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Would the Holding of Local Elections in the Gaza Strip Provide a Glimmer of Hope Out of the Impasse?

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supported by the Swiss government. He is regularly invited to speak at conferences in Europe and in the USA on Middle East peace process and potential prospect for the Gaza /Palestinian economy and Palestinian politics. Throughout his professional career He was heavily engaged in several consultancy assignments with international consultant firms on EU cooperation to the Palestinian people, water and electricity sectors, municipal sector, and youth and women empowerment. He published tens of articles and policy papers on various international magazines.

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The current difficult economic, social and psychological conditions in the Gaza Strip can only be understood when analyzed in the context of the blockade and repeated wars it has been suffering from since 2007. These conditions must also be placed in the context of internal division and a political failure in which all reconciliation efforts and factional dialogue led nowhere. Even when a consensus emerged over holding general elections for the Legislative Council, the Presidency and the PLO National Council, success remained elusive. Nonetheless, while general elections cannot be held in the foreseeable future, the pressure of the successive crises in the Gaza Strip forces a search for a way out of the impasse. This paper proposes the holding of local elections in the Gaza Strip as a small step that might trigger a gradual wider process. Local elections have been held three times in the northern governorates of the PA without the Gaza Strip's participation since 2005. The paper argues that these local elections might provide a mechanism to gradually break the impasse and provide an opportunity for change that might enhance the confidence of the local community and its participation in administration and governance, enhance communication and engagement between local municipalities and the world, and might allow attracting projects to address pressing environmental crises and problems in the Gaza Strip. The continuation of the current *fait accompli* will only have more negative effects on the population, regardless of how much Hamas strives to improve it. The movement has already been hurt in appointing mayors even if it has made an effort to appoint the best in the management of the local bodies.

The Gaza Strip after 15 years of closure, wars, and the absence of elections:

The status quo in the Gaza Strip is characterized by the following:

1) Blocked political horizon and the loss of the hope for change: The political divide has led to the disruption of the democratic process and the fragmentation of the Palestinian political system. Palestinian division is likely to persist given the absence of any serious prospects for Palestinian reconciliation. Local and regional reconciliation efforts have so far been met with failure. This aspect of the status quo has proven to be the most resilient and resistant to change.

Main qualitative indicators continue to deteriorate: The Israeli blockade and repeated wars have caused a sharp deterioration in all indicators of life in the Gaza Strip, including health, education and the

economy, with 1.3 million of Gaza's 2.1 million Palestinians in need of food assistance,¹ unemployment levels rising to 46.6% during the first quarter of 2022 compared to the average of 34.8% in 2006, while 81.4% of Palestinian households in the Gaza Strip live below the poverty line².

Unending rounds of escalation between the factions in Gaza and the occupation army: Since 2007, the Gaza Strip has been subjected to five major wars, dozens of short violent eruptions, and military and security tensions, causing thousands of victims from all segments of society and destroying tens of thousands of homes and infrastructure.

Psycho-social effects and extremism: The split and infighting have directly contributed to dividing the political system leading to the absence of the democratic process and the denial of the right of the population to choose their representatives, leading further to a state of frustration, despair and lack of horizon among Gazans. This has also led to a rise in the desire to emigrate among young people reaching 37%,³ to unprecedented levels of attempted suicides, widespread hate speech and incitement, and to the strengthening of the political and legal divide between the Gaza Strip and the West Bank.

Moreover, compelling living conditions, rampant manifestations of corruption in the political and economic classes, and the prevalence of revenge tendencies have led many young people to embrace extremist ideology.⁴ Hamas leader Khalil al-Haya said in 2015 at a session at the headquarters of the Legislative Council in Gaza that "our message to the whole world, which fears terrorism and extremism, is that delaying reconstruction and maintaining the siege on the Gaza Strip produce a suitable environment for the spawning of extremism and the increase of terrorism".

Proceeding from the fact that: (1) the continuation of the economic and political situation as it is has become untenable and represents a constant threat to the unity of the people and the opportunities for economic growth and political development, (2) in the absence of opportunities to achieve reconciliation adds a further threat to the future of the Gaza Strip, (3) the rejection by both Egypt and the Palestinian Authority of the option of creating a trade zone between Egypt and the Gaza Strip (because in their view it promotes the separation of the Gaza Strip away from the West Bank and the Palestinian Authority) reduces the prospects for economic development, (4) continued Israeli imposition of severe restrictions on the quality of goods entering Gaza, under the pretext of preventing the entry of "dual-use" goods, and on trade exchange with the West Bank and Israel adds yet another economic constraint, the holding of municipal elections in Gaza's governorates may present a gateway to a gradual exit from the crisis.

¹ See OCHA report Gaza Strip | The humanitarian impact of 15 years of the blockade - June 2022: [Gaza Strip | The humanitarian impact of 15 years of the blockade - June 2022 | United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory \(ochaopt.org\)](https://ochaopt.org/en/2022/06/gaza-strip-the-humanitarian-impact-of-15-years-of-the-blockade-june-2022)

² See report on poverty in the Gaza Strip issued by the Palestinian Center for Human Rights: <https://pchrgaza.org/ar/%D8%AA%D9%82%D8%B1%D9%8A%D8%B1-%D8%AD%D9%88%D9%84-%D8%A7%D9%84%D9%81%D9%82%D8%B1-%D9%81%D9%8A-%D9%82%D8%B7%D8%A7%D8%B9-%D8%BA%D8%B2%D8%A9/#:~:text=%D9%88%D9%82%D8%AF%20%D8%AA%D9%88%D8%B2%D8%B9%D8%AA%20%D9%87%D8%B0%D9%87%20%D8%A7%D9%84%D9%86%D8%B3%D8%A8%D8%A9%20%D8%A8%D9%88%D8%A7%D9%82%D8%B9,%D8%BA%D8%B2%D8%A9%20%D8%AA%D8%B9%D9%8A%D8%B4%20%D8%AA%D8%AD%D8%AA%20%D8%AE%D8%B7%20%D8%A7%D9%84%D9%81>

³ See Omar Shaban, *What Future for the Gaza Strip in the Next Five Years?:* [Critical Policy Brief, Number 6/2021 | PCPSR](https://pcpsr.org/2021/06/06/critical-policy-brief-number-6-2021/)

⁴ See, piece by Ghassan al Za'aneen on the consequences of cancelling local elections (no date) : <http://palthink.org/2017/05/1585/>

Why elections?

There are four reasons that call for the holding of local elections in the Gaza Strip:

Responding to legal entitlement and a developmental requirement: Holding elections for local bodies is a fulfillment of legal obligation based on the terms of law. It also provides an opportunity for change and sustainable development. For the youth, it represents a sign of hope for a better future of political and social participation.

The renewal of legitimacy strengthens international engagement: The renewal of the legitimacy of local bodies that rely heavily on international support contributes significantly to obtaining grants, projects and assistance, especially since there are a wide range of challenges in the field of service delivery, deterioration of infrastructure, environmental, hygiene and health problems suffered by the governorates of the Gaza Strip.

Local elections could serve as a first step on the road to general elections: The holding of local elections in the Gaza Strip is a real opportunity to persuade the international community to meet the Palestinians' desire for change and push it to work harder with the Israeli government to facilitate the holding of general elections.

It serves Hamas' interest: The holding of elections for local bodies shows Hamas' faith in, and support for, the democratic process. In the past, it favored these elections and it now has an opportunity to demonstrate its real intentions. The movement's approval and the quest to complete local elections in the Gaza Strip will strengthen its position as a political movement seeking to gain leadership through the election process thereby improving its image in front of the Palestinian society and the world. It is worth mentioning that Joseph Borrell, representing the EU foreign policy establishment, indicated on April 30, 2021, that the postponement of the Palestinian general elections, the first in 15 years, was "very disappointing."⁵ The EU had consistently supported the holding of credible, inclusive and transparent elections for all Palestinians. Thus, even if the results are not satisfactory to everyone, if Hamas wins, they will be acceptable to many among the international community. It is also worth mentioning that Hamas did participate, directly or indirectly, in the elections of local and various other societal bodies in the West Bank. Therefore, it goes without saying that it is the duty of Hamas to meet Gazans' needs to elect their own local leaders.

Completing the local election process in the Gaza Strip

The Palestinian political system has almost never respected the constitutional and legal dates for elections, whether legislative, presidential or local. Indeed, elections were held only when serving the political needs of the various political actors. In light of the Palestinian division, an additional constraint has been added leading to the holding of elections in certain parts of the Palestinian territories while abstaining from holding them in others. This happened with the local elections in 2012 when Hamas

⁵ See, France 24, 30 April 2021: <https://www.france24.com/ar/%D8%A7%D9%84%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D8%A3%D9%88%D8%B3%D8%B7/20210430-%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A%D8%A9-%D8%A7%D9%84%D8%A7%D8%AA%D8%AD%D8%A7%D8%AF-%D8%A7%D9%84%D8%A3%D9%88%D8%B1%D8%A8%D9%8A-%D9%8A%D8%B9%D8%AA%D8%A8%D8%B1-%D8%A7%D9%84%D8%AA%D8%A3%D8%AC%D9%8A%D9%84-%D9%85%D8%AE%D9%8A%D8%A8%D8%A7-%D9%84%D9%84%D8%A2%D9%85%D8%A7%D9%84-%D9%88%D8%AD%D9%85%D8%A7%D8%B3-%D8%AA%D9%86%D8%AF%D8%AF-%D8%A8%D9%80-%D8%A7%D9%86%D9%82%D9%84%D8%A7%D8%A8-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D8%B4%D8%B1%D8%A7%D9%83%D8%A9>

refused to participate in these elections and prevented them from taking place in the Gaza Strip. At that time, Hamas argued that holding local elections would have "deepened the state of division and increased tension." Fatah on the other hand said that given the fact that the holding of comprehensive general elections was difficult, the least that could be done was to go ahead with local elections. In 2016, Hamas agreed to enter the elections and allow them to be held in Gaza, but no Gazan elections took place after the filing of appeals against six Fatah lists, all accepted by the Central Election Commission (CEC), leading to a decision by the High Court in Ramallah to allow the holding of elections in the West Bank but not in the Gaza Strip. In this case, the court's reasoning was the "absence of a legitimate judiciary, one formed according to the Basic Law and other relevant laws."

A breakthrough occurred in 2021 after a series of successful meetings between the CEC and the various Palestinian factions in the West Bank and Gaza Strip. All factions, including Hamas, agreed to hold general elections. The Palestinian President Mahmoud Abbas issued Decree No. 3 of 2021 on January 15 specifying the dates for the holding of legislative, presidential, and National Council elections in three stages.

Three months later, in April 2021, a presidential decree No. (12) of 2021 was issued, providing for the postponement of the general elections, where the first article stated "Postponement of the general legislative and presidential elections and the National Council ... until the conditions for holding them are met in all Palestinian territories, especially Jerusalem, the capital, in accordance with the provisions of the law."

Soon after that, the PA decided to hold local elections in the West Bank, including Jerusalem, in two phases. However, it was postponed in Gaza due to Hamas' objections. In a press release on March 13, 2022, Hamas stressed that "fragmented elections" promote the approach of authoritarianism and exclusion, and that there is no solution except through inclusive national and local elections based on consensus.⁶ Additionally, Hamas set three main conditions in order for it to allow the holding of elections for local bodies in the Gaza Strip. These included: first, that local elections should be part of the general elections, including parliamentary and presidential elections, and not a substitute for them; second, that there should be a written pledge from President Mahmoud Abbas to ensure that elections will not be cancelled at the last minute; and thirdly, for the president to retract the amendments he has made to the local elections law relating to the jurisdiction of the courts of first instance.

What can be gained by completing the local elections by holding them in the Gaza Strip

The right to participate: The holding of local elections enhances the chances of participation in the electoral process, the right to compete and vote, and restores dynamism to the Gaza Strip thus triggering greater activism and restoring hope in the face of the current stagnation. It can pump a new blood creating opportunities to address pressing issues and environmental problems in local bodies, and moves citizens from talking about wars and destruction to talking about hope and the future.

Easing tension and spreading hope among young people: Young people make up about two-thirds of Gaza's population (of two million people), none of whom participated in any elections whatsoever. The last local elections were held in the Gaza Strip in 2005. Depriving young people of participation in the

⁶ See, statement in al *Risalah*, 13 March 2022: <https://alresalah.ps/post/256993/%D8%AD%D9%85%D8%A7%D8%B3-%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D8%B2%D8%A3%D8%A9-%D8%AA%D8%B9%D8%B2-%D8%B2-%D9%86%D9%87%D8%AC-%D8%A7%D9%84%D8%AA%D9%81%D8%B1-%D8%AF-%D9%88%D8%A7%D9%84%D8%A5%D9%82%D8%B5%D8%A7%D8%A1>

selection of their representatives is a violation of the constitution; marginalizing young people and signaling to them their lack of importance, leading some of them to extremism and frustration.

The completion of local elections is a confidence building measure that could serve as a small step towards reconciliation: the completion of local elections will only take place in coordination between all relevant parties, namely the Palestinian government, CEC, and Hamas. It is a new phase, not a new round of elections, and it requires approval from all parties. It will also be completed within the laws governing the electoral process that has already been held in the West Bank without the Gaza Strip. Therefore, it must have the same specifications and procedures for any elections held in Palestine based on the laws in force. This development will enhance the dialogue between the Palestinian factions, especially Hamas, with CEC, the PA, and Fatah. Coordination for the participation of international and civil society election monitoring teams will also legitimize these elections. Although optimism about reconciliation may be far from real, the holding of these local elections in the Gaza Strip can be seen as a small confidence building measure that might improve the chances of holding general elections when time becomes ripe for that process to restart. The holding of local elections in the Gaza Strip will be the first successful sign of a joint national effort since the split in 2007 and might generate greater trust between the two sides of the split, Fatah and Hamas, and will likely reopen the door for dialogue to address the problems of holding general elections.

Local elections are a competition for service delivery and should not be politicized: Local elections are not as politicized as general elections, but are elections to renew legitimacy at the level of local administration and inject new blood, ideas and programs to serve the local community in service delivery sectors. Its results are expected to be acceptable even if Hamas wins, as the community of donors already deals with most municipalities in the Gaza Strip and with their Hamas-appointed heads. Several trade union elections have already been held with the participation of the Gaza Strip, the most recent of which was the Bar Association elections. All factions competed in the union elections and internal and external parties accepted the legitimacy of those elections and their results. All of this enhances the chances of holding local elections and reduces concerns about the international reaction regardless of their results, as the most members of the international community, which demands the holding of elections, will find it difficult to reject their results.

The difficulties of holding local elections in the Gaza Strip

Hamas' concerns: The most important challenge to holding local elections is Hamas' position as reflected in a letter it submitted to CEC. According to the CEC, Hamas has requested "written" guarantees to before it would allow local elections to take place in the Gaza Strip. These guarantees sought to ensure that the election will not be postponed in the last minute. CEC added that Hamas's letter also included issues related to the electoral law, namely: "abolishing the composition of the Election Court and restoring the jurisdiction to decide on appeals to the courts of first instance in the West Bank and Gaza Strip."⁷

Administrative and technical procedures for holding elections: There are legitimate questions and concerns about the technical and logistical aspects of holding elections in accordance with the existing laws. However, it should be noted that these issues and procedures are meant to facilitate, not

⁷ See, *al Sharq al Awsat*, 2 January 2022:

<https://aawsat.com/home/article/3394071/%D8%A7%D8%B3%D8%AA%D8%A8%D8%B9%D8%A7%D8%AF-%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1-%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AD%D9%84%D9%8A%D8%A9-%D9%81%D9%8A-%D9%82%D8%B7%D8%A7%D8%B9-%D8%BA%D8%B2%D8%A9>

complicate, the election process and that policy makers must show the required flexibility in putting them in place. Thus, when elections are desired and accepted by all parties, procedural and technical challenges should be addressed and overcome by consensus.

Conclusions

This paper argues that the holding of local elections in the Gaza Strip is essentially a completion of the election process that has already taken place but has not been implemented in that part of the Palestinian territory; it is not a separate electoral process. Moreover, it believes that success in this matter might trigger greater dynamism in the Gaza Strip turning it into a workshop on many levels, while strengthening the economy and community engagement. It might also produce greater dialogue and constructive debate instead of the state of tension, hate speech and despair prevailing today.

Based on a review of the motives and difficulties, the paper also considers that holding local elections is a viable and practical option and may even constitute a small bridge towards Palestinian reconciliation. The completion of the municipal elections strengthens the cohesion of the Gaza Strip with the northern governorates in the West Bank and achieves a tangible interest for the Palestinian Authority and the presidency. These elections are also in Hamas' interest in terms of easing societal tensions, addressing the phenomena of extremism and frustration, and easing the burdens of local government administration. They can also serve as a signal of Hamas' commitment to pluralism, which will greatly help it gradually return to the formal Palestinian political system.

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