

Point of View

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Who is required to recognize Israel?

Israel and the international community have made three demands of Hamas: to recognize Israel, to ratify existing agreements and to end violence. Following the inauguration of the PA government, Israel severed ties with the Palestinian security apparatus and the US announced that it would not contact Hamas members in the PA (Harel, **Ha'aretz**, 4/2/06).

Re'ut Institute contends that by directing the “three demands” to the Palestinian Legislative Council (PLC) or the cabinet of the PA – **and not to the Hamas movement** – Israel may increase the prospects of the political pressure placed on Hamas, and maintain the coalition against it.

What is the Issue?

- At present, it appears that Israel has successfully created a stable international coalition to block the transfer of funds to the PA until its demands are met.
- However, the fear of a humanitarian crisis and changes in the regional and global balance of power may lead the US and the Quartet to change their current positions and deal directly with the PA (See Point of View: “[Is There an International Coalition Against Hamas?](#)”). In such case, Israel's demands may prove to be counterproductive.
- Moreover, statements made by Israeli and international officials show confusion regarding the entity subject to the demands:
 - Egypt, Abu Mazen, and members of the US Congress directed the demands to **the Hamas movement** (Ynet, 2/1/06; **Makor Rishon**, 2/12/06).
 - The Quartet announced that it would call on the future **Palestinian government** to fulfill the three demands (**Ha'aretz**, 1/31/06).
 - From Israeli statements it may seem that Israel does not distinguish between Hamas and the PA (**Ha'aretz**, 2/22/06).

Why is this Important? Why Now?

The inauguration of the Hamas government exacerbated the dilemma facing Israel and the Quartet regarding the entity subject to the demands: Hamas or the PA. The lack of clarity surrounding the identity of this entity may undermine the international coalition against Hamas:

- **The Hamas movement** – Hamas rejects the Oslo agreements, remains committed to the armed struggle and maintains independent terror infrastructures. Moreover, the Hamas Covenant, which negates the right of the state of Israel to exist, contains no provision regarding possible amendment. Therefore, the likelihood that the Hamas **movement** would accept these demands is low.
- **The PA** – Hamas' control of the PLC and the cabinet forces it to deal with the tension between its ideological principles appearing in its charter, and its responsibility for the well-being of the population in the West Bank and Gaza. Therefore:
 - The leversages Israel and the international community can employ vis-à-vis the PA (even under Hamas' control) are “stronger” than those it could use against Hamas. The PA needs financial assistance, security coordination and political legitimization.

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- Although Hamas controls the PLC and the cabinet, the authorities of Abu Mazen, as Chairman of the PA, prevent Hamas from complete domination of the PA. Abu Mazen may be able to pressure the cabinet and the parliament to accept the demands.
- It will be easier to maintain the international coalition against the PA, since it is the entity which receives the funding from the international community.
- It may be easier for Hamas to agree to the demands of the international community as the "Palestinian Authority" and not as the Hamas movement.

Policy Options

- Putting the PLC or the Cabinet of the PA in spotlight may create effective pressure on Hamas and keep the Quartet aligned with Israel.
- In theory, there is no legal justification to demand that Hamas or the PA recognize Israel or ratify existing agreements, as the authority to do so is in the hands of the PLO, which remains committed to these principles. Therefore, an attempt to turn the PA into a political address could include:
 - **Dividing Palestinian representation** – A declaration that the PA and its agencies are the elected representatives of the residents of the West Bank and Gaza on every issue.
The significance of such a move is the division of representation between the PA, which is responsible for the residents of the West Bank and Gaza, and between the PLO, which represents the Palestinian diaspora. Though this position goes against the provisions of existing agreements, it better reflects the situation on the ground.
 - **Demanding the ratification of the existing agreements in the PLC or in the cabinet** – Israel could condition the implementation of existing agreement upon their ratification in the cabinet or the PLC. Such move would entail switching the partner for signed agreements and undermine the status of the PLO as the "sole legitimate representative of the Palestinian people".
 - **Rescinding the restrictions of the Interim Agreement** – Israel could rescind the provisions in the Interim Agreement which restrict the PA's international status.

For additional sources see the Re'ut Institute website: www.reut-institute.org and the Re'ut Institute website on the subject of the **Israel's challenge in dealing with Hamas** <http://www.reut2006.info/hamas/eng/> -

On the issue of Hamas, see: "[Does Israel Really want to Bring Hamas Down](#)" (3/29/06); "[Is the PA about to be Dismantled?](#)" (3/22/06); "[Palestinian Elections – Towards Institutional Dysfunction](#)" (12/12/05); "[Is there an International Coalition against Hamas?](#)" (3/21/06); "[The PA Under Hamas – From Partner to Address](#)" (3/7/06); "[A Palestinian Army – Now or Later?](#)" (2/2/06); "[The Hamas Movement and the Political Process](#)" (in Hebrew, 1/24/06); "[Hamas and the PLO – Hostile Takeover of a Shell Company](#)" (1/8/06); "[Can Hamas Continue to Enjoy Both Worlds?](#)" (in Hebrew, 5/24/06).

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