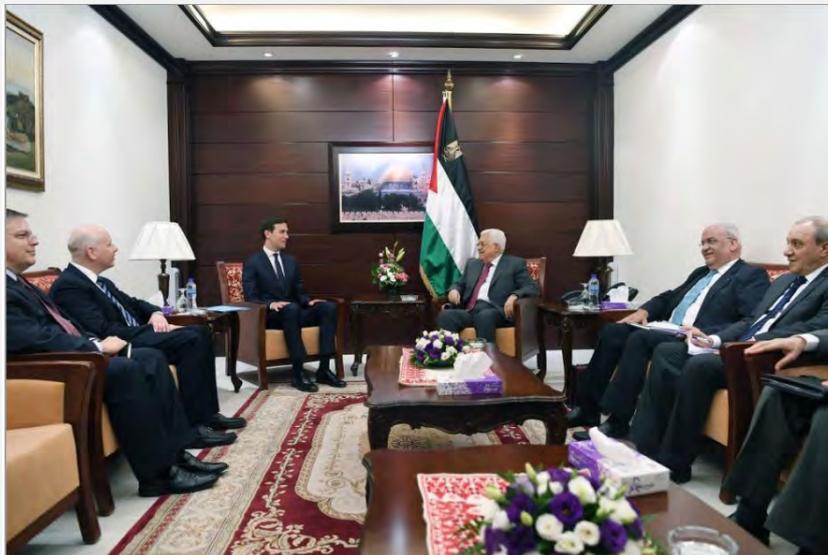




June 26, 2017

During diplomatic contacts with the Americans, the Palestinian Authority rejected demands to stop financial support for terrorist prisoners and the families of shaheeds



Mahmoud Abbas meets with Jared Kushner, senior advisor to the American president. Clockwise from the left: Donald Blome, American consul general in Jerusalem; Jason Greenblatt, special envoy for international negotiations; Kushner and Abbas; Saeb Erekat, secretary of the PLO's Executive Committee; and Majed Faraj, head of Palestinian general intelligence (Wafa, June 21, 2017).

Overview

1. In recent diplomatic contacts between the Palestinian Authority (PA) and the United States, the **Americans demanded the PA stop its financial support for terrorist prisoners, released terrorist prisoners and the families of shaheeds. In 2016 the PA allotted them 1,152 million shekels (more than \$327 million)**, 6.9% from the PA budget and 29.6% from foreign aid. The payments, which are anchored in PA law, were also given to Hamas terrorist operatives and terrorists who carried out attacks after the Oslo Accords, and are an example of **overt support for terrorism**.¹

2. On June 13, 2017, **Rex Tillerson, the American secretary of state**, told a Senate Foreign Relations Committee hearing that the Palestinian leadership had **"changed that policy and their intent is to cease the payments to the families of those who have committed murder or violence against others."** He added that the United

¹ Data taken from a study done by Brig. Gen. (Res.) Yossi Kuperwasser, "A prize for terrorism, PA payments to the Palestinian terrorists and their families," published by the Jerusalem Center for Public Affairs, 2017 (Hebrew).

States had been "very clear" that paying terrorists was unacceptable. According to a state department report, the PA had made the decision following meetings between Donald Trump and Mahmoud Abbas in the United States (May 3-6, 2017) and in Bethlehem (May 23, 2017) (website of the American state department, June 16, 2017). The issue of the payments made by the PA was raised again by **Jason Greenblatt**, special envoy for international negotiations, and **Jared Kushner**, senior advisor to Donald Trump, when they met with Mahmoud Abbas in Ramallah on June 21, 2017. At the meeting in Ramallah **Mahmoud Abbas rejected the demand to stop the payments**, claiming it was an internal Palestinian matter which had a societal aspect (see below).

3. Apparently the Americans initially thought the PA had changed its policy, evident in the optimistic statement made by Secretary of State Rex Tillerson during the Senate hearing (see Appendix A). However, it quickly became clear that **no change had been made in Palestinian policy and that the PA strongly opposed stopping the payments**. The main reason for the Palestinian objection was raised by **Issa Qaraqe**, chairman of the PA Commission of Detainees and Ex-Detainees Affairs, who said that **making payments to the prisoners and the families of shaheeds and wounded were an obligation anchored in Palestinian law**. On the other hand, the Palestinians did not relate to the fact that **the payments were made to terrorist operatives, some of them Hamas operatives, who had committed murder, and that the funds were in fact an encouragement for terrorism**.

4. **Glorifying terrorist operatives and shaheeds and supporting them and their families is a function of the Palestinian ethos, whose core is the concept of the so-called "armed struggle" against Israel**. The ethos has accompanied the Palestinian national movement since its inception and **to this day continues to fuel terrorism and violence against Israel**. The Israeli and American demand that the PA stop paying prisoners and the families of shaheeds **directly contradicts the ethos**. **Therefore, any such demand can be expected to be broadly opposed by Mahmoud Abbas and the Palestinian leadership, as well as by the Palestinian street**. Thus in all probability **the PA will refuse to stop the payments**. However, in view of American pressure, **the PA may try to avoid a head-on confrontation with the United States and look for creative ways to circumvent the demand**, enabling it to lessen the external pressure, as it has done in the past (when it transferred the payment mechanism from the PA to the PLO).

Statements by Issa Qaraqe, Chairman of the PA Commission of Detainees and Ex-Detainees Affairs



Issa Qaraqe, chairman of the PA Commission of Detainees and Ex-Detainees Affairs (Facebook page of Issa Qaraqe, June 21, 2017).

5. Given the American expectations (referred to by Tillerson at the Senate hearing) of a change in PA policy, **the PA made it clear that the policy had not been changed and the PA would not yield to pressure to change it.** Apparently, in an effort to avoid difficulties in relations with the Americans, Mahmoud Abbas and the Palestinian leadership decided to avoid direct statements, feeling it was preferable for Issa Qaraqe to be the issue's main spokesman. **Issa Qaraqe is chairman of the PA Commission of Detainees and Ex-Detainees Affairs, which has been under the jurisdiction of the PLO since May 29, 2014.**² It was a fiction whose objective was to fool the donor states complaining that the money they sent for humanitarian aid was being used to fund terrorism. As a result, the money continued to enter the PA budget directly, but then was transferred to the PLO.³

² Until May 2014 payments to prisoners and the families of shaheeds were made through the PA's Ministry of Prisoners' Affairs. To deflect external pressure, on May 29, 2014, Mahmoud Abbas issued an edict calling for its name to be changed from ministry to commission, and turning it over to the PLO. Former minister Issa Qaraqe was put in charge (website of the Commission of Detainees and Ex-Detainees Affairs. June 26, 2017).

³ Kuperwasser, op cit.



Facebook page of the Commission of Detainees and Ex-Detainees Affairs, a department under the jurisdiction of the PLO.

6. The two main statements made by Issa Qaraqe about the demand to stop the payments were the following:

a. During visits with released prisoners Ramallah and Hebron, Issa Qaraqe claimed that the **Israeli "incitement" against the support the PA gave the families of prisoners and shaheeds was "a despicable form of aggression" against the PA and its national, humanitarian and social values.**⁴ Its objective, he claimed, was to send shock waves through the PA. **He claimed it would be preferable to see the world and the United States interfere for the sake of ending the [Israeli] "occupation," which caused suffering to thousands of prisoners and which had caused the deaths of thousands of shaheeds.** He said that taking care of the families of prisoners and shaheeds, supporting them, and strengthening their firm stance **would continue, not end.** The Palestinian leadership, he said, its president Mahmoud Abbas, and the Palestinian people would not yield to pressure (website of the Commission of Detainees and Ex-Detainees Affairs, June 15, 2017).

b. According to Issa Qaraqe, support for the families of shaheeds, prisoners, the wounded and disabled was anchored in **Paragraph 22 of the Palestinian basic law, considered the PA constitution since its founding.** It ensures social security and medical services as well as old-age and disability payments to the families. Thus, he claimed, **the payments were a legal obligation.** He added

⁴ Support for prisoners and the families of shaheeds is represented as a "national value" because of its great importance.

that the support of families harmed by the "occupation" was **one of the legal and procedural foundations of the Palestinian political governance**. For that reason the ministry for detainees and ex-detainees affairs had been established, which later became the Commission of Detainees and Ex-Detainees Affairs. The support was anchored in Law No. 19 in 2014 and Law No. 1 in 2013. According to Qaraqe, **Israel's freezing of the Palestinian tax revenues**, based on the claim that they are given to the families of prisoners, shaheeds and the wounded, **violates the Oslo Accords and the agreement of principles signed by the PA and Israel**⁵ (website of the Commission of Detainees and Ex-Detainees Affairs, June 21, 2017).

Greenblatt, Kushner and Mahmoud Abbas Meet in Ramallah (June 21, 2017)

7. Palestinian sources leaked to the Arab press that the meeting in Ramallah between Jason Greenblatt, special envoy for international negotiations; Jared Kushner, senior advisor to the American president; and Mahmoud Abbas was **"tense and charged."** That, according to the Palestinian sources, was because the Americans focused on the Israeli demand that the PA stop paying salaries to prisoners and [the families of] shaheeds and stop incitement, instead of discussing ending construction in the settlements and the two-state solution.⁶ **The main points of the discussion about the payments, as leaked to the Arab media by Palestinian sources, were the following:**

a. **The Americans represented the issue of salaries to prisoners as encouragement for violence and demanded Mahmoud Abbas stop them.** The previous American position (i.e., the one voiced at Mahmoud Abbas's meeting in the United States) was to stop the paying the salaries of the more than 6,000 prisoners and released prisoners. **At the meeting in Ramallah the Americans demanded that salaries no longer be paid to the 600 prisoners sentenced to life terms for murdering Israelis** (al-Hayat, June 23, 2017).

⁵ The proposed Israeli law cuts funds to the PA (i.e., tax revenues transferred from Israel to the PA) for the payments to terrorists. The law was proposed in the Knesset Legislative Committee on June 14, 2017, and its preliminary reading was passed. Support for Palestinian terrorist prisoners is considered a "national value," and the PA refuses to stop payment.

⁶ In the wake of the meeting in Ramallah the PA and the White House issued short statements. They made no mention of the salaries paid to prisoners and the families of shaheeds. The tension between the Palestinians and Americans, reports of which were leaked by the Palestinian sources, did not appear in official announcements.

b. **Mahmoud Abbas was displeased by the American demand and refused to accede to it.** He demanded that instead of focusing on the salaries, which he claimed were "**an internal Palestinian matter with a societal aspect,**" the discussion should focus on stopping the settlements. The meeting did not end with an agreement or breakthrough on any one of the issues, but left the Palestinians feeling that the Americans had adopted the Israeli position, and that the United States would not succeed in bringing the two sides together in an agreement (al-Sharq al-Awsat, June 23, 2017).

Appendix

The American State Department Announces the PA Agreed to Stop Supporting Prisoners and the Families of Shaheeds (ITIC emphasis throughout)

1. **Rex Tillerson, the American secretary of state**, told a hearing of the Senate Foreign Relations Committee that the Palestinian leadership had made a U-turn on payments to the families of convicted Palestinian attackers. He said, "**They have changed that policy and their intent is to cease the payments to the families of those who have committed murder or violence against others.**" He continued, "**We have been very clear with them that this [practice of paying terrorists] is simply not acceptable to us.**" The decision was made, he said, after Donald Trump's hosting of Palestinian President Mahmoud Abbas in the US. and a visit with him in the West Bank city of Bethlehem (website of the American State Department, June 16, 2017).

2. At a press briefing held on June 15, 2017, **State Department spokesman Heather Nauert** was asked, "Secretary Tillerson told Congress the other day that **Palestinian Authority President Mahmoud Abbas or the authority have agreed not to make payments to the families of prisoners and martyrs, as they call them. And then yesterday [Mahmoud Abbas] basically backtracked.** Could you clarify this for us?" She answered, "**The Secretary addressed this yesterday, and he said this type of thing is not acceptable to the American people;** it is certainly not appropriate. I think those are very clear comments. We have a certain set of expectations, and the expectation is that that should, in fact, stop. **Last month the Palestinian Authority announced that it was stopping payments to some Hamas-affiliated prisoners,** but this step we consider to be inadequate to talk about – to address our concerns" (Newsweek and other American media outlets, June 14, 2017).