

U.S.-Designated Hamas Front Gets Symbolic Win in France

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Brief Analysis

On March 8, 2007, a French court ordered the Wiesenthal Center's director for international relations in Paris to pay a symbolic €1 fine in a defamation suit brought by a U.S.-designated Hamas front organization. The Comité de Bienfaisance et de Secours aux Palestiniens (Committee for Welfare and Aid to the Palestinians) (CBSP) charged that it had been defamed by allegations that it finances terrorism and raises funds to support the families of suicide bombers recruited by Hamas. Although the French court acknowledged that the 150 exhibits submitted by the defense "indeed constituted an impressive body of evidence," it nonetheless issued a symbolic ruling in favor of the plaintiff.

CBSP and Hamas

The decision appears to have more to do with the intricacies of French libel law than with the facts documenting CBSP's ties to Hamas. In August 2003, the U.S. Treasury Department designated CBSP as a terrorist entity, along with four other charities tied to Hamas and six senior Hamas leaders. Australia followed suit, designating all of these targets as terrorist entities. Prior to this, the Canadian Security Intelligence Service noted CBSP's ties to Hamas in a June 2002 "terrorist group profiler" report.

According to declassified information that the Treasury Department made available in 2003, CBSP and its Swiss subsidiary "are primary fundraisers for HAMAS in France and Switzerland. . . . The group has collected large amounts of money from mosques and Islamic centers, which it then transfers to sub-organizations of HAMAS." Israeli authorities have also provided hard evidence, including documents seized in raids in Jenin and Ramallah showing bank transfers between CBSP and Hamas-run welfare groups. These transfers reportedly included €45,000 in the first half of 2004 alone.

Union of Good

Both the French and Italian branches of CBSP, as well as the Association de Secours Palestinien (ASP) in Switzerland and Interpal in London, belong to an umbrella organization called the Union of Good (Itilaf al-Khayr, also known as the Charity Coalition), founded in October 2000 by Sheikh Yusef Qardawi. A radical Islamist noted for his religious rulings legitimizing suicide bombings against Israeli civilians, Qardawi has also called for attacks on Americans -- military and civilian alike -- in Iraq.

The Union of Good began as a 101-day fundraising drive chaired by Qardawi. It was so successful that it became an institution that now works with more than fifty Islamic foundations worldwide. According to Palestinian Preventive Security in Gaza, "The Union [of Good] is considered -- with regard to material support -- one of the biggest Hamas supporters." Noting its ties to Hamas, Israel outlawed the organization in February 2002.

French Resistance to Banning Hamas

France has long resisted banning Hamas fronts in Europe, despite the European Union's 2003 decision to ban Hamas at large -- not just the group's terrorist wing, the Qassam Brigades. A 2004 French government position paper cited "reticence" to ban Hamas among "a certain number of EU member countries," including France, and highlighted "the movement's social activities, which partially but significantly make up for some of the Palestinian Authority's difficulties in guaranteeing essential services to Palestinian society." Despite the EU ban, the paper explained, "France continues to oppose the inclusion on the list of [CBSP], which raises funds for social actions in the Palestinian territories. Several administrative and judicial investigations have produced no evidence that this group uses such funds for terrorist purposes."

Meanwhile, U.S. officials maintain they have indisputable evidence of links between Hamas and European fronts such as the CBSP. Even the president of the Union of Islamic Organizations in France (UOIF) -- which itself maintains ties to Qardawi -- condemned the sale of anti-Semitic cassettes by CBSP at a UOIF annual meeting in April 2005, stating, "We cannot tolerate the sale of such cassettes; this is an incitation to racial hatred, an incitation against religions. This is unacceptable."

The Money Trail

Funds raised by CBSP and similar organizations under the auspices of the Union of Good make their way to Hamas primarily through local charity committees, the majority of which are affiliated with Hamas. According to a December 2004 Israeli assessment, the union had transferred tens of millions of dollars to the Palestinian territories via local Hamas charities.

To facilitate such large-scale funding, the union split its operations in the territories into four administrative districts -- one in the Gaza Strip and three in the West Bank. While the organization's representative office in Gaza distributes aid there, its operations in the three West Bank districts are run through the offices of local Hamas charity committees. The al-Tadhamun organization in Nablus coordinates distribution in the northern West Bank, while activities in the central and southern regions are run through the al-Islah committee in Ramallah and the Hebron Islamic Charity Society, respectively.

Israeli authorities have tied each of these organizations to Hamas. Al-Tadhamun, for example, is headed by senior Hamas official Sheikh Hamid Bitawi, who also serves as one of three Union of Good trustees in the West Bank. Also on the organization's board of trustees are Sheikh Ikrima Sabri (former grand mufti of Jerusalem and a frequent preacher at al-Aqsa Mosque) and Sheikh Raed Salah (Israeli Arab head of the main Islamic movement in northern Israel). Salah has been convicted of transferring funds to Hamas via self-run charities.

Evidence has shown how the charity committees, religious classes, student unions, sport clubs, and other community gatherings convened by Hamas typically serve as opportunities for activists to spot, radicalize, and recruit Palestinian youths for positions in Hamas institutions, for terrorist training courses in Syria or Iran, or for suicide bombings and other attacks. Indeed, Hamas terrorist cells in the West Bank increasingly rely on Palestinians unaffiliated with the Qassam Brigades for logistical and operational support -- including leading suicide bombers to their targets.

Conclusion

The need for humanitarian support is acute in the West Bank and Gaza. But this need -- and the fact that Hamas efficiently exploits it to great effect -- should not amount to a free pass for terrorist activities and political violence. In 2005, as Hamas geared up to run in Palestinian elections, French president Jacques Chirac asserted, "Hamas is a terrorist organization that cannot be an interlocutor for the international community as long as it does not renounce violence and does not recognize Israel's right to exist. This is the unambiguous position of the EU and it will not change." Unfortunately, the recent French court ruling in favor of the Hamas-affiliated CBSP, and France's continued reluctance to ban Hamas charities, suggests Paris may not be living up to this standard.

Matthew Levitt is a senior fellow and director of the Stein Program on Terrorism, Intelligence, and Policy at The Washington Institute. Previously, he served as deputy assistant secretary for intelligence and analysis at the Treasury Department. His publications include the recent book [Hamas: Politics, Charity, and Terrorism in the Service of Jihad](http://www.washingtoninstitute.org/templateC04.php?CID=265) (<http://www.washingtoninstitute.org/templateC04.php?CID=265>) (Yale University Press). ❖

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