

Testimony of Hon. Elliott Abrams
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House Committee on Foreign Affairs
Subcommittee on the Middle East, North Africa, and Central Asia
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“No Incentives for Terrorism: U.S. Implementation of the Taylor Force Act and Efforts to Stop ‘Pay to Slay’”

Mr. Chairman and Members of the Subcommittee,

Thank you for inviting me here today.

As you know, there has been a serious rise in terrorist attacks this year in the West Bank. Why has this happened?

I would cite three reasons.

First, it’s clear that Iran is making an effort to get more money and weapons to terrorists in the West Bank. Much is blocked but some gets through, across the Syrian and Jordanian borders. Like its support for Hezbollah, Iran’s support for Palestinian terrorist groups such as Hamas and PIJ is part of its unending efforts against the State of Israel. And I do fear that the billions of dollars to which Iran will now newly have access as part of the prisoner deal will only add to the many more billions they are earning through rising oil exports, and will help fund terrorism against Israel to an even greater degree.

Second, Hamas is trying hard to increase terrorism against Israelis in the West Bank and Jerusalem. It is trying to restrain attacks from Gaza, because it wants to avoid Israeli strikes against Hamas itself. And because it has to govern Gaza, it wants a level of calm there, and wants border crossings open and the economy functioning. It wants the violence to be mostly in the West Bank, and it is succeeding in this. So far this year, 35 Israelis have been murdered by terrorists—more than in all of 2022.

And third, underlying this increase is the Palestinian Authority’s continuing refusal to fight terrorism—unless it comes from their rival for power, Hamas. And of course when doing that, the PA is not really fighting terrorism; it is fighting for its own power against a rival. As long as the “pay for slay” system continues, the message to Palestinians is that terrorists should be honored and rewarded. And indeed year after year, the PA honors individuals who have committed acts of terror by naming plazas or schools after them or announcing what heroes they are or were.

Here’s just one example: Nasser Abu Hamid (or Hmeid) was a founder and the commander of the U.S.-designated terror organization Al-Aqsa Martyrs Brigades. During the Second Intifada,

his terrorist acts included killing two Americans, Binyamin and Talia Kahane, and murdering five Palestinians who collaborated with Israel.

When Hmeid died in an Israel prison in December, P.A. President Mahmoud Abbas issued this statement: “to our people, the fighters, and the free people of the world the death of heroic martyr, prisoner and commander Nasser Abu Hmeid, who died as a martyr today as a result of the policy of deliberate medical neglect, ‘slow murder.’ ” The message to Palestinian society is clear: terrorist are heroes.

There are clear alternatives to “pay to slay.” It would be reasonable for the PA to say that, whatever the crime committed, the criminal’s family and children should not suffer for it. The PA could have implemented a welfare-based system, a system of family allowances based on the number of children—as one example. They have steadfastly refused to do so, precisely because such a system would no longer honor and reward terrorists based on the seriousness of their crimes.

Palestinian officials and their defenders sometimes say they cannot move away from “pay to slay” because of public support for it. But surveys done for the Washington Institute for Near East Policy by the Palestine Center for Public Opinion found that Palestinian public opinion is quite divided. When asked if they agreed that “The PA should stop special payments to prisoners and give prisoners’ families normal social benefits like everybody else -- not extra payments based on their sentences or armed operations,” the poll in 2023 found that in the West Bank 38.5% agreed (while nearly 60% disagreed) and in Gaza 45% agreed (and 52% disagreed). And that’s with the PA strongly defending its current position. Presumably if the PA changed policy and defended a new approach, those numbers would change as well.

The Taylor Force Act continues to constitute effective pressure against the unacceptable pay to slay system. It has not meant abandoning the Palestinian people, for as you know it affects only ESF funds that go directly to the PA or PLO. The Biden administration has resumed funding for UNRWA and this year the United States will again be its largest donor, at over \$200 million.

Mr. Chairman, I would make three brief points specifically about the Taylor Force Act.

First:

The Act “urges the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to highlight the issue of Palestinian Authority payments for acts of terrorism and to urge other Member States to apply pressure upon the Palestinian Authority to immediately cease such payments; and urges the Department of State to use its bilateral and multilateral engagements with all governments and organizations committed to the cause of peace between Israel and the Palestinians to highlight the issue of Palestinian Authority payments for acts of terrorism and to urge such governments and organizations to join the United States in calling on the Palestinian Authority to immediately cease such payments.”

I do not believe this is being done, and I urge the Subcommittee to ask Secretary Blinken and Ambassador Thomas-Greenfield why not.

Second:

The Act "calls on all donor countries providing budgetary assistance to the Palestinian Authority to cease direct budgetary support until the Palestinian Authority stops all payments incentivizing terror." I do not believe that is the position of the Biden administration. I believe it has been encouraging other nations, for example Saudi Arabia, to give cash to the PA. There are many ways to support the Palestinian people, of which giving cash to the inefficient, ineffective, and corrupt PA is one of the worst. It encourages and fuels more corruption and allows the PA to continue its "pay to slay" system. We should indeed be urging support for the Palestinian people, but as the legislation states, not for the PA.

Third:

As you know the Act requires annual reports from the State Department on the "pay to slay" system: on Palestinian laws and practices, the amounts paid to terrorists, U.S. efforts to bring these practices to world attention, and U.S. efforts to persuade the PA to change its behavior. Those reports, under the Act, should be unclassified but may have a classified annex. The classified annex allows State to hide inconvenient facts, and to delay the annual reports. I suggest that you urge State to skip that annex, deliver the annual report on time and in unclassified form, and simply brief you on any classified material.

These efforts, like the Act itself, are not at all meant to diminish assistance to the Palestinian people. Rather, they are efforts to direct aid to the Palestinian people rather than to convicted terrorists. I sit on the Advisory Board established under the Middle East Partnership for Peace Act, and Congress has dedicated \$50 million per year to help promote, to quote the MEPPA web site, "economic cooperation, people-to-people peacebuilding programs, and advance shared community building, peaceful coexistence, dialogue, and reconciliation between Israelis and Palestinians."

My own view has been that we should not use these funds to support talk shops, but rather serious cooperation, for example between Palestinian and Israeli doctors, or pharmacists, nurses, lawyers, or entrepreneurs. There have been some good grants: one brought 15 Israeli and 15 Palestinian experts together to work on handling water scarcity; another trains Israeli and Palestinian medical professionals; one grant is for software training; one supports a program that engages 500 nurses; and a grant called Advanced Trauma Life Support offers courses on how to improve handling medical traumas and involves Israeli and Palestinian trauma surgeons. So the Taylor Force Act does not stop U.S. assistance to Palestinians, but keeps it out of hands in the PA that are channels for paying rewards for terror.

What is the longer run prognosis for U.S. aid to the Palestinians? I think it is impossible to answer that question today. The next great change in Palestinian politics will be the end of the rule of Mahmoud Abbas, who is now 87. I expect that there will be a division of his three

titles—as leader of the PA, PLO, and Fatah—and a power struggle that may last years. During that period, each contestant will be more responsive to public opinion and to extreme elements of the society than to the United States. For that reason I have no optimism that the PA will change its tune and stop rewarding terrorists in the foreseeable future. Assistance to Palestinians will have to go around the PA rather than through it.

Both today and in that coming period, should the United States continue to aid the Palestinian security forces? My answer is yes, and I note that it is also the answer of Israel and Jordan. As I've noted, PA efforts against Hamas or other groups may be self-interested—fights among rivals, not principled fights against terrorism. Yet they can have the same effect of lessening the Iranian-backed terrorism committed by Palestinian groups that Iran supports. And in the post-Abbas period, where violent rivalries for power may occur, the absence of PA forces that can work with Israel and Jordan could make a bad situation worse and lead to anarchy.

We are all aware that to many Palestinians, the PA and its security forces are doing Israel's work for it by trying to stop some forms of violence and terror in the West Bank. That situation may worsen—or it might conceivably improve post-Abbas when Palestinians will be more focused on their own politics and power struggles than on Israel. What we can, I think, say today is that neither we, nor Jordan, nor Israel—nor the Palestinian citizenry—will benefit if the PA security forces weaken even further or collapse. We have seen the effect of such trends this year as gangs and terrorists gained more and more power in the northern West Bank.

Mr. Chairman and members of the Subcommittee, thank you for convening this hearing and for your continuing monitoring of U.S. assistance to Palestinians. This complex and changing situation requires Congressional attention, and we all benefit when this Subcommittee shows such attentiveness to the Palestinian situation.