by the Palestinian security forces, and that the PA handed Israel four Israelis, who mistakenly entered the WB.<sup>191</sup>

In the same vein, the leader of the PIJ and the Gaza coordinator of the public freedoms committee set up to implement the May 2011 deal, Khalid al-Batsh, reported on 19/1/2012 that the number of political detainees in the WB totaled 108, of whom 99 were Hamas members and 9 were PIJ members.<sup>192</sup>

In the same context, the PCHR issued a Report on Torture Practices in the PA during the period August 2010 and until September 2011. It documented cases of torture and inhumane or degrading treatment that the security forces in the WB had inflicted on activists of Hamas and the PIJ just because of their affiliation.<sup>193</sup>

‘Azzam al-Ahmad admitted cases of political detention in the WB, but quickly added that his movement was firmly against them. He claimed that these incidents were undertaken under security pretexts and by some security personnel who had taken advantage of the state of schism in the Palestinian arena to do this.<sup>194</sup>

The GS witnessed violations committed by the security forces of Hamas’ caretaker government. Khalid al-Batsh reported that 53 Fatah supporters were held in Hamas prisons,<sup>195</sup> and a PCHR report recorded that Fatah activists were tortured.<sup>196</sup> Fatah also accused Hamas of calling and harassing its cadres in GS on more than one occasion, amongst which was the prohibition by the security forces of celebrations of Fatah’s 47th anniversary.<sup>197</sup>

The Hamas government in GS was also accused of preventing some of Fatah’s cadres and leaders from leaving the Strip on several occasions. The Deputy Secretary of the Fatah Revolutionary Council, Amal Hamad, was not allowed to go the WB,<sup>198</sup> as well as three of Fatah’s cadres, who were denied travel via Rafah to Turkey, where they were to participate in a workshop on national reconciliation.<sup>199</sup> Moreover, members of Fatah’s Revolutionary Council were prohibited from joining the movement’s seventh meeting in Ramallah.<sup>200</sup>

Returning to security coordination; this was the most prominent, if not the only, PA action in 2011 that was commended and welcomed by Israel. The Defense



Minister Ehud Barak praised the role that the security forces of the WB had played in protecting Israeli settlers. During an interview with IBA, he called for continuing cash flow to the PA, notwithstanding the reconciliation agreement with Hamas, to ensure funding of the security forces that serve Israeli interests.<sup>201</sup>

Moreover, Israel's Defense Ministry Diplomatic-Security Bureau Director Amos Gilad emphasized the credible role of security coordination and the Palestinian security forces in providing peace to Israel, by saying that the security coordination with the PA, particularly with the different Palestinian intelligence forces, coupled with the refusal of PA President Mahmud 'Abbas, and Prime Minister Salam Fayyad, to support "terrorism" against Israel, had provided Israel with peace. He noted that the PA fight against Hamas and other factions, knowing full well that these Palestinian organizations could destroy the PA.<sup>202</sup>

Central Command Chief Major-General Avi Mizrahi, mentioned, during a televised interview with the Israeli Channel 2, that after Palestinian reconciliation several meetings with the Palestinian security forces were held and understandings were reached. He said that these forces realized that their interest lay in the continuation of security coordination, since their leaders have personal and public interests in this coordination. Mizrahi added that the Israeli side feels that the PA leaders are sincere. On the expected Palestinian moves in September 2011, Mizrahi did not expect a military *Intifadah*, as the PA and its security forces would not allow it, and since they succeeded in destroying Hamas' infrastructure. But he did expect some temporary peaceful mass demonstrations. At the same time, he expected confrontation between the Israeli army and the settlers, because of the latter's aggression and disregard the law.<sup>203</sup>

Israeli declarations indicate that security coordination has reached a dangerous stage. Its function is no longer confined to the pursuit of the resistance, and to prevent military attacks against Israel, but superseded this to reach the level of protection of the settlers, and the prohibition of popular movements from even approaching areas of contact with the Israeli army inside WB territories. This behavior contradicts even the political agenda of the PA itself, which focuses on confronting the Israeli settlement activities, and on peaceful resistance. It strips the PA of all elements of power or pressure, and transfers peaceful resistance to a means of airing Palestinian public tension, but without any effective influence on the occupation, thus enabling it to endure with ease.

If we relate Barak's declaration on the efforts of protection of the settlers to the unprecedented ascendancy of the latter's attacks against the Palestinian people, land and holy sites in the WB, we will realize that the security coordination has become dangerous to Palestinian security; it has weakened the resistance, and diminished the prospects of the Palestinians being able to defend themselves.

For the Palestinians, security coordination is an obstacle to reconciliation. It harms internal Palestinian relations, and denies, through its suppression of resistance, any elements of pressure or strength. Thus, it is a danger to the entire Palestinian national project.

Conversely, this security coordination represents a primary Israeli need and interest, as it provides security to Israel and its settlers, while the Palestinians get nothing in return. It also gives Israel a cover to continue its settlement building and impose facts on the ground; enabling the settlers to continue their aggression.

Therefore, the PA's maintenance of this high level of security coordination with Israel transcends the priorities of the Palestinian national project and constitutes the most immediate danger to the Palestinian reconciliation. This will consign the reconciliation, or any other Palestinian agreement, to failure and collapse at any moment, unless and until the Palestinian national interest supersedes all other considerations.

## *Conclusion*

The signature of the reconciliation agreement by Fatah, Hamas and other Palestinian factions was probably the most important internal Palestinian achievement during 2011. But this agreement lacks the required mechanisms to implement it. The mere choice of a prime minister of a transitional government continued to be a source of contention for nine months, while the interim leadership framework was agreed upon after seven long months.

Meanwhile, other major issues related to the PLO, security forces, formation of the government and the social reconciliation were either delayed, faltered or saw hardly any progress, though the deadline for their settlement had already expired (3/5/2011–3/5/2012).





Hence, the internal Palestinian setting transferred from a status of dispute and schism to that of administering the schism. Put differently, it transferred from the status of “schism” to that of “apportionment.” The government of Fayyad administered the PA in Ramallah, while that of Haniyyah did likewise to the one in GS. Though contacts between Fatah and Hamas continued, the PLO was blocked from being effective by Hamas and the PIJ. Moreover, differences persisted between Fatah and Hamas on administering political affairs, the priorities of the national agenda, security coordination and other issues. There is an inherent conviction on both sides of their inability to overcome obstacles, particularly those related to administering authority under the Israeli occupation. Thus, reconciliation took the form of administration rather than resolution or termination.

There is an impression that Mahmud ‘Abbas had tactically employed the “reconciliation” to make the Palestinian scene appear united politically and geographically before a request to join the UN as a full member state was submitted. Moreover, ‘Abbas seems to have driven towards the reactivation of reconciliation in autumn 2011, only after the failure of the PA’s UN statehood bid and the rise of Hamas’ popularity after the detainees’ swap deal, by which Gilad Shalit was swapped for 1,027 Palestinian prisoners.

The Palestinian predicament is partly caused by the Oslo Accords that provided the basis of structuring the PA, where it has come to operate at the mercy of Israel, and therefore is ultimately controlled by it. Israel could delay or strangle the PA, destroy its infrastructure, arrest its political and popular leadership and delay its elections. In short, Israel is an effective factor in the PA decision making process, whether it likes it or not.

The Israeli strategy vis-à-vis the PA was instrumental in weakening it, and transferring into a functional authority that serves the Israeli security agenda. Despite the Palestinian aspiration to promote the PA into a full sovereign state, and whether Fatah and Hamas agree or disagree, no elections will take place without Israeli-American consent. Moreover, the drive of either Fatah, Hamas or other Palestinian resistance forces to transfer the PA into a national authority that doesn’t adhere to the occupation’s conditions—whether by terminating security coordination or by transferring the PA into a resistance authority—is bound to lead to an Israeli strike that obstructs or totally dissolves the PA. Thus the real problem lies not in naming the prime minister or members of his government,

nor in conducting elections, but rather in founding a national program that will confront Israel. This is what the Palestinian forces should concentrate on. Probably, this means that priority should be given to putting the Palestinian house in order, namely, restructuring the PLO. A new PLO would define national priorities, and reactivate role of the Palestinian people within Palestine and in the Diaspora.

The sweeping changes and revolutions in the Arab world gave strong impetus to the efforts at reconciliation and facilitated the incorporation of resistance forces in the PLO. These regional changes provided the chance for new strategic environment that would offer support to resistance, greater interaction with the Palestinian issue and would serve to reactivate the role of the Palestinian Diaspora. Though it may be too early to assess the overall impact of these changes and revolutions, it is possible to say that the prevailing environment appears to tilt toward the Palestinians and away from Israel.



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## This Report

The Palestinian Strategic Report 2011/12 is the seventh in a series of annual resourceful academic studies. It discusses the developments of the Palestinian issue of this period in an objective and comprehensive manner. The meticulous analytical reading of events tries also to foresee the near future. This Report has become a basic reference on Palestinian studies, it is a must read for all those concerned.

An outstanding team of 12 academics and experts contributed to this Report in seven chapters. They covered the internal Palestinian situation, the Israeli scene and the Israeli-Palestinian relations, the Arab, Muslim and international stances towards the Palestinian issue. This Report focuses also on the issue of Jerusalem and the holy sites, and the suffering of man and land under the Israeli occupation. Besides, the demographic, economic and education indicators are also studied and analyzed.

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