



## **Palestinian Elections Explainer**

will be updated regularly

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## I. The elections at a glance

- ⇒ On 15 January 2021, President Abbas issued a decree announcing **3 rounds of elections**:
  - \*22 May 2021 Palestinian Legislative Council (PLC) elections
  - \*31 July 2021 PA presidential elections
  - \*31 August 2021 Palestinian National Council (PNC) formation
  
- ⇒ The **legislative elections are expected to be postponed or cancelled** on Thursday night, 29.04.2021 due to the **issue of East Jerusalem voters**. Israel has not yet responded to the PA's request to allow voting and campaigning in East Jerusalem. Abbas called Jerusalem a "red line" and says elections cannot take place without Jerusalem. Critics say the PA uses East Jerusalem as a **pretext** to call off the elections out of fear Fatah might perform poorly in the elections if they go ahead.
  
- ⇒ 93 % of the 2.8 million eligible **voters** for the first two elections registered to vote.
  
- ⇒ **36 electoral lists** will participate in the legislative elections. Due to internal divisions, Fatah split into several lists, including one by **Nasser Al-Qudwa backed by the prominent Marwan Barghouti**. While participating in the legislative elections, **Hamass** will not participate in the presidential ones.
  
- ⇒ The official **election campaign** starts on 30 April 2021; the last date for a candidate/list withdrawal is 29 April 2021.
  
- ⇒ **Opinion poll** from early April 2021:  
44% of Palestinians believed the elections would be postponed vs. 39% who believed they would take place as scheduled.
  
- ⇒ Abbas' grip on power translated into an aggressive policy of ousting and **intimidating political challengers**. His main rivals are Marwan **Barghouti**, currently imprisoned by Israel, and Mohammed **Dahlan**, currently living in the UAE. Barghouti is the most popular candidate and has reportedly been discouraged to run for the presidency by Abbas' affiliates.

## II. The announced elections and the Palestinian Electoral System

### i. The 2021 elections

On 15 January 2021, the President of the Palestinian Authority (PA)<sup>1</sup> and Chairman of the Palestinian Liberation Organization (PLO)<sup>2</sup>, Mahmoud Abbas, enacted a presidential decree<sup>3</sup> stipulating the holding of elections in the summer of 2021. He announced three elections:

#### a. Palestinian Legislative Council (PLC) elections

The elections of the PLC are bound to take place on Saturday, 22 May 2021. The PLC is the legislative body of the PA and is composed of 132 elected members. It represents Palestinians living in the West Bank, the Gaza Strip, and East Jerusalem. The PLC has wide-ranging legislative authority with regard to internal matters<sup>4</sup>, limited by issues subject to the permanent status agreement<sup>5</sup> that has never been reached. According to the Palestinian electoral law, the PLC's term is of four years. However, the last PLC elections were held in 2006<sup>6</sup>.

#### b. Presidential elections

The presidential elections were announced to take place on Saturday, 31 July 2021. These elections will designate the head of the PA. The presidential term foreseen by the law is of four years, however, the last presidential elections were held in 2005. President Abbas has stayed in office after his term came to an end in 2009. According to the Palestinian electoral law, the President of the PA cannot be elected for more than two terms.

#### c. Palestinian National Council (PNC) formation

Abbas announced that the PNC, the legislative body of the PLO, is to be formed by 31 August 2021. The provisions governing the formation of the PNC are laid down in the PLO Fundamental Law (articles 5 and 6), whereby the PNC members are to be elected directly by the Palestinian people. If such elections should be impossible, the current PNC will remain in office until the holding of elections is again possible. In fact, to this date, PNC elections have not been held once; its current several hundred members are mostly appointed. The PNC is the PLO's highest authority and formulates policies and programs; its current speaker is Saleem Al-Zanoon. As a PLO organ, the PNC represents all Palestinians, including those outside the OPT,

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<sup>1</sup> The PA was established by the Oslo Accords (and hence the signature of the PLO) as a temporary, transitional body to deal with the powers and areas transferred to it by Israel. Initially it was to operate only during the 5-year interim period. Jurisdiction over internal matters, *de facto* also conducts foreign policy.

<sup>2</sup> The PLO is recognized internationally (including by Israel) as the sole legitimate representative of the Palestinian people, representing all the Palestinians, including those living outside the OPT. The PLO deals with broader decisions regarding the status of Palestine and conducts foreign relations but has no legal authority over internal local governance.

<sup>3</sup> <https://www.elections.ps/tabid/1127/language/en-US/Default.aspx>

<sup>4</sup> Internal matters referring to the PA's jurisdiction over the OPT, meaning excluding Area C.

<sup>5</sup> The permanent status agreement was going to conclude the Oslo peace process but due to the failure of the Camp David negotiations and the subsequent Second Intifada, such an agreement has never been reached.

<sup>6</sup> See Annex I for more information.

and its membership is not reduced to political parties. The PNC elections were discussed in a three-day meeting with over 200 Palestinian figures from 26 different countries in early March 2021. The Popular Conference for Palestinians Abroad (PCPA) called on the participation of Palestinians in the diaspora<sup>7</sup> in the PNC election<sup>8</sup>. The topic was also addressed in the second round of Cairo talks a few days later. Since there is no past model of PNC elections and their implementation seems unfeasible, it is highly unlikely that they should take place. Therefore, this paper will mostly focus on the elections for the PA posts and, unless specified otherwise, the terms "legislative" and "presidential" will refer to the elections of the PLC and the President of the PA respectively.

## ii. The legal framework and the electoral system

The setting up of 'free and fair' elections in the OPT finds its roots in the Declaration of Principles within the framework of the Oslo Accords<sup>9</sup>. The amended 2003 Basic Law (drafted by the PLC and ratified by then-President Arafat), serving as a quasi-constitution, adopts the Oslo Accord's draft of Palestinian elections and establishes a semi-presidential regime in the OPT. The amended Basic Law of 2003 and its amendments of 2005 (hereinafter 'Palestinian Basic Law') constitute the basis of today's Palestinian legal and political organization. With regard to the electoral system, a series of Election Laws and their amendments have governed passed elections. Currently, the *Decree Law<sup>10</sup> No. (1) of 2021 amending Decree Law No. (1) of 2007 of General Elections* and the *Election Law by Decree of 2007* lay down the provisions for the holding of general (presidential and legislative) elections.

Main features of the electoral system's current form include the **closed list proportional representation system for general elections** and the **two-round system for presidential elections**. The threshold for entering the PLC stands at 1,5%<sup>11</sup>; the quota for female representation in the PLC is 26%. In order to participate in the presidential and/or legislative elections, the eligible voter has to be registered in the final voters registry, be Palestinian, at least 18 years of age, have lived at least one year in the OPT<sup>12</sup> and not hold Israeli citizenship. A list's candidate must be at least 28 years old, a permanent resident within the OPT, not be convicted of a crime or felony, and has to have resigned from potential ministerial or State employee functions<sup>13</sup> and NGO and public body positions in order to be able to run, constituting

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<sup>7</sup> Currently over 6 million: <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2779/Elections-in-Palestine-An-article-by-Hanna-Nasir.aspx>

<sup>8</sup> <https://www.middleeastmonitor.com/20210309-palestinians-in-exile-should-vote-in-election-for-national-council/>

<sup>9</sup> Article 3 of the DoP (1993):

[https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS\\_930913\\_DeclarationPrinciplesnterimSelf-Government%28Oslo%20Accords%29.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_930913_DeclarationPrinciplesnterimSelf-Government%28Oslo%20Accords%29.pdf)

Subsequently developed in Annex II to the Oslo II Agreement (1995):

<https://www.peaceagreements.org/viewmasterdocument/984>

<sup>10</sup> A decree-law is a presidential decree holding the force of a law enacted by the legislature.

<sup>11</sup> [https://ecfr.eu/special/mapping\\_palestinian\\_politics/legislative-elections/](https://ecfr.eu/special/mapping_palestinian_politics/legislative-elections/)

<sup>12</sup> <https://www.elections.ps/tabid/1137/language/en-US/Default.aspx>

<sup>13</sup> <https://www.elections.ps/tabid/1146/language/en-US/Default.aspx>

wide-ranging restrictions that are widely criticized<sup>14</sup>. A list nomination must include a signed list of 3000 eligible voters as well as a bank bond certifying the guarantee deposit of 20,000 USD<sup>15</sup>. The final list of running candidates is published 22 days prior to election day, marking the beginning of the official electoral campaign. The elections are organized by the Central Election Commission (CEC), an institution established by the Oslo Accords<sup>16</sup> whose members are appointed by the PA.

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<sup>14</sup> <https://en.pngoportal.org/post/3305/Position-paper-by-civil-society-organizations-regarding-the-amendment-of-Charitable-Associations-and-Civil-Society-Organizations-Law>; <https://www.reuters.com/article/us-palestinians-election-youth-idUSKBN2BS141>

<sup>15</sup> Ibid.

<sup>16</sup> Oslo II, Annex II, Article 1(3)

### III. Overview: the latest developments

#### i. Background

The intra-Palestinian rift between Fatah and Hamas and the continued disagreement between the two that has governed their relationship for the most part since the 2007 - major fallout have greatly contributed to the absence of elections since 2006. All of the election promises made since then fell through. Towards the end of 2019, Fatah and Hamas seemed (once again) to have agreed on holding elections in the near future, although still divided over matters relating to East Jerusalem voters. Abbas refused to issue a presidential decree announcing an election date until Israel would guarantee East Jerusalemites' permission to vote. Hamas and other critical observers saw in Abbas' reservation to move forward an attempt to escape the elections altogether. Be it as it may, the arrival of the Covid-19 pandemic naturally disrupted the alleged election plans.

#### ii. The lead-up to the presidential decree

Nevertheless, some (mostly symbolic) action was taken to maintain the illusion of upcoming elections. In April 2020, Abbas issued a presidential decree to reconstitute the CEC, headed by Hanna Nasser. In a meeting of the Palestinian Factions in September 2020, joint agreement on the holding of free and fair elections according to proportional representation was reiterated<sup>17</sup>. In his speech before the UNGA later that month, Abbas said that he was preparing for elections<sup>18</sup>. Talks between Hamas and Fatah representatives took place in Istanbul and Cairo. Following a reconciliation letter by Hamas early January 2021, Abbas met with Nasser, the CEC chairman, to discuss elections. Shortly afterwards, Abbas adopted a decree-law amending the 2007 election law introducing some important changes that, together with previous judicial reforms infringing upon judicial independence, may facilitate Abbas' cling to power. On 15 January 2021, Abbas issued a presidential decree on holding general elections which constitutes an essential step towards the materialization of elections that was reached only once in all of the past election promises<sup>19</sup>, fueling hope that this time, decision-makers were serious about holding elections. Following Abbas' announcement of general elections, members of the international community welcomed the decision and offered their support; the CEC started its preparations. Palestinian stakeholders have continuously called on the international community to pressure Israel into allowing East Jerusalemites to vote.

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<sup>17</sup> <http://www.plo.ps/en/article/190/%2004/09/>

<sup>18</sup> <https://english.wafa.ps/Pages/Details/120336>

<sup>19</sup> Such a decree was also issued in 2009, calling for general elections in early 2010 that never came to fruition, <https://www.elections.ps/tabid/335/language/en-US/Default.aspx>

### iii. Important legal changes and their political repercussions

Some of the important changes introduced by the decree-law of January 2021 **amending the Palestinian Election Law** include:

- Changes to the **presidential candidacy requirements**, now including a certificate of *no criminal record*. Officially, all introduced changes "aim to overcome all obstacles related to the electoral process"<sup>20</sup>. In reality, they seem to undermine the opposition's prospects of success. Dahlan, one of Abbas' main rivals has been stripped of his parliamentary immunity by Abbas and subsequently convicted in absentia for embezzlement by a court instituted by the President.

Another prime example of past efforts to reshape the election law in Abbas' favor was his 2007 decree-law changing the electoral system from a mixed one to a purely proportional one<sup>21</sup> following the 2006 legislative elections that revealed that Fatah did much better in the latter system than in the former and its rival Hamas vice versa<sup>22</sup>.

- The **requirement for PLC candidates** to be committed to the *Amended Basic Law of 2003 and its amendments*, substituting the previous requirement "to uphold the PLO as the sole legitimate representative of the Palestinian people and the *Declaration of Independence Document* in addition to the provisions of the *Basic Law*". This modification is a clear olive branch directed at Hamas and Islamic Jihad who are not (yet) members of the PLO and openly objected its readiness to compromise in the Oslo Peace talks, possibly indicating an intra-Palestinian peace effort that may come at the expense of a further worsening of Palestinian-Israeli relations. It should be noted that the amendment only addresses the PLC candidacy, leaving the requirement for presidential candidates to uphold the PLO as sole legitimate representative unchanged.
- The allowing of **non-simultaneous elections** (legislative and presidential) as agreed upon in talks between Fatah and Hamas in 2020. During the 2019 election talks Hamas still rejected the untangling of the two. The consecutive holding of the two elections seems to be designed to buy the PA head time in case of unfavorable PLC election results. The 10 week-gap could allow Abbas to shift his strategy with a view to holding onto the presidency<sup>23</sup>.
- The **rise of the quota for women's representation** in the PLC from 20% to 26%, deemed a step into the right direction by some women's organization but falling short of the 30% lobbied for<sup>24</sup>.

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<sup>20</sup> <https://english.wafa.ps/Pages/Details/122816>

<sup>21</sup> *Election Law by Decree 2007*, Article 4 ("complete proportional representation system") annulling *Election Law No. 9 of 2005*, Article 3 ("mixed electoral system (...) relative majority (...) and proportional representation").

<sup>22</sup> <https://www.elections.ps/Portals/0/pdf/The%20final%20distribution%20of%20PLC%20seats.pdf>

<sup>23</sup> <https://www.mei.edu/publications/how-palestinians-agreed-elections>

<sup>24</sup> <https://themedialine.org/life-lines/palestinian-women-say-planned-increase-in-legislative-council-representation-not-enough/>

- Changing all references of "National Authority" and "Chairman of the National Authority" to "State of Palestine" and "President of the State of Palestine" - a symbolic change the meaning of which should not be underestimated. First, equating the PA with the State of Palestine illustrates the PA's gradual *de facto* taking over of powers *de jure* belonging to the PLO. Second, such a move seems to, even if not intentionally, sideline the Palestinians in the Diaspora. Because the PA represents only those living in the OPT, those are the only ones who will elect its president. By calling him/her the President of the State of Palestine, the importance of the political opinions of those Palestinians living in the Diaspora with regard to their State appears degraded<sup>25</sup>.

In addition to the amendments of the Election Law, **amendments of the Judicial Authority Law** of 2002 as well as two decree-laws pertaining to the formation of regular and administrative courts may not leave the elections unaffected. The president-made changes mainly strengthen the executive authority's involvement in the judiciary, for example by

- enabling the President of the PA to appoint presiding judges and their deputies at high instance courts (instead of following the independent recommendation by the High Judicial Council - which Abbas dissolved in 2019 and replaced by the Transitional High Judicial Council);
- abolishing a number of securities previously enjoyed by judges, such as the immunity from dismissal, the lowering of the retirement age, and the High Judicial Council's ability to force judges to retire even before that age (over 40 judges have already been dismissed under these provisions). An exception was made for the 85-year-old Supreme Court President and head of the High Judicial Council Issa Abu Sharar<sup>26</sup>;
- establishing administrative courts "subordinate to the executive"<sup>27</sup> with the authority to hear petitions against official institutions and government entities, including the General Elections Committee. The PA President appoints the administrative courts' president, deputy, and all judges on the appellate level. In practice, these new courts may eliminate the High Court of Justice<sup>28</sup>.

These decrees were issued within the context of a wide-ranging interference policy by Abbas that included the establishment of a president-friendly Constitutional Court<sup>29</sup> in 2016 and the forcing into retirement of all 35 Palestinian Supreme Court judges in 2019<sup>30</sup>. The introduced changes are claimed to violate the Judicial Authority Law and the Palestinian Basic Law (art. 98)<sup>31</sup> as well as the basic legal principle of the separation of powers. Given the increase of

<sup>25</sup> <https://www.middleeasteye.net/opinion/edit-abbas-decree-palestinian-elections-raises-questions>

<sup>26</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-sparking-election-fears-abbas-tightens-grip-on-palestinian-court-system-1.9492477>

<sup>27</sup> <https://ichr.ps/en/1/26/3050/A-Statement-issued-by-the-National-Coalition-for-Judicial-Reform-and-Protection-and-the-Independent-Commission-for-Human-Rights--ICHR-regard.htm>

<sup>28</sup> Ibid.

<sup>29</sup> <https://www.reuters.com/article/us-palestinians-abbas-court-idUSKCN0X816B>

<sup>30</sup> <https://www.alhaq.org/advocacy/14779.html>

<sup>31</sup> Ibid.



presidential power enabled through these decrees, their timing (publication four days prior to the call for general elections) appears to be particularly questionable. In the end, due to the establishment of the Elections Court early March, the possibilities for Abbas' abuse of power via his judicial system seem now rather limited.

#### iv. Cairo talks

##### a. First round (08.02.-09.02.2021)

During a two-day meeting in Cairo in early February (08.02. - 09.02.2021), 14 Palestinian factions discussed the upcoming PA legislative and presidential elections, agreeing to abide by the elections timetable set by Abbas' presidential decree of 15 January 2021. Islamic Jihad announced that it will boycott the elections because of its disapproval of the PLO's agreements with Israel but it pledged not to obstruct the electoral process<sup>32</sup>. The discussion of the PLO's PNC elections was postponed to a second round of talks that took place in March<sup>33</sup>. According to a joint statement, the factions...

...agreed upon:

- The establishment of an **independent elections court** with judges from the West Bank, Gaza, and East Jerusalem that will solely be competent to adjudicate in election-related matters. On 1 March, Abbas issued a presidential decree establishing such a court, headed by Iman Naser Al-Deen, a senior judge at the High Judicial Council<sup>34</sup>. According to the decree, the Court will consist of eight judges from the West Bank and from Gaza, "exclusively responsible for whatever is related to the electoral process, its results and any disputed issues"<sup>35</sup>.
- The immediate release of **political prisoners**. The implementation of this point has been bumpy to say the least<sup>36</sup>.
- Allowing **campaigning** of all factions in all of the OPT (*note*: Israel is not expected to allow Hamas' campaigning in East Jerusalem). On 20 February 2021, Abbas adopted a Decree promoting public freedoms<sup>37</sup> to translate this agreement into domestic law. The legally granted freedoms seem to be out of sync with the reality on the ground as many non-Fatah

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<sup>32</sup> <https://www.jpost.com/israel-news/islamic-jihad-to-boycott-palestinian-vote-658841>

<sup>33</sup> <https://www.timesofisrael.com/fatah-and-hamas-agree-on-terms-of-1st-palestinian-election-in-15-years/>

<sup>34</sup> <https://www.aa.com.tr/en/middle-east/palestinian-leader-orders-new-court-for-electoral-cases/2160967>

<sup>35</sup> <https://www.jpost.com/middle-east/palestinian-election-coronavirus-fatah-strife-may-delay-vote-660583>

<sup>36</sup> <https://www.al-monitor.com/pulse/originals/2021/02/palestinian-elections-obstacles-hamas-fatah-division.html>

<sup>37</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2657/CEC-Welcomes-Presidential-Decree-Promoting-Public-Freedoms.aspx>

candidates complained about an “unfree environment for elections”<sup>38</sup>, materializing in “harassment, (...) pressure”<sup>39</sup> and even attacks<sup>40</sup>.

...did not agree upon / only vaguely commented issues relating to:

- Security: Generally speaking, Fatah and Hamas regard each other's police as illegitimate<sup>41</sup>. The Cairo talks agreed that polling will be secured by the "**Palestinian police**". One source (Reuters<sup>42</sup>) interprets this very vague statement to mean Fatah police guarding voting sites in the WB and Hamas police deployment in Gaza.
- **East Jerusalem** issue. The factions merely expressed the need for holding elections in all of the OPT but did not come up with plans on how to achieve voting in East Jerusalem.
- No further information regarding the possibility of a **Fatah-Hamas joint list**.
- No official plans on how to successfully hold elections without deteriorating **relations with the West** in the light of the expected participation of a political faction, Hamas, that is considered a terrorist group by an overwhelming majority of Western (donor) countries.
- No mentioning of how to overcome the extraordinary **pandemic**-caused circumstances in which elections are to take place
- **No guarantees** other than verbal affirmation for the respect of the election outcome and a secured transfer of powers / post-elections transition
- Form and conditions of a **Fatah-Hamas reconciliation** agreement
- Generally speaking, most of the issues have been postponed until after the elections and the possible formation of a unity government.

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<sup>38</sup> <https://www.timesofisrael.com/ahead-of-palestinian-vote-west-bank-homes-of-2-candidates-hit-by-gunfire/>

<sup>39</sup> <https://www.jpost.com/middle-east/marwan-barghouti-to-run-in-pa-presidential-election-665240>

<sup>40</sup> <https://www.timesofisrael.com/ahead-of-palestinian-vote-west-bank-homes-of-2-candidates-hit-by-gunfire/>

<sup>41</sup> <https://www.timesofisrael.com/fatah-and-hamas-agree-on-terms-of-1st-palestinian-election-in-15-years/>

<sup>42</sup> <https://www.reuters.com/article/palestinians-politics-election-int-idUSKBN2A92OL>

b. Second round (16.03.-17.03.2021)

Despite the PLO's attempt to postpone the second round of talks due to an alleged absence of fundamental issues to be discussed<sup>43</sup>, the talks went ahead and Palestinian factions, as well as PNC and CEC representatives came together in Cairo to further discuss the upcoming elections.

The overall outcome is modest, factions merely emphasized the importance of "territorial integrity politically and legally"<sup>44</sup>. Two elements of the second round of talks are:

- The signing of a "**code of conduct**" according to which all parties pledge to comply with relevant legal provisions and CEC instructions as well as to respect the election results<sup>45</sup>
- The discussion of the **formation of the PNC** as part of activating the PLO<sup>46</sup>. Addressed topics seem to include the mechanisms of formation and the number of its members. Hamas and the Islamic Jihad Movement, both not (yet) members of the PLO/PNC, were reportedly particularly insistent on reaching an agreement pertaining to the PNC's elections before the legislative polls. It is understood that both Hamas and Islamic Jihad, which has announced boycotting the legislative election, seemingly seek to participate in the PNC's<sup>47</sup>.

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<sup>43</sup> <https://english.aawsat.com/home/article/2836441/plo-factions-seek-postpone-national-dialogue>

<sup>44</sup> <https://www.aa.com.tr/en/middle-east/palestinian-groups-conclude-talks-in-cairo/2179536>

<sup>45</sup> <https://www.arabnews.com/node/1830646>

<sup>46</sup> Ibid.

<sup>47</sup> <https://english.aawsat.com/home/article/2847421/cairo-invites-palestinian-factions-resume-talks-elections;>  
<https://hamas.ps/en/post/3319/Hamas-holds-internal-consultations-in-preparation-for-elections>

## IV. Challenges and obstacles

Since 2007 Fatah and Hamas have gone through multiple reconciliation talks, some of which included election promises, and all of which fell through. The latest rapprochement between the two sides debuted in October 2020 in Istanbul. Many obstacles may yet again impede the 2021 election promise. The so-called *national dialogue* that took place in Cairo aimed at "overcome(ing) the last of the hurdles that stand in the way of holding elections"<sup>48</sup>. After two rounds of talks praised by some as successful<sup>49</sup> and criticized by others as empty talks postponing pressing issues<sup>50</sup>, there are, in fact, many remaining hurdles affecting the likelihood of elections, including:

### i. East Jerusalem voting

#### a. The stakes and legal obligations

The role of East Jerusalem in Palestinian elections is a highly symbolic and identity-related issue. While Palestinians view East Jerusalem as their future capital, Israel annexed it illegally in 1980, declaring it the undivided capital of Israel<sup>51</sup>. Many Palestinians fear that not holding elections in East Jerusalem would equal a recognition of the Jewish claim over the city. Israel, on the other hand, is not keen on allowing Palestinian electoral activity (including campaigning and voting) in Jerusalem because that would amount to acknowledging at least some Palestinian entitlement to the city. According to the Oslo Accords II (article 2(3)) reached between the PLO and Israel in 1995, Israel is under a legal obligation to recognize Palestinian Jerusalemites' right to participate in the elections<sup>52</sup>. The Oslo Accords foresee Palestinian voting at Israeli post offices in Jerusalem. Their current total capacity is of 6,300 voters (4,2% of Jerusalem's eligible Palestinian voters).

Some 350,000 Palestinians live in East Jerusalem<sup>53</sup>, roughly 150,000 of which are eligible voters<sup>54</sup>. Around 60 Jerusalemites are PLC candidates<sup>55</sup>. The CEC has come up with a technical potential solution for voting at 11 ballot boxes outside the municipality boundaries, not subject to Israeli approval.<sup>56</sup>

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<sup>48</sup> Ibid.

<sup>49</sup> E.g., Palestinian Foreign Minister, Riyad Al-Maliki: <https://www.aa.com.tr/en/middle-east/intra-palestinian-talks-in-cairo-successful-premier/2138123>

<sup>50</sup> E.g., Hani Al-Masri: [http://passia.org/media/filer\\_public/9e/e7/9ee7a41f-e7b0-4c16-91db-348383def88b/hani\\_masri\\_-\\_palestinian\\_elections.pdf](http://passia.org/media/filer_public/9e/e7/9ee7a41f-e7b0-4c16-91db-348383def88b/hani_masri_-_palestinian_elections.pdf)

<sup>51</sup> [https://www.knesset.gov.il/laws/special/eng/basic10\\_eng.htm](https://www.knesset.gov.il/laws/special/eng/basic10_eng.htm)

<sup>52</sup> [https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS\\_950928\\_InterimAgreementWestBankGazaStrip%20OsloII%29.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_950928_InterimAgreementWestBankGazaStrip%20OsloII%29.pdf)

<sup>53</sup> <https://www.timesofisrael.com/eu-accuses-israel-of-ignoring-request-to-observe-palestinian-elections/>

<sup>54</sup> <https://apnews.com/article/israel-jerusalem-middle-east-elections-mahmoud-abbas-ab5c7a3b19e99e41ff6b842edd0680e5>

<sup>55</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2775/Elections-in-Jerusalem.aspx>

<sup>56</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2775/Elections-in-Jerusalem.aspx>

b. The evolution of the issue's place in the election debate

Since the very moment of the presidential decree's publication calling for elections in January 2015, various Palestinian stakeholders stressed the importance of the inclusion of East Jerusalem in the electoral process. In February, the PA sent a letter to the Israeli government pertaining to the holding of elections in East Jerusalem, requesting that Israel would allow campaigning and voting in East Jerusalem<sup>57</sup>. According to the Palestinian Civilian Affairs Minister, Hussein Al-Sheikh, Israel's initial reply had been that "they will not give an answer before the Israeli parliamentary elections"<sup>58</sup>. Even after the Israeli elections (23 March 2021) and with only very few days left before the official start of the election campaign (30 April 2021), there is still no official Israeli stance and no reply to the request regarding East Jerusalem voting<sup>59</sup>.

The PA has also, since the beginning, undertaken continued efforts to mobilize the international community in favor of ensuring democratic elections in all of the OPT, including East Jerusalem. In fact, the Palestinian Foreign Minister, Riyad Al-Maliki, left for Europe on 18 April 2021 in order to persuade European partners to pressure Israel into allowing electoral activity in East Jerusalem<sup>60</sup>. So far, many countries' responses have been limited to the publication of official statements demanding an affirmative Israeli response to the Palestinian request. An EU request to access the OPT via Israel for an exploratory mission has been left unanswered by the Israelis<sup>61</sup>.

While East Jerusalem voting has been an issue from the beginning, it turned into a *sine qua non* condition only very recently, when a number of Palestinian politicians referred to East Jerusalem's participation in the upcoming elections as a "constant and uncompromised position"<sup>62</sup> (Izzat Al-Rishq, Hamas Politburo member). Fatah Central Committee member Azzam Al-Ahmad also confirmed that all the factions agree that "there will be no elections without Jerusalem"<sup>63</sup>. This paved the way for the current debate on a potential postponement or cancellation of the election. In the last few days, the East Jerusalem issue has gained momentum and turned into the single most discussed topic in relation to the impending elections and their potential annulment. On 18 April 2021, Hatem Abdel Qader, member of the Executive Council, was the first Fatah official to publicly admit a **potential postponement of the elections in the absence of an Israeli decision to allow East Jerusalem's participation**<sup>64</sup>. Two days later, a senior adviser to Abbas, Nabil Shaath, was even clearer when he said, "the electoral process will be postponed" if Israel continues to ignore the PA request to allow elections in East Jerusalem<sup>65</sup>. At a Fatah Central Committee meeting on Monday, 26.04.2021, Abbas called Jerusalem "a red line"<sup>66</sup>, announcing that no elections can be hold without the

<sup>57</sup> <https://jcpa.org/the-palestinian-authority-tries-to-bully-israel-on-the-jerusalem-issue/>

<sup>58</sup> <https://theArabweekly.com/will-jerusalem-provide-excuse-postpone-palestinian-elections>

<sup>59</sup> <https://www.aa.com.tr/en/middle-east/no-palestinian-elections-without-jerusalem-hamas/2198993>

<sup>60</sup> <https://english.aawsat.com/home/article/2927251/maliki-kicks-european-tour-discuss-palestinian-elections>

<sup>61</sup> <https://www.timesofisrael.com/eu-accuses-israel-of-ignoring-request-to-observe-palestinian-elections/>

<sup>62</sup> <https://www.aa.com.tr/en/middle-east/no-palestinian-elections-without-jerusalem-hamas/2198993>

<sup>63</sup> <https://english.wafa.ps/Pages/Details/123880>

<sup>64</sup> <https://www.israelhayom.com/2021/04/19/palestinian-elections-to-be-postponed/>

<sup>65</sup> <https://www.timesofisrael.com/abbas-adviser-palestinian-elections-very-likely-to-be-postponed/>

<sup>66</sup> <https://apnews.com/article/middle-east-jerusalem-government-and-politics-5a98e06f4d1ea3ae15223695589c6c04>

participation of Jerusalem. Some sources claim that Abbas informed the EU, Jordan, and Egypt about his decision to postpone the elections<sup>67</sup>, following which the EU requested he delay the announcement of his decision till Thursday so that they could pressure Israel into allowing the elections going forward. Hence, on Tuesday, 13 EU ambassadors met with Alon Bar, the head of the Israeli Foreign Ministry's political department<sup>68</sup>. Bar claimed Israel was concerned about Hamas' participation in the election and the increased violence, but that Israel has no intention of interfering with the Palestinian elections or preventing them from happening. Israel refused to further comment on the issue, leaving room for interpretation whether "not preventing" the elections means allowing them or not. It is likely that Israel continues to ignore the request, resulting in a de facto prohibition of East Jerusalem electoral activity. Israel officially views the Palestinian elections as an "internal Palestinian matter"<sup>69</sup> despite the undeniable dependence on Israeli permission. Hussein Al-Sheikh, Minister of Civil Affairs and Fatah Central Committee member, claims that Israel informed the Palestinian leadership that "the Israeli position on holding elections in East Jerusalem remains negative"<sup>70</sup>. On Thursday, 29.04.2021, Palestinian leaders and factions will hold a meeting to "discuss" the elections. It is expected that Abbas either announces an **indefinite postponement** of the elections, citing the East Jerusalem issue as a pretext, **or calls them off altogether**.<sup>71</sup>

c. Different reactions to the postponement talk

The talk of postponement has unleashed a wide range of heated reactions. Despite the consensus among Palestinians that, ideally, East Jerusalem should be included in the vote, there are different stances on the questions of *postponement* and *alternative voting* in the event of Israel's continued refusal to cooperate:

- The majority of the political factions object the postponement idea claiming that after 16 years without elections Palestinians deserve an opportunity to elect their leadership.<sup>72</sup> They view the postponement/cancellation talk as Fatah's way out of the elections, fearing a poor performance if they go ahead.
- For some, especially PA and Fatah affiliates, the elections are important but should not come "at the cost of giving up Jerusalem"<sup>73</sup>, emphasizing the centrality of the Jerusalem issue for Palestinian statehood and identity. Already during the 2019 talks suggesting the holding of elections in the OPT, Fatah insisted they could only take place if Israel guaranteed that East Jerusalemites would be allowed to vote. Critics believe that Fatah's stance on the East Jerusalem issue is tightly correlated to how well Fatah thinks it will do in the elections.

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<sup>67</sup> <https://www.ynetnews.com/article/HktBvcHPu> citing the Lebanese Al-Akhbar newspaper

<sup>68</sup> <https://www.aa.com.tr/en/middle-east/israel-not-trying-to-thwart-palestinian-elections/2222744>

<sup>69</sup> <https://english.wafa.ps/Pages/Details/123771>

<sup>70</sup> <http://english.wafa.ps/Pages/Details/124230>

<sup>71</sup> <https://apnews.com/article/middle-east-jerusalem-government-and-politics-5a98e06f4d1ea3ae15223695589c6c04>

<sup>72</sup> <https://themedialine.org/top-stories/palestinian-election-postponement-announcement-expected/>

<sup>73</sup> <https://www.memri.org/reports/palestinians-concerned-israeli-ban-holding-palestinian-authority-elections-east-jerusalem>

- Others favor taking advantage of existing alternative voting options, such as voting outside the municipality boundaries. Their general position is that the holding of elections after 15 years and weeks and months of intense preparation is essential to bridge internal divisions and move forward. To let yet another election promise fall through would cause massive turmoil within the Palestinian society further kindling frustration and anger in midst of heightened tensions between Palestinians and Israeli security forces<sup>74</sup>. Muhammad Abd Al-Hamid, a columnist for Al-Ayyam, adds that a last-minute postponement or cancellation due to the Jerusalem issue would amount to “(letting) the occupation state decide whether the elections will be held or not”<sup>75</sup>.
- The Palestinian public despite its diverse character is perceived as generally “worried” that Fatah might postpone the elections using the East Jerusalem issue as a mere pretext.<sup>76</sup> After four very challenging years of Trump Administration, Biden and the election promise (that has unfolded much further than past ones) both came as a sign of hope for change in the eyes of many. It seems that people might not go back to business as usual if these elections get cancelled. According to a three-monthly opinion poll conducted by the PCPSR, the percentage in favor of going ahead with the elections even if voting in East Jerusalem is denied by Israel has increased over the last few months and stands now at 65%. The rejection of this idea has decreased to 27%<sup>77</sup>.
- Another group, represented mainly by Hamas, calls for the use of “every way and every means” (Nasser Abd Al-Jawad)<sup>78</sup> to hold elections in all of the OPT. Even in the event of an Israeli refusal to allow electoral activity in East Jerusalem, such should take place, cumulating in an open confrontation with Israel. In fact, Hamas has warned the PA that any postponement would greatly hamper the restoration of unity and “push the Palestinian people into the unknown” (Khalil Al-Hayya, Hamas)<sup>79</sup>. Hamas said the Thursday meeting (29.04.2021) should be used to “discuss (...) how to conduct the election in Jerusalem” and not to “discuss a delay” (Hazem Qassem)<sup>80</sup>.
- It seems that there is generally speaking little support for the proposal to conduct balloting inside UN offices / European consulates. Jerusalem bearing major symbolic importance, the idea of polling on “neutral territory” is interpreted by some as “an escape, not a solution to the problem” (Hatem Abdel-Qader, member of the Fatah Revolutionary Council)<sup>81</sup>.

<sup>74</sup> <https://www.timesofisrael.com/fresh-clashes-erupt-between-israeli-forces-palestinians-in-old-city-west-bank/>

<sup>75</sup> <https://www.aa.com.tr/en/middle-east/palestinian-elections-in-jerusalem-face-3-scenarios/2203465>

<sup>76</sup> <https://www.jpost.com/middle-east/marwan-barghouti-to-run-in-pa-presidential-election-665240>

<sup>77</sup> <https://www.pcpsr.org/sites/default/files/Poll%2079%20English%20press%20release%20March%202021.pdf>

<sup>78</sup> <https://www.memri.org/reports/palestinians-concerned-israeli-ban-holding-palestinian-authority-elections-east-jerusalem>

<sup>79</sup> <https://www.algemeiner.com/2021/04/22/hamas-postponement-of-palestinian-elections-will-push-people-into-the-unknown/>

<sup>80</sup> <https://www.reuters.com/world/palestinian-elections-appear-headed-delay-amid-jerusalem-dispute-fatah-2021-04-27/>

<sup>81</sup> <https://www.aa.com.tr/en/middle-east/palestinian-elections-in-jerusalem-face-3-scenarios/2203465>

d. The East Jerusalem issue in past elections

In the 2006 elections, Israel refused to let East Jerusalemites cast their vote until 11 days prior to election day, when an agreement was reached that some voting (around five percent of all of the eligible voters residing in Jerusalem at that time) could take place at postal offices within the municipal boundaries. Others had to travel outside of Jerusalem to cast their votes. Standards were inadequate, many voters who had acquired a ticket allowing them to vote in Jerusalem arrived at their postal office on polling day to find out that their names had been registered on the list of a post office much further away. Even though eventually solutions were found to allow turned away voters to cast their ballots, poor communication and overall confusing and changing instructions contributed to the fact that in past elections "Jerusalem district recorded the lowest turnout"<sup>82</sup> of all 16 districts. Candidates in Jerusalem were detained by Israeli police, campaigning at Damascus Gate was prevented, the use of Palestinian symbols was banned, and fines were imposed for putting up campaign posters. Hamas was not allowed to campaign in East Jerusalem.<sup>83</sup>

e. Final considerations

The change from a mixed electoral system to a purely proportional one may take some pressure of the Jerusalem issue from a legal point of view because elections could be run, theoretically, without any Jerusalem representative. On the other hand, that would clearly undermine the rights of Palestinian residents of Jerusalem, potentially leaving them with no representation in the PLC. But even if voting was made possible, Palestinian Jerusalemites might be reluctant to participate in elections, for example out of fear that by doing so, they might risk Israel revoking some of their rights<sup>84</sup>.

ii. **A road map to impede a repetition of 2006/2007**

With Fatah's split into several lists ahead of the legislative elections, fear arises among many observers that Hamas (running on one unified ticket) stands good chances of securing yet another election victory. A reintegration of Hamas into the PA system as a strong – or potentially *the strongest* – player is a nightmare scenario for Israel, the West, and other Middle Eastern powers. While Hamas is categorized as a terrorist group by the former two, the latter fear such a victory could "spell momentum for other Islamist political groups" in the region<sup>85</sup>. To mitigate such an undesirable outcome in the eyes of many (including Fatah), the Fatah-Hamas joint list proposal was put onto the table, which might have assured Fatah to get 10 more seats than Hamas in order to at least impede a Hamas-dominated government<sup>86</sup>. The joint list idea did not translate into reality leaving Palestinians, Israelis and the world confronted with a

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<sup>82</sup> [https://www.ndi.org/sites/default/files/2068\\_ps\\_elect\\_012506.pdf](https://www.ndi.org/sites/default/files/2068_ps_elect_012506.pdf)

<sup>83</sup> Ibid.

<sup>84</sup> <https://themedialine.org/by-region/the-jerusalem-dilemma-and-the-palestinian-elections/>

<sup>85</sup> Ofer Zalzburg of the Kelman Institute for Conflict Transformation, cited in:  
<https://www.ynetnews.com/article/SyLdQuTl00>

<sup>86</sup> <https://themedialine.org/news/opinion/will-elections-solve-palestinian-division/>



scenario that at least provides for the actual possibility of another restrengthening of Hamas. At this stage, it is hard to predict how the international community would react in the event of a Hamas election victory and it remains unclear whether lessons were learnt from 2006. It might seem more likely, however, that someone will find some way to call off the elections before the explosion.

### iii. The Pandemic

While voting has been possible in a number of countries in the past few months despite the ongoing global health crisis, a lot of them postponed the scheduled elections, sometimes repeatedly, citing inability to ensure health safety as a reason<sup>87</sup>. The OPT have seen over 322,000 infections that claimed over 3,400 corona related deaths<sup>88</sup> and the vaccination campaign only started early February. Because Israel refused to provide vaccines for all of the inhabitants of the OPT (constituting a breach of its international law obligations) and due to the lack of Palestinian financial and logistical capacity to acquire large numbers of doses itself early on, the vaccination process, despite COVAX, is far from advanced. In addition to that, according to a poll from April, less than half of the Palestinians would accept to get vaccinated if they had the option to do so<sup>89</sup>. Hence, chances are that the OPTs will not make it out of the pandemic until the scheduled dates of the elections. The roaring COVID cases (especially in Gaza) might serve alongside the East Jerusalem issue as a pretext to postpone the elections. In fact, already on 1 March, it was reported that a PA official raised the possibility of having to postpone or cancel the elections in light of the surging Covid-infection rates<sup>90</sup>.

### iv. The political will

Many observers believed that Abbas' call for elections was first and foremost an olive branch directed at Biden. After four years of Trump administration that proved to be nothing less than disastrous for the Palestinian cause, many hoped for improvement with the new American President. It may be that the initial call for elections was directed at Biden and other Western donors, signaling Palestinian democratic efforts to bring back accountability<sup>91</sup> explaining why the election promise was perceived as a mere stunt. On the other hand, Abbas really needs to renew his legitimacy; Hamas is broke due to sanctions, the border control, and lack of PA payments. The continued unfolding of actual preparations (the CEC's work, the successful registration, the Cairo talks, the publication of electoral lists) for the holding of elections on the ground caught many by surprise (including Israel and maybe even Abbas himself). Political analyst Yara Hawari is convinced that even if the elections were actually held, they would not "produce a democratic and representative leadership" but merely prop up the status quo. According to her, in reality, neither Fatah nor Hamas, nor Israel or the international community,

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<sup>87</sup> <https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections>

<sup>88</sup> <https://english.wafa.ps>

<sup>89</sup> <http://www.jmcc.org/documentsandmaps.aspx?id=892>

<sup>90</sup> <https://www.jpost.com/middle-east/palestinian-election-coronavirus-fatah-strife-may-delay-vote-660583>

<sup>91</sup> <https://www.aljazeera.com/opinions/2021/1/27/palestinian-elections-democracy-for-no-one>

nor the Palestinian elite are interested in achieving real democracy in Palestine. Therefore, "Palestinian elections are nothing but political theatrics to cover over" the lack of political will to promote "a democratic Palestinian society"<sup>92</sup>. If Abbas only sought a bettering of Palestinian-donor countries relations through a renewal of legitimacy in their eyes, he might be inclined to postpone or cancel the elections now that he is faced with an actual opposition.

#### v. The technicalities of a post-election transition

One of the side-effects of a president still in office over a decade after his term came to end and the absence of balloting in over 15 years is the fact that power transfers are neither properly institutionally assured nor practiced. When Hamas surprisingly won the 2006 legislative elections, Abbas and the international community refused to accept that democratic outcome. Efforts to work together in a unity government proved unsuccessful several times. The Cairo talks sought to promote the importance of respecting the elections' outcome, but no framework of guarantees was established. Many unsolved questions might arise in the context of a potential power transfer, such as the return of PA governance to Gaza or vice versa, the reintegration of Hamas-run ministries and civil servants into the PA system, the future of Hamas' armed wing as well as the extent to which Israel and Fatah-aligned security forces will allow Hamas to operate in the West Bank<sup>93</sup>. Regarding the post of the president, many expect Abbas to somehow assure to stay in office. Even if he did, his age requires Palestinian politics to give some serious thought to his successor. Theoretically, article 37 (2) of the Palestinian Basic Law stipulates that, should the post become unexpectedly vacant, the speaker of the PLC would assume the presidential powers for an interim period of no more than 60 days before holding new elections. However, Hamas' claims that Aziz Dewik (Hamas), speaker of the PLC, should be the rightful (interim) president following the expiry of Abbas' term in 2009, were widely ignored. Fatah will probably seek to assure that the new PLC speaker will be of its own political color. Be it as it may, even if Fatah managed to name a Fatah speaker, internal Fatah divisions, political dissatisfaction and the fact that power transfers have not been regularly managed and implemented all point to the dangers that may arise from an unprepared vacancy or an unwanted election result.

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<sup>92</sup> [https://www.aljazeera.com/author/yara\\_hawari\\_171105061333630](https://www.aljazeera.com/author/yara_hawari_171105061333630)

<sup>93</sup> <https://ecfr.eu/publication/back-to-democracy-europe-hamas-and-the-palestinian-elections/>

## V. Candidates

### i. PLC electoral lists

On 6 April 2021, a week after the closure of the nomination period, the CEC published the *preliminary electoral lists*. Objections could be submitted until 8 April 2021, subsequent appeals before the Elections Court were possible. All 18 appeals were dismissed, marking the closure of the candidacy phase<sup>94</sup>. The final lists will be published on 30 April 2021, according to the [electoral calendar](#). All of the **36 lists** that submitted their nomination applications were accepted. 7 of them are from political parties, the remaining 29 are independent lists. The Fatah-splitting into several lists, coupled with the overwhelming amount of independent (partly technocratic) lists, may disrupt the usual “binary nature of Palestinian politics”<sup>95</sup>.

The overall number of candidates running for the 132 seat PLC (threshold 1,5%) amounts to 1,391, including 405 women (29%). 38.5% of the candidates are between 28-40 years old, 22.2% between 41 and 50, and 39.3% are over 50<sup>96</sup>. Some of the lists are briefly presented in the following:

- Shortly before the deadline, **Nasser Al-Qudwa**, nephew of the late Yasser Arafat and ex-member of the Fatah Central Committee, submitted an independent list of 56 candidates called “**Freedom**”. The list is being **endorsed by Marwan Barghouti** who is currently imprisoned by Israel, serving five life sentences for his role during the Al-Aqsa intifada. Barghouti’s move in the elections was subject of much speculation as polls make him out to be one of the most popular candidates in the Palestinian political sphere. Fatah representatives had previously undertaken much effort to persuade Barghouti to run on a unified Fatah list<sup>97</sup>, fearing his splitting off could seriously harm Fatah’s prospects of securing an electoral victory. In fact, some claim that Abbas is still trying to get Barghouti to withdraw his endorsement<sup>98</sup>. Al-Qudwa who openly supports Barghouti had announced his intention to run on a separate list in early March which got him ousted from the Fatah movement altogether<sup>99</sup>. It remains yet to be seen whether a similar fate awaits Barghouti<sup>100</sup>. The Freedom-list is headed by Al-Qudwa, followed by Fadwa Barghouti, Marwan Barghouti’s wife. No. 3 is Abdel Fatah Hamiel, a first

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<sup>94</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2776/Elections-Court-Rejects-all-Submitted-Appeals.aspx>

<sup>95</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-in-palestinian-elections-voters-have-many-alternatives-for-a-protest-vote-1.9679304>

<sup>96</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2758/CEC-Exhibits-the-Preliminary-Register-of-Nominated-Electoral-Lists.aspx>

<sup>97</sup> The efforts alluded to include PA Civil Affairs Minister Hussein Sheikh, a close confidant of Abbas’, visiting Barghouti in prison in February to “discuss” the elections. Some claim Barghouti was threatened not to run on a separate list. (<https://www.middleeastmonitor.com/20210215-barghouti-to-stand-for-election-from-israeli-prison-cell/>)

<sup>98</sup> <https://jcpa.org/the-palestinian-authority-tries-to-bully-israel-on-the-jerusalem-issue/>

<sup>99</sup> <https://www.aa.com.tr/en/life/profile-who-is-fatahs-dismissed-member-nasser-al-qudwa/2173529>

<sup>100</sup> Following Al-Qudwa’s dismissal, the Fatah Central Committee announced that any Fatah official running on an independent list would equally be expelled. (<https://www.jpost.com/middle-east/palestinian-elections-crisis-deepens-as-fatah-threatens-dissidents-661445>) However, they have not proceeded to ousting Barghouti at this point, probably because he is a much bigger asset than Al-Qudwa.

intifada leader. Hani Al-Masri<sup>101</sup>, director general of Masarat, the Palestinian Center for Policy Research and Strategic Studies, is also on the list (No. 9)<sup>102</sup>. Marwan Barghouti himself is not on the list, further fueling speculations about his intent to run in the presidential race<sup>103</sup>.

The list was criticized for its heavy representation of the West Bank with only few Gazan candidates. During a visit to Gaza on 14 April 2021 in an effort to mobilize Gazan votes, Al-Qudwa acknowledged this shortcoming, justifying it by citing the hasted formation of the list few hours before the deadline<sup>104</sup>. Al-Qudwa further unleashed public criticism after he said in an interview that “all existent Fatah parties take issue with political Islam”<sup>105</sup>. Despite a later apology for his statement, his comment cannot be undone and may resonate with hesitating voters.

- The **official Fatah list (“The Storm”)** of 132 candidates is headed by Mahmoud Al-Aloul, deputy head of Fatah, followed by Suad Zalloum, Ahmad Hilles, and then Jibril Rajoub, Fatah’s secretary general. No. 7 of the list constitutes a surprise as Qadura Fares is actually a close ally of Barghouti<sup>106</sup>. The first five candidates are members of Fatah’s Central Committee, despite Abbas earlier assertion that no member of the Central Committee, Revolutionary Council or current ambassadors would be nominated<sup>107</sup>.
- Mohammed **Dahlan’s** Democratic Reform Block, constituting the third list of ex-Fatah affiliates, submitted a ticket called “**the Future**” of 132 candidates. This slate is headed by Samir Al-Mashharawi, former Gazan Fatah leader and Preventive Security veteran, followed by Sari Nusseibeh, former President of Al-Quds University and respected scholar<sup>108</sup>. No. 3 is the author and feminist Nayrouz Qarmout. Even though many are suspicious towards Dahlan and his UAE connections, the inclusion of Sari Nussibeh on his ticket as well as Dahlan’s “talent for pouring in money” have not gone unnoticed. Dahlan himself is not on the ticket; a possible explanation would be his potential ambitions to participate in the presidential elections.
- **Hamas** submitted their “**Jerusalem is our Destination**”-list of 131 candidates, headed by Gazan Khalil Al-Hayyeh, a member of the Politburo. No. 2 on the ticket is Mohammed Abu Tir, a Jerusalemite who spent half of his life in Israeli prisons. Lama

<sup>101</sup> <https://www.reuters.com/article/palestinians-election-lists-int-idUSKBN2BN3EV>

<sup>102</sup> <http://185.225.116.96/plc2021/036.pdf>

<sup>103</sup> Indeed, it would be impractical to run for the PLC if desirous of participating in the presidential race because in order to present a presidential candidacy, one has to previously resign from the PLC.

<sup>104</sup> <https://www.france24.com/ar/-اذا-ترشح-للرئاسيات-الغربية-عن-دعم-مروان-البرغوثي-اذا-ترشح-للرئاسيات-الغربية>

<sup>105</sup> <https://www.france24.com/ar/-اذا-ترشح-للرئاسيات-الغربية-عن-دعم-مروان-البرغوثي-اذا-ترشح-للرئاسيات-الغربية>

<sup>106</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-in-palestinian-elections-voters-have-many-alternatives-for-a-protest-vote-1.9679304>

<sup>107</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-in-palestinian-elections-voters-have-many-alternatives-for-a-protest-vote-1.9679304>; <https://www.al-monitor.com/originals/2021/03/palestinian-elections-what-happening>

<sup>108</sup> <https://www.al-monitor.com/originals/2021/04/36-electoral-lists-will-compete-upcoming-palestinian-vote>

Khater from Hebron is no. 3.<sup>109</sup> Over 50% of Hamas' slate is made up of West Bank and East Jerusalem candidates.<sup>110</sup>

- Fadwa Khader heads the “**United Left**”-list of 75 candidates that unites the Palestinian People's Party and the Palestinian Democratic Union Party (FIDA). Initial attempts of uniting a wider left-wing spectrum<sup>111</sup> did not succeed<sup>112</sup>.
- The Popular Front for the Liberation of Palestine (**PFLP**) submitted the “**Pulse of the People**” list the top two candidates of which, Ahmad Saadat and Khalida Jarrar, are both in prison. The great majority of this slate are Gazan candidates<sup>113</sup>.
- **Mustafa Barghouti**, the founder of the Palestinian National Initiative, submitted a 50-candidate-strong ticket called “**Change and an End to the Division**”.
- Former Palestinian PM Salam **Fayyad** submitted a 51-candidate ticket by the name “**Together we can**”.
- Fatah and Hamas had considered running on a joint list. Eventually, this idea did not materialize.

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<sup>109</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-in-palestinian-elections-voters-have-many-alternatives-for-a-protest-vote-1.9679304>

<sup>110</sup> Ibid.

<sup>111</sup> <https://www.al-monitor.com/pulse/originals/2021/02/palestinian-elections-obstacles-hamas-fatah-division.html>

<sup>112</sup> <https://www.al-monitor.com/originals/2021/04/36-electoral-lists-will-compete-upcoming-palestinian-vote>

<sup>113</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-in-palestinian-elections-voters-have-many-alternatives-for-a-protest-vote-1.9679304>

## ii. Presidential elections

The final list of candidates is set to be published on 9 July 2021<sup>114</sup>. Speculations include:

- On 20 January 2021, Prime Minister and member of Fatah, Mohammad Shtayyeh, announced that **Abbas** would be Fatah's nominee for the upcoming presidential elections. Shtayyeh said there was consensus and unanimity within Fatah in support for that choice. Other Fatah officials reacted in surprise and deception towards the alleged nomination, having had hoped Abbas might make room for younger candidates<sup>115</sup>. Abbas has yet to make his candidacy official<sup>116</sup>.
- Marwan **Barghouti** has not yet announced whether he is seeking presidential candidacy. However, the fact that he chose to support Nasser Al-Qudwa's list without appearing on it, could be interpreted as a signal that he indeed intends to run in the presidential race. In terms of popularity, he would be the most dangerous rival for Abbas. He would be the first candidate to run for presidency from behind Israeli bars. If he were to run and win the presidential elections, it would put Israel into a very uncomfortable position, either having to eventually deal with him in prison or be forced to release him<sup>117</sup>. Some estimates predict that "half of current Fatah supporters would side with Barghouti over Abbas"<sup>118</sup>. In the absence of an official statement, several media outlets claim that he is decided to run for presidency<sup>119</sup>. Al-Qudwa has been open about supporting a Barghouti presidential candidacy.
- If the Abbas-rival Mohammed **Dahlan** were to announce his candidacy for the presidency, a likely scenario, the established Fatah-dominated rule is expected to impede his candidacy. The Abbas-introduced changes in the legal requirements for presidential candidates are already being used to justify banning Dahlan from presenting a candidacy. Abbas ostracized Dahlan from Fatah's Central Committee in 2011 and stripped him of his parliamentary immunity in 2012, a move that was declared constitutional by the Constitutional Court created by Abbas in 2016<sup>120</sup>. Shortly afterwards, Dahlan was found guilty of embezzlement and was convicted in absentia. Fatah Central Committee member Azzam Al-Ahmad already made it clear that Dahlan will not be allowed to run for the presidency because "he does not have a clean record"<sup>121</sup>. Dahlan is said to be the US' favorite option, not least because of his ties to the UAE. Dahlan secured that Gaza receive a 20,000 doses shipment of Sputnik V

<sup>114</sup> [https://www.elections.ps/Portals/0/timeline2021\\_en.pdf](https://www.elections.ps/Portals/0/timeline2021_en.pdf)

<sup>115</sup> <https://www.aa.com.tr/en/middle-east/abbas-to-remain-fatah-s-presidential-candidate-in-polls/2116927> ; <https://www.timesofisrael.com/pa-premier-abbas-to-run-as-fatah-candidate-in-palestinian-presidential-election/> ; <https://www.jpost.com/middle-east/ahead-of-palestinian-elections-abbas-stays-wary-of-rivals-dahlan-hamas-656298>

<sup>116</sup> <https://www.aljazeera.com/news/2021/4/7/palestinian-leader-is-in-good-health-after-check-up-in-germany>

<sup>117</sup> <https://www.aljazeera.com/opinions/2021/2/23/political-prisoner-marwan-barghouti-for-president>

<sup>118</sup> <https://www.middleeasteye.net/news/palestine-elections-marwan-barghouti-consider-candidate-fatah-pa>

<sup>119</sup> <https://themedialine.org/top-stories/palestinian-factions-agree-on-rules-for-first-election-in-15-years/>

<sup>120</sup> <https://www.reuters.com/article/us-palestinians-politics-idUSKBN131108>

<sup>121</sup> <https://www.timesofisrael.com/abbas-rival-dahlan-banned-from-running-in-palestinian-election-fatah-official/>

vaccines from the UAE, generous gesture that may be aimed at improving his popularity rates in the OPT in light of the upcoming elections.

- **Hamas** decided not to run in the presidential race<sup>122</sup>.

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<sup>122</sup> <https://www.timesofisrael.com/hamas-says-wont-nominate-presidential-candidate-for-palestinian-elections/>

## VI. Voter registration

In order to be able to vote in the legislative and presidential elections, voters have to be registered in the final voters registry. They were able to do so electronically **until 16 February 2021** via the CEC's website or in person during five days starting on 10 February 2021.

The CEC started its field voter registration campaign as scheduled on 10 February 2021. The CEC operated 80 voter information and registration centers; the field teams were comprised of 600 employees and facilitated registration in all West Bank and Gaza districts<sup>123</sup>.

On 17 February 2021, the CEC announced that **93,3% of eligible voters (a total of 2.6 million) registered to vote**<sup>124</sup>. Residents of East Jerusalem with Israel-issued ID cards may participate in the elections without registering<sup>125</sup>. Women's registration to vote constitutes approximately 49% of the registrants in the preliminary voter registry. **First time voters make up about half of today's electorate**<sup>126</sup>.

In the 2006 legislative elections, voter registration stood at around 80%<sup>127</sup>, 75% of which cast their ballots<sup>128</sup>. The voter turnout of the 2005 presidential elections saw a turnout of 65%, despite Hamas' boycott<sup>129</sup>.

Regarding the issue of prisoner voters, Hussein Al-Sheikh, chairman of the General Authority for Civil Affairs and member of Fatah Central Committee, announced on 21 February 2021 that that they were going to “officially ask the government of Israel to allow Palestinian prisoners in its prisons and detention facilities to exercise their right to vote”<sup>130</sup>. There are currently over 4,000 Palestinians in Israeli jails<sup>131</sup>.

The overall successful registration process saw a **turmoil on the last day of registration** when a number of registration centers were moved without voters' knowledge. Some eligible voters found that their names had been moved to a voting location far from their regular one. According to activists, 300 to 500 voters were affected, including some election candidates<sup>132</sup>. Hanna Nasser, chairman of the CEC, reacted to the incidents that occurred during the final hours of registration, condemning them as election crimes. He said the CEC had reassigned the registrations of the transferred registrants back to their original centers. The CEC also filed a

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<sup>123</sup> <https://www.elections.ps/TabId/1069/ArtMID/8994/ArticleID/2637/CEC-Launches-Field-Voter-Registration.aspx>

<sup>124</sup> <https://english.wafa.ps/Pages/Details/123324>

<sup>125</sup> <https://www.jpost.com/middle-east/palestinian-election-23-million-voters-register-657541>

<sup>126</sup> <https://www.swp-berlin.org/10.18449/2021C24/>

<sup>127</sup> <https://www.i24news.tv/en/news/international/middle-east/1613566029-over-93-of-eligible-voters-register-for-upcoming-palestinian-elections>

<sup>128</sup> <https://web.archive.org/web/20090124013414/http://www.elections.ps/template.aspx?id=290>

<sup>129</sup> <https://fas.org/sgp/crs/mideast/RL33269.pdf>

<sup>130</sup> <https://english.wafa.ps/Pages/Details/123379>

<sup>131</sup> [https://www.btselem.org/statistics/detainees\\_and\\_prisoners](https://www.btselem.org/statistics/detainees_and_prisoners)

<sup>132</sup> <https://themedialine.org/top-stories/accusations-allege-tampering-with-voters-records-ahead-of-palestinian-elections/>



complaint to the Public Prosecution and believes that the tampering was not due to a hacking of the system, but rather caused by an abuse of the CEC's e-service<sup>133</sup>.

During the three days designated to the exhibition of the preliminary voter registry and the submission of objections, 176 such objections reached the CEC, mostly related to mistakes in voters' personal data. Objections were reviewed until 7 March 2021<sup>134</sup>.

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<sup>133</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2659/CEC-Chairman-Addressed-the-Transfer-of-Registration-Centers.aspx>

<sup>134</sup> <https://www.elections.ps/TabId/1083/ArtMID/9183/ArticleID/2682/The-CEC-Announces-the-End-of-the-Exhibition-and-Challenge-Period.aspx>

## VII. International Reactions

### i. Israel

#### a. Official stance and political statements

Israel's semi-official stance on the Palestinian elections is that they are an "internal Palestinian matter". Pretending the Palestinian elections are a purely internal matter is, of course, a gross oversimplification, given that Israel arrests candidates, controls borders, and has the option and legal obligation to allow voting in Jerusalem.<sup>135</sup> Nevertheless, Israel claims it does not intend to interfere with them nor prevent them from happening. Israel has not, however, given green light for electoral activity in East Jerusalem. On the contrary, Hussein Al-Sheikh, Minister of Civil Affairs and Fatah Central Committee member, claims that Israel informed the Palestinian leadership that "the Israeli position on holding elections in East Jerusalem remains negative"<sup>136</sup>. Chances are that Israel will continue its "strategic ambiguity"<sup>137</sup>, while waiting for the elections to be called off by the PA. In fact, Israel has nothing to gain from either alternative. If they allow East Jerusalem voting they admit a Palestinian entitlement to the city and might face another Hamas victory. If they officially object the holding of elections, they will be accused by the international community of obstructing democratic developments in Palestine. Hence, it is in Israel's interest that the Palestinian elections be called off. Such was admitted by Gabi Ashkenazi, the Foreign Minister, in a leaked phone call with his American colleague<sup>138</sup>. Defense Minister Benny Gantz said that while not intervening in the upcoming Palestinian elections, Israel will refuse to work with Hamas<sup>139</sup>. Gen. Roni Numa, ex-director of Israel's military Central Command, was quoted saying that he "(doesn't) see anything good emerging from these elections for Israel. From the Israeli perspective, it would be preferable that there be no elections"<sup>140</sup>.

According to Jibril Rajoub, secretary of the Fatah movement, the Presidential compound saw a visit by the head of Israel's Security Agency (Shin Bet), Nadav Argaman, accompanied by an American official<sup>141</sup>. It seems that they tried to stop Fatah's efforts to create a joint list with Hamas. Other sources add that Shin Bet would have urged the PA to "scrap the upcoming elections for the Palestinian parliament (altogether) if Hamas (...) takes part"<sup>142</sup>. While the PA buffed off Israel's request, some say that Argaman's visit may have nevertheless contributed to the non-materialization of a Fatah-Hamas joint list<sup>143</sup>.

#### b. Reality on the ground

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<sup>135</sup> <https://www.timesofisrael.com/as-palestinian-vote-looms-israeli-attention-is-elsewhere-that-could-backfire/>

<sup>136</sup> <http://english.wafa.ps/Pages/Details/124230>

<sup>137</sup> <https://www.timesofisrael.com/as-palestinian-vote-looms-israeli-attention-is-elsewhere-that-could-backfire/>

<sup>138</sup> <https://www.raialyoum.com/index.php/postponing-palestinian-polls/>

<sup>139</sup> <https://www.haaretz.com/israel-news/.premium-gantz-israel-won-t-interfere-in-palestinian-elections-but-won-t-work-with-hamas-1.9686983>

<sup>140</sup> <https://www.timesofisrael.com/as-palestinian-vote-looms-israeli-attention-is-elsewhere-that-could-backfire/>

<sup>141</sup> <https://themedialine.org/headlines/abbas-rejects-israeli-efforts-to-stop-upcoming-palestinian-elections/>

<sup>142</sup> <https://www.timesofisrael.com/shin-bet-head-asked-abbas-to-scrap-palestinian-elections-if-hamas-runs-report/>

<sup>143</sup> <https://hamodia.com/2021/03/21/report-shin-bet-asked-abbas-scrap-palestinian-elections-hamas-runs/>

While the Israeli government may not have officially reacted to the election decree, the Israeli army has led intensive arrest campaigns of Hamas leaders and other political figures in the West Bank over the past few weeks. The Israeli army has arrested a number of (mainly Hamas) candidates / part members, including Naji Al-Aasi, Hassan Al-Wardeyan, Mustafa al-Shinar, Adnan Asfour, Yasser Mansour, Khaled Al-Hajj, Abdul-Basit Al-Hajj and Omar Al-Hanbali. Some of those who got arrested say they were threatened not to take part in the elections<sup>144</sup>.

In addition to the numerous arrests, Israeli forces have actively impeded the holding of Palestinian political events in East Jerusalem, such as conferences<sup>145</sup>. Such incidents include the stopping and brief detention of three candidates representing various PLO factions (hence, not Hamas), including a Fatah representative, that wanted to hold a press conference in the Jerusalem St. George Hotel<sup>146</sup>. A similar incident took place a week earlier when the Israeli army detained Fatah members who were preparing an elections-related meeting in East Jerusalem's Ambassador Hotel. According to hotel employees, the hotel's manager, Sami Abu Dayya, was also detained.<sup>147</sup> All of this points to the fact that, despite the lack of an official stance, Israel will not tolerate electoral activity in East Jerusalem.

## ii. USA

While it is widely believed that one of the main reasons behind the calling for elections was Abbas' desire to renew his legitimacy in the eyes of the new Administration in Washington, Biden has thus far kept quiet about his view of the issue. The US has generally signaled that the Palestinian-Israeli conflict is not a priority for the new Administration which also frames the American stance on the Palestinian elections.<sup>148</sup> The release of the first report on human rights by the new State Department at the end of March stirred a debate around whether or not Biden returned to pre-Trump policy with regards to conflict. The change in language, referring to the Westbank, Gaza, East Jerusalem, and the Golan Heights as "occupied territories" constitutes a partial return to pre-Trump language. However, a note in the report clarifying that "language (...) is not meant to convey a position" relativizes the return.<sup>149</sup> Officially, it seems that, at most, the US might support Palestinian elections generically (as in supporting democratic developments). Unofficially, analysts assume that the US would rather not have the elections take place.<sup>150</sup> In a leaked phone call with the Israeli Foreign Minister, the US Secretary of State, Anthony Blinken, agreed that the likelihood of a Hamas victory meant that it would be preferable for the elections to be postponed or called off.<sup>151</sup> Worries about a potential Hamas involvement in a new government hence contribute to the Administration's silence on the topic.

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<sup>144</sup> <https://english.alaraby.co.uk/english/indepth/2021/4/14/how-israel-is-trying-to-derail-palestinian-elections>

<sup>145</sup> <https://www.haaretz.com/middle-east-news/palestinians/.premium-with-east-jerusalem-vote-in-question-pa-considers-delaying-election-1.9730213>

<sup>146</sup> <https://apnews.com/article/israel-jerusalem-middle-east-elections-voting-d5c4b3206e970785d0e2ab90435ff144>

<sup>147</sup> <https://english.alaraby.co.uk/english/indepth/2021/4/14/how-israel-is-trying-to-derail-palestinian-elections>

<sup>148</sup> <https://www.aljazeera.com/news/2021/4/17/why-biden-will-not-change-palestinian-lives-either>

<sup>149</sup> <https://www.timesofisrael.com/in-return-to-pre-trump-norm-state-dept-report-refers-to-occupied-territories/>

<sup>150</sup> <https://www.jns.org/palestinian-elections-could-jeopardize-fatahs-rule-in-west-bank/>

<sup>151</sup> <https://www.raialyoun.com/index.php/postponing-palestinian-polls/>

APIAC, the powerful pro-Israel lobby in the US, has called for America and others to ensure Hamas be barred from the ballot<sup>152</sup>.

### iii. Egypt and Jordan

As direct neighbors of the OPT seeking to domestically fight off Islamist militant groups, Cairo and Amman fear a repetition of the 2006 Palestinian legislative elections and a strengthening of Hamas. The fact that already on 17 January 2021, that is two days after Abbas' decree calling for elections, the Egyptian and Jordanian heads of intelligence, Abbas Kamel and Ahmed Hosni, payed the PA a visit in Ramallah, indicates that the Palestinian elections will not be free of external interference<sup>153</sup>. Egypt and Jordan undertook (unsuccessful) efforts to ensure that Fatah run on a unified list to diminish Hamas' prospects of securing an election victory. Apparently, they also tried to pressure Abbas into reconciling with Dahlan, in order to increase the non-Hamas' block's chances to do well in the elections. In fact, some claim that the return of some of Dahlan's faction was facilitated by Egypt's pressure on Hamas. This was accompanied by Dahlan's distribution of COVID-19 vaccines<sup>154</sup>. Amman has been battling with internal disturbances, redirecting its attention away from the Palestinian elections.

### iv. The EU

In February, the EU sent a request to Israel, asking for access to the OPT via Israel for an "exploratory delegation of observers"<sup>155</sup> in an effort to prepare the elections observation mission that the PA invited the EU to. Israel has still not replied to the request, diminishing the chances for an EU observation of the legislative elections because such is usually prepared months in advance. 13 ambassadors from European countries and the EU have met with Alon Bar, a representative of the Israeli Foreign Ministry, on Tuesday, 27.04.2021, to discuss the East Jerusalem issue. Israel said the elections were an "internal Palestinian matter" and that Israel was not planning on interfering. Israel did not comment on whether that meant they would allow electoral activity in East Jerusalem and left the EU's request to observe the elections unanswered.

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<sup>152</sup> <https://english.alaraby.co.uk/english/comment/2021/2/16/aipac-wants-to-decide-who-runs-in-palestinian-elections>

<sup>153</sup> <https://www.aljazeera.com/opinions/2021/3/21/foreign-interference-in-the-palestinian-elections>

<sup>154</sup> <https://www.aljazeera.com/opinions/2021/3/21/foreign-interference-in-the-palestinian-elections>

<sup>155</sup> <https://english.alaraby.co.uk/english/indepth/2021/4/14/how-israel-is-trying-to-derail-palestinian-elections>

## VIII. Annex

### i. Past elections

#### a. The 2005 presidential elections

Since the establishment of the PA and until the death of President Yasser Arafat in November 2004, only one round of presidential and PLC elections was held. Elections had been scheduled for 2000 but were delayed due to the outbreak of the Al-Aqsa Intifada. Following Arafat's death in November 2004, the Speaker of the PLC, Rawhi Fatuh, took on the role of interim President as foreseen by the Basic Law and immediately called for new elections<sup>156</sup>. These were held on 9 January 2005. Abbas came out as the clear winner amongst the seven candidates who had competed in the poll. He won 62.5% of the votes, his main challenger Mustafa Barghouti<sup>157</sup> just under 20%<sup>158</sup>. Overall, the elections "were widely described by outside monitors as free and fair"<sup>159</sup>, the voter turnout was of 65% despite Hamas' boycott<sup>160</sup>.

#### b. The 2006 PLC elections

The 2006 legislative elections took place after an amendment of the Elections Law No. 9 of 2005, increasing the number of PLC seats from 88 to 132 and introducing a mixed electoral system amongst other changes. 77% of registered voters turned out on election day, 25 January 2006, resulting in a surprising landslide victory of Hamas. Hamas obtained 74, Fatah 45 seats. Elections overall met international standards despite some smaller issues and obstruction in East Jerusalem. However, the international community was shocked to see Hamas, a designated terrorist group in the eyes of many, win, and refused to enter into relations with a Hamas government, imposing sanctions.

#### c. The 1996 elections

*This section will be added soon.*

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<sup>156</sup> <https://fas.org/sgp/crs/mideast/RL33269.pdf>

<sup>157</sup> not to be confused with Marwan Barghouti who is seen as a popular potential candidate for the 2021 elections. The two are distant cousins.

<sup>158</sup> <https://www.elections.ps/Portals/0/pdf/SummaryPresidentialElectionsFinalResults2005.pdf>

<sup>159</sup> <https://www.un.org/unispal/document/auto-insert-195671/>

<sup>160</sup> <https://fas.org/sgp/crs/mideast/RL33269.pdf>

## ii. Opinion polls

### a. JMCC / FES Opinion Poll April 2021

According to a [poll](#) conducted by the Jerusalem Media and Communications Center<sup>161</sup>, 26% of Palestinians say it is unlikely that they will participate in the vote. Amongst the main reasons for the planned abstention from the vote is a lack of confidence that the elections or candidates would be “beneficial”. At the time of polling (3 – 13 April 2021), **44% believed that the elections would be postponed** vs. 39% who thought they would take place on the set date. 27% of the respondents do not expect the elections to be fair. Nevertheless, 62% are in favor of holding elections soon under any circumstances instead of waiting for a full reconciliation.

This **poll predicts a Fatah victory** of 25%, Nasser Al-Qudwa and Barghouti’s list coming in second with 13%, leaving Hamas at 8%. It is unclear whether all of the respondents were familiar with the lists’ names and candidates.

In a presidential vote between Abbas, Barghouti and Haniyeh, Barghouti would win with 33,5%, nearly 10 percentage points over Abbas (24,5%) and over 20 percentage points more than Haniyeh (10,5%).

### b. PCPSR Opinion Poll March 2021

A [poll](#) conducted by the Palestinian Center for Policy and Survey Research (PCPSR) shows that “with rising confidence that parliamentary elections will indeed take place soon, (...) public attitudes seem to shift a little in favor of Fatah and away from Hamas”<sup>162</sup>.

Like in December, demands of holding the elections continue to stand high at 76%, but now two thirds (versus one third in December) also actually expect them.

If voting in East Jerusalem is denied by Israel, 65% (versus 56% in December) believe the elections should go ahead anyways with East Jerusalemites voting outside the city limits; the rejection of this idea has decreased from 39% in December to 27%, illustrating an increase in Palestinian readiness to compromise on important issues in order to safeguard the elections.

Regarding **legislative elections**, when asked to name the party/faction that should lead the next government, 38% nominated Fatah, 22% Hamas, and 29% did not nominate any party/faction.

If Marwan Barghouti forms his own independent list, it would get 28% leaving the official Fatah list with 22%; a potential list formed by Mohammad Dahlan would get 10% (versus 7 in December), leaving Fatah’s official list with 29%. If Naser al Qidwah forms his own

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<sup>161</sup> <http://www.jmcc.org/documentsandmaps.aspx?id=892>

<sup>162</sup> <https://www.pcpsr.org/sites/default/files/Poll%2079%20English%20press%20release%20March%202021.pdf>

independent list, 7% (with Barghouti's support 11%) of the public say they will vote for his list while 30% say they will vote for the official Fatah list.

Support for a Fatah-Hamas joint list stands at 57% whereas 38% oppose such an idea.

According to the poll, Fatah would beat Hamas by 3-13 percentage points in any legislative elections-scenario.

In **presidential elections**, Barghouti polls better than all of the other candidates. If new presidential elections were held on the day of polling and only Abbas and Haniyeh were nominated, the former would receive 47% and the latter 46% (compared to 50% for Haniyeh and 43% for Abbas in December).

It is still seen that the **top priority for the Palestinian elections** should be the restoration of unity between the West Bank and Gaza (still at 28%), followed by economic conditions, the combat of corruption and the removal of the Gaza blockade. 2% say it is to create a democratic political system. When asked who is the most able to deliver the top priority selected by the respondents, 31% selected Fatah, 22% Hamas; while 19% say none can deliver.

Overall, 48% think the elections will not be free and fair and trust that the election result would be accepted by the main players Fatah and Hamas remains low (over 60% expect non-acceptance)

#### c. PCPSR Opinion Poll December 2020

According to a [survey](#)<sup>163</sup> conducted by the Palestinian Center for Policy and Survey Research (PCPSR) mid-December 2020 in the OPT, two thirds demand Abbas' resignation, 3/4 demand new elections but only one third expects them.

If **legislative elections** had been held on the day of the poll, 69% would have participated and Fatah would have gained 38%, Hamas 34%. Support for Hamas is higher in Gaza whereas support for Fatah is higher in the West Bank. Overall, at the time of the survey, 38% expected Fatah to win, 25% Hamas and 23% third parties / new lists. 56% support holding the elections even without East Jerusalem, 39% oppose this idea. 76% think that Fatah would not accept a Hamas victory, whereas 58% think Hamas would not accept a Fatah victory. If Barghouti formed an independent list, he would get 25% leaving the official Fatah list with 19%. If Dahlan formed his own list, his would only get 7% leaving the official Fatah one with 27%.

In **presidential elections** between current PA-leader Abbas and current Hamas-leader Haniyeh, the former would lose against the latter with 43% for Abbas to 50% for Haniyeh. Support for Abbas is higher in the West Bank and support for Haniyeh higher in the Gaza Strip. If Abbas was not to run again and the presidential race was to take place between Barghouti and Haniyeh, Barghouti would win comfortably with 61%, leaving Haniyeh with 37%. If the current PA

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<sup>163</sup> <https://www.pcpsr.org/sites/default/files/Poll%2078%20English%20fulltext%20December%202020.pdf>

Prime Minister Shtayyeh confronted Haniyeh in presidential elections, both would receive 47%. At the time of the survey, 52% would view Abbas as Fatah nominee as the wrong choice believing that Fatah has better candidates (Barghouti, Dahlan, Shtayyeh) versus 25% who would view him as Fatah's best candidate. If Abbas abstained from the presidential race, overall, 37% would want Barghouti, 23% Hanyieh, and 7% Dahlan.

When asked about the **top priority for Palestinian elections**, 28% replied restoring unity between the West Bank and Gaza, 24% named improving economic conditions, 18% the removal of the Gaza blockade, and 15% the fight against corruption. Only 6% replied the top priority of Palestinian elections should be to bring back democracy.

Overall, 52% agree that had elections been hold on the day of polling, they would have been neither free nor fair.



### iii. Preliminary electoral lists

List Name (English)	Arabic	No. of candidates	Of which women	No. 1 on List	Logo
1. Palestine for All (Filasteen Lil Jamee')	فلسطين للجميع	24	6	Mufid Mahmoud Musa Al-Hassaineh	
2. The Democratic Change List (Qa'imat Al-Taghyeer al-Dimoqrati)	قائمة التغيير الديمقراطي	61	22	Ibrahim Abdelqader Mahmoud Abu Hijleh	
3. My Independent Youth Dignity (Karamaty al-Shababiya al-Mustaqilla)	كرامتي الشبابية المستقلة	18	6	Hussam Hussein Ibrahim Yousef (Al-Qatawi)	
4. Fulfillment and Construction (Al-Wafa' Wal-Bina')	الوفاء والبناء	23	6	Issam Hilmi Ali Hamad	
5. Enough is Enough Movement (Hirak Tafah al-Kayl)	حراك طفح الكيل	30	9	Ziad Mohammed Issa Amro	
6. The Palestinian National Initiative for "Change and Ending the Division" (Al Mubadara al-Wataniyyah al-Filastiniyyah "Lil Taghyeer wa inha' al-Inqissam")	المبادرة الوطنية الفلسطينية للتغيير وإنهاء الانقسام	50	16	Mustafa Kamel Mustafa Barghouti	
7. All Palestine Gathering (Tajamo' Al-Kol al-Filastini)	تجمع الكل الفلسطيني	28	7	Bassam Ahmad Abdallah Qawasmeh	
8. Watan for Independents (Watan lil Mustaqileen)	وطن للمستقلين	46	11	Hassan Abdel Fattah Abdel Halim Khreisheh	
9. Palestine Brings us Together (Filasteen Tajma'una)	فلسطين تجمعنا	18	6	Odeh Mohammed Awad Al-Ammour	
10. Jerusalem, Our Destination (Al-Quds Maw'iduna)	القدس موعدا	131	33	Khalil Ismail Ibrahim Al-Hayyeh	
11. The Future (Al-Mustaqbal)	المستقبل	132	34	Samir Abdul Qader Mohammad Al-Mashharawi	

12. Return (Al-Awda)	العودة	40	12	Jawad Hussein Abdel Fattah Dar Ali (Al-Saqer Abu Sado)	
13. Returning (A'idun)	عائدون	34	9	Mustafa Musa Hussein Zaqout (Abu Suhaib)	
14. The Independent List (Al-Qa'ima al-Mustaqilla)	القائمة المستقلة	26	6	Nicola Saba Nicola Khamis	
15. Justice (Adala)	عدالة	19	5	Fayez Ibrahim Salah Freijat (Fayez Abu Sateh)	
16. The Pledge for the Homeland (independent) (Al-Aahd lil-Watan)	العهد للوطن (مستقلة)	18	7	Walid Mahmoud Abdel Fattah Ardiyeh	
17. The New Dawn (Al-Fajr al-Jadeed)	الفجر الجديد	22	8	Suhaib Attiyeh Abdel Mu'ti Zahdeh	
18. The United Palestinian Movement (Al-Hiraq al-Filastini al Muwahad)	الحراك الفلسطيني الموحد	25	7	Khaled Badi'a Othman Dweikat	
19. The Pulse of the People (Nabd al-Shaab)	نبض الشعب	65	19	Ahmad Saadat Yousef Abdel Rasul (Abu Ghassan)	
20. The Renaissance of a Nation (Nahdat Wattan)	نهضة وطن	17	6	Mujahed Nimr Ahmad Nabhan (Al-Amid)	
21. The Pulse of the Country (Nabd al-Balad)	نبض البلد	28	10	Anas Samir Mustafa Asteh	
22. Justice and Construction (Al-Adala Wal Bina')	العدالة والبناء	21	7	Mazen Khalil Yousef Madani	
23. The Promise and Loyalty Bloc (Kutlat Al-Aahd Wal Wafa', (Al-Murabitoun))	كتلة العهد والوفاء (المرابطون)	20	6	Khaled Mahmoud Ahmad Al-Hilo (Doctor Khaled)	
24. The Voice of the People (Sawt al-Nass)	صوت الناس	26	6	Ihab Judeh Younis Al-Nahal	

25. The United Left (Al-Yassar al-Muwahhad)	اليسار الموحد	75	24	Fadwa Saliba Qustandi Khader (Um Saliba)	
26. The National Movement (Right) (Al-Haraka al-Wataniyah (Haqq))	الحركة الوطنية (حق)	21	6	Younis Salem Jaber Al-Rajoub (Abu Samed)	
27. Together We Are Able (Ma'an Qadiroun)	معا قادرين	51	16	Salam Khaled Abdallah Fayyad	
28. The United Palestine (Filasteen al-Muwahhada)	فلسطين الموحدة	17	4	Ahmad Mohammed Abdel Rahman At-Tamizeh	
29. The Independents' Assembly (Tajamo' al-Mustaqilleen)	تجمع المستقلين	26	9	Khalil Theeb Naji Assaf	
30. Freedom and Dignity (Al-Hurriyyah Wal-Karamah)	الحرية والكرامة	24	7	Amjad Rafiq Abdel Salam Shihab	
31. The Dream of Gathering Independent Youth (Hulm al-Tajamo' al-Shabab al-Mustaqil)	حلم التجمع الشباب المستقل	17	5	Fadi Salah Ibrahim Al-Sheikh Yousef	
32. The Palestinian Future (Al-Mustaqbal al-Filastini)	المستقبل الفلسطيني	18	6	Ahmad Fouad Nimr Ahmad Al-Muzini (Abu Al-Nimr Al-Muzini)	
33. Competence List (Kafa'a)	قائمة كفاءة	18	7	Younis Majdi Fayad Abu Muilaq (Abu Mahdi)	
34. Justice for All Independent List (Al-Adala Lil Jamee')	قائمة العدالة للجميع المستقلة	16	7	Taysir Fattouh Ibrahim Hajje	
35. The Freedom List (Qa'imat al-Hurriyyah)	قائمة الحرية	56	16	Mohammed Nasser Jarir Na'man Al-Qudwa (Nasser Al-Quqwa)	
36. Fatah Movement List	قائمة حركة فتح	132	34	Mahmoud Othman Ragheb Al-Aloul (Abu Jihad)	