

# The Palestine Strategic Report 2018 – 2019



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# **Chapter One**

## ***The Internal Palestinian Scene***



# The Internal Palestinian Scene

## *Introduction*

The years 2018 and 2019 were marked by the continued crisis of the Palestinian national project; the state of weakness, deterioration and inefficiency of the Palestine Liberation Organization (PLO); and by the erosion of the Palestinian Authority (PA), which Israel is working hard to empty of substance relevant to national liberation to leave it to be solely devoted to its administrative function. The two years were also marked by the continuing Palestinian schism, the contradiction between the peace process and the resistance, and the stalling of the reconciliation process in the absence of a unified political program, with one Palestinian faction insisting on continuing to dominate official institutions and Palestinian decision-making.

## *First: An Anxious and Tense Start*

The Reconciliation Agreement signed by Hamas and Fatah in Cairo on 12/10/2017 had spread optimism in the Palestinian arena. It was welcomed by Palestinian President Mahmud ‘Abbas and Hamas Political Bureau Chief Isma‘il Haniyyah, as well as the other Palestinian factions. Moreover, there were contacts between ‘Abbas, Hamas former Political Bureau Chief Khalid Mish‘al and Haniyyah, to counter President Donald Trump’s recognition of Jerusalem as the capital of Israel, and his decision to move his country’s embassy from Tel Aviv to Jerusalem. As for the Reconciliation Agreement, there were understandings or mutually agreed deferrals regarding complex issues such as the crisis of the civil servants of the Gaza Strip (GS) and the empowerment of the Hamdallah government, which in turn was the product of previous agreement between the two parties. Prior to that, there were understandings whereby Hamas agreed to dissolve the Administrative Committee pretexted by the PA leadership in Ramallah to impose sanctions on GS. However, and despite all of the above, the Reconciliation Agreement faltered before the end of April 2018, unsurprising given its slow implementation.

After the signing of the Cairo Agreement, Fatah was reluctant to abide by what it had promised, especially with regard to lifting sanctions on GS, which it had linked to the dissolution of the Administrative Committee subsequently announced by Hamas and ratified by its GS parliamentary bloc on 16/3/2017. Hamas dissolved the committee following negotiations with the Egyptian mediator on 17/9/2017, in return for concluding a comprehensive Reconciliation Agreement. Fatah then linked the lifting of the sanctions to the proposals and recommendations submitted by the competent committees,<sup>1</sup> but then raised the issue of the arms of the resistance citing the slogan of “One authority, one source of arms, one decision,” and claimed that decisions of war and peace were political decisions to be made by the legitimate PA represented by President Mahmud ‘Abbas, the head of all official Palestinian political institutions.<sup>2</sup>

The most explicit and serious of such statements was made by President ‘Abbas, a short time after the Reconciliation Agreement was signed, when he linked lifting the GS sanctions to what he called “empowering” the government, saying “I am not in a hurry.”<sup>3</sup> Some press sources also reported that President ‘Abbas doubled the conditions imposed on Hamas in return for completing the reconciliation process, including impossible conditions or conditions that completely invalidated its role and influence.<sup>4</sup>

These statements and others about unresolved issues that had been deferred to specialized committees and mutually agreed scheduled timetables prompted some in the ranks of Hamas to express pessimism regarding the success of reconciliation.<sup>5</sup> Hamas, after dissolving the Administrative Committee in Cairo, before signing the Reconciliation Agreement with Fatah, expressed surprise at Fatah’s comparatively slow pace in fulfilling its commitments.<sup>6</sup> After the agreement was signed, the other Palestinian factions echoed Hamas, expressing dissatisfaction with the slow pace of the Fatah movement in lifting sanctions on the GS.<sup>7</sup>

The actions of the PA targeting GS were not limited to the strip, but were taken in conjunction with a decision to freeze the salaries of a number of freed prisoners, cut the salaries of a number of Hamas deputies in the West Bank (WB), and block websites close to Hamas. What is notable about these measures is that they were taken during Trump’s visit to Palestine on 23/5/2017.<sup>8</sup> It seemed that the PA leadership had read the orientations of the United States of America (US) administration and the nature of its regional alliances, prompting it to fortify its

position by stepping up its attack on Hamas as an Islamist movement that had been targeted by the Trump-allied regional alliance. In addition, the Fatah leadership lacked the will to find an alternative path to the peace process or beyond the continuation of the PA.

Given this course of events, it is likely that the PA was not willing to return to GS, for it meant that it would have to recognize the resistance forces in GS, and not just Hamas, which would have contradicted the political line of President ‘Abbas. In the light of this consideration and other internal considerations related to Fatah, and within the context of getting rid of its responsibilities vis-à-vis GS, including financial ones, the PA/Fatah leadership decided to link the fulfilment of its reconciliation commitments to what it termed “empowering the government of national accord.” This vague concept implied Hamas abandoning its strength and influence, including its arms and tunnel network.

After Trump’s pro-israel decisions, contact between ‘Abbas, Mish‘al and Haniyyah, raised hopes of the possibility of transcending the escalating Fatah-Hamas rivalry and setting aside the issue of “empowering” the government of national accord. However, events only led to a limited and a temporary breakthrough, which later collapsed entirely, with no progress made in 2018 and 2019.

After Trump’s decisions and the emerging unified position to confront the challenges facing the Palestine issue, the Palestinian Central Council (PCC) convened an ordinary session in Ramallah, contrary to the emergency session promised by President ‘Abbas. Furthermore, the venue of the meeting triggered a major row between Fatah and other Palestinian factions, as Ramallah was under Israel’s security authority, with the Israeli army able to control the entry of PCC attendees. As a result, the Islamic Jihad Movement in Palestine (PIJ) and the Popular Front for the Liberation of Palestine (PFLP) considered that the PA’s political conduct had not undergone any change.<sup>9</sup> In addition, President ‘Abbas refrained from convening the Interim Leadership Framework of the PLO, as had been recommended by several Reconciliation Agreements and by the meetings of the Palestinian National Council (PNC) preparatory committee,<sup>10</sup> while the sanctions on GS continued, and the pre-existing political approach continued.<sup>11</sup> As for Hamas, its boycott of the PCC meetings continued, citing what it said was continued PA monopoly, and circumvention of the popular Palestinian will, and the denial of political partnership and accord on major national decisions.<sup>12</sup>

In addition to the circumstances of the PCC meeting in January 2018, and the boycott of Hamas and PIJ, President ‘Abbas’s PCC speech suggested a backtracking from reconciliation. ‘Abbas criticized the boycott by Hamas and PIJ, stating that the reconciliation had stalled, without progress or regression. The implicit message was that reconciliation had regressed, indeed, the Reconciliation Agreement had already been signed and it was supposed to progress not to stagnate.<sup>13</sup>

In the same sessions, Salim al-Za‘noun, president of PNC, suggested the convention of an ordinary PNC session to which Hamas and PIJ would be invited, and whose task would be to re-form, select or elect a new PNC in accordance with the PNC’s election system.<sup>14</sup> However, he did not mention the interim leadership framework, which was supposed to be the one developing the PLO, according to a series of agreements signed between the Palestinian factions in general, and Hamas and Fatah in particular. This means that the Fatah leadership wanted to reshape the PLO on its own terms and according to its rules, based on the existing structures that it already dominated, without regard to the multiple agreements signed between Palestinian actors, mutual national interests, or the rule of partnership, which was another indication of the failure of the Reconciliation Agreement.

Not long after, the Reconciliation Agreement collapsed, when a bombing in GS on 13/3/2018 targeted a convoy of the prime minister of the National Consensus Government, Rami Hamdallah, who was accompanied by the head of the General Intelligence Service (GIS) Majid Faraj. The Marches of Return, launched by the popular and national forces in GS on 30/3/2018, did little to mitigate the escalation between the two sides, despite the fact that Fatah considered the march a qualitative leap forward in the history of Palestinian struggle.<sup>15</sup>

President ‘Abbas was quick to accuse Hamas of being behind the bombing,<sup>16</sup> a claim echoed by the Hamdallah government spokesman,<sup>17</sup> Fatah media officials,<sup>18</sup> and members of the PLO Executive Committee from other factions.<sup>19</sup> Meanwhile, the Ministry of Interior and National Security in GS accused an officer in the intelligence services in Ramallah of involvement in the bombing, saying he led a rogue Jihadist cell and was planning to carry out other attacks in GS targeting international and Egyptian delegations and blame them on the Islamic State of Iraq and Syria (ISIS). The ministry said that it proposed from the first moment the formation of a joint committee of security forces in GS and WB to investigate the incident but this was not met with any response. A Fatah spokesman said the GS government official statement was a misleading and blatant charade.<sup>20</sup>

The explosion ended the stalemate of the Reconciliation Agreement, six months after its signing. There followed an escalation under the pretext of empowering the government. Successive meetings in Cairo and GS could not reach an end to the row, prompting Hamas GS leader Yahya al-Sinwar to warn against the collapse of reconciliation, just over two months after it was signed.<sup>21</sup> This happened eventually after the explosion in GS, when President ‘Abbas stepped up his rhetoric against Hamas, accusing it of being a political movement that had been based on assassinations since the 1930s, in reference to its roots in the Muslim Brothers (MB) movement. ‘Abbas stressed that he would take national, legal, and financial measures against Hamas’s rejection of his efforts to restore national cohesion and unity,<sup>22</sup> implying that his government would step up sanctions against GS. The speech by ‘Abbas was followed by a campaign by Fatah on social media and in the streets entitled “We mandate you” in support of ‘Abbas’s forthcoming measures against GS.<sup>23</sup>

In his speech, President ‘Abbas revealed that he was opposed to the context in which the last Reconciliation Agreement had been signed, meaning that Fatah had been forced to go to Cairo and sign the agreement as a political maneuver. Indeed, he spoke about the reconciliation that his movement signed as something that others wanted but not him, claiming other parties had “invented” it in the context of Trump’s plans.<sup>24</sup> ‘Abbas’s accusation against Hamas was not arbitrary, but as part of Fatah’s narrative alleging that Hamas was seeking to separate GS from the national project, and render it independent from the PA in the WB, thus serving the “Deal of the Century” plan and Trump’s other schemes for the Palestine issue. This allegation continued through the period after the collapse of the Reconciliation Agreement, and was made again by ‘Abbas himself, who stated: “We either take control of everything and assume responsibility for everything, or they take control of everything and assume responsibility for everything.”<sup>25</sup>

While the Fatah leadership made this accusation against Hamas, some observers believed the PA sanctions on GS would actually lead to its secession, raising questions about the PA’s public narrative versus its actions. Whatever the case, observers noticed, before the bombing, that the Fatah movement was not serious about reconciliation, but was driven to pursue it out of political expediency.<sup>26</sup> Fatah’s behavior, particularly its maintenance of sanctions on GS, direct escalation against Hamas following the bombing, and the rejection of the proposal of Hamas and other Palestinian factions to form a joint investigative committee, have

corroborated this assessment even among some PLO factions, such as the PFLP, saying that Fatah's conduct raises questions about whether it can be considered a good faith actor.<sup>27</sup>

Thus, Palestinians began 2018 and ended its first quarter with a growing escalation between Fatah and Hamas, which had a dangerous impact on internal national relations. For instance, it affected Palestinian institutions that various Palestinian factions theoretically agree on, such as the PLO institutions, in addition to the remaining legal and formal frameworks connecting GS to WB, such as the Palestinian Legislative Council (PLC). One of these institutions affected was the National Consensus Government, which was at center stage of the Fatah-Hamas dispute, and the reason for reconciliation being put on hold. It was dismissed and replaced by a Fatah-headed government for the first time since the Palestinian division. Note that the dissolution of the PLC was the prelude to changing the government, which was a violation of al-Shati' Agreement.

### ***Second: From the National Consensus Government to the Fatah Government***

After the Reconciliation Agreement collapsed following the targeting of Prime Minister Hamdallah's convoy, the issue of "empowering the government" dominated Fatah's narrative. Indeed, despite the dissolution of the GS Administrative Committee, the start of the work of the GS civil servants committee,<sup>28</sup> and the handover of GS crossings to the PA in November 2017,<sup>29</sup> the government empowerment dilemma remained the main obstacle in 2018. In early 2019, the bombing targeting Hamdallah's convoy marked a new deterioration in reconciliation efforts, however the empowerment controversy prevailed until the end of 2019.

Fatah made the issue of empowering the National Consensus Government the basis of the entire reconciliation process, without any consideration for reciprocal steps vis-à-vis GS, especially lifting the sanctions or respecting the facts on the ground in GS concerning resistance weapons. Indeed, since the Reconciliation Agreement signed in Cairo, Fatah leaders stressed that the empowerment of the government must cover all administrative, financial, and security issues, stating

that no other reconciliation matter would be tackled until the schism was ended through the full and comprehensive empowerment of the government.<sup>30</sup>

While President ‘Abbas spoke explicitly of “unified weapons,”<sup>31</sup> echoed by other Fatah Central Committee leaders,<sup>32</sup> the head of the National Consensus Government Rami Hamdallah spoke about six aspects on which his government was not empowered in GS (resistance weaponry was not among them) which were: internal tax collection; internal security, in particular the police and civil defense; handover of the judiciary to end duplication of the legal system between GS and WB; handover of government lands; and handover of the crossings in a substantial, not token, fashion.<sup>33</sup>

The Hamas movement dissolved the Administrative Committee of its own initiative, an initiative offered to the Egyptian mediator to be used in negotiations if President ‘Abbas agreed to reconciliation.<sup>34</sup> Furthermore, it handed over the crossings to the PA. However, it was clear that it was not going to cede its responsibilities for, or the security of, the resistance, without any reciprocal steps by the PA and Fatah vis-à-vis GS, especially on the issue of the GS civil servants. This required Hamas to hold on to domestic tax collection powers in order to be able to pay their salaries.<sup>35</sup> The same can be said about other government sectors run by personnel who came to their jobs during Hamas’s administration of the GS. Hamas was not going to return them to their homes and replace them with PA Ramallah-appointed personnel. Accordingly, the strides made by the reconciliation process were not enough to resolve the dilemmas of the GS, which had motivated Hamas to embark on the reconciliation path beginning with agreeing to dissolve the Administrative Committee and issuing over-optimistic statements, most famously when the GS Hamas leader Yahya al-Sinwar threatened to break the neck of anyone hindering reconciliation within Hamas or from outside, briefly becoming considered an “icon” of Palestinian reconciliation.<sup>36</sup>

However, al-Sinwar himself, despite being the most enthusiastic about reconciliation, gave early warnings of the possibility of its collapse.<sup>37</sup> By late 2018, he was convinced that it had reached a dead end,<sup>38</sup> and he warned ‘Abbas that the Palestinian factions would turn against him if he imposed new sanctions on GS, for, as he put it, it would violate the rules of the game. In the context of explaining Hamas’s position on Fatah’s demands for full empowerment of the government, al-Sinwar said this would not happen unless it was under a unified PNC that would form an executive committee to govern GS on patriotic, national bases.<sup>39</sup>

The row reignited when an Egyptian plan approved by Hamas and rejected by Fatah was put forward to resume the reconciliation process.<sup>40</sup> Fatah demanded the full empowerment of the National Consensus Government, including taking full control of territory, security, judiciary, crossings, and tax collection, and reinstating ministers, officials, agencies, and authorities without any intervention or obstruction by any other party,<sup>41</sup> meaning Fatah rejected the presence of civil servants appointed under Hamas's administration of GS. Furthermore, Fatah responded while completely ignoring the fate of GS's civil servants and the impact of sanctions,<sup>42</sup> which also included cutting salaries of PA Ramallah-affiliated civil servants. However, the PA promised to pay the salaries after the schism ended,<sup>43</sup> meaning that Fatah would tighten the GS blockade even if it adversely affected the Fatah loyalists there.

This row over reconciliation took place in August 2018, during Egyptian efforts to reach a long-lasting de-escalation agreement between Israel and the Palestinians in GS, less than two months after the start of the Marches of Return. It seemed at the time that the Egyptian government wanted to have the agreement signed under the legitimacy of PA, which, like Fatah, did not deal with the proposal positively from the outset, viewing it as part of President Trump's "Deal of the Century."<sup>44</sup> Fatah also demanded that reconciliation be signed-off before any ceasefire or de-escalation agreement was reached between Israel and the resistance in GS.<sup>45</sup> This effectively meant blocking such an agreement, because the reconciliation process had been stalled due to Fatah's conditions, as well as blocking any kind of relief for Hamas and other resistance forces that was not approved by the PA, under the pretext of preventing the secession of GS.

In the last quarter of 2018, Fatah continued to block de-escalation efforts between Hamas and Israel. Some observers saw this as an attempt to prevent Hamas from capitalizing on the Marches of Return, while improving the image of Palestinian President Mahmud 'Abbas, and justifying continued sanctions on GS.<sup>46</sup>

The issue of empowering the National Consensus Government dominated the headlines throughout 2018 and remained a subject of controversy between Hamas and Fatah. The government of Rami Hamdallah was formed as a National Consensus Government, pursuant to al-Shati' Agreement signed between the PLO and Hamas. It was part of the agreement that included, in addition to the formation of this government: reaffirming previous agreements; holding presidential,

PLC, and PNC elections six months after the formation of the government; the reactivation of the PLC; convening a committee to activate and develop the PLO, in order for it to carry out its functions as stipulated in the agreements; and activating committees for freedoms and social reconciliation.<sup>47</sup> However, Hamas continued to accuse the National Consensus Government of neglecting GS and of not carrying out its duties towards it, which forced it—according to its narrative—to form an Administrative Committee to fill the void, but not as a substitute for the government.<sup>48</sup> However, the forming of the Administrative Committee, according to the PA, forced it to impose sanctions on GS, the problem of the empowerment of the National Consensus Government became the main obstacle for reconciliation. That was, until President ‘Abbas dismissed the government, and formed a Fatah-led one, which again demanded its own empowerment in GS.<sup>49</sup>

In late December 2019, President ‘Abbas accepted the resignation of the Hamdallah government and assigned it to continue functioning in a caretaker capacity until a new government was formed.<sup>50</sup> More precisely, the Palestinian president dismissed the government that had been formed under al-Shati’ Agreement, then less than a month later, appointed Mohammad Shtayyeh, member of the Fatah Central Committee, to lead a new government.<sup>51</sup> Shtayyeh’s government took the constitutional oath before the president on 13/4/2019,<sup>52</sup> without naming ministers for the interior and religious endowments portfolios. The time elapsed between dismissing Hamdallah to the Shtayyeh government taking oath, and the absence of these two ministers, reflected the extent of internal differences within Fatah.<sup>53</sup> The Shtayyeh government was a poor representation of the Palestinian political spectrum, which was marred by divisions that had grown deeper with the dissolution of the PLC, the dismissal of the Hamdallah government and the attempt to reshape the PLO and its institutions without taking into consideration the internal political agreements already signed.

Poor representation was evidenced by the fact that other PLO factions boycotted the Shtayyeh government: For example, the Palestinian Democratic Grouping refused to participate in the Shtayyeh government.<sup>54</sup> The Grouping brings together five left wing Palestinian groups.<sup>55</sup> However, the decision of the Palestinian Democratic Union (Fida) and the Palestinian People’s Party (PPP) to participate in the government split the Grouping, prompting rows and resignations within the two parties themselves.<sup>56</sup> As a result, the Shtayyeh government produced more divisions in the Palestinian arena in general, and within the PLO factions in

particular. Some Palestinian factions saw the preparatory steps that preceded the formation of the government as divisive and exclusionary, including the dissolving of the PLC shortly before the dismissing of Hamdallah’s government.

### ***Third: The PLC Dissolution and Its Implications***

The victory of Hamas in the PLC elections in 2006, and its subsequent formation of the Palestinian government, gave the party legitimacy in the Palestinian political system, shoring up its regional standing, and affording it popular legitimacy to govern GS after the political schism in 2007. The PLC that resulted from those elections represented the remaining legal and political bond between WB and GS following the Palestinian schism. Furthermore, the National Consensus Government also represented a linkage between the two territories of the PA.

Dismantling these linkages or unilaterally sidestepping them, without taking into account their national contexts, effectively means ties are severed between the two territories of the PA, producing the same scenario the PA had warned against, the separation of GS from the WB, or from what Fatah termed “the national project.” This would happen regardless of the PA’s motives, whether to remove Hamas from the political system, or shrink its influence inside it, or to set the limits of its representation for future arrangements, or whether it is related to internal Fatah rivalries and arrangements for ‘Abbas’s succession.

On 22/12/2018, ‘Abbas announced the Constitutional Court verdict dissolving the PLC and calling for new PLC elections within six months.<sup>57</sup> Two days later, the verdict was posted in the Official Gazette, revealing that the verdict’s date had been 10 days prior to President ‘Abbas’s announcement, based on a letter sent from the Minister of Justice to the Constitutional Court on 2/12/2018 pursuant to petitions submitted to the High Court of Justice. The petition was referred to the Constitutional Court at the behest of the Supreme Judicial Council to interpret some clauses of the Basic Law pertaining to the PLC. Accordingly, the judge ruled that the PLC had lost its legislative function, invalidating its capacity as a legislative assembly for failing to discharge its legislative and oversight jurisdictions, and that its term had ended on 25/1/2010. Therefore, the court ruled that “the higher interests of the Palestinian people and the homeland” require dissolving the PLC as of the date of the issuance of this verdict. The ruling called on President ‘Abbas

to announce new legislative elections within six months of the date of publication of the verdict in the Official Gazette.<sup>58</sup>

The verdict of the Constitutional Court sparked a legal and political controversy, and was rejected by most Palestinian factions, led by Hamas,<sup>59</sup> the PIJ,<sup>60</sup> and PLO factions such as the PFLP<sup>61</sup> and the Democratic Front for the Liberation of Palestine (DFLP).<sup>62</sup> It was criticized by the Palestinian National Initiative movement,<sup>63</sup> while the PPP expressed its concerns and called for time to be taken before implementation.<sup>64</sup> The verdict was however backed by Fatah and some small factions allied to it.<sup>65</sup> The first repercussion of the verdict was that the security forces prevented PLC deputies from Hamas in WB from holding a press conference outside its building,<sup>66</sup> while the PLC Speaker Aziz Dweik was summoned by the GIS.<sup>67</sup>

The PLC dissolution brought back memories of the legal and political criticisms of the law forming the Constitutional Court, and its subsequent creation. Concerns regarding the court began in 2006, when the outgoing PLC began to discuss the law of the court before the new PLC took over. The law was ultimately enacted that year.<sup>68</sup>

The series of amendments President ‘Abbas introduced into law in 2012, 2014, and 2017 were heavily criticized,<sup>69</sup> as were the circumstances in which the court was created in 2016.<sup>70</sup> Legal advocacy groups continued to submit objections and expressed concerns regarding the court’s law, its formation, and some of its decisions. They criticized the amendment made by the president in 2012, before backtracking,<sup>71</sup> and his amendment in 2014.<sup>72</sup> In a petition filed to the president, many such groups objected to the formation of the court, saying it lacked a legitimate constitutional basis produced by the PLC and presidential elections, in addition to a unified judiciary, while lacking independence from political interference.<sup>73</sup> They held a press conference stating that the Constitutional Court had not completed the required procedures for its formation and that its verdicts were therefore null and void.<sup>74</sup> It violated the law in its method of convening, in the way it was formed by presidential decree, and in some of the laws it had issued, such as granting President ‘Abbas the power to revoke parliamentary immunity for any PLC member, in situations other than convening emergency sessions of the PLC.<sup>75</sup>

These Legal advocacy groups questioned the eligibility of the chairman of the Constitutional Court, as since 2013, years before he was appointed to the post, he had expressed views in favor of executive authority at the expense of the Basic Law and the PLC. He said that the PLC's term had expired, and that the president had the right to revoke the parliamentary immunity of PLC members.<sup>76</sup> These groups warned against the encroachment of the executive authority over the judiciary, which risked causing the total collapse of the political system. They also noted other practices undertaken by the executive in its quest to exploit the judiciary, such as dismissing the head of the Supreme Court and chairman of the Supreme Judicial Council, in contravention of the provisions of the Basic Law and the Judicial Authority Law.<sup>77</sup>

The importance of returning to the legal position over the Constitutional Court in terms of its laws, formation conditions and some of its decisions, stemmed from the fact that the dissolution of the PLC was based on its ruling. An examination of whether the dissolution was purely legal or in fact political—using legal cover and pretexts—was required, whereby internal rivalries were dealt with by exploiting the judiciary. This was not limited to the Constitutional Court and how it was used in a number of measures, including the dissolution of the PLC, or limited to the dismissal of the President of the Supreme Court and the Supreme Judicial Council. Indeed, on 18/7/2019, President ‘Abbas dissolved the Supreme Judicial Council and established a transitional council for a period of one year, abruptly and without the knowledge of the judiciary.<sup>78</sup> This was viewed by judicial circles as an affront to the judiciary, a flagrant assault on its independence, and a demolition of all constitutional principles enshrining the separation of powers.<sup>79</sup>

The dissolution of the Supreme Judicial Council seven months after the PLC dissolution effectively removed any checks and balances in the Palestinian political system, even in the most minimal, procedural way. This compounded the political dimension of these moves, and their negative impact on internal political relations and trust between Palestinian factions. The exploitation of the judiciary to settle internal rivalries and the encroachment of the executive's authority expanded dramatically to the point that the PA blocked websites critical of it using the powers of the Magistrates Court and the cybercrime law, which President ‘Abbas issued during the absence of the PLC.<sup>80</sup> Some of these websites were affiliated to Hamas, raising questions and doubts about the integrity, transparency, and credibility of the call for new PLC elections. Moreover, some of these websites adopted an

independent editorial line, suggesting Palestinian society was being transformed into a closed society under a quasi-police state.

In addition to the invalidity of the decision to dissolve the PLC, in view of the unconstitutionality of the Constitutional Court itself—according to human rights institutions, and also considering that the Basic Law does not permit the dissolution of the PLC, even in a state of emergency;<sup>81</sup> numerous issues have been raised about the court's decision, whether regarding its legal merits or apparent bias to the narrative of the executive branch. Indeed, the decision considered that the dysfunction of the PLC and failure to hold PLC elections prejudices citizens' rights to legislation and political participation, yet failed to address the denial of citizens' right to electing a new president of the PA. This has prompted many observers to ask: Why did the Constitutional Court not move earlier to put an end to many of the violations, including the expiry of constitutional terms of all leading positions, led by the presidential post itself? How can this decision apply to the PLC, but not to the president, whose term had expired in 2005? Why did the decision not include holding presidential elections too, six months later?<sup>82</sup>

The paradox here is that while the Constitutional Court tackled the expired term of the PLC, it dealt with the president's term as an ongoing valid term; and while Hamas would not acknowledge the expiry of the term of the PLC as having taken place until a new PLC took the constitutional oath, in 2009 the PA/Fatah leadership summoned the PCC to extend the terms of both the PLC and the president until elections were held for both.<sup>83</sup> This meant that Fatah had acknowledged the legal expiry of President 'Abbas's term in 2009.

Regardless of any discussion about the legality of the step that took place in 2009, and the claim that the PA's legitimacy stems from the legitimacy of the PLO, which alone has the authority to grant or withhold legitimacy to PA institutions, it is a recognition of the end of the term of President 'Abbas. It reveals the fundamental bias and contradiction in the decision of the Constitutional Court. It is noteworthy that PLO institutions were used as a cover, which in turn highlights how Fatah-dominated PLO institutions have been exploited for internal political reasons, without any consideration of other facts, be they political, popular, or legal.

No matter the legal reality, political discourse left no doubt regarding the political motives behind dissolving the PLC, especially since the talk about the

dissolution of the PLC preceded any public legal debate. Rather, the president announced his intention to dissolve the PLC before the decision of the Constitutional Court.<sup>84</sup> This was in addition to President ‘Abbas’s speech in which he announced the decision of the Constitutional Court to dissolve the PLC, which hinted at measures against Hamas,<sup>85</sup> which places these two matters in the same context. In addition, the president spoke explicitly about the need for a legal step to dissolve the PLC,<sup>86</sup> which again suggested exploitation of the judiciary to settle political scores.

Some believe that dissolving the PLC was partly motivated by revenge against Hamas members of parliament (MPs) in the Change and Reform bloc, who challenged the legitimacy of the president in a letter to the United Nations (UN) in September 2018.<sup>87</sup> However, the dissolution of the PLC, followed by the dissolution of the Supreme Judicial Council, and the clear exploitation of the judiciary, revealed a tendency to monopolize all authorities by one person, which actually led to the collapse of the political system, as warned by human rights institutions, as all powers became concentrated in the hands of President ‘Abbas. In addition, national relations worsened, perpetuating tension and internal rows, a crackdown on freedoms, the substitution of conflict with Israel for conflict with Hamas, and a striving to get Hamas out of the political system, or curtailing it within the system, or even preparing harsher measures against it to withdraw any constitutional legitimacy it has. While these actions were some of the presumed aims behind dissolving the PLC, the move also remained deeply rooted in the issue of arrangements for the succession of President ‘Abbas, and the internal polarizations within the Fatah movement.

Indeed, the dissolution of the PLC worsened the already strained relations between the two major movements, Hamas and Fatah, and 2019 saw further rhetorical and security escalation. Some incidents preceded the PLC’s dissolution, but these are considered normal in the dynamics of the internal Palestinian relations, such as the PA security forces preventing two marches by Hamas in WB, on its anniversary in December 2018 in Nablus and Hebron, and cracking down on participants.<sup>88</sup> In return, Hamas barred Fatah from holding a commemoration on the anniversary of the death of former President Yasir ‘Arafat at the time and place chosen by Fatah, while allowing supporters of former Fatah leader Muhammad Dahlan to hold their own ceremonies. While the two movements accused each

other of detaining their respective supporters, President ‘Abbas lashed out at Hamas calling it “a bunch of spies,”<sup>89</sup> while Fatah, said Hamas, was an Israeli production.<sup>90</sup> This climate had an impact on Fatah itself, with its leadership in GS cancelling its rally, prompting some in the Fatah Central Committee to call for the dismissal of Fatah leaders in GS.<sup>91</sup>

The tension reached a peak when the PA withdrew its personnel from all GS crossings,<sup>92</sup> under the pretext that Hamas was impeding their work.<sup>93</sup> However, ‘Azzam al-Ahmad, member of Fatah Central Committee, claimed this step had really intended to undermine Hamas’s rule in GS, noting that he had been the first to suggest declaring GS a rogue region. He also threatened further measures to end Hamas’s rule, and denounced the backlash by Palestinian factions including PLO factions against the PA’s withdrawal of its personnel.<sup>94</sup>

In such conditions, the Hamdallah government was dismissed and the government of Mohammad Shtayyeh was appointed, meaning that the rivalry with Hamas was a central factor in this political shift. Hamas reacted by declaring the Shtayyeh government a “separatist” government.<sup>95</sup>

With the dissolution of the PLC, which was the most difficult step, the road was paved to form a Fatah-led government that could address concerns regarding post-‘Abbas arrangements, contain internal polarization within Fatah, distribute centers of powers among its poles, and harmonize with the logic of monopolizing and consolidating power in the PA.

#### ***Fourth: A Look at the Performance of the Two Governments***

Shtayyeh did not announce a detailed program for his government, but rather the features of a program and a three-month emergency plan.<sup>96</sup> The plan included, in addition to traditional promises of development found in any government plan, holding PLC elections based on the letter of appointment issued by President ‘Abbas. This was despite the divisive circumstances in which this government emerged, and the negative impact on the cohesion of PLO factions, especially leftwing ones and even Fatah itself. Their internal rivalries were reflected through the dominance of technocratic ministers holding government portfolios, with the

inability to appoint ministers for the interior and religious endowments, amid criticism within Fatah against the choice of ministers.<sup>97</sup> This was something that did not suggest political vitality, but rather an intractable aggravation when also taking into consideration political stagnation, the crackdown on freedoms, and the escalation of internal rivalry.

Internal rivalries escalated, despite the serious challenges faced by the Shtayyeh government, including a major financial crisis caused by Israel's withholding of clearance revenues (the tax Israel collects on behalf of the PA) equivalent to the salaries the PA pays to the families of prisoners, and the PA's refusal to receive the discounted clearance revenues. This forced the government to pay only 50% to 60% of the salaries of its employees that exceed 2,000 shekels<sup>98</sup> (about \*\$556) from March 2019, until the PA backtracked and reached an agreement with Israel in October 2019.<sup>99</sup>

It is worth recalling that the Shtayyeh government inherited the clearance revenue crisis from the Hamdallah government. While the problem evolved in the last days of the latter government, its precursors began in mid-2017.<sup>100</sup> In 2018, the Knesset passed a law after first and second reading to slash funds to the PA that are paid to the families of those killed and prisoners from PA tax funds.<sup>101</sup> This meant that the PA had ample time to come up with an effective response, especially during Hamdallah's tenure. Hamdallah said that his government was ready to deal with all possible scenarios if Israel deducted funds from the clearance revenue,<sup>102</sup> however, the performance of his government and the Shtayyeh government thereafter revealed fatal shortcomings in the handling of this essential file on two levels: First, because it directly targeted prisoners, their families and the families of those killed, thus hitting one of the core foundations of resistance; and secondly because it affected the survival of the PA, by threatening its economic resources and its spending capabilities.

The clearance revenue crisis revealed that the PA's existence and its entire function was dependent on the Israeli occupation, as demonstrated by the PA having to yield and accept discounted clearance revenue in the end. This raised questions about any and all liberation efforts to enjoy self-determination, even if only economically, apart from Israeli dominance, whether in the schism period, or under the first government of Hamdallah, followed by the National Consensus

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\* US Dollar.

Government under Hamdallah as well, then under the Shtayyeh government. All the solutions they could have proposed would have been futile, such as seeking loans from Arab and non-Arab states, attempts to activate an Arab safety net,<sup>103</sup> borrow from banks,<sup>104</sup> or even relying on shifts in Israeli policy.<sup>105</sup>

In addition to austerity measures, political steps may be considered more strategic and practical, such as suspending agreements signed with Israel, implementing relevant decisions by PLO institutions,<sup>106</sup> and disengaging economically from Israel.<sup>107</sup> At the same time, the PA suffered a credibility crisis, for many reasons, one was the Hamdallah government increasing the salaries of its ministers despite austerity measures, triggering local popular criticism. In addition, the International Monetary Fund (IMF) and the UN Special Coordinator for the Middle East Peace Process Nickolay Mladenov also criticized the move, which contradicted the PA's financial crisis and austerity drive.<sup>108</sup>

The PA itself proved it had no appetite to implement the very same measures it touted, let alone having the ability to do so, owing to its total geographical and security subjugation to Israel, and its lack of any outlet to the outside world that does not pass through Israel. The Shtayyeh government was indeed unable to implement its decision to ban veal imports from Israel,<sup>109</sup> which in turn revealed the nature of the centers of power within the PA, its agencies and within Fatah, and their relationship with Israel.<sup>110</sup> Shtayyeh had spoken previously about his bid to purchase oil from Iraq to disengage from Israel,<sup>111</sup> which did not happen.

It can be said then that the failure of the Shtayyeh government to implement promises that are relatively small compared to the broader economic disengagement from Israel, and the failure of the PA—especially the Hamdallah government—indicated that it was impossible to implement strategic steps, even if pure economic ones are concerned—such as establishing industrial zones<sup>112</sup> using the PA's own resources. However, it was more of a priority for the PA to implement fundamental political steps, even on the domestic front. Indeed, Shtayyeh failed to resolve the crisis of liberated prisoners whose salaries were cut by the PA. It turned out later that their issue was in the hands of President 'Abbas, and the GIS director.<sup>113</sup> He was unable to retract the blocking of a number of websites despite declaring his opposition to this move.<sup>114</sup> Thus, the successive governments formed outside serious national reconciliation, from the internal national aspect, have remained influenced by presidential decisions and other power centers, whose power is based

on their security function or coordination with Israel. They also remained hostage to the PA's circumstances that render it subject to Israel's absolute dominance, with its role not exceeding administrative management, without the ability to develop fundamental solutions. Regarding national relations, especially with GS, the government will remain under pressure due to these conditions and considerations.

### ***Fifth: The PLO at the Heart of the Schism***

It has already been mentioned that the PCC was summoned in 2009 to renew the mandate of both President 'Abbas and the PLC without elections, and on the pretext that the PLO supersedes the PA, which was established by the PLO and was the result of its policies. This behavior, while contradicted later by the dissolution of the PLC by the Constitutional Court without addressing the problem of the presidency, underscores the instruments that Fatah may use to impose its dominance and policies and settle internal scores, in such a way as to allow the PCC to supersede the PLC. Moreover, the discussion about dissolving the PLC preceded the legal aspect, for the Fatah Revolutionary Council recommended the dissolution of the PLC<sup>115</sup> to the PCC, two months before the verdict of the Constitutional Court. Notably, observers have confirmed that the PCC was not the one that established the PA, and that a non-elected body cannot dissolve an elected one. They questioned the motives for dissolving a suspended PLC, and wondered that if the PCC had the right to dissolve it, then the move should have included the entire PA, including the presidency.<sup>116</sup> These questions reveal Fatah's exploitation of PLO institutions and its bid to consolidate its dominance over the entire Palestinian arena.

The exploitation of PLO institutions started earlier, just before the dissolution of the PLC, which the Palestinian factions considered a violation of accords and signed agreements. Although President 'Abbas, following Trump's recognition of Jerusalem as the capital of Israel, pledged to convene an emergency session to which all factions would be invited,<sup>117</sup> he only held an ordinary PCC session in January 2018,<sup>118</sup> which was boycotted by Hamas and PIJ who considered such a move a breach of the national consensus.

The biggest step in this direction, which preceded the PLC's dissolution, the dismissal of the National Consensus Government, and subsequent formation of

the Shtayyeh government, was the convention of an ordinary session of the PNC between 30/4/2018 and 3/5/2018. It was the first such session since 1996—albeit the council had convened an extraordinary session to elect new members to the Executive Committee in 2009.<sup>119</sup>

Hamas boycotted the PNC meetings, stating that holding them in that format reflected a policy of exclusion, monopoly, and unilateralism vis-à-vis the capacities and institutions of the Palestinian people. Hamas questioned the motives of a meeting that was convened with unprecedented Israeli facilitation. This meant, according to Hamas, that the Council was not expressing the national will, and that it was flagrantly defying the unity of the Palestinian people, undermining the PLO, its legitimacy, and its representation of the full spectrum of the Palestinian people. Hamas cited the fact that more than two-thirds of PLC members, who are members of the PNC, and a large number of other PNC members in Palestine and abroad, alongside the PFLP (the second largest PLO faction), Hamas, and the PIJ (and the popular weight they represent) had boycotted the meeting.<sup>120</sup>

The PIJ also boycotted the PNC meeting, saying it did not represent the full spectrum of the Palestinian people, because the circumstances in which it was held violated all previous agreements and the outcomes of the meetings of the preparatory committee of the PNC<sup>121</sup> previously held in Beirut. These were the same justifications put forward by the PFLP for its decision to boycott the PNC meetings, despite being a PLO faction. The PFLP viewed convening the Council in this format as a violation of many national agreements on the PLO, including: the Cairo Agreement of March 2005, which specifically tackled the PLO; the National Conciliation Document (Prisoners Document) of May 2006; the Reconciliation Agreement signed in Cairo in April 2011; as well as the outcomes of the preparatory committee meetings in January 2017 in Beirut, which brought together all Palestinian national and Islamic factions. The committee was tasked that year to convene a national inclusive meeting of the Council. Therefore, convening the PNC in contradiction with this agreement deepened Palestinian divisions, according to the PFLP, which also cited other reasons for its boycott.<sup>122</sup>

The meetings of the PNC, which discussed the structure of the PLO and the renewal of its institutions, led to the election of President Mahmud ‘Abbas as President of the State of Palestine by those in the attendance.<sup>123</sup> These meetings approved a new executive committee of 15 members, including most notably

President Mahmud ‘Abbas, Saeb Erekat, ‘Azzam al-Ahmad, Hanan Ashrawi, Taysir Khalid, and Bassam al-Salhi,<sup>124</sup> who elected ‘Abbas as the committee chairman,<sup>125</sup> and approved the addition of 35 members to the PCC.<sup>126</sup> This meant that the Fatah movement and the PA elite, from their position of domination over the PLO, reformulated the organization’s structures to perpetuate their influence and its de-facto reality, without any real elections, in divisive circumstances.

The most prominent PNC decisions concerning Israel were to end the transitional period stipulated by the agreements signed in Oslo, Cairo, and Washington; entrusting the Executive Committee to suspend the recognition of Israel until it recognizes the state of Palestine along the borders of 4/6/1967; repealing its decision to annex East Jerusalem, and halting settlement building. The meeting of the PNC also affirmed the necessity of implementing the decision of the PCC in its previous two sessions (i.e., prior to the PNC session) to suspend security coordination of all forms with Israel, and disengage from the economic dependency that was enshrined in the Paris Protocol including boycotting Israeli products.<sup>127</sup>

These decisions seemed to be a serious review of the peace process that led to the official Palestinian crisis and impasse, and the dangerous situation that threatened to liquidate the Palestine issue. Nevertheless, PNC meetings deepened the Palestinian division, even beyond the Hamas and Fatah schism, dividing the PLO factions, where the PFLP boycotted the PNC meeting, and leftist forces had differences over whether to participate or boycott.<sup>128</sup> Likewise, many political circles boycotted the sessions or asked for them to be postponed, objecting to the venue of the meeting, its merits, its measures, and its divisive circumstances.<sup>129</sup> Not many took the Council’s decisions and stances vis-à-vis Israel seriously, given the history of announcing such decisions without implementing them on the ground. Furthermore, the PNC statement indicated that it still abided by the peace process, by calling for an international conference under collective international sponsorship of the five permanent members of the UN Security Council, on the basis of the related UN resolutions.<sup>130</sup> All this prompted Hamas to describe the PNC as a separatist council.<sup>131</sup>

This rift increased later, with the PCC convening in Ramallah on 15/8/2018.<sup>132</sup> In addition to the expected boycott of Hamas and PIJ, the PFLP also boycotted, saying the meeting would further ignore national consensus and uphold the same

exclusionary monopolistic approach of the PNC's previous meeting. The PFLP said that convening the PCC in this context would deepen the horizontal and vertical division in the Palestinian arena, whether within the institutions of the PLO itself, or at the factional and popular levels, commending the boycott of the DFLP, the Palestinian National Initiative movement, and independent personalities.<sup>133</sup> The boycott of the PCC went even further than at previous meetings.

The PCC sessions included a speech by 'Abbas questioning the intentions of Hamas towards reconciliation, and stressing his traditional position regarding the Palestinians' right to armed resistance, saying that he would accept only one legitimate source of arms.<sup>134</sup> Thus implying his rejection of the resistance's weapons, showing the full extent of the divergence between the Palestinian factions on the reconciliation issue.

With respect to the struggle against Israel, the PCC approved the recommendations of the PLO Executive Committee, pursuant to the decisions of the PNC on revising the relationship with Israel in the economic, political, and security areas, including suspending recognition of Israel until it recognizes the State of Palestine, suspending all forms of security coordination with Israel, and beginning economic disengagement from Israel.<sup>135</sup> This revealed that the decisions of the PNC had not been implemented for the entirety of the period between the two meetings. Furthermore, these decisions were not implemented anyway in 2018 or 2019, as we will detail later.

Later, the same factions, namely Hamas, PIJ, the PFLP, the DFLP, and the Palestinian National Initiative movement boycotted the meetings of the PCC 30th session held in Ramallah on 28–29/10/2018. Hamas this time did comment, perhaps because of reports that the PCC may issue new decisions concerning stepping up sanctions on GS or dissolve the PLC. Hamas said the session was illegitimate and all its decisions invalid.<sup>136</sup> Based on the same concerns, the PIJ leader Khalid al-Batsh presented a vision to restore unity and end the division on behalf of a number of Islamic and national forces. He said that any new PCC decisions that deepened the division, escalated tensions, and forced people to accept contentious political solutions would undermine the national legitimacy of those who made them.<sup>137</sup>

The PFLP reaffirmed its previous positions, saying that the insistence of the “dominant leadership” to convene the PCC despite broad-based boycott, was

a continuation of its national and political “sin” that had kept the PLO hostage to monopoly and one-sidedness with regard to the organization’s decisions and direction. The most dangerous issue, according to the PFLP, was the confiscation of the PLO’s right to reform and modernize, which meant its role and function continued to be undermined.<sup>138</sup>

Although the PCC did not issue a decision to dissolve the PLC, which was later dissolved by the Constitutional Court, the discourse of the PCC on Hamas and the reconciliation took a sharp turn during the meeting. First, President ‘Abbas accused Hamas of adopting “the thoughts of the enemies” and seeking to establish a mini-state in GS.<sup>139</sup> Second, the PCC statement held Hamas solely responsible for failing to commit to the agreements previously signed. It alluded to what it termed “suspicious projects” like seeking to separate GS from the WB, claiming that it was part of the “Deal of the Century,” rejecting any de-escalation with the occupation outside the PLO framework, and rejecting any humanitarian projects in GS such as establishing a port or an airport, claiming them to be projects seeking to destroy the Palestinian national project and the Palestine issue.<sup>140</sup>

While the PCC was used as a forum to reaffirm Fatah’s narrative on issues of contention with Hamas, it also reaffirmed the decisions of its previous sessions regarding the conflict with Israel. The Council declared the transitional period invalid, and therefore ended the PLO’s and PA’s commitments to all agreements with Israel, including suspending the recognition of Israel until the latter recognized the State of Palestine, suspending all forms of security coordination, and beginning economic disengagement, as well as declaring that the Paris Protocol had become invalid, too.<sup>141</sup> These were the same formulations adopted in the previous session, the execution of which was then entrusted to the PLO Executive Committee,<sup>142</sup> hence suggesting that these decisions would not go beyond media discourse to actual implementation, while worsening internal national relations.

The PLO leadership did not convene the PNC for 20 years, with two exceptions, 2009 and then in 2018, amid deep political division, constantly escalating internal rivalry, and an impasse blighting the peace process that created the PA. At the same time, PLO institutions were not efficient in developing practical solutions to the crisis of the Palestinian political project, rather they were used as a platform for rhetorical grandstanding against the occupation without any real consequence. They were even used for real measures that deepened Palestinian divisions, for

the series of PNC and PCC sessions created new divisions within the national movement in general, and among PLO factions and even inside each one of them, in addition to the PLC dissolution and the formation of the Shtayyeh government.

In this context, with the deteriorating in the health of President ‘Abbas, it has been hard to conceal Fatah’s internal dilemma, which has sought to rearrange the Palestinian scene into total monopoly, while using some PLO factions in a cosmetic manner to provide cover for its movements. Fatah’s popularity has been on the decline, with its political project clearly failing, while Israeli society and politics have lurched into the right with full cover from the Trump administration. As a result, the PA’s *raison d’être* has been eroding, reducing its function to the servicing of a small elite benefiting from it. In the same context, internal rivalries in Fatah have been growing, seeing more competition for control of the centers of power. Since Hamas represents Fatah’s main rival, Fatah has moved to delegitimize Hamas, and block regional and international initiatives concerned with GS, turning the competition with Hamas into its main rivalry, replacing the one with Israel at a very critical and dangerous stage.

### ***Sixth: Breaking the Deadlock Between Reconciliation and Elections***

The Fatah leadership, and President ‘Abbas, have not dealt positively with the reconciliation plan presented by the Palestinian factions, namely the PIJ, PFLP, DFLP, PPP, the Palestinian National Initiative movement, Fida, the Vanguard of the Popular Liberation War (al-Sa‘iqah), and the PFLP-General Command (GC).<sup>143</sup>

Hamas agreed to this initiative,<sup>144</sup> but was ignored by President ‘Abbas, who in his speech at the UN announced his intention to hold general elections in the WB, GS, and Jerusalem.<sup>145</sup> Although the call to elections was unilateral, Hamas agreed to it anyway,<sup>146</sup> whether as a maneuver to block attempts to remove it from the political landscape and delegitimize it (by holding elections in WB but not GS, or by using electronic polling in GS without Hamas’s consent), or as something borne out of conviction of the possibility of exiting the impasse by turning to the people through elections.

Hamas and the Palestinian factions in GS met with the Central Elections Committee.<sup>147</sup> Hamas waived its previous conditions that PLC, presidential, and PNC elections must be held simultaneously.<sup>148</sup> Hamas and other Palestinian factions had called for a national meeting prior to the elections—a call criticized by Fatah,<sup>149</sup> however, it expressed its willingness to withdraw that call. It also accepted that the elections be held according to the proportional-representation law, and showed willingness to make more concessions and be more flexible in order to ensure that these elections succeed.<sup>150</sup>

There was a Palestinian debate about whether President ‘Abbas was serious about his election proposal. It is worth recalling here that the elections remained a recurrent proposal by Fatah to end the division, rather than following the conventional reconciliation process. It seemed that it was a proposal relying on rejection from Hamas, after the experience of 2006, the crises of government experienced by Hamas, and the dismantling of its organizations in WB. The elections were a clause included in the numerous agreements signed between the two parties, and a clause in the plan put forward by the factions that Fatah ignored. However, they were a clause within an agreed package and timetable, whether in the signed agreements or in the factions’ initiative. Moreover, the Constitutional Court’s decision urged President ‘Abbas to call for PLC elections six months after the dissolution of the PLC, and included a letter mandating the Shtayyeh government to organize PLC elections.<sup>151</sup>

Some believe that President ‘Abbas, along with the Fatah leadership, had gambled on Hamas refusing the call to elections or clinging to its traditional conditions, so that they would be able to repudiate the reconciliation process, sidestep the factions’ initiative, and preoccupy Palestinian public opinion with this political bombshell. They wanted incomplete elections in order to renew the PA’s eroding legitimacy, at a time when the PA’s political project had collapsed, and its function in the struggle against occupation had been largely absent.<sup>152</sup> At the same time, such elections would meet the demands of the European Union (EU) on the need for an elected PLC, while also using that to delegitimize Hamas in case it boycotted the elections, especially since the threat of declaring GS a rogue province was on the table.<sup>153</sup>

In return, Hamas has sought to embarrass President ‘Abbas and Fatah by agreeing to the election proposal, hence obstructing the PA’s plan to delegitimize it.

Hamas, no matter what the election outcome may be, probably believed that an impasse with ‘Abbas would be more dangerous than elections, even as the likelihood of holding one remains low, given the political impasse inside Israel itself, which may prompt it to obstruct elections in Jerusalem. In the event that elections were held, Hamas would remain inside the political system and achieve a reasonable result. Its political foes in Fatah would also suffer greatly when trying to name candidates, as a result of the growing polarization within and the struggle for the succession of Mahmud ‘Abbas, as well as the failure of its political project.<sup>154</sup> If elections were to be held in a climate of political repression, Hamas would not run and would still retain its arms in GS.

In late 2019, holding elections was not inevitable. Despite both sides placing their bets on the time factor, the results of any such elections would reproduce the schism discourse. The events of 2006 were still fresh, and the behavior of Fatah in 2018 and 2019 was centered on the PA project, which had become an end in itself for a powerful elite who are acutely aware that the PA is the condition for their own political existence and survival. Accordingly, one can understand its unilateralism in all of the above, from the dissolution of the PLC, to the formation of Fatah-led government, the convening of the PNC and PCC, re-shaping the PLO in isolation of all agreements, and launching a crackdown on freedoms. Fatah also continued the policy of security coordination, despite its claim that it had been suspended, and its claims to be engaging in popular resistance, which not only did not materialize, but the PA actually cracked down on, according to Israeli sources.

If Fatah were to win the elections, whatever Hamas’s presence in the Palestinian political system, Hamas’s arms in GS would be used as a pretext for a new crisis, even if the factions sided with Hamas, as they gradually move away from Fatah. If Hamas were to win, there would be no chance it would be able to administer the WB, unless it made concessions that fatally undermined its fundamental political principles.

In case these elections were not held, the climate prevailing in 2018 and 2019 would probably continue. Nothing could alter this reality unless regional shifts occurred, forcing the two sides to come together, or favoring one side over the other, altering the internal balance of power.

## *Seventh: Palestinian Factions: Status and Popularity*

We have previously discussed the negative repercussions of the formation of the Shtayyeh government on the efforts of the Palestinian left to form a coalition of its forces. This coalition was called the Palestinian Democratic Grouping, and was officially announced on 3/1/2019. A statement explained the reason for the establishment of this grouping: the need for a new bloc that could pressure the two main factions of the PA. It added that internal despotism must be ended, including ruling by presidential decree, the domination of security forces, and the erosion of the PLO in favor of the PA and its organs. The statement explained that the latter had led to the paralysis of the PLO, disregard for its decisions and representative status, especially regarding exiting the Oslo Accords, and the obstruction of any attempts to revive and reform the PLO. In addition to the national struggle and domestic issues, the declaration called for adopting an economic program based on social justice, protecting workers' rights, implementing a fair distribution of the tax burden, reducing spending on security for the benefit of education and health, and securing the rights of prisoners and martyrs, as well as strengthening the resilience of Jerusalem and other threatened areas. The declaration reflected social attitudes emanating from leftwing concerns that may be locally problematic, such as calling for bringing legislation in line with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>155</sup>

Although the Grouping sought to highlight its presence through holding public events and issuing unified stances,<sup>156</sup> its formation lacked robust mechanisms and was governed by vague ones under the broad title of dialogue.<sup>157</sup> There were no practical structures such as an independent leadership framework,<sup>158</sup> and internal bylaws that govern the members' leadership frameworks, hence preventing factional and personal polarizations. It was this problem that led the Grouping to fail, and undermined the unity of its factions, because of differences over the Shtayyeh government and participation in it. Indeed, Fida and PPP decided to join the government contrary to the Grouping's position.<sup>159</sup>

First tier leaders in these two parties resigned, some because of the Shtayyeh government issue, others because of the way decisions were made to participate in that government, which involved forgery according to some.<sup>160</sup> Thus, another experience of the Palestinian left to unify its ranks, or create a third bloc, had

failed. This time, the direct cause was the coercion of the PA, which had been seeking to control the entire public sphere and deploy it for its own agenda, its internal rivalries as well as its rivalries with its foes.

The PA's coercions did not spare Fatah itself, although no overt divisions appeared in its ranks. Internal dissent and divergence, which were historical features in Fatah, have ended under 'Abbas's leadership and the last two Fatah conferences. The centers of power were clear in the PA, as was evident in the Shtayyeh government's paralysis vis-à-vis some issues addressed above. Multiple sources have reported the existence of centers of power dominated by the security forces, with some figures entrusted with coordinating with Israel. They shape the trends within the PA in contradiction to Fatah's national slogans. In addition, Fatah has been unable to fill the portfolios of the Interior and Religious Affairs Ministries in the Shtayyeh government, amid other issues linked to the circumstances in which the Shtayyeh government was formed and Rami Hamdallah dismissed.

Despite this, media sources, especially Israeli ones, kept reporting on conflicts within the Fatah movement over the succession of President 'Abbas. The analyses that factored-in these conflicts placed Fatah's measures and arrangements for the PLO in this context, along with the formation of the Shtayyeh government, in addition to other contexts.

There was talk in the Palestinian street regarding Fatah's preparation for the post-'Abbas era, reinforced by leaks in the Israeli media, which claimed that arms were being procured and militias being formed in preparation for the succession of President 'Abbas and for potential chaos and conflict.<sup>161</sup> In this context of 'Abbas's succession, a number of Fatah and PA leaders have been mentioned, most notably the member of the Fatah Central Committee and former director of the Preventive Security Service (PSS), Jibril Rajoub; the former GIS director and member of the Fatah Central Committee Tawfiq al-Tirawi; the deputy head of Fatah Mahmud al-'Aloul; and the current GIS director Majid Faraj.<sup>162</sup> The name of Hussein al-Sheikh, member of the Fatah Central Committee and head of the General Authority For Civil Affairs, was also mentioned as one of the influential figures in the decision-making corridors within the PA.<sup>163</sup>

Perhaps this internal polarization in Fatah has encouraged its factions to hold on to President 'Abbas during this period, to avoid an early clash or to escape

from the problem, including by declaring him the sole candidate in any upcoming presidential election,<sup>164</sup> despite his turning 84 at the end of 2019. Observers have almost unanimously agreed on the difficulty of finding a consensual leader after President ‘Abbas, due to the death of most historical leaders of whom he is the last, and due to Fatah’s failure to attract new generations of members.<sup>165</sup> Nevertheless, the nature and function of the PA, and its organic bond with Fatah, could help settle this dilemma, through the ability of external powerful forces to impose their candidate on the PA.

In the same context, the imprisoned Fatah leader Marwan Barghouti represents an interesting phenomenon in Fatah, with many figures approving him. However, his faction remains weak in the context of the equations that govern power distribution in the PA. This was evident through the PA’s efforts to weaken the Prisoners Club or annex it to the Prisoners Affairs Authority, after it supported a prisoner strike led by Barghouti,<sup>166</sup> in April and May 2017, a strike that caused a split within Fatah inside prisons.<sup>167</sup>

Furthermore, in the context of Fatah’s internal conflicts, there was the role of former Fatah leader Muhammad Dahlan and his supporters of ex-Fatah members, calling themselves the Reformist Movement. Dahlan is well connected internationally, especially with the governments of Egypt and the United Arab Emirates (UAE), although his movement was hit hard by Turkey’s decision to place his faction on its terrorist list.<sup>168</sup> Dahlan commands control of formidable human resources and a media network. He has proven his influence in GS, when his bloc won against Fatah’s official bloc in the elections of the Workers and Staff Syndicate of Al-Azhar University in GS,<sup>169</sup> and during the massive rallies on Fatah’s anniversary<sup>170</sup> and the commemoration on the anniversary of the death of Yasir ‘Arafat, both of which were official Fatah events. Indeed, Dahlan is keen to repudiate the idea of total separation from Fatah and accusations against him of going rogue, affirming that belonging to Fatah is not about loyalty to one person.<sup>171</sup>

One of Dahlan’s touted strengths, in addition to organizational presence, is his extended networks abroad, most notably in Lebanon, through social and charitable activities and military loyalties inside the refugee camps (RCs); as well as in Jordan.<sup>172</sup> This is in addition to his clout within the WB RCs, reflected by frequent confrontations between PA agencies and militants in these camps,<sup>173</sup> not to mention his relations with some Fatah Central Committee members, especially

Tawfiq al-Tirawi, who is reported to have met with Dahlan in person several times. Al-Tirawi is also reported to be among those stockpiling weapons in preparation for the post-‘Abbas phase.<sup>174</sup>

On the other hand, with regard to internal national circumstances, the PIJ held internal elections, declaring the election of Ziad Nakhleh as its new secretary general in September 2018.<sup>175</sup> He succeeded Ramadan ‘Abdullah Shallah, who in April 2018 entered into a coma and was no longer able to run the movement. The elections included electing members for the movement’s political bureau and leaders in other arenas.<sup>176</sup> The political bureau admitted new members who were known political and media personalities, such as Muhammad al-Hindi, Nafez ‘Azzam, Khalid al-Batsh, and Anwar Abu Taha, and other, less well-known, figures.<sup>177</sup>

### ***Eighth: Popularity Indicators***

It is not possible, with the Palestinian situation suffering this level of division, political disruption, and paralysis of the national movement, especially in the WB, to talk about reliable measurements of the influence of the Palestinian factions and their popularity; even if there are indications that the Hamas and Fatah movements both enjoy popular support.

With the absence of any general or local elections in which Hamas can run, all eyes have been on student elections. However, these elections, since the emergence of the Palestinian schism, have lost their representative value given the PA’s ability to subdue campuses. As a result, university administrations have adopted a security approach, cracking down on student activism, while the PA has cracked down on rival student blocs and Israel banned some student groups, rendering competition deeply unequal.<sup>178</sup>

Indeed, An-Najah University administration banned the activities of the Islamic Bloc,<sup>179</sup> Hamas’s student framework. In Hebron University, student elections have been banned for successive years, with only individual candidates allowed, practically invalidating the work of student groups.<sup>180</sup> In Al-Quds University (Abu Dis), the Islamic Bloc was also banned from recent student elections, on the pretext of not meeting the required conditions.<sup>181</sup>

While this was the case for the WB universities, universities in GS have been subject to a different kind of division. Hamas dominates the Islamic University and Fatah controls Al-Azhar University. The Islamic University holds elections but without proportional representation, and they are therefore boycotted by many student groups.<sup>182</sup> Whereas Al-Azhar University bans student elections outright,<sup>183</sup> mainly on account of the divisions within Fatah between the ‘Abbas faction and the Dahlan faction, which won the most recent elections of the Workers and Staff Syndicate there.<sup>184</sup>

Birzeit University, in central WB near Ramallah, remained the exception. The Islamic Bloc there managed to win the elections of the Student Council for four successive rounds between 2014 and 2018.<sup>185</sup> This was due to two main factors: First, the efforts of the Islamic Bloc in this university, with a view to preserving itself and exerting its role and influence; and second, the keenness of the university administration to maintain its independence as much as possible from the political regime, and carve out a space for student activism and student elections. This allowed the Islamic Bloc to win over the years, before losing the student council in 2019.

The Student Youth Movement, the student framework of Fatah, won the student council elections in 2019,<sup>186</sup> with a majority of 67 votes, defeating the Islamic Bloc, although both sides controlled the same number of seats. This result affirmed the special nature of Birzeit University, but at the same time, confirmed that Hamas and Fatah share the Palestinian street almost equally, without any other faction being able to form a bloc to compete with them, or benefit from the rivalry between them. In turn, this means that the two movements have maintained the same weight in the street as they had during the PLC elections in 2006.

Birzeit University enjoys a representative quality, not only because of the relative freedom of its campus from the dominance of the PA, but also thanks to its liberal nature. Indeed, it cannot be considered sympathetic to Hamas, having been founded originally by a Christian family. In addition, its good academic reputation and special location in the center of WB makes it a meeting point for all Palestinians in WB.<sup>187</sup>

Despite the near equal split of Palestinian support between Hamas and Fatah, the last local elections held in WB in 2017 showed a decline of Fatah’s popularity and a decline in its influence on local communities. Indeed, independent lists in

those elections won 65% of the votes compared to 27.6% for Fatah, while Hamas officially boycotted the election. After that, no local elections were held in WB, except for some elections in villages and towns in 2018 and 2019. Furthermore, the low turnout is noteworthy, reaching only 53.4% in 2017 compared to 82.5% in 2005. Compared to the student election in which the Islamic Bloc was disqualified at the Al-Quds University (Abu Dis), we find that the turnout was 28–45%, divided according to the polling stations and university degree levels—undergraduate and postgraduate<sup>188</sup>—while the turnout in Birzeit University student elections in which the Islamic Bloc participated was 78%.<sup>189</sup> These figures underscore the impact of PA policies on the popular activism of the Palestinian people.

In the same context, the elections of the Palestinian Medical Association in WB (part of the Jordanian Medical Association), held in March 2019, saw Fatah losing the syndicate president position. It is worth comparing these elections to previous local elections, as Fatah competed against independents in them, while Hamas and the PFLP backed the independents and the independent candidate for the syndicate president position, an ex-Fatah member.<sup>190</sup> While this indicates a decline in political life in WB, it also reflects the deteriorating conditions under which all Palestinian factions are operating as a result of repression and persecution.

With these indicators, a poll conducted by the Palestinian Center for Policy and Survey Research (PSR), on 11–14/12/2019, showed that 40% of Palestinians (47% in WB and 30% in GS) expected Fatah to win upcoming PLC elections, compared to 25% (19% in WB and 35% in GS) who predicted a Hamas win. While 32% said they would vote for Hamas, 40% said they would vote for Fatah, with 10% saying they would vote for third parties, and 20% were undecided. According to the same survey, the vote for Hamas in GS stands at 41% and in WB at 24%, noting that some among those who said they would vote for Fatah said they would vote for Muhammad Dahlan. In other words, the actual vote for Fatah would be at 35%, a similar percentage to the Hamas vote.<sup>191</sup>

While the result of the survey confirmed several fixed trends in the Palestinian street, such as Fatah and Hamas's near-equal share of popular support, the inability of the remaining factions to form an influential third bloc, and the impact of intra-Fatah divisions on the movement's popularity, the survey did not accurately reveal the attitudes of the Palestinian street. Indeed, despite the fact that Hamas's structures in GS are more robust than those in the WB, Hamas still proved in

the last PLC and municipal elections it contended that it enjoys broad popular approval in the WB, which was also affirmed by the elections in Birzeit University. This was particularly pertinent given the fact that Palestinians in WB tend to be less affiliated to political groups than their compatriots in GS, and therefore are more susceptible to propaganda and the economic, security, and political policies of the PA that impact the status of Fatah. Moreover, the reluctance of Palestinians in WB to express their real views in polls probably reflects the declining individual freedoms there, and the dominance of PA security forces over public life.

### ***Ninth: Security Coordination Between National Relations and the Relationship With Israel***

As noted earlier, the PCC's decisions dictated the suspension of security coordination and requested a plan that includes a comprehensive timetable and the full specifications of political, economic and security relations with Israel. These PCC and PNC decisions, discussed earlier, were not the first of their kind in the history of the PA and PLO; rather, this was a discourse that had been repeated frequently in recent years. Indeed, in a PCC session convened on 5/3/2015, a decision was issued to suspend all forms of security coordination with Israel in the light of its failure to abide by agreements signed between the two sides.<sup>192</sup> Accordingly, Mahmud al-'Aloul, Fatah Central Committee member and deputy chairman, said that the decisions of the PCC were not recommendations but binding resolutions, including the resolution to suspend security coordination with Israel, and he asked the Executive Committee to implement these resolutions.<sup>193</sup> At the time, the president's advisor for provincial affairs affirmed the seriousness of the president in implementing these decisions. The PLO Executive Committee, tasked with implementing these decisions, decided to task the Political Committee, security forces chiefs, and other relevant bodies to develop a detailed plan to implement the suspension of security coordination with Israel.<sup>194</sup>

These decisions were made in the first quarter of 2015, and explicitly requested the suspension of security coordination, revealing the multiple forms of this coordination, and exposing security ties with Israel, more than three years before the 2018 PNC and PCC sessions. In turn, these sessions issued the same decisions, with a higher ceiling that included declaring the end of the transitional phase and

its commitments, suspension of the recognition of Israel, and the disengagement of economic relations with Israel.

However, none of these decisions were implemented in subsequent years, which brings to mind the insistence of President Mahmud ‘Abbas on continuing security coordination with Israel, in his famous 2014 declaration—less than a year before the 2015 recommendations—saying, “Security coordination with Israel is sacred, and will continue whether we agree or disagree.”<sup>195</sup> Five years later, ‘Abbas in early 2019 reiterated the same message, confirming the continuation of security coordination, and revealing that the PA had signed an agreement on “counter-terrorism” cooperation with world powers. ‘Abbas’s statements came during a meeting in al-Muqata‘ah Headquarters in Ramallah, attended by Palestinian and Israeli “peace” activists.<sup>196</sup>

Between the PCC decisions of 2015 and 2018, security coordination continued without interruption, judging by President ‘Abbas’s statements in early 2019. However, in July 2019 he declared the suspension of agreements signed with Israel and claimed that the PA had begun developing mechanisms and committees to implement the decision “starting the following day,” pursuant to the resolutions of the PCC. This was empty rhetoric, and the PCC decisions taken the previous year had not been implemented; referring them to further committees to develop mechanisms for implementation is in effect a form of obstruction, given that such committees had already been formed since 2015.<sup>197</sup>

After President ‘Abbas’s speech, the Secretary of PLO Executive Committee, Saeb Erekat, explained that the agreements that would be suspended were the Oslo Accords of 1993, the Gaza-Jericho Agreement of 1994, the Paris Protocol of 1994, the Interim Agreement of 1995, the Hebron Agreement of 1997 (aka the Hebron Protocol), the Wye River Memorandum of 1998, the Sharm el-Sheikh Memorandum of 1999, and the Movement and Access Agreement of 2005,<sup>198</sup> bearing in mind that some of these agreements had established the security coordination process.

In the first actual confirmation that the president’s declarations of July 2019 were not implemented, and that instead they would become suspended threats, in September 2019 ‘Abbas told the UN that all agreements signed with Israel and the obligations consequent upon them would be terminated, if Israel annexed the Jordan Valley, north of the Dead Sea, and the Israeli settlements.<sup>199</sup> This was his response to Benjamin Netanyahu’s threats to annex the Jordan Valley,<sup>200</sup>

following the US declaration that Israeli settlements did not violate international law.<sup>201</sup> The Palestinian response was to denounce the US move, and announce a series of meetings, and local and international moves to counteract this step, without addressing the suspension of agreements or security coordination.<sup>202</sup> If the suspension announcement is renewed, then it will probably again be an announcement without implementation.

On the ground, accusations have been made against the PA regarding several incidents in which Israeli forces were allegedly given information to capture Palestinian resistance fighters or thwart resistance operations. In some of these incidents, there were official announcements that PA security forces were indeed involved, such as the case of Basil al-‘Araj and ‘Umar Abu Laila. Other reports regarding security coordination were leaked by Israeli sources, such as the assassination of Ahmad Nasr Jarrar in Jenin.<sup>203</sup> The governor of Nablus declared after this incident that the PA was committed to the principle of security coordination.<sup>204</sup> At the same time, leaks were published about the PA wiretapping citizens’ phones.<sup>205</sup> Israeli newspapers also ran reports stating that security coordination with the PA had helped contain protests in the Palestinian territories, following Donald Trump’s declaration of US recognition of Jerusalem as the capital of Israel.<sup>206</sup> President ‘Abbas had declared unequivocally that he would not allow a new *Intifadah* in WB. In early May, the Israeli press reported that PA security forces foiled 40% of attacks planned against Israel.<sup>207</sup> Despite the US cutting off aid to the PA, Washington gave the PA security forces \$61 million to support continued security coordination with Israel.<sup>208</sup> The PA was also accused of participating in the manhunt for Ashraf Na‘alwa, who was subsequently killed.<sup>209</sup>

According to multiple Israeli security and military sources, security coordination is responsible for the Israel’s success in containing Hamas cells in the WB. These reports indicated that ‘Abbas verbally threatened to suspend coordination, but that, in practical terms, coordination never stopped.<sup>210</sup> This was confirmed by ‘Abbas, who said on many occasions during meetings with Israeli delegations, that security coordination would remain ongoing. ‘Abbas even said that he “regularly meets with the chief of the [Israel Security Agency—ISA] Shabak, and that he agrees with Israeli security forces 99% of the time,” and that PA security forces “coordinate on a daily basis with Israeli security forces,” while doing everything they could to prevent harm to any Israelis. Palestinian and Israeli officials have confirmed this as true on several occasions.<sup>211</sup>

Israeli statements praising security coordination with the PA were renewed from early 2019.<sup>212</sup> That year, Israel allowed armored vehicles to be handed over to the PA at the request of the United States,<sup>213</sup> amid reports indicating that security coordination had helped Israel apprehend and neutralize ‘Umar Abu Laila, the perpetrator of an attack.<sup>214</sup> Israeli reports continued to address security coordination, even after the speech by Mahmud ‘Abbas in July 2019 declaring the suspension of agreements signed with Israel.<sup>215</sup> Accordingly, the Israeli press said that “security coordination between the two sides has not been harmed fundamentally,” suggesting the reason was that the PA feared Hamas could benefit from the situation on the ground in the event the PA loosened its security grip.<sup>216</sup> Israeli sources also claimed that the PA helped hunt down the perpetrators of ‘Ein Bubin attack near Ramallah,<sup>217</sup> who belonged to a PFLP cell.

Meanwhile, coordination meetings between Israel and the PA in all areas continued as usual. The PA revived the committees for economic and political coordination with Israel in early October 2019, marking a reversal of President ‘Abbas’s declaration in July 2019;<sup>218</sup> and then threatened to stop this coordination again in September 2019. Moreover, political meetings did not stop, even at the level of prime minister, during the Hamdallah term.<sup>219</sup> Meetings resumed between Palestinian and Israeli ministers in 2019,<sup>220</sup> while the PA, as noted earlier, retracted its decision not to receive clearing revenues from Israel except in full, after months in which it had to pay partial salaries to its employees. The PA abandoned its decision after high-level meetings with the Israelis, with President ‘Abbas even saying in the last days of 2019 that he had requested a meeting with Netanyahu more than 20 times, but the latter had refused to meet.<sup>221</sup> In 2018, ‘Abbas revealed that he had been meeting regularly with the chief of Shabak, and that those meetings ended with agreement on 99% of issues.<sup>222</sup> ‘Abbas’s statements came after the PNC and PCC sessions, which issued resolutions suspending security coordination with Israel, yet President ‘Abbas met again with the head of the Shabak in 2019.<sup>223</sup>

We can see two elements that marked the PA’s relations with the Israeli establishment. The first is the tension with the ruling right-wing hardline establishment, represented primarily by Israeli Prime Minister Benjamin Netanyahu, where even if this tension comes from the Israeli side, the PA is ineffective in responding to the Israeli-right’s policies, or the position of the US

administration supporting them. The PA will make threats and decisions that are not, or cannot, be implemented. The second component is that the PA enjoyed good relations with the Israeli military and security establishment, to the extent that the PA's leadership prefers Israeli army former chief of staff, General Benny Gantz, leader of the Blue and White alliance, in the elections against Netanyahu.<sup>224</sup> It is possible that the Arab Joint List's nomination of Gantz to head the Israeli government<sup>225</sup> was influenced by the PA.

In the light of internal Israeli polarization, it is possible to conclude that there are policy differences between the Israeli security establishment and the Netanyahu government. On more than one occasion, Israeli security forces have opposed the laws and policies supported by the Netanyahu government and right-wing parties that would embarrass the PA in front of its people or undermine its authority,<sup>226</sup> such as the law confiscating the funds to the families of prisoners and those killed from tax revenues. Indeed, while the Israeli security forces appreciated the security role of the PA, the ruling Israeli class is more focused on internal one-upmanship, undermining Palestinian political representation, and expanding settlement and security domination in the WB, which necessarily undermines the political presence of the PA and leads to a broad drive for annexation in the WB.

As a result, this means that the PA is aware of the conditions necessary for its survival, as evidenced by its reliance on the security and military establishments. Therefore, it fears suspending security coordination and the continuation of the internal Palestinian tensions, which are fundamentally caused by conflicting platforms, and the differences over the function of the PA, resistance weapons, and relations with Israel. Furthermore, suspending agreements or disengaging the Palestinian economy from Israel is impossible, given the total Israeli domination over the WB and its crossings, and the Palestinians' lack of any link to the outside world independent of Israel. In order to implement such decisions, it would be necessary first to exit the peace process, and rebuild national unity as a basis of the program that addresses the function of the PA, and also the basis of a resistance program adopted by all sides. Since the PA's policies remain the opposite of this, it cannot be expected that it will implement such decisions or threats.

## *Conclusion*

The Palestine issue is subject to liquidation under the “Deal of the Century” plan supported by some central Arab states, and successive Israeli governments have expanded the imposition of facts on the ground, making the establishment of a Palestinian state on all of the WB lands an impossible task, at least under the current balance of power. This was all supported by the Trump administration through its recognition of the Israeli sovereignty over Jerusalem and the settlements. In return, Palestinian official reaction was characterized by helplessness, while at the same time continuing to fulfil the obligations of the PA, without implementing any of the PLO’s decisions, the recommendations of the Fatah Revolutionary Council, or the threats of President ‘Abbas. In contrast, the PA focused its attention on rhetorical and actual escalation against Hamas, and on policies that widened the gap with the rest of the Palestinian factions.

National internal relations were marked by confrontation and rivalry, especially between Fatah and Hamas. It is possible to say that 2018 and 2019 witnessed an unprecedented escalation in the conflict between the two parties. Security tactics were used for political purposes, such as the bombing in GS that targeted a convoy of the prime minister of the National Consensus Government accompanied by the GIS chief, causing the last Reconciliation Agreement to collapse, and triggering a round of mutual accusations between the two sides.

In these confrontations, political and administrative tactics were also used, where Fatah re-structured national institutions unilaterally, outside any national accord, violating a series of long agreements with Hamas and other national factions. PLO institutions were re-formed and then used for Fatah’s gain, as happened with the PNC and PCC sessions, and the appointment of new members to the latter, new members to the Executive Committee, and reelected ‘Abbas as chairman of this committee, and then as President of the State of Palestine by the PNC.

The escalation included dissolving the PLC, dismissing the National Consensus Government, forming a new government led by Fatah, and dissolving the Supreme Judicial Council. The Executive Branch then proceeded to dominate the scene without the bare minimum of checks and balances, with the invalidation of other branches of power. The Executive dominated the judicial branch, as the domination of security forces increased, triggering fears that the Palestinian

community was being transformed into a police state characterized by intimidation and crackdown on freedoms even in cyberspace. All this happened in parallel with the continuation of security coordination, which led according to leaked information to the apprehension and killing of wanted resistance fighters, and the containment of popular protests. In parallel, economic crises ravaged the PA, undermining its ability to survive and raising questions about its independence from direct Israeli domination, particularly in light of its acquiescence to Israeli measures to reduce funds to prisoners and martyrs, its inability to suspend security coordination, disengage from Israel's economy, or implement any of its decisions in these regards.

The combativeness impacted Fatah and the PA's relations with other factions in the PLO, with the meetings of the PCC and PNC boycotted repeatedly by influential parties. The monopoly and unilateralism of the PA affected the forces of the Palestinian left, which were further divided by the formation of the Shtayyeh government, foiling their attempt to form a coalition.

In addition, there have been continuous reports in the Palestinian street about rivalries between Fatah leaders, and the emergence of centers of power within the PA, linked to security forces or to security coordination with Israel. In addition, the rivalry with the faction of ex-Fatah leader Muhammad Dahlan continued, and Hamas sought to form an electoral alliance with incarcerated Fatah leader Marwan Barghouthi for future PLC and presidential elections.

While many expressed optimism regarding the possibility of overcoming this conflict through legislative and then presidential elections proposed by President 'Abbas, after the failure of reconciliation attempts, others believe that elections would only reproduce the problem or prolong it, pending internal or external shifts that could serve one of the two rivals. As 2019 ended with the postponement of those elections, both factions are monitoring shifts in the region; whether in Israel, where Fatah hopes for Netanyahu to lose power, or elsewhere, where Hamas has been seeking to enhance its regional relations, and break the siege through de-escalation and limited popular and military maneuvers. Unless sudden fundamental shifts take place in the regional landscape or in the relationship with Israel, it is likely that the status of the national landscape prevailing in 2018 and 2019 will continue unchanged.

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## This Report

Al-Zaytouna Centre is pleased to present to its readers the Palestine Strategic Report (PSR) 2018–2019, the 11th PSR to be published.

With an academic methodology and comprehensive, and objective approach, the report comprehensively details developments concerning the Palestine issue and provides the latest information and data available at the end of 2019, along with analyses and forecasts running into 2020–2021.

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The PSR now occupies a prominent position as an indispensable reference document, integral to Palestine studies and research. Al-Zaytouna Centre hopes the PSR will continue to make valuable contributions in this field.

Prof. Dr. Mohsen Mohammad Saleh

# The Palestine Strategic Report 2018 – 2019



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