

Countering Hamas at EU and global level

Restrictive measures and political delegitimation

Following the unprecedented Hamas terror attacks against Israel, it is important to step up engagement to isolate Hamas internationally and delegitimise the false narrative of Hamas as “defender of the (just) Palestinian cause” and “representative of the Palestinian” population. Hamas is a terrorist organization: its infrastructure and (financial) support needs to be disabled and its propaganda delegitimised.

The objective must be to identify effective instruments at international / EU level to deprive Hamas of resources (finance; weapons), infrastructure (presence outside Gaza), practical support (associations et al. outside Gaza) and political and public cloud / standing (esp. in the region). Once political conditions are right, these measures should ideally be implemented in the framework of a broad coalition of states (with a strong Arab foot-print).

1) Cutting off resources

Currently, Hamas is listed in various countries (UK, US, etc.). In the EU, Hamas as a group, including its military arm Hamas-Izz al-Din al-Qassem as well as other terror organizations connected to Palestine and Hezbollah (PIJ, PFLP, Al Aqsa Martyre Brigades etc.), are listed since 2003 under the EU’s CP931 regime (EU list of persons, groups and entities subject to specific measures to combat terrorism) to implement UNSC Resolution 1373 (2001). The restrictive measures are primarily related to asset freeze, transactions prohibitions and call for close police and judicial cooperation.

a) Restrictive measures

- Designation of further Hamas individuals:

Further designations can take place **under the CP931 sanctions regime**, where the respective listing criteria are fulfilled – based on national decisions by MS or third states. Recent US and UK designations should be assessed. The next COMET meeting has been scheduled for 21st November by the Council Presidency.

- Using or broadening the scope of existing regimes to target support to Hamas:

The sanctions regime concerning restrictive measures in view of Iran’s military support of Russia’s war of aggression against Ukraine could be broadened in scope to include the notion of “supporting or participating to Iran’s regional destabilisation” – this would open up the possibility for designations of individuals and entities related to the provision of arms (including drones and missiles), and related activities, with a focus on Iran.

- Exploring the possible creation of a dedicated “Hamas” sanctions regimes (as a horizontal regime with Hamas-related support in any form as listing criterion)

Aim would be to cover more broadly destabilization of third states, possibly on the basis of a list of countries to be decided. It would allow to target individuals and entities involved in

destabilizing efforts, actors contracting with them and persons and entities providing logistical, political, communicative, financial or other support to them.

- **Joint targeting**

Close exchange on listings, evidence packages etc. among G7/EU partners.

- b) **Curbing financial flows**

Enhanced coordination on financial intelligence to pursue financial flows to Hamas, including the use of cryptocurrency could consist of:

- Exchange between like-minded partners of the **“Counter-Finance Working Group” of the Global Coalition to Defeat ISIS/Da’esh** to create synergies and learn from the coalition’s efforts to identify and disrupt ISIS/Da’esh’s ability to generate revenue and access regional and international financial systems. Activities and further steps in this regard should be coordinated with the **“Financial Action Task Force”**. The **No Money for Terror** initiative could also serve as a useful platform.
- Address **Hamas funding sources outside of crypto-assets**, primarily state sources, private investments and traditional sources
- Coordinate international and national approaches of G7 partners to counter support to Hamas with the **G7 Roma Lyon Group**.
- Humanitarian aid: coordination on assessment in order to prevent diversion by Hamas and affiliated organizations.

- 2) **Banning support networks**

At EU and global level, we should coordinate national measures such as **association bans for pro Hamas organizations** in order to dry out visible solidarity pro Hamas across cities in Europe and beyond (Info: on 2.11. Germany has banned Hamas and has issued an association ban of the PFLP-support network „Samidoun – Palestinian Prisoner Solidarity Network “. The ban includes use of symbols, right of assembly, asset freeze and seizure etc.).

We should also assess **sharing intelligence and threat assessments** on an intergovernmental basis and **raising public awareness on risks of financing terror activities** (such as Crowdfunding/NGOs).

- 3) **Pushing back against hate speech & anti-semitic propaganda**

Options could include:

- Closely monitoring and **enforcing obligations for digital service providers** to protect users, ensure fundamental rights online and enhance transparency and accountability across online platforms operating within Europe.
- Following up on formal requests issued by the European Commission to social media giants Meta and TikTok, seeking explanations on their **compliance with the EU’s**

Digital Services Act (DSA) with a particular focus on Hamas (the DSA requires these platforms to take proactive measures to combat harmful posts and disinformation).

- In addition, we should: (i) support the European Commission's efforts through further **exchanging information from national monitoring systems**, and (ii) **leverage relevant international fora (Tech against Terrorism, Christchurch Call)**.

4) Closing „safe havens“

Currently, Hamas is present with offices/support infrastructure in various countries. At present, these communication channels are needed regarding the release of hostages (esp. TUR, QAT). Moreover, these hosting countries (can) play an important role in helping to prevent a larger regional escalation and in mid- to long-term stabilisation.

However, in a mid- to long-term prospect we should urge all countries to stop funding activities which could contribute to terrorist attacks, with a view to no longer providing "safe havens".

Note: Restrictive measures should be targeted, specific and applied to individuals and entities, in line with EU law.