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OVERVIEW / NEGATIVE PHILOSOPHY

Wait and See: Hamas is not in power now and elections will be held soon. Let’s see what happens

JTA (Jewish Telegraphic Agency) news service 2014. “Palestinians avoid U.S. aid cutoff, but what happens when Hamas runs in elections?” 20 June 2014 <http://www.heritagefl.com/story/2014/06/20/news/palestinians-avoid-us-aid-cutoff-but-what-happens-when-hamas-runs-in-elections/2904.html>

A range of American Middle East policy analysts and current and former U.S. officials say that Palestinian Authority President Mahmoud Abbas threaded the needle last week and created a government of technocrats untainted by Hamas and not subject to its influence, although Hamas has declared its backing of the government. That could all change, however, if elections to replace the interim government are held in about six months, as the agreement between the Palestinian factions requires. Not only could elections bring Hamas to power, or at least into a unity government, but its very participation in the elections may violate the terms of U.S. dealings with the Palestinians.

INHERENCY

Current law solves: If Hamas has undue influence, current law cuts off funding. Let’s wait and see

NEW YORK TIMES 2014. (journalists Jodi Rudoren and Isabel Kershner) 1 June 2014 “Israel Warns Against Embracing Newly Reconciled Palestinian Government” <http://www.nytimes.com/2014/06/02/world/middleeast/israel-warns-against-embracing-newly-reconciled-palestinian-government.html?_r=0>

The United States is scheduled to provide $440 million to the Palestinian Authority this year, but it is barred from funding any “government that includes Hamas as a member, or that results from an agreement with Hamas and over which Hamas exercises ‘undue influence,’ ” according to the [Congressional Research Service](http://www.fas.org/sgp/crs/mideast/RS22967.pdf), unless the president provides a waiver. The State Department — like the European Union — has indicated openness to dealing with the new government so long as it follows Mr. Abbas’s line.

Current law has safeguards to prevent funding Hamas

Jim Zanotti 2013. (specialist in Middle Eastern Affairs with Congressional Research Service) 30 Sept 2013 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf>

Hamas and Terrorism: No aid is permitted for Hamas or Hamas-controlled entities, and no aid may be made available for the purpose of recognizing or otherwise honoring individuals who commit or have committed acts of terrorism.   
•Power-Sharing PA Government: No aid is permitted for a power-sharing PA government that includes Hamas as a member, or that results from an agreement with Hamas and over which Hamas exercises “undue influence,” unless the President certifies that the PA government, including all ministers, has accepted the following two principles embodied in Section 620K of the Palestinian Anti-Terrorism Act of 2006 (PATA), P.L. 109-446: (1) recognition of “the Jewish state of Israel’s right to exist” and (2) acceptance of previous Israeli-Palestinian agreements (the “Section 620K principles”). If the PA government is “Hamas-controlled,” PATA applies additional conditions, limitations, and restrictions on aid. Under PATA, in the event that Hamas participation in a PA government precludes ministries from receiving aid, the PA president and judiciary (if not Hamas-controlled) may under certain conditions receive aid pursuant to a presidential waiver for national security purposes.

Status Quo has safeguards and auditing to prevent diversion of P.A. aid money to terrorists

Jim Zanotti 2013. (specialist in Middle Eastern Affairs with Congressional Research Service) 30 Sept 2013 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf>

Vetting, Monitoring, and Evaluation: As discussed throughout this report, for U.S. aid programs for the Palestinians, annual appropriations legislation routinely requires executive branch reports and certifications, as well as internal and Government Accountability Office (GAO) audits. These requirements appear to be aimed at, among other things, preventing U.S. aid from benefitting terrorists or abetting corruption, and assessing aid programs’ effectiveness.

Close monitoring: State Department will be watching Palestinian and Hamas actions carefully

NEW YORK TIMES 2014. (journalists Jodi Rudoren and Isabel Kershner) 1 June 2014 “Israel Warns Against Embracing Newly Reconciled Palestinian Government” <http://www.nytimes.com/2014/06/02/world/middleeast/israel-warns-against-embracing-newly-reconciled-palestinian-government.html?_r=0>

Jen Psaki, a State Department spokeswoman, said Mr. Kerry had expressed concern to Mr. Abbas in their phone conversation Sunday about Hamas’s role. “The secretary stated that the United States would monitor the situation closely and judge any government based on its composition, policies and actions,” Ms. Psaki said.

Even after money is transferred to the PA, we have the right to get it back if an audit reveals any problems

Jim Zanotti 2013. (specialist in Middle Eastern Affairs with Congressional Research Service) 30 Sept 2013 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf>

Annual appropriations legislation also routinely places conditions on aid to any power-sharing PA government “of which Hamas is a member,” and the FY2012 bill extended these conditions to any PA government that results from an agreement with Hamas over which Hamas has “undue influence” (for further discussion, see “Hamas and a “Unity Government”?” below). Even after money is transferred to the PA’s treasury account, the United States retains prior approval of any transactions from that account, along with a power of audit over those funds and a three-year right of refund.

HARMS / SIGNIFICANCE

New Palestinian leaders have no ties to Hamas: It’s a “non-party” government

JTA (Jewish Telegraphic Agency) news service 2014. “Palestinians avoid U.S. aid cutoff, but what happens when Hamas runs in elections?” 20 June 2014 <http://www.heritagefl.com/story/2014/06/20/news/palestinians-avoid-us-aid-cutoff-but-what-happens-when-hamas-runs-in-elections/2904.html>

Speaking on condition of anonymity, a State Department official involved in U.S.-Palestinian relations told JTA last week that U.S. intelligence agencies had assessed that none of the new Palestinian Cabinet ministers have any Hamas involvement, and so continued relations would not violate U.S. law banning interactions with designated terrorist groups. Elliott Abrams, the deputy national security adviser to President George W. Bush, said this Palestinian government did not present the same dilemmas that he and other Bush administration officials faced in 2006 when Hamas won parliamentary elections while Abbas was president. "In 2006 we had a parliamentary system in which Hamas won the majority and therefore State Department lawyers told us the Palestinian Authority is under the control of a terrorist group," Abrams told JTA. "Not today, what we have today is a non-party government."

No Hamas members in the new Palestinian government cabinet – most of them are the same as the prior government

Sharona Schwartz 2014. (journalist) 12 June 2014 Palestinian Authority Designed New Hamas-Backed Gov’t Around ‘Loopholes’ to Keep U.S. Foreign Aid Coming, Rep. Says <http://www.theblaze.com/stories/2014/06/12/palestinian-authority-designed-new-hamas-backed-govt-around-loopholes-to-keep-u-s-foreign-aid-coming-rep-says/>

“We have closely scrutinized the new government ministers and the process by which President Abbas selected the government,” a U.S. State Department official told TheBlaze. The official declined to provide details on diplomatic discussions but said: “Based on our analysis to date, President Abbas has formed an interim technocratic government that does not include any ministers affiliated with Hamas and in which Hamas plays no role.” “In fact, most of the key cabinet positions – including the prime minister, the two deputy prime ministers, and the finance minister – are the same as in the prior government,” the official said.

Palestinian unity government recognizes Israel, renounces violence, and its ministers are not in any political party

NEW YORK TIMES 2014. (journalists Jodi Rudoren and Isabel Kershner) “Palestinian Premier Says New Government Lacks Power in Gaza“ 12 June 2014 <http://www.nytimes.com/2014/06/13/world/middleeast/palestinian-authority-premier-says-unity-government-lacks-power-in-gaza.html?_r=0>

The new government, created under an [agreement](http://www.nytimes.com/2014/04/24/world/middleeast/palestinian-factions-announce-deal-on-unity-government.html) signed in Gaza on April 23 between Hamas and the Palestine Liberation Organization, is supposed to rule for at least six months, until long-overdue national and legislative elections are held. Its 17 ministers are independent professionals unaffiliated with any political party, and both Mr. Hamdallah and Mr. Abbas have promised that it will adhere to international demands that it recognize Israel, renounce violence and honor previous agreements, all steps that Hamas continues to reject.

Hamas in the unity government will promote peace: It brings them into the process

BOSTON GLOBE 2014. (Bryan Bender and Matt Viser, journalists) 25 Apr 2014 “After Palestinian ‘unity pact,’ Israel halts talks“ <http://www.bostonglobe.com/news/nation/2014/04/24/israel-walks-away-from-peace-talks-after-palestinian-overture-terrorist-group/rIeDkOLQLPdaF9jRCnB13I/story.html>

Not everyone agrees that Abbas’s willingness to include Hamas in the political process is bad, including some influential members of the Israeli security establishment who assert that peace can only be achieved if Hamas is brought into the fold and ultimately disarmed. Ami Ayalon, a former head of the Shin Bet, Israel’s domestic intelligence service, in a statement called it a “big step forward.” A unity government, he said, would finally make Abbas the “representative of the Palestinian people. Hamas will become part of the process.” He called the unity agreement a “major victory to pragmatism.”

Even Israel is only imposing symbolic sanctions on the new Palestinian government

NEW YORK TIMES 2014. (journalists Jodi Rudoren and Isabel Kershner) 1 June 2014 “Israel Warns Against Embracing Newly Reconciled Palestinian Government” <http://www.nytimes.com/2014/06/02/world/middleeast/israel-warns-against-embracing-newly-reconciled-palestinian-government.html?_r=0>

So far, the sanctions have been symbolic. Israel withheld some $6 million of the approximately $160 million in monthly taxes it collects on the Palestinians’ behalf after the reconciliation pact was signed. It declared that Israeli officials would no longer meet their Palestinian counterparts, but such tasks were simply transferred from individual ministries to the Civil Administration, which handles relations with the West Bank, according to the agency’s spokesman, Guy Inbar. “No project is delayed or canceled,” said Mr. Inbar, noting that there had recently been joint meetings to discuss tourism and telecommunications.

US funding the PA is not helping Hamas: Allows Fatah to keep an eye on them in the West Bank

JTA (Jewish Telegraphic Agency) news service 2014. “Palestinians avoid U.S. aid cutoff, but what happens when Hamas runs in elections?” 20 June 2014 <http://www.heritagefl.com/story/2014/06/20/news/palestinians-avoid-us-aid-cutoff-but-what-happens-when-hamas-runs-in-elections/2904.html>

David Pollock, a fellow at the Washington Institute for Near East Policy, said that at least until the elections, an advantage for the United States and Israel in the arrangement is that it could allow Fatah to keep a closer eye on Hamas. "If the U.S. continues funding, one can make a convincing case this is not helping Hamas," Pollock said. "On the contrary, it is helping the P.A. keep tabs on Hamas in the West Bank."

Unity government accepts the Quartet Principles and is committed to negotiating a 2-state solution

Akiva Eldar 2014. (columnist for Al-Monitor’s Israel Pulse; formerly a senior columnist and editorial writer for Haaretz and also served as the Hebrew daily’s US bureau chief and diplomatic correspondent) Livni and Lapid should back Palestinian unity government 11 Aug 2014 [http://www.al-monitor.com/pulse/originals/2014/08/protective-edge-gaza-livni-lapid-hamas-fatah-palestinians.html##ixzz3AHSQSsjn](http://www.al-monitor.com/pulse/originals/2014/08/protective-edge-gaza-livni-lapid-hamas-fatah-palestinians.html)

Then, as now, Palestinian Authority President [Mahmoud Abbas](http://www.al-monitor.com/pulse/originals/2014/07/gaza-israel-war-mahmoud-abbas-hamas-resistance-ceasefire.html" \t "_blank) declared that the unity government would meet the principles of the Quartet. It would recognize Israel, respect previous agreements, and abandon violence. Today, just as then, he emphasized that the diplomatic negotiations were not being conducted by the government but by the Palestinian Liberation Organization (PLO), which he heads. Abbas reiterated that he was committed to a two-state solution based on the 1967 borders, and to the Arab League’s peace initiative of 2002. [At a meeting he held](http://www.haaretz.com/news/middle-east/1.589062" \t "_blank) with the head of Hamas' Political Bureau, Khaled Meshaal, during the previous attempt at reconciliation (May 5), the president of the PA made it clear that he would not allow weapons to be brought into the West Bank.

International consensus: New Palestinian government is better for Israel. Restricts Hamas and promotes 2-state solution

Akiva Eldar 2014. (columnist for Al-Monitor’s Israel Pulse; formerly a senior columnist and editorial writer for Haaretz and also served as the Hebrew daily’s US bureau chief and diplomatic correspondent) Livni and Lapid should back Palestinian unity government 11 Aug 2014 [http://www.al-monitor.com/pulse/originals/2014/08/protective-edge-gaza-livni-lapid-hamas-fatah-palestinians.html##ixzz3AHSQSsjn](http://www.al-monitor.com/pulse/originals/2014/08/protective-edge-gaza-livni-lapid-hamas-fatah-palestinians.html)

So as not to be suspected of being what Lapid calls one of “those people on the left who automatically support a Palestinian reconciliation government,” I have decided to back my case with the professional opinion of some 40 diplomats and experts from Israel and the international community, who gathered in Jerusalem on July 24 at the initiative of MITVIM, The Israeli Institute for Regional Foreign Policies, and the International Crisis Group, to discuss ways to resolve the crisis. “Israel’s demand that Abbas renounce the reconciliation agreement between Fatah and Hamas and its decision to freeze its negotiations with the PA until this demand is fulfilled, have proved to be a mistake,” wrote the experts. “Palestinian unification can actually be an asset to Israel. It can serve as a means of containing Hamas, constraining its power, and creating more favorable conditions towards a two-state solution.” In summary, they wrote, “A unified Palestinian leadership is a precondition for the possibility of implementing any permanent arrangement to resolve the Palestinian-Israeli issue, and Israel should, therefore, encourage it.”

DISADVANTAGES

1. Collapse of the Palestinian Authority

Link: Financial sanctions can lead to the P.A.’s collapse

Dr. Khalil Shikaki 2014. (PhD; director of the Palestinian Center for Policy and Survey Research ; senior fellow at the Crown Center for Middle East Studies at Brandeis University) 4 Feb 2014 Implications of PA Collapse or Dissolution: The “Day After” Final Report <http://www.pcpsr.org/sites/default/files/finalreport.pdf>

Israel, US Congress, and others may calculate that the PA is likely to cease its diplomatic offensive in the face of calculated financial sanctions. Sanctions are likely to increase when the PA steps are seen as more damaging to Israel. The more defiant the Palestinians become, the more hurting the sanctions. The outcome, here too, might be unintended, leading to PA’s gradual collapse.

Link: Cutoff of international aid could lead to collapse of the P.A.

NEW YORK TIMES 2014. (journalists Jodi Rudoren and Isabel Kershner) 1 June 2014 “Israel Warns Against Embracing Newly Reconciled Palestinian Government” <http://www.nytimes.com/2014/06/02/world/middleeast/israel-warns-against-embracing-newly-reconciled-palestinian-government.html?_r=0>

Though Israel has taken a hard line against the new government, it must strike a delicate balance, since the withdrawal of international aid could lead to a collapse of the Palestinian Authority. That would leave Israel responsible for the Palestinians’ education, health care and economy.

On The Brink: Current crises are threatening the P.A. with collapse now

Dr. Khalil Shikaki 2014. (PhD; director of the Palestinian Center for Policy and Survey Research ; senior fellow at the Crown Center for Middle East Studies at Brandeis University) 4 Feb 2014 Implications of PA Collapse or Dissolution: The “Day After” Final Report <http://www.pcpsr.org/sites/default/files/finalreport.pdf>

Although most Palestinians view the PA as a national achievement, many are debating the extent to which it is currently fulfilling its two main roles: as a vehicle for statehood and as a tool for institution building. This debate reflects growing Palestinian frustration with the pace of peacemaking and growing concerns about the viability of the PA and its ability to enjoy legitimacy and deliver services in an environment that is becoming increasingly inhospitable due to repeated financial crises, loss of electoral legitimacy, and inability to end Fatah-Hamas split and reunify the West Bank and the Gaza Strip. Some fear that the PA might collapse under internal pressure: worsening economic and financial crises leading to greater public agitation resulting in private and public sectors’ strikes, demonstrations, and resurgence of armed militias.

Impact 1: P.A. collapse strengthens Hamas – turn Affirmative case harms about how bad Hamas is.

Hamas gains credibility if P.A. collapses because it will be viewed as a failure of Fatah

Dr. Khalil Shikaki 2014. (PhD; director of the Palestinian Center for Policy and Survey Research ; senior fellow at the Crown Center for Middle East Studies at Brandeis University) 4 Feb 2014 Implications of PA Collapse or Dissolution: The “Day After” Final Report <http://www.pcpsr.org/sites/default/files/finalreport.pdf>

PA collapse or dissolution could also deal a significant blow to Palestinian efforts to unify the West Bank and the Gaza Strip, particularly if the former comes under full Israeli occupation and the latter gains greater independence and state attributes. While Fatah’s approach to resolving the conflict with Israel will suffer a devastating blow, Hamas’ will gain greater credibility allowing the group to gradually regain the strength it lost since the violent 2007 takeover of the Gaza Strip.

P.A. collapse weakens Fatah and makes Hamas stronger

Dr. Khalil Shikaki 2014. (PhD; director of the Palestinian Center for Policy and Survey Research ; senior fellow at the Crown Center for Middle East Studies at Brandeis University) 4 Feb 2014 Implications of PA Collapse or Dissolution: The “Day After” Final Report <http://www.pcpsr.org/sites/default/files/finalreport.pdf>

It goes without saying that a PA collapse will signal a weaker Fatah, one that is unable to protect its control over the PA and/or to implement its nationalist agenda in ending occupation and building a state. Fatah, the mainstream nationalist movement, the backbone of the two-state solution, and the secular leader of Palestinian state building will find itself having to admit failure of its approach. Hamas, Fatah’s only rival, stands to gain from such development. It is likely that it would therefore seek to tighten its control over the Gaza Strip, the only remaining Palestinian semi-state entity. Hamas is also likely to declare its government in the Gaza Strip as the only Palestinian government representing all Palestinians.

Impact 2: Social disaster: poverty, crime, violence, and loss of the justice system, water and health care.

Dr. Khalil Shikaki 2014. (PhD; director of the Palestinian Center for Policy and Survey Research ; senior fellow at the Crown Center for Middle East Studies at Brandeis University) 4 Feb 2014 Implications of PA Collapse or Dissolution: The “Day After” Final Report <http://www.pcpsr.org/sites/default/files/finalreport.pdf>

PA disappearance will dramatically affect Palestinian life in the West Bank. It goes without saying that the worst domestic consequences are likely to be triggered by the combined effect of the anticipated collapse of law and order and the disappearance of more than 3 billion dollars of public spending. This development will deliver a severe blow to the private sector and will lead to the gradual collapse of the justice system as well as service delivery in most sectors from health and education to communication, water, and energy. Poverty rates, crime and lawlessness are likely to increase dramatically. Armed militias are likely to take the law into their own hands creating a greater potential for domestic and Palestinian-Israeli violence.

Impact 3: Peace process breakdown.

P.A. is key to a 2-state solution, so P.A. collapse must be prevented

Ehud Yaari 2012. (Lafer international fellow with The Washington Institute and Middle East correspondent for Israel's Channel Two television) 10 Oct 2012 “The Future of the Palestinian Authority: Is Collapse an Option?” <http://www.washingtoninstitute.org/policy-analysis/view/the-future-of-the-palestinian-authority-is-collapse-an-option>

However bleak the portents, the preservation of the PA is indispensable to a two-state solution, and Israel must help prevent its collapse. Upcoming Israeli elections may lead to the formation of a more centrist government -- potentially a Likud-Labor coalition -- that could be open to taking important steps such as upgrading the PA's status or expanding the scope of its activities. In lieu of seeking a final-status agreement, Israel can best make progress through a generous interim deal, or "armistice," with the Palestinians. A number of Israeli political leaders, such as former Prime Minister Ehud Olmert or Defense Minister Ehud Barak, might favor such a solution.

2. No security assistance

Link: US aid to the Palestinian Authority pays for security

Jim Zanotti 2013. (specialist in Middle Eastern Affairs with Congressional Research Service) 30 Sept 2013 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf>

From FY2008 to the present, annual regular-year U.S. bilateral assistance to the West Bank and Gaza Strip has averaged around $500 million (see Table 1), including annual averages of approximately $200 million in direct budgetary assistance and approximately $100 million in non-lethal security assistance for the PA in the West Bank. The remainder—approximately $200 million on average per year—has been dedicated to project assistance for the West Bank and Gaza through U.S. government grants to contracting organizations. In line with Obama Administration requests, funding levels declined slightly in FY2013, with the new baseline of overall annual assistance closer to $440 million. Much of this assistance is in direct support of the PA’s security, governance, development, and reform programs aimed at building Palestinian institutions in advance of potential statehood.

Impact: Crime & Terrorism. Even Israel agrees, US security assistance improves law and order and reduces terrorism in the Palestinian territories

Jim Zanotti 2013. (specialist in Middle Eastern Affairs with Congressional Research Service) 30 Sept 2013 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf> (brackets added)

The USSC/INL [US Security Coordinator / State Department’s Bureau of International Narcotics and Law Enforcement Affairs] security assistance program exists alongside other assistance and training programs provided to Palestinian security forces and intelligence organizations by various other countries and the European Union (EU). Some reports cite the probable existence of covert U.S. assistance programs as well. By most accounts, the PA forces receiving training have shown increased professionalism and have helped substantially improve law and order and lower the profile of terrorist organizations in West Bank cities. Israeli officials generally support the USSC/INL program, routinely citing both the PA forces’ greater effectiveness as well as increased and sustained levels of Israel-PA security cooperation in the West Bank since the program began.

3. Reduced human rights.  US aid pays for building rule of law and for P.A. justice system training and reform

Jim Zanotti 2014. (specialist in Middle Eastern Affairs with Congressional Research Service) July 2014 “U.S. Foreign Aid to the Palestinians” <http://fas.org/sgp/crs/mideast/RS22967.pdf>

Aid from the INCLE account has been given to train, reform, advise, house, and provide nonlethal equipment for PA civil security forces in the West Bank loyal to President Abbas. This aid is aimed at countering militants from organizations such as Hamas and Palestine Islamic Jihad – Shaqaqi Faction, and establishing the rule of law for an expected Palestinian state. In recent years, some of this training and infrastructure assistance has been provided to strengthen and reform the PA criminal justice sector.