Hamas’ uncompromising demands

written by Meir Ben Shabbat | 13.06.2024

The five demands that Hamas has put forth in the negotiations for the release of the Israeli hostages are aimed at preserving its status as the dominant power in the Gaza Strip, allowing its members to emerge from hiding and resume their routine activities without fear of Israeli retaliation, enabling the reconstruction of its military capabilities, and capitalizing on the political gains from the war in the West Bank and the Palestinian Authority.

Hamas’ insistence on receiving international guarantees that Israel will not violate the terms of the deal is intended to maintain international involvement in the conflict, anticipating that pressure will be primarily directed toward Israel, serving Hamas’ interests at every stage.

The notion that Hamas could agree to a ceasefire for the exchange and then renew hostilities under some pretext to achieve its goals overlooks the dynamics inherent in such processes, which would effectively prevent such a scenario.

The key costs Israel would incur under the proposed deal include ending the war without destroying Hamas, allowing the reconstruction of its military capabilities in Gaza, creating conditions that enhance its standing in the West Bank, heightening risks due to the involvement of hundreds of released militants in terrorist activities, and potentially encouraging increased use of kidnappings by terrorist groups emboldened by the current outcome.

Moreover, on a psychological level, the deal would be perceived as a successful conclusion to the war Hamas imposed on Israel and a failure by the IDF to achieve its military objectives despite the prolonged fighting. Any decision by the government to support or reject the deal is legitimate, provided it is made with a sober assessment of the comprehensive advantages and risks it entails.

In response to US Secretary of State Antony Blinken’s accusation of obstructing efforts to reach an agreement, Hamas once again outlined its primary demands in exchange for releasing the captives: “A comprehensive agreement based on a permanent ceasefire, complete Israeli withdrawal from the Strip, return of displaced Gaza residents to their homes, reconstruction of the Strip, and a serious prisoner exchange deal.” The five demands outlined reveal Hamas’ strategic

objectives for the day after.

Irreversible cessation of hostilities

For Hamas, the cornerstone of any deal is an agreement on ending the war, leading to the withdrawal of Israeli forces to the pre-escalation lines and limiting Israel's ability to conduct counter-terrorism operations in Gaza. This would allow Hamas members to safely emerge from their hiding places, reorganize, restore their governance, and rebuild their capabilities.

Concurrent with the ceasefire and the withdrawal of Israeli forces, captives would be released in exchange for the release of Palestinian prisoners held in Israeli jails, displaced Gazans would be allowed to return to the Strip, and an internationally funded reconstruction process would commence.

Israel would not be able to resume hostilities after their cessation. In such a reality, and after the Israeli war machine has been shut down, it would be impossible to simply flip a switch and restart the fighting as if nothing had happened. Even in the face of ceasefire violations by Hamas, the international community would pressure Israel to resort to a "proportionate response." Domestically, too, it would be challenging to garner support for renewing the war, given the costs and the additional threats and challenges that would arise. The practical implication is that the war would effectively end with Hamas remaining the dominant force in Gaza and having achieved gains that would enhance its standing even in the West Bank and the Palestinian Authority.

No disarmament for Hamas

At Hamas' disposal would not only be a network of tunnels spanning dozens of kilometers but also the means to rapidly restore its local arms production industry. Combined with the substantial resources that would be introduced for civilian reconstruction, it is reasonable to assume that within a short period, Hamas could replenish its arms shortages. As long as Hamas remains the governing authority and the de facto ruler, no external party – neither Arab states nor international organizations – would be able to effectively monitor and prevent these risks.

Regarding the prevention of smuggling from Sinai into Gaza, without effective Israeli control over the Philadelphia Corridor and the Rafah Crossing, Israel

would be forced to rely on international arrangements, emphasizing security coordination with Egypt. Past experience does not inspire optimism for the future. Moreover, the inherently gradual nature of military buildup, occurring out of the spotlight, would hinder the application of pressure and allow for incremental adaptation to the evolving reality.

Return of displaced Gazans: Accepting tunnel reality

The extensive network of tunnels beneath residential areas in Gaza City provides Israel with justification for not allowing displaced Gazans to return to their homes and to continue considering these areas as "combat zones." This could have served as significant leverage for the Gazan population seeking to return to normalcy, pressuring Hamas. Israel's concession on this issue not only eliminates this source of pressure but may also be interpreted as tacit acceptance of this reality, which contradicts the concept of security demilitarization.

Consolidating power in the West Bank and PA

Hamas' insistence that militants from the West Bank released as part of the deal be returned to their homes rather than Gaza reflects not only the position of strength from which Hamas leaders are negotiating but also the organization's intent to leverage their release to enhance its political standing in the West Bank and the Palestinian Authority and, of course, to utilize their terrorist capabilities to strengthen its infrastructure in that area.

Continued action against Hamas necessary

At this juncture, Hamas' elaborate response has spared Israel from the in-depth discussion required regarding the implications of the deal on the table. Decision-makers face an unenviable task. Any decision they make will be a case of "woe to those who fashion me, and woe to those who birth me."

For now, it is prudent to continue and intensify efforts to dismantle Hamas' infrastructure, increase efforts to target Sinwar and other field commanders, work to eliminate Hamas leaders abroad who constitute the organization's political, media, and economic arm – for they are the ones who transform Hamas into a regionally influential entity. If we do not act against them, they will be central players in the reconstruction of Hamas in the Strip.

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