

What Is To Be Expected of Palestinian Elections?

Intervention by Hany Al-Masri, Director General of Masarat Center, at the round table organized by PASSIA - Jerusalem Palestinian Academic Society for the Study of International Affairs and Friedrich Ebert Foundation, on what is expected from the Palestinian elections, with the participation of a number of representatives and consuls of foreign countries and Jerusalem figures.

Allow me to begin by thanking Passia and the Friedrich Ebert Foundation for giving me the opportunity to address this important gathering.

When answering the question “What is to be expected of Palestinian elections,” the following factors must be considered:

First: The election of a representative body after an absence of 15 years means renewing the legitimacy of the Palestinian Authority, activating the legislative authority and benefiting the executive authority.

Second: A renewal of the governing elite within the framework of the existing dual polarization between Fatah and Hamas.

Third: Conferring legitimacy on the political rift through the ballot box, since the agreement to hold elections postpones ending the rift and its ramifications until after the elections in the absence of an agreed political programme.

Fourth: Qualification of the Palestinian Authority (PA) and the Palestinian side for the possibility of reviving negotiations (with Israel), since the Biden administration believes in negotiations and is calling for a two-state-solution.

Fifth: If the elections result in wins for lists that believe in change, the door to hope will be opened and the rules of the game will change completely.

To clarify the above, I refer to the fact that the process that resulted in understandings between the Fatah and Hamas movements includes an agreement to focus on holding elections first, and postponing all other outstanding issues until after those elections. It also includes an agreement to design the elections so that their results are guaranteed by means of acquiescing to a single national list, to President Mahmoud Abbas as a consensual candidate for presidential elections and to the formation of a consensual government that is internationally acceptable, irrespective of the results of the elections.

Despite all the above, things will not go as planned for several reasons:

The agreement to have one national list that includes Fatah, Hamas and any other factions that acquiesce, without agreeing a joint political programme and without ending the rift means that the bad situation will persist. This has provoked widespread opposition to a unified list within Fatah, Hamas and amongst the Palestinian people. Moreover, the leftist factions have rejected the concept of a single unified list. All this threatens the success of this idea.

- On the other hand, the prospect of not forming a unified list threatens the collapse of all understandings between Fatah and Hamas, since they are contingent on one another. That would mean that the elections would be competitive, and each side would try to achieve the most that it can, which would in turn mean that the results would not be guaranteed, and the ability to control them would not exist. This factor has taken on additional significance by virtue of the fact that Member of the Fatah Central Committee Dr. Nasser al-Qudwa has initiated consultations to form a list to contest the legislative council elections, provoking the anger of fellow Central Committee members, who tried to stop him from doing so, as did the president, to no avail.

- Al-Qudwa's contestation of the elections with an independent list that includes Palestinians belonging to a wide political spectrum will change the rules of the game, particularly if the leftist factions contest the elections with their own unified list, and if former member of the Fatah Central Committee Muhammad Dahlan also contests them with his own list, in addition to the participation of other independent lists that carry political weight.
- If Marwan al-Bargouthi, member of the Central Committee of Fatah, who is serving a life-term sentence in Israeli jails, supports Nasser al-Qudwa's list, or participates in it, this will change the rules of the game. It will create a pluralistic legislative council that is free of bilateral polarization, particularly given al-Bargouthi's widespread popularity, which makes him capable of winning the presidential elections against anyone he competes against.

In the light of all the above, several scenarios present themselves:

The first scenario: Holding elections contested by a unified national list without strong competition. Subsequent steps will be shaped by their results.

The second scenario: Holding competitive elections that lead to a pluralistic legislative council, with both Fatah and Hamas fielding separate lists that will nevertheless be open, in the sense that they will each contribute a number of candidates less than 50% of the legislative council's seats, with an increase in the number of candidates for the Fatah list compared to the Hamas list.

The third scenario: Not holding the elections on the pretext of the political rift, or the existence of the occupation, or the Covid-19 pandemic, or any other excuse. This will have a very negative impact on what remains of the PA's credibility, its fate and its future.

What is required of the international community, in particular the US, Europe and the UN:

- A review of the previous position that insists on listing some Palestinian factions as terrorist groups, hence opposing their participation in the next Palestinian government unless they accept the conditions of the International Quartet. That position is incompatible with another existing position of not imposing any conditions on Israel, despite its long-standing violations of its commitments under the Oslo agreement and the fact that its political map is full of terrorist parties. As a matter of fact, Israel itself is a state that practices occupation and terrorism. It should be possible to ask Palestinian factions to recognize international law and UN resolutions, without demanding that they recognize Israel, which itself does not recognize the Palestinian state.
- Recognition of the Palestinian state. Such recognition will strengthen the underpinnings of international law and resolutions issued by UN bodies, and will send a message to Israel that it cannot bury the two-state solution indefinitely.
- To urge the Palestinian leadership and the PA to ensure that the elections are held in an atmosphere of trust, freedom and honesty. This can be done by respecting rights and freedoms; amending the elections law in accordance with the results of the last Cairo Dialogue; releasing detainees; avoiding the arrest of others and of calling them in for questioning; unblocking censored electronic websites and urging Fatah to avoid forcibly preventing its members from contesting the elections through independent lists. This could improve Fatah's electoral results, since the movement would get the sum total of all the seats won by its various lists.
- To pressure Israel into allowing the elections to take place in East Jerusalem, in terms of both voting and the running of candidates, as is the case in the rest of the occupied territories. If Israel refuses to do so, the Palestinians should receive international, European and US assistance to hold the elections by turning international institutions and embassies into Palestinian voting centres.

- The European Union and the international community in general are required to play an effective role in confronting Israeli policies affecting the freedom, integrity and democracy of the electoral process in its various stages, violating the right to run and vote for any Palestinian citizen, and try to influence its results, especially since the Israeli intervention has become known through arrest campaigns and threats to a number of potential candidates in the elections. These Israeli violations may lead to the opposite, pushing a large portion of the electorate to sympathize with Hamas and vote for it.