



EU's Schizophrenic Position On Hamas

Executive Summary

In 2017, the European Court of Justice ruled on an appeal by the European Council and set forth that Hamas will remain on the list of terror organizations. This appears to indicate that the European Union (EU) is convinced of the terrorist nature of Hamas, de-legitimizes the organization and tries to prevent its funding. However, the EU's position concerning Hamas is not so clear-cut. Firstly, the EU faces challenges implementing the prevention of funding to Hamas due to its own provision of humanitarian aid to the Gaza Strip, which often implicitly benefits Hamas who maintain effective control over the area. More interestingly, the EU's political response is often highly critical of Israel when addressing the blockade of the Gaza Strip and the hostilities there.

This criticism is an attempt to transfer responsibility from Hamas to Israel. It is important to understand that these political responses by the EU implicitly consolidate Hamas' rule and in a sense, they become a source of legitimacy for the organization. Moreover, the EU's response should be understood in a broader framework, in which it legitimizes Hamas as an organization fighting a legitimate struggle for the Palestinian people, without condemning its methods and practices of terrorism. The EU should acknowledge the responsibility Hamas has in creating the humanitarian crisis in the Gaza Strip. The rule of a terrorist organization over the Gaza Strip is problematic, both for the local population and for Israel. Therefore, the EU should problematize the rule of Hamas, and implement measures that will either put pressure on Hamas to abandon its terrorist identity, or that will lead to the complete removal of Hamas from control over the Gaza Strip.