

Systematic Overview No. 3



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A Systematic Overview

The Challenge of the Palestinian Elections

Table of Contents

Tachles.....2

Introduction.....5

What does Mahmoud Abbas want to achieve?5

Mahmoud Abbas’s structural guarantees will ensure his rule following the elections.6

For Hamas, the elections represent a strategic opportunity.7

In times of uncertainty, the cards are re-shuffled for all players8

Middle Eastern Game of Thrones for Regional Hegemony: Turkey and Qatar are revving their engines.8

Israel’s Dilemmas9

Israel’s Interests.....9

Policy Options 10

Tachles

1. **The declaration of Mahmoud Abbas, the President of the Palestinian Authority (PA) and the Chairman of the Palestinian Liberation Organization (PLO), to hold elections for the Palestinian Legislative Council, the PA presidency, and the PLO's Palestinian National Council has sent the Palestinians into a tailspin** and may shake the status quo that has characterized the Israel-Palestinian conflict in recent years. Although at this stage, a large number of questions are left to be answered, Israel must clarify its position on a number of issues surrounding the elections, which may create tensions with the new administration in Washington. **The goal of this document is to analyze and map out key issues related to the Palestinian elections and their impact on Israel.**
2. **The main purpose of Mahmoud Abbas's move was to curry favor with the Biden administration. However, in doing so, Abbas has also managed to re-write the political agenda, rescuing the Palestinians from the state of political irrelevance in which they had been for their past few years.**
3. **At first glance, it seems that the elections pose a significant political risk to Fatah as a whole and to Abbas personally.** Firstly, Fatah lost to Hamas the election in 2006 to Palestinian Legislative Council elections. Abbas is also facing challenges within his party from Mohammed Dahlan and Marwan Barghouti. These challenges come against the backdrop of ever-growing public discontent and protests against his long-standing rule.
4. **However, in practice, Abbas' risk is very 'calculated' and there are certain mechanisms that will likely allow Fatah to continue effectively control the West Bank, even elections are lost.** First and foremost, in recent months, Abbas has spearheaded judicial 'reforms', which require the election results to be authorized by a new court, which he effectively controls. Simultaneously, Fatah is frantically trying to consolidate a joint list with other Palestinian factions, which would, in practice, guarantee the election results in advance. Finally, control of the PLO is **Abbas's joker card** since the PA is subordinate to the PLO. Although election are due to held also for the Parliament of the PLO (Palestinian National Council), there is no reasonable possibility to hold elections these elections among the numerous Palestinians scattered across various Middle Eastern nations – Fatah will therefore continue to control the PLO.
5. **However, Abbas's announcement of elections is not a risk-free move. Abbas may decide not to run in the presidential elections if he feels that his political calculations are misguided, or because of his health condition. In such a case, the political cards will be re-shuffled for all players, including Israel.**
6. **For example, although Abbas seems to have intended to embarrass Hamas with his declaration of elections, at this point, it appears that Hamas seems to view them as an opportunity to improve its domestic standing,** as well as its regional and international status, even if the party has not decided if to directly participate in the elections.

7. **Like Abbas, it is likely that Hamas will only accept the election outcomes if they turn out to be in their favor.** Hamas took over the Gaza Strip by force. Hence, it is unlikely that they will “volunteer” to dismantle their governance mechanisms and transfer them to the PA if they lose the elections.
8. **The prospect of Palestinian elections is stirring considerable excitement in Doha and Ankara.** Qatar has already announced that it will increase its financing to Hamas this year following the announcement of Palestinian elections. Qatar is also boosting its media presence of its support for the Gaza Strip in a way that strengthens Hamas. Turkey, which at some point considered Israel’s demand to stop allowing Hamas to operate on its territory in exchange for a normalization of ties, is now expected to embrace Hamas once again, as the party faces the possibility of winning the elections.
9. **In regards to Hamas, Israel should review with concern ‘the Houthi precedent.’** The Biden administration recently decided to revoke the terrorist designation for the Houthis, Tehran’s Yemeni loyalists, so that the administration can better deal with them. Washington took the measures despite the Houthi missile attacks on city centers and oil fields in Saudi Arabia, and the fact that the slogan of the Houthi movement states “Death to America and Death to Israel”. In the current circumstances, this decision should set off warning signals for Jerusalem. On the one hand, Hamas is a US-designated terrorist organization. However, the Biden administration will find it difficult to maintain this approach if Hamas emerges victorious from the democratic elections encouraged by the administration.
10. **Voting issues in Jerusalem and Hamas’s participation in the elections impose difficult decisions on Israel, which may build up the tension with the Biden administration.** Israel fears that its sovereignty in Jerusalem will be compromised and America’s waning recognition of the city as Israel’s capital will continue if elections are allowed in East Jerusalem. Israel is certainly concerned about a Hamas victory. At the same time, Israel will run the risk of being blamed for annulling the election if it stymies voting efforts in Jerusalem or Hamas’s participation.
11. **The Palestinians’ move may have implications for the International Court of Justice (ICJ) in The Hague.** Abbas has stated that the elections are for the Legislative Council of the **State of Palestine**, not for the PA. **The “self-made” upgrade of the Palestinians to a state status occurred within the context of long-standing unilateral efforts to promote Palestinian independence, which was at the heart of the ICJ’s decision to investigate Israel for war crimes.**
12. **Israel must attempt to coordinate its positions with the new administration in Washington. The Reut Group recommends adopting the following positions:**
 - ❖ **A distinction must be made between Israeli territorial sovereignty in Jerusalem and the civil status of the East Jerusalem population, which perceives itself as Palestinian in every sense.** We propose that Israel’s stance should be to allow East Jerusalem residents to vote at polling places in Abu Dis, a town beyond the security barrier, or alternatively to “insist” on electronic voting at home.

- ❖ **The elected Palestinian government will be committed to the Quartet’s three demands:** recognition of Israel, an end to violence, and the recognition of existing agreements. In this context, the legislative change that Abbas directed in the run-up to the elections violates the Oslo Accords, as it allows bodies that are not bound by the agreements signed by the PLO to run in the elections.

- ❖ **Alternatively, this may be a win-win opportunity for Israel, the US, and Saudi Arabia to implement a “trade-off” between voting in Jerusalem and normalization with Saudi Arabia.** Saudi Arabia may agree to normalize ties with Israel in exchange for a political achievement that Israel will provide to the Gulf nation, in the form of allowing Palestinians to vote in East Jerusalem. This will allow the administration to present a significant foreign policy achievement. In this case, Israel should demand Washington’s continued commitment to publicly recognize Jerusalem as the capital of Israel.

Introduction

1. **In mid-January, Mahmoud Abbas, the Palestinian president and PLO Chairman, announced his intention to hold elections for the Palestinian Legislative Council (May 22, 2021), followed by presidential elections (July 31, 2021), and elections for the PLO's Palestinian National Council (August 31, 2021).**
2. **Abbas's declaration has stimulated a vibrant discourse among Palestinians, even though at this stage there remain numerous core questions with no clear response.** It is unclear whether Hamas will allow the elections to take place in the Gaza Strip or even participate in them. The future of the Palestinian split between the Hamas-controlled Gaza Strip and the PA-controlled West Bank the day after the elections remains uncertain. It is also unclear if the inclusion of Hamas and Islamic Jihad in the PLO will occur. Furthermore, it is difficult to determine the US position vis-à-vis the possibility of Hamas participating in the elections, despite the group's designation as a terrorist organization. Whether Fatah and Hamas will reach an agreement with other Palestinian factions on a joint election list also remains uncertain. Finally, it remains to be seen if Israel will allow elections to take place in Jerusalem.
3. **At first glance, it seems that Abbas's decision is a great risk for both Fatah as a whole and himself personally.** Fatah witnessed losses during the 2006 Palestinian Legislative Council elections, which Hamas won. Abbas is also being challenged within his own party by his rival Mohammed Dahlan. Furthermore, if possible, Marwan Barghouti may decide to run for the presidency while in jail. These challenges come against the backdrop of ever-growing public discontent and protests against his long-standing rule.

What does Mahmoud Abbas want to achieve?

4. **Abbas identified an opportunity to shape the political agenda, following years of the PA's irrelevance.** The Palestinians had difficulties influencing the political agenda during the Trump administration, and the prioritization of the Palestinian issue amongst Arab nations seems to have compromised in light of the "Abraham Accords". Presently, the election card drawn by Abbas require all relevant stakeholders to make tough decisions.
5. **Abbas is trying to portray himself as committed to democratic principles, following Biden's ascent to the White House.** The new US administration approaches US policy differently from its predecessor. Under the Biden administration, one of the central tenets of US involvement in the Middle East is a commitment to the advancement of democratic ideals and human rights. This approach draws on the long-standing and traditional foreign policy of various US administrations. In addition, the Biden administration will be pressured by rising progressive forces within the ranks of the Democrats, to implement a more liberal foreign policy agenda.¹

¹ For example, refer to this article written in March 2019 in the [Washington Post](#) by Congresswoman Ilhan Omar calling for the implementation of an inclusive foreign policy.

6. **Abbas had hoped to embarrass Hamas.** It is possible that Abbas assumed that Hamas would not be willing to jeopardize its control in the Gaza Strip by participating in the elections. Hamas was unwilling to accept the three demands made by the Quartet following its victory in the 2006 Palestinian Legislative Council elections. These demands included the cessation of violence and terrorism, recognition of the agreements between Israel and the PLO, and recognition of the state of Israel. Hamas failed to exercise control of the West Bank and the Gaza Strip due to its reluctance to accept them, and as a result, it forcibly took control of the Gaza Strip.
7. **Abbas's declaration also pushes Israel into a corner regarding holding elections in Jerusalem** (see below).
8. **An attempt to stop the erosion of the PA's internal legitimacy.** The last elections for the Palestinian Legislative Council took place in 2006. Abbas was elected president of the PA about a year earlier and his term was slated to end in 2009. Against the backdrop of growing public criticism, there is a significant erosion in the legitimacy of the Fatah government and public support for Abbas. Abbas's willingness to hold elections may indicate the importance that he attaches to Palestinian public opinion, although it does not seem to be the leading consideration in the decision.

Mahmoud Abbas's structural guarantees will ensure his rule following the elections.

9. **It seems that Abbas is taking a very 'calculated' risk, and there is a high probability that Fatah will continue to control the West Bank.** Abbas has 'structural assurances,' which will provide him numerous reasons to postpone or cancel the elections, or to maintain Fatah's status as the leading Palestinian movement, even if the elections are held and he does not win.
10. **Firstly, Abbas's election announcement have taken place against the backdrop of the assessment that there is a high possibility that the elections will not be realized:**
 - ❖ **Abbas may have 'built upon' Hamas's likely refusal to allow elections in the Gaza Strip.** In such a case, the PA will ostensibly be able to hold elections in the West Banks only without Hamas's participation. Otherwise, the PA will postpone the elections to an undetermined date.
 - ❖ **Abbas may anticipate that Israel would create obstacles to holding elections in Jerusalem, or to preclude Hamas's participation,** in a way that will allow Abbas to blame Israel for the cancelling of the elections.
11. **Moreover, Abbas is working to make the legal system subordinate to his authority and to create a mechanism in which he has the authority to debate the election results.** Few judicial reforms that Abbas is promoting, will allow him to effectively subordinate the legal system to his executive authority. Among others, Abbas is looking to create a new legal entity, which will have the authority to debate the election results.
12. **Moreover, Fatah is feverishly trying bring together a joint list to ensure its control.** If the elections do take place, Fatah wants come in with a unified list of its own, thus determining the election results in advance. The chances of formulating such a list are not high since they may require

not only an agreement concerning the distribution of power in the unified list, but also an agreement on internal Palestinian reconciliation, a task which may be impossible in the current circumstances.

13. Finally, Abbas and Fatah will maintain Fatah's status as the leading Palestinian movement thanks to their control of the PLO:

❖ **Elections for the PLO's Palestinian National Council are not possible.** Although Abbas also announced elections for the PNC, which elects the PLO Chairman, these elections have never taken place. Furthermore, there is no current or logistical capabilities of undertaking the elections across a number of Middle Eastern nations, some of which are engulfed in political chaos.

❖ **Hence, control of the PLO is Abbas's joker card.** The PA was founded following the Oslo Accords between Israel and the PLO and was supposed to exist for an interim period (5/94-99) until the establishment of a state. With the collapse of the diplomatic process, the PLO and PA were left with overlapping political systems. The PA, which officially represents the residents of the West Bank and the Gaza Strip is seen as subordinate to the PLO, which is the official representative of the entire Palestinian people. Today, Abbas is the President of the PA (according to an amendment of the 2007 constitution - "President of the State of Palestine") and also the Chairman of the PLO.

For Hamas, the elections represent a strategic opportunity.

14. Hamas currently finds itself at an ideological dead-end and the elections may be a strategic turning point. Hamas' approach towards the elections indicate that it sees the elections as an opportunity to upgrade its status and become the dominant political movement among the Palestinians. Hamas currently controls the Gaza Strip by force, and is unable to present a political horizon or any political achievement to the public, except to its ability to disrupt the lives of residents in southern Israel. At the same time, Hamas is facing a deterioration in the quality of life and worsening economic conditions in Gaza, as well as increasing death rates due to the COVID-19 pandemic. Therefore, although it is not yet clear at which stage Hamas will put forward "independent" candidates or run on its own, it is apparent that Hamas sees the elections as an opportunity to change the status quo. It is also evident that Hamas is in a hurry to complete its internal leadership elections before the general Palestinian elections and to improve the quality of services provided to Gazan residents.²

15. Moreover, Hamas believes that there is a reasonable possibility that the international community will change their position, especially if Hamas wins the elections. Hamas is increasingly encouraged by signs of changing attitudes from EU countries. Currently, the EU designates Hamas as a terrorist organization (Al-Quds - January 30, 2021). Furthermore, the Biden

² It should also be noted that a number of Palestinian pundits believe that the elections present an opportunity for Hamas to rid itself of the burden of governing and the necessity to contend with Gaza's economic and humanitarian crises (Al-Quds Newspaper - February 7, 2021).

administration's decision to remove the Houthis from the list of terrorist organization has inspired hope that the new administration may also change its attitude towards Hamas (see below).

In times of uncertainty, the cards are re-shuffled for all players

16. Despite the “structural assurances” that would enable him to maintain Fatah’s status as the leading Palestinian party, **Abbas’s declaration of elections is not a risk-free move:**

- ❖ **As previously stated, at this stage, it seems that Hamas is refusing to play according to Abbas’s intended script and is looking to at the elections as a great opportunity.**
- ❖ **Additionally, it is difficult to gauge the significance of Marwan Barghouti’s public challenge to Abbas’s rule, if he ultimately decides to run against Abbas for the presidency.**
- ❖ **Abbas may decide not to run in the presidential elections if he feels that his political calculations are misguided, or because of his health condition. In such a case, the political cards will be re-shuffled for all players, including Israel.**

Middle Eastern Game of Thrones for Regional Hegemony: Turkey and Qatar are revving their engines.

17. **Qatar is increasing its amount of “chips” as it bets on Hamas.** This past year, Qatar expressed its intention to reduce or even cease the transfer of funds to Hamas in order to pay the salaries of PA officials in Gaza. However, following the announcement of Palestinian elections, Qatar announced that it would increase funding for Hamas in the coming year to 360 million USD. Qatar is also raising the media profile of its support for Hamas, thus strengthening Hamas’s status within the Gaza Strip. For example, there was a publicized inauguration ceremony for a hospital costing 24 million USD in Rafah in early February.

18. **The theoretical chances of Turkey acceding to Israel’s demands of ending support for Hamas as a condition for normalizing relations, is annulled.** Recently, Turkey is increasingly taking a conciliatory attitude towards Israel in an attempt to restore relation between the two countries. Israel conditioned such a move on the end of Turkish support for Hamas operatives active in the country. Turkish support has even gone so far as to granting Turkish citizenship to Hamas leaders abroad. **At one point, it even seemed that Turkey was ready to consider paying the price demanded by Israel, at Hamas’s expense.** Firstly, Turkey responded with its own reciprocal demands that Israel stop annexing Palestinian territories. In practice, however, the prospect of annexation was done away following the “Abraham Accords”. Hence, Turkey was merely paying lip service. Secondly, Turkey has begun to restrict Hamas activities within the country. The reason for this was that Hamas was carrying out covert activities without the knowledge of Turkish authorities. **The possibility of Hamas winning the elections will certainly damage Turkish motivations to reduce support for Hamas, if at all.**

19. **Conversely, with the exception of Egypt and Jordan, the countries within the moderate Arab axis are losing interest in the Palestinian issue.** The “Abraham Accords” have demonstrated that

support for the Palestinian issue is not as vital for numerous Arab countries, as it was in the past. As further evidence for this fact, UNWRA recently announced that the United Arab Emirates had reduced funding for the agency to just 1 million USD in 2020. The country had contributed 51 million USD the previous year. **Jordan's status in Jerusalem and its demographic composition, along with Egypt's shared border with Gaza, make these two countries the sole nations within the moderate Arab axis with a genuine interest in the Palestinian elections.**

20. **Iran continues to build its "Axis of Resistance".** Iran would be happy to see Hamas emerge victorious from the elections. Iran would also be the victor if tensions between the US and Israel increase, as this could damage Israel's bargaining power vis-à-vis Washington over Iran's nuclear program.

Israel's Dilemmas

21. **Although the Palestinian elections are ostensibly an internal Palestinian matter, Israel must clarify its position on two incendiary issues, which could lead to clashes with the new US administration:**
 - ❖ **The issue of elections in Jerusalem.** If Israel authorizes elections in East Jerusalem as demanded by the Palestinians, this would ostensibly infringe upon Israeli sovereignty and American recognition of Jerusalem as Israel's capital. However, if Israel does not allow elections in East Jerusalem, then the Palestinians will have an excuse to not hold elections and accuse Israel of blocking them. This could even bring Israel into a direct confrontation with the US administration.
 - ❖ **Hamas's participation in the elections.** In 2006, Israel allowed Hamas to participate in the elections after strong pressure from the Bush administration, which did not heed the warnings of senior Palestinian officials on the consequences of such a move. Israel would certainly not rejoice in the replay of a Hamas election victory.
22. **The Palestinian moves means the cancellation of the Oslo Accords and could have implications for the ICJ in The Hague.** Abbas has defined the elections as elections for the Legislative Council of the State of Palestine, not for the PA. **The "self-made" upgrade of the Palestinians to a state status occurred within the context of long-standing unilateral efforts to promote Palestinian independence, which was at the heart of the ICJ's decision to investigate the Israel case.**

Israel's Interests

23. **Determining Israel's true interests and goals is critical to properly formulating its position on the Palestinian elections. This list of interests may include:**
 - ❖ **Maintaining the principle of political and demographic separation between Israel and the Palestinians;**
 - ❖ **Maintaining the status of Jerusalem following the US recognition of Israel's capital;**
 - ❖ **Preventing the possibility that the failure to hold elections will fall upon Israel;**

- ❖ **Avoiding as much as possible a confrontation with the Biden administration**, and allowing Israel more room to maneuver in order to advance its positions concerning Iran’s nuclear program;
- ❖ **Continuing security coordination with the PA in the West Bank;**
- ❖ **Maintaining calm and security along the Gaza Strip;**
- ❖ **Preserving the split between the West Bank and the Gaza Strip** (as long as the assumption that the restoration of control of a Fatah-led PA is unrealistic);
- ❖ **Preventing Hamas gains in the PA or PLO;**
- ❖ **Continuing the momentum of normalization with Arab countries;**
- ❖ **Creating conditions that allow for cooperation and coordination in dealing with the COVID-19 pandemic.**

Policy Options

24. Given the fact that some of Israel’s interests conflict with one another, there is a need for the Israeli government to clarify its positions regarding them, as well as to coordinate these positions with the US administration regarding the PA elections. Our recommendations for these key issues are based on the assumption that there is a great chance that Fatah and Abbas will maintain their dominant position among the Palestinians, even after the deadline for the Legislative Council elections, whether or not they take place. Israel should not be perceived as failing to assist or letting the elections move forward. The Reut Group’s recommendations include:

- ❖ **The Israeli government should allow the East Jerusalem population to vote at polling stations in Abu Dis beyond the Security barrier, or to insist on at-home electronic voting.** According to the Oslo Accords, Abu Dis was designated as Area B, i.e. civilian control rests with the PA, but security affairs are overseen by Israel. Abu Dis is not part of Jerusalem and is beyond the security barrier.
- ❖ **Alternatively, a vote in Jerusalem may assist in normalizing ties with Saudi Arabia.** Thus far, Saudi Arabia has refused to establish official ties with Israel without first resolving the Palestinian issue, as required by the Arab Peace Initiative, which Saudi Arabia put forth. However, Saudi Arabia has already signaled that it is ready to normalize ties with Israel and has apparently been waiting for the Biden administration in order to give this “prize” to the new administration. At this point, however, there is an evident tension between the new administration and Saudi Arabia. In an effort to achieve even greater regional relevance, Saudi Arabia may agree to normalize ties with Israel in exchange for a political achievement that Israel will provide to the Gulf nation, in the form of allowing Palestinians to vote in East Jerusalem. If this happens, the Biden administration could present a significant regional foreign

policy achievement. In this case, Israel should demand Washington's continued commitment to publicly recognize Jerusalem as the capital of Israel.

- ✦ **Israel must insist that the newly elected Palestinian government be committed to the Quartet's three demands:** recognition of Israel, an end to violence in the West Bank, and the recognition of existing agreements between Israel and the PLO.

End.



קבוצת ראות
Reut Group