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CENTER FOR MIDDLE EAST PEACE

Israel and the Middle East News Update

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News Excerpts

December 6, 2018

Times of Israel

Israel Says it Shared Tunnel Details with Lebanon and UN

The Israeli army said Wednesday it shared with UN peacekeepers and Lebanese officials details about tunnels it says are being dug under its northern border, as Jerusalem pushed for fresh international sanctions against the Hezbollah terror group. Israel says the tunnels, one of which has already been uncovered, are being dug from Lebanon for use in attacks against civilians. The statement came after Lebanese parliament speaker Nabih Berri, a Hezbollah ally, said that the Israeli army offered no “coordinates or information” about the tunnels.

Associated Press

ICC Prosecutor Reports Progress in Palestinian Probe

International Criminal Court prosecutors intend to complete a long-running preliminary investigation into allegations of crimes in the Palestinian territories, a report said Wednesday. The report by ICC prosecutors said that the probe “has advanced and significantly progressed” analysis of whether legal conditions for opening a case have been met. ICC prosecutors have been conducting a preliminary inquiry since 2015, into Israel’s settlement policy, crimes allegedly committed by both sides in the 2014 Gaza war and Hamas rocket attacks at Israeli civilians. Israel is not a member of the court and doesn’t accept its jurisdiction.

Times of Israel

Bahrain FM Denies Plan for Netanyahu to Visit

Bahrain’s Foreign Minister Khalid bin Ahmed Al Khalifa denied the existence of a plan for Prime Minister Benjamin Netanyahu to visit the Gulf kingdom. “There are no communications regarding [a visit]. The reality is nothing has happened.” The Bahraini official’s comment comes days after Hebrew-language news sites reported that Israel was working to normalize ties with Bahrain, citing an unnamed senior official.

Times of Israel

PLO: In Oman, PM Said Ready to Cede Land, Not Control

Netanyahu told Omani leader Sultan Qaboos bin Said that he is ready to cede territory, but not security control, to the Palestinians, a senior official in Ramallah said. Netanyahu traveled to Muscat in late October and met Qaboos, becoming the first Israeli prime minister in more than two decades to publicly visit the Gulf country. “The Omani foreign minister informed us of what Netanyahu told Sultan Qaboos,” Azzam al-Ahmad, a top Fatah and Palestine Liberation Organization official, said Tuesday.

Ha'aretz

Germany Allocates \$62 Million for PA Development

Germany has allocated \$62 million toward new development projects in the Gaza Strip, the West Bank and East Jerusalem, the German Representative Office in Ramallah said on Wednesday. The money will help build up local administration, construct schools and help with vocational training, as well as energy projects in Gaza. This past August, the German government pledged to significantly increase its funding for the UN agency that supports Palestinian refugees after the United States cut its aid.

Jerusalem Post

PA Rejects Offer to Transfer Qatari Funds to Gaza

The Palestinian Authority has turned down an offer to transfer Qatari funds to the Gaza Strip through its Ramallah-based government, a senior Hamas official revealed on Wednesday. The Hamas official said his movement and Qatar had made the offer to the PA, but its refusal forced the Egyptians to reach arrangements with the international community to allow the funds to enter Gaza. The arrangements were said to call for the partial easing of restrictions imposed on Gaza Strip without requiring his movement to “pay a political price.”

Times of Israel

Report: Cardin Putting Anti-BDS Rider in Spending Bill

Democratic Senator Ben Cardin is reportedly working to include controversial anti-BDS legislation to a spending bill this month, as lawmakers rush to finalize the package in a last-minute push. The bill would prohibit US companies from participating in Israel boycotts, including those promoted by international organizations. The measure was advanced through the House Foreign Affairs Committee in June but put on the backburner after liberal advocacy groups and civil liberties groups objected on grounds that it violated rights to free speech.

Jerusalem Post

EU Adopts Measures Against Anti-Semitism

A declaration approved Wednesday from the Council of the European Union calls on EU States to take steps to ensure security for Jewish communities, institutions and citizens. The declaration, agreed by ministers of interior from the 28 Members, also emphasizes the importance of Holocaust commemoration and education; calls on all EU members which have not done so to endorse the International Holocaust Remembrance Alliance’s working definition of antisemitism in the fields of law enforcement, education and training; and calls on the European Commission and Europol to pay particular attention to online antisemitism and to content advocating antisemitic terrorist offenses.

Bill to End Civil Administration Part of Annexation Scheme

By Shlomi Eldar, Senior Analyst

- Proposed legislation to be submitted to the Ministerial Committee on Legislation Dec. 9 would eliminate Israel's Civil Administration in the West Bank. The law, proposed by Knesset member Bezalel Smotrich (HaBayit HaYehudi), already has the support of many of the coalition's members and ministers, even though it is not based on any need to reduce the defense budget or improve services provided to West Bank residents and make them more efficient. It is little more than another step toward the annexation of territory in the West Bank. According to the proposed law, powers now held by the Civil Administration will be transferred to the relevant government ministries, but only for the Jewish residents (West Bank settlers). "Government services for residents of the region who are not Israeli citizens will be granted via the various Regional Liaison administrations," states Clause 5 of the proposed law. Furthermore, the bill states that the finance minister, in consultation with the Civil Service Commission, will assess the new standards and budgets needed by each ministry. The regional representation offices of the military administration in the West Bank will fall under the responsibility of the different ministries.
- Smotrich explained via Twitter what lies behind his proposed law. "The Civil Administration should be shut down immediately," he tweeted. "The residents of Judea and Samaria are not fourth-class citizens. There is no reason they should be ruled by military officers rather than by government ministries." Smotrich is well aware of how tenuous the situation now is. With a narrow coalition of just 61 seats, Prime Minister Benjamin Netanyahu, who is also defense minister, has been courting the settler vote incessantly. In response, Smotrich issued a blatant threat: "If the defense minister blocks this, he must not be allowed to get a single vote in Judea and Samaria in the next election." The Civil Administration was first established by Defense Minister Ariel Sharon in 1981. He wanted to separate the civilian affairs of residents of the occupied territories from the Israel Defense Forces' activities there. From the Six-Day War in 1967 until the creation of the Civil Administration, the West Bank and Gaza were under full military rule.
- The law defines the Civil Administration as the body that manages civilian affairs in the territories. According to the administration's website, it is the branch of the IDF that implements decisions made by the commander of IDF forces in the West Bank, charged with improving quality of life for all populations living there. The Civil Administration has eight regional directorates through which officers of the Civil Administration are in continuous contact with Palestinian West Bank residents, representatives of the settlers, staff of international organizations operating there and members of the Palestinian Authority's security forces. Since the territories are occupied, Israeli law does not apply there. This means that the Civil Administration has extensive authority over the Jewish settlers living there, though some of its authority over the settler population has been whittled down over the years. For instance, it is

responsible for construction in Area C, including producing development plans, granting construction permits and freeing up land for development.

- HaBayit HaYehudi makes no secret of its goal to apply Israeli law to the settlements, claiming that residents of the settlements do not enjoy the same status as Israelis living within the Green Line. The claim is questionable at best, since settlers receive overwhelming preference when it comes to government budgets. According to a 2016 study by the Macro Center for Political Economics, Israel's budget for 2017-2018 provided Israelis living in the West Bank with five times the benefits and grants offered to the average citizen. But as far as Smotrich is concerned, it's not enough. HaBayit HaYehudi has a long-term vision and no qualms about calling it what it is: the annexation of West Bank territories and the obliteration of the principle of a two-state solution. Since 2012, HaBayit HaYehudi Chairman Naftali Bennett has been trying to advance a plan in which some 60% of the West Bank, home to some 400,000 people, would be annexed outright. Then, Bennett would grant full citizenship to the 50,000 Palestinians living in Area C. By making them Israelis in every sense of the term, Bennett believes "We would be pulling the rug right out from under claims that Israel practices apartheid."
- Bennett's annexation plan found many supporters among Knesset members on the right. Nevertheless, he has been unable to get it passed due to opposition from Netanyahu, fueled by fear of the international response to a plan that would effectively bury any chance of reaching a future agreement with the Palestinians. That is why Smotrich and other members of his party have been advancing "creeping annexation" instead. In this case, it seems as if even the US administration will not oppose the move. At first glance, the proposed law seems entirely procedural, but its content is highly significant. It effectively allows the settlers to build as much as they want. As part of his efforts to advance his proposed law, Smotrich has focused on a minor incident in which an officer with the rank of major who works for the Civil Administration called on the Central Command to stop providing aid to the settlement of Yitzhar because of all the violent acts committed by its residents. The government liaison in the territories, Maj. Gen. Kamil Abu Rokon, backed the officer in this case. Since the Civil Administration is under his purview, the case provided the settlers an opportunity to demand that the Civil Administration be eliminated. Smotrich didn't come up with his law in a week — it had been lying before the Knesset for preliminary discussion since March, kept on hold until the right time.
- Meanwhile, media outlets aligned with the settlers have already launched a campaign in support of the legislation, hoping to pressure right-wing Knesset members and prepare the Israeli public for the move. The Civil Administration "is an old-fashioned and overburdened organization with minimal staffing that could not manage our lives even if it wanted to," commented Zvi Sukkot Nov. 28 on the pro-settler Channel 7 TV website. He claimed that new construction and the approval of thousands of homes across the West Bank "would require a comprehensive official survey of the entire territory to determine which lands can be declared property of the state. Given its current staffing, the Civil Administration can conduct no more than one survey per year, with 2018 devoted already to the Supreme Court's decision on the Tapuach West outpost, and 2019 on legalizing the Havat Gilad outpost."

- Now the cat is out of the bag. The real purpose of the move to eliminate the Civil Administration is to expand construction in the settlements and remove any possible obstacle to it. Smotrich's proposed legislation goes hand in hand with the judicial revolution being advanced by Justice Minister Ayelet Shaked, also of HaBayit HaYehudi. She transferred judicial authority over Palestinian lawsuits from the Supreme Court to the District Court, easing the seizure of Palestinian land. Even if Smotrich's new law is not advanced anytime soon, it will be brought up repeatedly until the next election and until Netanyahu is forced to agree to it so as not to lose the settler vote, just as Smotrich threatened.

Israel Betrays its Ideals By Selling Spy Software to Dictators

By Max Boot, Senior Columnist

- Israel has always prided itself on being, as the Book of Isaiah says, “a light unto the nations” — an exemplar of “righteousness” to inspire Jews and gentiles alike and bring salvation to mankind. That is why the menorah is the symbol not only of Hanukkah, which Jews are now celebrating, but also of the state of Israel. But Israel’s light is dimmed when veterans of its famed armed forces, whose mission is to defend the Jewish state’s freedom, misuse their expertise to aid oppression in other countries. Saudi dissident Omar Abdulaziz, who lives in Canada, has filed a lawsuit against an Israeli technology company called the NSO Group accusing it of providing the Saudi government with the surveillance software to spy on him and his friends — including Jamal Khashoggi. The program, known as Pegasus, not only allows the monitoring of all communications from a phone — all texts, all emails, all phone calls — but can also hijack a mobile phone’s microphone and camera to turn it into a surveillance device. The information gathered on Khashoggi may have motivated his murder by alerting the Saudi authorities that he was stirring up electronic dissent within the kingdom, while denouncing Crown Prince Muhammad bin Salman in vituperative terms as a “pac-man” who devoured all in his path. “The hacking of my phone played a major role in what happened to Jamal, I am really sorry to say,” Abdulaziz told CNN. “The guilt is killing me.”
- Firms like the NSO Group have been started by veterans of Unit 8200, Israel’s version of the National Security Agency. A 2016 report by a watchdog group called Privacy International identified 27 Israeli companies in the business of surveillance, the highest number per capita in the world. But the NSO Group has created the most controversy amid charges that its products have been misused against civil society activists around the world. Mexican journalists and activists are already suing the NSO Group alleging that Pegasus was used to spy on them. Among those allegedly targeted were advocates of a soda tax designed to reduce Mexicans’ consumption of sugary drinks. When the NSO Group went to the United Arab Emirates (UAE) to sell its technology, according to the New York Times, it demonstrated its efficacy by surreptitiously recording the phone calls of a London-based Arab newspaper editor. A UAE human rights activist later complained of having his iPhone hacked, and the UAE was also said to have targeted regional rivals such as Saudi Arabia and Qatar. The government of Panama is reported to be another NSO customer that has used the technology to monitor its critics.
- When confronted with such criticisms, NSO’s strategy is to deny and deflect. It told the New York Times on Sunday that its products were “licensed for the sole use of providing governments and law enforcement agencies the ability to lawfully fight terrorism and crime.” The company boasts that its products are vetted and licensed by the Israeli government, and that “we do not tolerate misuse of our products. If there is suspicion of misuse, we investigate it and take the appropriate actions, including suspending or terminating a contract.” It’s true that Israel must approve the sale of NSO’s products — but Prime Minister Benjamin Netanyahu’s

government takes an amoral approach to this vetting. It sees such sales as not only good for Israel's economy but also for its security, because it fosters closer links with Arab states. And if a few dissidents are harassed, jailed or even killed because of this spy software, well, that's not Israel's concern. Israelis are deeply cynical — and, after the Iraq War and Arab Spring, understandably so — about the prospects of democracy in the Arab world. They prefer to deal with unelected leaders such as the royal families of Saudi Arabia, the United Arab Emirates and Jordan, and they fear that popularly elected governments would be more hostile to them because of the pervasive anti-Semitism in the Arab world.

- Freed of serious regulatory pressure, Israeli spy companies are free to maximize profits any way they can. Firms like the NSO Group appear to be doing little to hold customers such as the Saudi and UAE governments to account for using their products not against terrorist groups such as the Islamic State or against foreign enemies such as Iran but against liberal dissidents. It's a safe bet that technology companies build in "back doors" that allow them to monitor and take control of their programs if they so desire. It's likely that the NSO Group could disable its software from afar to stop Saudi Arabia or Mexico from misusing it — but there is no evidence that it has done so. The trump card in these arguments is always the claim — beloved of arms merchants everywhere — that "if we don't sell these products, someone else will." That may very well be true, since the NSO Group is in competition with firms such as Italy's Hacking Team, which has been accused of catering to repressive regimes such as Kazakhstan, Vietnam and Sudan. But Italy has never claimed a moral mission in the world. Israel has. It's understandable that Israel would employ brutal tactics such as targeted killings to ensure its own survival. But there is no excuse for enabling foreign oppression for profit.