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The Hamas-Fatah Reconciliation Agreement: Too Early to Judge

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Even as the deal offers short-term political benefits for both sides, it fails to resolve key issues separating them.

The April 23 Fatah-Hamas reconciliation agreement announced in the Gaza Strip is the latest in a long line of attempts to bridge the intra-Palestinian divide. The timing of the agreement amid U.S.-brokered peace talks, as well as both parties' internal weaknesses, points to more serious intent than past efforts. However, the deal fails to address the most sensitive issues separating the two sides and likely can be explained by the political boost it offers to both leaderships. The only certainty is that the reconciliation deal severely complicates efforts to extend Israeli-Palestinian peace negotiations past their April 29 deadline.

Another "Historic" Agreement

Hamas leader Ismail Haniyeh, in announcing the deal at a press conference from his home in the al-Shati refugee camp, proclaimed to loud applause that "this is good news for the Palestinian people and diaspora...the period of schism is over." Yet Hamas-Fatah reconciliation agreements have been reached several times over the past nine years, with each one similarly hailed as a "historic" end to intra-Palestinian strife. The most prominent of these deals came in Mecca (2007), Cairo (2011), and Doha (2012), but all went unimplemented. As recently as May 2013, both parties publicly reaffirmed their commitment to abide by past agreements and to national unity generally.

This latest agreement is a renewed effort at implementing the understandings reached at Cairo and Doha, the most important provisions of which reportedly include:

- *Creation of a national unity government.* Such an entity, tasked with leading the Palestinian Authority (PA), would be formed by Fatah (along with other Palestine

Liberation Organization factions) and Hamas within five weeks.

- *Resumption of Palestinian Legislative Council activities.* The PLC, the parliament of the PA, was dissolved following the 2007 Hamas takeover of Gaza, and its activities have been suspended ever since.
- *Elections.* At least six months after the formation of a national unity government, elections would be held for the PA presidency, PLC, and Palestinian National Council (the parliament of the transnational PLO).
- *PLO changes.* Discussions would continue about restructuring the PLO, with an eye to bringing in Hamas and potentially Palestinian Islamic Jihad.
- *"General freedoms."* Discussions would continue about "general freedoms," a term used in the Doha declaration to include the release of Fatah and Hamas prisoners held by the opposite party, the return of Fatah-affiliated public employees -- including security personnel -- to Gaza, and the free travel of officials between the West Bank and Gaza. The first test of the deal is reported to be a visit to Gaza by PA president Mahmoud Abbas.

Major Issues Left Unaddressed

For all the planned moves toward closer Fatah-Hamas ties, even the announced text of this latest agreement does not seek to resolve the most sensitive issues separating the two sides. Indeed, the agreement stipulates that the reconciliation committee's work will be ongoing, indicating that the deal reached is a "framework" for moving forward and not, as currently constituted, the end of the process.

For instance, confusion still exists about whether the national unity government will be headed by Mahmoud Abbas (acting as both president and prime minister), whether Hamas members will be included in the cabinet, or whether a technocratic government made up of independents will be formed. In addition, the agreement does not mention whether Gaza will remain under exclusive Hamas control or whether the PA will be brought back to govern the breakaway territory, specifically the border crossings with Israel and Egypt.

Moreover, the agreement does not address the vast duplication of government functions now prevailing in the West Bank and Gaza, including the possibility of uniting the disparate security forces. Public employees present another challenge. At present, 70,000 Fatah public employees in Gaza still receive salaries from the PA, but their actual positions have long been filled by Hamas-affiliated personnel.

The greatest stumbling blocks, however, remain Hamas's continued embrace of armed resistance against Israel and its rejection of a negotiated two-state resolution to the Israeli-Palestinian conflict. Certain Hamas leaders have stated publicly that they do not oppose Abbas per se in his capacity as PLO chairman, negotiating with Israel, but they remain steadfast in their opposition to any comprehensive peace agreement and refusal to recognize Israel.

Such positions have several negative real-world implications for any future Palestinian government of which Hamas is a member. For example, left unaddressed in the Hamas-Fatah deal is the fate of Hamas's 10,000-strong rocket and missile arsenal in Gaza, particularly as Abbas himself has indicated that a future Palestinian state would be demilitarized. A government that includes Hamas, a designated terrorist organization, could itself risk a cutoff in international donor aid and Israeli transfers of customs

revenues, as occurred during the short-lived unity government of 2006-2007.

In his first comments after the deal was struck, Abbas stated that the arrangement was an internal matter and that there was "no incompatibility between reconciliation [with Hamas] and talks" with Israel. Haniyeh, for his part, seemed to contradict this position, saying that a reconciliation agreement was the first step in "achieving consensus on an effective national strategy for struggle."

The Useful Appearance of Reconciliation

Despite the serious challenges arrayed against any sincere Hamas-Fatah rapprochement, the appearance of national reconciliation is likely useful for both sides. Hamas has in recent years been badly damaged by regional developments, specifically the reduction in support and aid from Iran, Syria, and the Gulf states. After last summer's ouster of the Muslim Brotherhood government in Egypt, Cairo's policy vis-a-vis Hamas also changed dramatically, punctuated by the closure of the tunnel networks and border crossing between Gaza and the Sinai Peninsula. For Hamas, the loss of tax revenues from its tunnel operations in particular has spawned an acute financial crisis. By one estimate, Hamas can finance only a quarter of its budget for this year. Rising economic hardship inside Gaza has led to growing resentment against the Hamas government and, in turn, an increased willingness by the Hamas leadership to view national reconciliation with Fatah as a pathway out of its political and economic isolation. Not surprisingly, Cairo has already indicated that it will reopen the Rafah border terminal connecting Gaza to Egypt once a unity cabinet is formed.

For Mahmoud Abbas and Fatah, reconciling with Hamas also likely stems from weakness. With peace talks stalled -- including the recent Palestinian rejection of a U.S.-brokered extension deal -- and economic difficulties permeating even the PA, Abbas needed a political victory to parade at the PLO Central Council meeting this coming weekend. More important, polls of Palestinian public opinion have consistently shown that ending the division between Gaza and the West Bank is a top national priority. Abbas is therefore strengthening his political position ahead of possible elections in a few months or, more likely, his negotiating posture with respect to both Israel and the United States.

Implications for the Peace Process

The Hamas-Fatah agreement undoubtedly complicates the U.S.-brokered peace talks, which -- absent an extension agreement -- will end April 29. In the deal's wake, the Israeli cabinet suspended negotiations with the Palestinians and threatened economic sanctions against the PA, while even left-of-center Israeli politicians like Justice Minister Tzipi Livni and Finance Minister Yair Lapid publicly condemned the Palestinian developments. For his part, Israeli prime minister Binyamin Netanyahu stated that Abbas "needs to choose between peace with Israel and peace with Hamas."

Abbas's decision to go for national reconciliation at this particular moment seems perplexing given that progress had reportedly been made between the Israeli and Palestinian negotiating teams in recent days, to say nothing of handing Israeli opponents of the peace talks a ready-made rationale for ending them. Abbas's actions in the coming days will therefore indicate whether he is truly committed to making negotiations with Israel work, or whether he is about to head in a new political direction, only this time

perhaps with Hamas at his side.

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