



May 6, 2008

**Intelligence and Terrorism Information Center
at the Israel Intelligence Heritage
& Commemoration Center (IICC)**

The Egyptian initiative for a lull in the fighting (updated to May 5, 2008)



Mahmoud al-Zahar explaining his position on operating the Rafah Crossing without Israeli intervention as an aspect of the lull in the fighting (Al-Aqsa TV, April 29, 2008).

Overview

1. The Egyptian initiative for a lull in the fighting in the Gaza Strip has gone into high gear. An agreement on principle was reached between Egypt and Hamas regarding a six-month lull, "Gaza first," during which Egypt would work to extend it to the West Bank. So far, a description of the agreement has been revealed by the media but no authoritative written version has been provided.
2. On April 29 and 30 representatives of 12 Palestinian organizations operating in the Gaza Strip met with the head of Egyptian intelligence in Cairo. After the meetings Egypt announced that they had agreed to the progressively implemented lull. Egyptian and Palestinian sources noted that the **ball was now in Israel's court**.

3. In our assessment, Hamas is interested in the lull reached with Egypt, which meets most of its demands. It views the lull, which includes opening the Gaza Strip crossings on Hamas terms and an improvement in the economic situation, as a means of **strengthening and stabilizing its control of the Gaza Strip**. Hamas is also of the opinion that the time-out achieved by the lull will enable it to **accelerate its military buildup** in preparation for a future confrontation with Israel and will improve its standing among Palestinians, in the Arab and Muslim world (especially vis-à-vis Egypt) and even in the international arena.

4. Hamas expects to pay a price for the advantages it receives from the lull, especially a cessation of rocket fire for a limited and perhaps to stop other terrorist attacks from the Gaza Strip.¹ In addition, Hamas had to drop its initial demand for a lull that would include the Judea and Samaria as well as the Gaza Strip, and when dealing with the Egyptians had to agree to a progressively implemented lull. A cessation of the attacks, even temporarily, and not including Judea and Samaria in the agreement may harm Hamas's image as a movement of jihad fighters, give rise to internal criticism and increase the basic tensions between its governmental responsibilities on the one hand and its radical Islamic ideology and terrorist strategy on the other.

5. Initially, the lull is expected to be applied to the Gaza Strip and enable the Israeli security forces to continue their counterterrorist activities in Judea and Samaria. That is the agreement's weak spot, because Israel's success in its preventive activities in Judea and Samaria is liable to provoke the terrorist organizations in the Gaza Strip into responding, which would violate the lull, as has happened in the past. The **Palestinian Islamic Jihad** has already stated that it accepted the lull, but **reserved the right to respond to Israeli "aggression" in the West Bank**.

6. **The lull initiative was motivated by Egyptian efforts at negotiation.** In our assessment, there are a number of reasons the Egyptians are interested in promoting the agreement, which will end the escalation in the Gaza Strip and ease the tensions:

- i) To prevent the situation from deteriorating to the point at which Israel initiates a broad military operation in the Gaza Strip;
- ii) To find an arrangement which will enable the opening of the Rafah Crossing and ease the humanitarian distress of the Gazans;

¹ Hamas spokesmen were fuzzy about that point, relating only to an end to rocket fire without discussing other types of attacks.

iii) To provide a response to the internal pressure exerted by the Muslim Brotherhood, which identifies with Hamas;

iv) To increase Egyptian influence on the radical Islamic entity in the Gaza Strip, which it views as a threat to Egyptian national security (the potential danger of the Gaza Strip for Egypt has been well illustrated during the time since Hamas took it over).

7. This Bulletin examines the following aspects of the initiative for a lull in the fighting:

i) **Updated overview of the Palestinian-Egyptian contacts** regarding the lull;

ii) **Appendix I**: The definition of the Arabic term *tahadhiya*, a lull in the fighting, and the difference between it and *hudna*, a temporary truce.

iii) **Appendix II**: Previous *tahadiya* and *hudna* agreements during the current Israeli-Palestinian confrontation (“the second intifada”) and how they ended.

Updated overview of the Palestinian-Egyptian contacts regarding the lull

8. The Egyptian initiative for a lull in the fighting recently accelerated, and an unwritten agreement was reached in principle between Egypt and Hamas for a progressively implemented lull (“Gaza first”). A press conference was held after senior Hamas figure Mahmoud al-Zahar met with Omar Suleiman, head of Egyptian General Intelligence on April 24, and the main points of the agreement were announced by Mahmoud al-Zahar (Radio Sawt Al-Aqsa, April 25):

i) **Hamas agreed to a six-month lull in the Gaza Strip**, during which time Egypt would work to extend it to the West Bank.

ii) **The lull had to be mutual and simultaneous**, and include the “**lifting of the blockade**” and the opening of the crossings, including the Rafah Crossing. The crossings would be opened as the lull went into effect. Mahmoud al-Zahar said that an agreement had been reached [between Egypt and Hamas] regarding the principles and commitments involved in reopening the Rafah Crossing.

iii) **The other Palestinian organizations had to agree to the lull** within a “national agreement.” Omar Suleiman would invite their representatives to Egypt to discuss the issue.

iv) Once the other organizations had agreed, Omar Suleiman would initiate contacts with Israel to achieve its agreement to the lull and to set up a time table for its implementation. Israel and Egypt would immediately take steps to prepare public opinion for the lull and to provide the Gaza Strip with basic supplies, especially fuel.

v) **Egypt will ask the president of the Palestinian Authority for his agreement** to open the crossings. Mahmoud al-Zahar noted that Hamas was close to an agreement with the PA regarding how the Rafah Crossing would be administered.

vi) **The release of Gilad Shalit would be delayed** until after the lull went into effect. Mahmoud al-Zahar said that the main obstacle was Israel's refusal to release terrorists who had been sentenced to long terms.

9. **Khaled Mashal**, head of Hamas's political bureau in Damascus, and **Mahmoud al-Zahar** recently explained their concept of the lull in the fighting (Khaled Mashal to Al-Jazeera TV on April 27; and Mahmoud al-Zahar at the Islamic University in Gaza City, broadcast by Al-Aqsa TV on April 29):

i) It was Israel that asked for the lull and **Hamas is prepared to accept it from a position of strength**. The movement has changed its initial stance following consultations between the "internal" and "external" leadership, and has agreed that the lull would begin in the Gaza Strip and later be extended to the West Bank. Hamas regards the lull as **"a tactic, a stage in the resistance, and nothing more."** The lull was enabled by the balance of power created by the Palestinian terrorist organizations ("the resistance"), which does not permit Israel to subdue the Gaza Strip.

ii) **Hamas opposes the Israeli control of the Rafah and other crossings**, and claims that the crossings agreement of 2005 is no longer valid. Hamas will accept joint Egyptian, Hamas, PA and European supervision of the Rafah Crossing (on the condition that the Europeans arrive through Egypt, not Israel, and that they have no authority to decide if the crossing is open or closed). Israel will have no say regarding the opening or closing of the crossings and Hamas will not back down on that issue.

iii) **Hamas is aware that Israeli agreement to the lull is conditional on the cessation of smuggling [arms] into the Gaza Strip and manufacturing [them in the Gaza Strip]**. Mahmoud al-Zahar claimed that regarding smuggling, Omar Suleiman explained to Israel that responsibility for stopping the smuggling was in the hands of Israel and Egypt [and by implication, not in the hands of Hamas]. As to the manufacture of weapons, according to Mahmoud al-Zahar, "that cannot be supervised" **[by implication, the lull in the fighting does not include any commitment on the part of Hamas to stop manufacturing and smuggling weapons]**.

iv) **Khaled Mashal threatened escalated terrorism against Israel if the lull (on Hamas terms) were not accepted**: "If the blockade continues, the Gaza Strip will erupt in the face of anyone who blockades it, except for Egypt." Other senior Hamas figures also repeatedly stated that the lull was a means to break through the

blockade of the Gaza Strip and if it did not prove itself, **Hamas would act forcefully against Israel**. Hamas spokesman Sami Abu Zuhri threatened that if Israel dragged its feet regarding the proposed lull, “there will most likely be an unprecedented escalation” (Al-Sharq Al-Awsat, May 4).

Contacts between Egypt and the PA

10. After the April 27 meeting with Egyptian president Mubarak at Sharm el-Sheikh, PA chairman Abu Mazen expressed his support for the initiative. He said that the PA unreservedly supported the Egyptian efforts to achieve a lull because it might ease the suffering of the Palestinian people and **lead to the opening of the Gaza Strip crossings** (Wafa News Agency, April 27).

Contacts between Egypt and the other Palestinian organizations

11. On April 29 and 30 representatives of 12 Palestinian organizations, including terrorist organizations operating in the Gaza Strip, held a series of meetings with Omar Suleiman. The Egyptian announcement summarizing the meetings stated that the organizations had adopted “the Egyptian concept” of the lull. According to the announcement, the plan for the progressively implemented lull was part of an overall plan to lift the blockade of the Gaza Strip, to end the internal Palestinian rift and to gradually return to the status quo ante. According to Egyptian, Palestinian and Hamas sources, the ball was now in Israel’s court (Pal-today Website, Agence France Presse, Palestine-info Website, April 30).

12. The position of the **PIJ**, as expressed by senior members of the organization, should be noted: Deputy secretary-general **Ziyad Nahleh** said that the organization supported a full lull which included the Gaza Strip and the West Bank, and added that his organization would not present an obstacle to the proposed lull and would relate to it positively. However, he said that “if Israel carries out a crime of assassination in the West Bank the movement will preserve its right to respond” (Ma’an News Agency, April 29). **Abu Imad al-Rifai**, a senior member of the organization, said that his organization accepted Hamas’s suggestion regarding the lull but that **it preserved the right to respond to any Israeli “aggression” in the West Bank** (Reuters Cairo, April 29).

Appendix I

The definition of the Arabic term *tahadhiya*, a lull in the fighting, and the difference between it and *hudna*, a temporary truce

1. *Tahadiya* in Arabic [تهديئة] means “lull in the fighting,” that is, **lowering the intensity of a confrontation** through a mutual commitment to stop the fighting, which does not necessarily include the complete cessation of all military activities (such as collecting intelligence, procuring arms, etc.). It can be translated “as a quiescent period in the fighting,” even though the media often mistranslate it as “truce.”

2. *Tahadiya* is a modern, secular term adopted by the Palestinians and used exclusively in relation to the Palestinian-Israeli conflict. **It has no religious Islamic validity** and in practical terms means an agreement between two rival sides, sometimes with the intervention of a third party, not necessarily as part of negotiations or a written agreement (such as a gentlemen’s agreement, or an understanding). **Thus it is less binding than a *hudna*, a truce**, which is an Islamic term. For that reason Hamas preferred to use the term *tahadiya* both in relation to the current contacts with Egypt and to the Cairo Agreement of 2005 (See below). **That is because a *tahadiya* does not commit Hamas to recognizing Israel and permits it to carry out military activities except for engaging in actual fighting.**

3. **The term *hudna*** [هدنة], on the other hand, is taken from Islamic tradition, and means an agreement or contract which entails the **cessation of all fighting for a specific period of time** and under conditions which have been agreed upon. The classic example of a *hudna* in Islamic history was the treaty of Hudaibiyyah between the prophet Muhammad and the Quraysh tribe of Mecca signed in 628 A.D. When Muhammad realized that his forces were inferior he agreed to a cessation in the fighting and signed a *hudna*. Two years later he conquered Mecca.

4. According to Muslim tradition, under certain circumstances Muslim leadership is permitted to announce a *hudna* during a war against infidels. The *hudna* is usually brokered and signed when the Muslim leadership is convinced that it serves its interests, since according to the

evaluation of the prevailing circumstances the Muslims will not be able to win. Over time, the evaluation may change. Thus, basically **the *hudna* is limited in time**, but the Muslim side can violate it should it so choose or extend the time limit if it serves Muslim interests. **For that reason the *hudna* is considered a tactical move integral to fighting the enemy until in due time he is overcome.**

5. **The *hudna's* objective is a temporary cease fire** to improve the Muslim positions for a new round of fighting and to improve their resources. In that sense it serves as a stage in jihad and does not express either willingness or a genuine, fundamental commitment to solve a conflict or even preserve a truce.

Appendix II

Previous *tahadiya* and *hudna* agreements during the current Israeli-Palestinian confrontation (“the second intifada”) and how they ended

1. During the past eight years of the second intifada the idea of a *hudna* has been raised a number of times. In 2002-2003 a number of attempts were made, some of them negotiated by Egypt, to have the Palestinian terrorist organizations **agree to a temporary ceasefire with Israel**. However, they were never realized. The first *hudna* which was actually implemented began in June 2003 with the election of Abu Mazen as PA prime minister. After his election Hamas and the PIJ announced they were prepared to suspend their attacks against Israel for three months. On June 29, 2003, three separate declarations were made: by Hamas and the PIJ, by Fatah and by the PLO.

2. **The *hudna* achieved by the Abu Mazen administration was short lived and lasted less than two months**, from June 26, 2003, the end of the Taba Conference, until August 19. During the *hudna* the amount of **terrorist attacks decreased** but they did not stop entirely, and there were also **suicide bombing attacks**. At the same time, Israel continued its counterterrorist activities against terrorist operatives, who were considered ticking bombs. Nevertheless, during the *hudna* there was a short lull and there were fewer Israeli victims of Palestinian terrorist attacks.

3. Political efforts were made during the *hudna* to implement the road map and to rehabilitate the security cooperation between Israel and the PA. The efforts did not bear fruit. For all intents and purposes, the *hudna* collapsed on August 19, 2003, with a suicide bombing attack on a Jerusalem bus which took the lives of 23 Israeli civilians. Following the attack Israel renewed its targeted killings of terrorist operatives and initiated a series of counterterrorist activities in Hebron (August-November 2003).

The Cairo Agreement (March 2005)

4. After the death of Yasser Arafat in November 2004 his successor, Abu Mazen, reached an agreement with Hamas regarding the cessation of its terrorist campaign against Israel. In view of the collapse of the previous *hudna*, and because of Hamas's key position in the new political situation, it was agreed that the term *hudna* would not be used and would be replaced by *tahadiya*, **which was regarded as less binding.**

5. On March 15, 2005, a series of discussions began in Cairo, mediated by Egypt, between the Palestinian terrorist organizations. They ended with the **Cairo Agreement**, according to which the organizations agreed to a lull in the fighting with Israel alongside internal Palestinian understandings. It was agreed that elections to the Palestinian Legislative Council and the local authorities would be held and the election systems were agreed upon in a way that satisfied Hamas. It was also agreed that a committee would be formed to integrate "all Palestinian forces and factions" within the PLO, which was recognized as "the only legitimate representative of the Palestinian people."

6. The lull agreed on in Cairo was also not fully implemented. During the second half of 2005 it was eroded, especially by the smaller Palestinian terrorist organizations, which ignored it and continued carrying out terrorist attacks. Hamas kept to a restrained policy of attacks, and the PA was incapable of enforcing its authority on the smaller terrorist organizations. Thus they continued attacking during the lull, although to a lesser extent. The most prominent organization at the time was PIJ which continued carrying out sporadic suicide bombing attacks, although they were fewer in number (the reason for the decrease in the number of suicide bombing attacks, at the time and after the end of the lull, was primarily the **IDF's effective counterterrorist activities** and the **erection of the security fence.**)

7. The temporary decrease in the number of terrorist attacks enabled Israel to carry out its plan of disengagement from the Gaza Strip. It also gave Hamas a breathing space, which it exploited by increasing its influence in the internal Palestinian arena after the Israeli disengagement. Hamas's victory in the Palestinian Legislative Council elections in **January 2006** marked the full utilization of the political advantages of the lull and signaled the loss of its motivation to continue it, even partially. At the **end of 2005**, after nine months, the lull was officially ended when both Hamas and the PIJ officially announced that they were no longer bound by it.