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Israel and the Middle East News Update

Friday, January 4

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News Excerpts

January 4, 2019

Times of Israel

AG Said Aiming for February Announcement on PM Indictment

Attorney General Avichai Mandelblit is likely to announce by February his conclusions on a possible indictment of Prime Minister Benjamin Netanyahu in three graft cases, Channel 10 news reported Wednesday, citing a legal source familiar with the investigations. An announcement at that time would come two months before general elections on April 9. Police have recommended that Netanyahu be indicted for bribery in all three of the probes against him, and it is now up to Mandelblit to decide whether to press charges. In Case 1000, Netanyahu is suspected of receiving benefits worth about NIS 1 million (\$282,000) from billionaire benefactors, including Israeli Hollywood producer Arnon Milchan, in exchange for assistance on various issues. See also, [“Mandelblit on Netanyahu's investigation: 'I spend day and night trying to get to the truth'” \(Ynet News\)](#)

Ynet News

Netanyahu: Pre-Elections Indictment Hearing is Absurd

Prime Minister Benjamin Netanyahu published a video Thursday, in which he addressed the possibility of being summoned to an indictment hearing before upcoming elections, scheduled to April 9. "For years, the media and left-wing demonstrators put brutal and inhuman pressure on the attorney general to get him to file an indictment against me at any price, even when there is nothing to prove," he said. "These days, this pressure had reached its peak. They are trying to force the attorney general to intervene in the elections by declaring a hearing— when it is clear to all that it's impossible to complete an indictment hearing before the elections," Netanyahu said. See also, [“PM: Mandelblit facing ‘thuggish, inhumane’ pressure to announce indictment” \(TOI\)](#)

Jerusalem Post

Netanyahu Must Quit if Indicted, Majority of Israelis Say in Poll

More than half of voters say Prime Minister Benjamin Netanyahu must resign if, as expected, Attorney-General Avichai Mandelblit indicts him pending a hearing before the election, according to a Smith Research poll taken Wednesday for The Jerusalem Post. Fifty-one percent of the respondents said Netanyahu would have to resign, 34% said he would not have to, and 15% expressed no opinion or said they did not know. Mandelblit has indicated he will complete the investigations well in advance of the April 9 election. Channel 10 reported the attorney-general will publicize his indictment by February.

Ha'aretz

U.S. Refused Request to Question Kerry, Shapiro in PM Cases

The Trump administration has barred Israeli law enforcement agencies from questioning former U.S. Secretary of State John Kerry and Dan Shapiro, the former American ambassador to Israel, over allegations that Prime Minister Benjamin Netanyahu illegally received lavish gifts from a wealthy Israeli Hollywood entertainment magnate, Arnon Milchan. The Israeli Justice Ministry had approached American authorities requesting that it be allowed to question Kerry and Shapiro, both of whom served under former U.S. President Barack Obama, in an effort to get a fuller picture of the circumstances under which Netanyahu is suspected of helping Milchan obtain a ten-year U.S. visa, after a prior visa was revoked. See also, [“US denied Israel request to question Kerry, Shapiro in Netanyahu probe” \(i24 News\)](#)

Egyptian President Confirms Israel Helping Fight Sinai Jihadists

Egypt's president has confirmed that Israel is helping Egyptian troops battle jihadists in the restive Sinai Peninsula. Abdel-Fattah el-Sissi told CBS News that cooperation between Cairo and Jerusalem was tighter than it had ever been, in comments published late Thursday. "That is correct...We have a wide range of cooperation with the Israelis," he told the US news outlet when asked if the military coordination between the countries was closer than it had ever been. According to CBS, Sissi has demanded that the interview be pulped, apparently over questions about human rights abuses and the deaths of protesters, but the channel has insisted it will be shown nonetheless. See also, ["Egypt's Sisi confirms military cooperation with Israel to rout Sinai extremists" \(i24 News\)](#)

JNS

Jordanian Unions to Position Israeli Flags, Forcing all to Step on

Jordan's Professional Unions Association announced the arrangement of the Israeli flag at the entrance of its offices throughout the country so that those entering will have to walk on it, according to Jordanian media reports. Reportedly, the decision "was made in condemnation of Israel's continued occupation of the Palestinian territories and in response to a complaint Israel submitted to Jordan's Foreign Ministry on the matter," according to Ha'Aretz. In December, Jordanian Information Minister Jumana Ghunaimat walked on the Israeli flag painted on the floor at the Amman headquarters of Jordan's professional unions. Jordanian Prime Minister Omar Razzaz reportedly entered the same building from a side entrance to avoid walking on the flag.

Ynet News

Croatia Gives Israel Deadline on F-16 Jets Sale Amid U.S. Row

Croatia on Thursday urged Israel to overcome a rare disagreement with the U.S. and confirm whether it can carry through on a deal to sell 12 used F-16 fighter jets, adding that otherwise the purchase will be annulled. Croatia's Defense Ministry said it needs an answer from Israel by January 11. The tentative \$500 million deal to buy the upgraded F-16 Barak fighter jets from Israel was made in March last year pending U.S. approval allowing Israel to sell the American-made jets to a third party. The deal ran into trouble after the U.S. State Department hinted that Israel needs to strip off the upgrades that were added after Israel bought the planes from the U.S. some 30 years ago. Israel has upgraded the jets with sophisticated electronic and radar systems, which was crucial in Croatia's decision to buy the planes from Israel rather than from the U.S. See also, ["Israel and the U.S. Are Currently Arguing Over Selling Advanced F-16 Fighters to Croatia" \(TIME\)](#)

Jerusalem Post

Brazil's Bolsonaro: Only Israel has the Right to Decide its Capital

Newly inaugurated President Jair Bolsonaro declared he would transfer the Brazilian embassy to Jerusalem on late Thursday night. "Israel is a sovereign state and we must respect it," Bolsonaro said. "Only Israelis have the right to decide what the capital of Israel will be." There is still no date set for when Brazil will move its embassy in Israel from Tel Aviv to Jerusalem, but earlier on Thursday the national security adviser to Bolsonaro also said the president had a clear intention to do so. Bolsonaro also mentioned that some Arab countries might oppose the move. "Extremist Arab countries will object if we move the embassy to Jerusalem, others will not," Bolsonaro said.

Israelis Deserve to Know the Truth about Submarine Scandal

By Akiva Eldar, columnist at AI Monitor

- **“I believe nothing will come of this,” Israeli Prime Minister Benjamin Netanyahu declared at a Dec. 31 news conference during a visit to Brazil. “This” is a reference to three affairs in which police suspect Netanyahu of corruption: Case 1000 involves gifts he allegedly received from wealthy businesspeople; in Case 2000 he allegedly conspired with a news publisher for favorable coverage; and in Case 4000 he is suspected of granting regulatory favors to a media tycoon, also in return for favorable coverage. Netanyahu added, “The hearing doesn’t end until my side is heard. And therefore, it is not logical to open a hearing process before elections if you can’t finish it before elections.”**
- **Attorney General Avichai Mandelblit reportedly promised members of a senior judiciary forum recently that he would make an all-out effort to complete studying the police findings and recommendations in all three cases as quickly as possible in order to decide whether to indict Netanyahu, pending a hearing. According to a Jan. 1 report on Channel 2, Mandelblit agreed that issuing a decision prior to the elections was a “public duty” so that voters can go to the polls fully informed. However, no mention has been made of why Mandelblit allowed Netanyahu to evade a criminal probe into a far more serious case — Case 3000.**
- **Case 3000 stems from a contract estimated at \$2 billion that Israel awarded the German industrial giant ThyssenKrupp in 2016 for the purchase of three submarines and four warships. Police have recommended indicting several senior figures in the affair on suspicion of accepting bribes, money laundering and other crimes. A petition submitted Dec. 18 to the Supreme Court by a public watchdog is demanding that the attorney general, the state prosecutor, the head of investigations at the Israeli Police and the prime minister himself provide answers to a series of tough questions emanating from the affair by Jan. 6. The petitioners represent the Movement for Public Integrity, a nonprofit organization dedicated to fighting public corruption that includes among its leading figures Brig. Gen. Yaakov Or, who headed the Defense Division in the State Comptroller’s Office and previously served as the Coordinator of Government Activities in the Territories. Another leading activist is Shlomo Gur, the attorney who served as director general of the State Comptroller’s Office and before that of the Justice Ministry.**
- **The petition presented by Attorney Avigdor Feldman and the movement’s current Director Yuval Yoaz argues that the police questioned Netanyahu under caution in the other suspected corruption affairs, and recommended indicting him on charges of bribery and breach of trust. These charges, according to the petitioners, were “nothing compared to the suspicions” emerging from investigations in Case 3000 that are so severe that “they obscure the eye of the sun.”**
- **The movement further claims that the conduct of Mandelblit and State Prosecutor Shai Nitzan in this affair was incompatible with the standards of public probity and administrative and criminal law. The “de facto immunity” that they granted Netanyahu from the start of the affair diverted the investigation from its due course, the petitioners allege.**

- **“The mind refuses to understand,” the petitioners argue, how the state could determine from the start that Netanyahu was not a suspect in the case — even before the investigation, before one of those involved turned a state’s witness and before extensive evidence was gathered. “Can this suspicion be left to hang over the head of the prime minister and of the voters who believe in him and trust him to place the security of the state and its residents above all other considerations?” the petitioners ask.**
- **And there is more. Much like other large weapon deals by Israel, the submarine deal with ThyssenKrupp included an exclusivity clause, hindering the company from selling the same technology to Israel’s neighboring countries. Still, the company agreed to sell similar submarines to Egypt. The petitioners allege that Attorney Yitzhak Molcho, Netanyahu’s private special emissary, was the one who probably agreed the German government could sell these advanced submarines to Egypt, in coordination with Israel’s National Security Council but unbeknownst to the minister of defense, the security Cabinet and the army, which had previously objected to such a deal.**
- **Then-Defense Minister Moshe Ya’alon has dubbed the affair “an act verging on treason,” and accused “corrupt officials” of pushing the deal for profit even though Israel had no need for the submarines. Israel’s approval of the sale to Egypt emerged by chance when German Chancellor Angela Merkel told Israeli President Reuven Rivlin about it on his visit to Germany in May 2015. Although the prime minister was the only one authorized to approve a trip by Molcho to Germany with such a letter lifting Israel’s opposition to the sale to Egypt, police did not question him about it under caution. Police did not question the president nor did it follow up further with Merkel’s office, according to the petition.**
- **The petitioners are asking the Supreme Court to instruct the state prosecution and the police to investigate Netanyahu under caution regarding the deal for the submarines and the warships allegedly needed to protect Israel’s gas exploration rigs. According to the indictments against the suspects, the specifications of the vessels were tailored to the capabilities of ThyssenKrupp and designed to enrich the “corrupt group” of Israelis. The petitioners base their arguments, among other things, on statements by Ya’alon and another former defense minister, Ehud Barak, who argue that it is “unrealistic” to believe Netanyahu was unaware of “the criminal decisions made within the framework of the criminal conspiracy exposed in this affair.”**
- **The suit also alleges that Netanyahu was deeply involved in the deals with Germany, in some of which he was even the lead figure, for example in his contacts with Merkel. The petition demands that Mandelblit and Nitzan as well as Netanyahu himself respond to the question of how the prime minister failed to see the corruption and criminality of the deals. “How could he not discern that in his home, in his office, by the closest of his associates deeds were being carried out in contrast to which every other criminal investigation pales?” the petitioners asked.**
- **The petitioners noted that three of the six suspected of profiteering from “selling the security of the state” are members of Netanyahu’s inner circle. Netanyahu appointed one of them, Brig. Gen. (Res.) Avriel Bar-Yosef, as deputy head of the National Security Council and entrusted him with the state’s top secrets. Another suspect, Attorney David Shimron, was entrusted with Netanyahu’s top secrets, having served as his personal lawyer. The petitioners ask whether, as the probe advanced, investigators should not have addressed suspicions that the prime minister not only chose to ignore his close associates’ actions but also aided and abetted them?**

- **“The submarine issue is sunk,” Netanyahu declared in November following the indictments against his associates, accusing the media of allegedly “making supreme efforts to tie me to an issue to which I have no connection.” The Movement for Public Integrity, led by first-class jurists and auditors, is making an effort to rescue Case 3000 from the depths and to float the following question: Was the prime minister a party, directly or indirectly, to gravely harming state security? That is the question before the highest court in the country. Israeli voters deserve an answer.**

SUMMARY: Attorney General Avichai Mandelblit reportedly promised members of a senior judiciary forum recently that he would make an all-out effort to complete studying the police findings and recommendations in all three cases as quickly as possible in order to decide whether to indict Netanyahu, pending a hearing. According to a Jan. 1 report on Channel 2, Mandelblit agreed that issuing a decision prior to the elections was a “public duty” so that voters can go to the polls fully informed. However, no mention has been made of why Mandelblit allowed Netanyahu to evade a criminal probe into a far more serious case — Case 3000. The petition presented by Attorney Avigdor Feldman and the movement’s current Director Yuval Yoaz argues that the police questioned Netanyahu under caution in the other suspected corruption affairs, and recommended indicting him on charges of bribery and breach of trust. These charges, according to the petitioners, were “nothing compared to the suspicions” emerging from investigations in Case 3000 that are so severe that “they obscure the eye of the sun.”

New Congress, New Battle for Israel: From One-Staters to Pro-Israel Dems, a 'New Reality' Begins in D.C.

By Amir Tibon, US commentator at Ha'aretz

- The new U.S. Congress will hold its first session on Thursday, ushering in a new generation of Democratic lawmakers and possibly signaling a new era in Israel-U.S. relations. For the first time since entering the White House two years ago, U.S. President Donald Trump will have to deal with a new reality in which his political rivals will have real power in Washington, limiting his ability to promote his legislative and budgetary priorities. His Middle East policy, including on the Israeli-Palestinian conflict, is expected to be one of the issues on which the Democratic majority in the House of Representatives will challenge the president.
- The new Congress will also present a fresh challenge to Israel after two years of complete Republican control. Under the leadership of Prime Minister Benjamin Netanyahu and his current right-wing governing coalition, Israel has grown close to Trump over the past two years. Dan Shapiro, who was the U.S. ambassador to Israel under the Obama administration (and previously worked as a staffer in Congress), told Haaretz that “Israel dealt with a certain political situation in Washington since 2016, and now that situation is about to change. I hope Israel will succeed in dealing with this new reality.” He added that some Israeli politicians aren’t fully aware of the importance Congress has within the complicated American system of government.
- Shapiro predicts that American security assistance to Israel won’t be affected by the new balance of power, since “this is an issue that enjoys a clear bipartisan consensus.” In fact, the only senator to recently take action against U.S. military aid to Israel has been Republican Rand Paul of Kentucky. The Democratic majority in the House, Shapiro said, will very likely continue to support Israel’s security needs.
- Where a change in policy could take place, he added, was on the Israeli-Palestinian issue. The Trump administration made a string of controversial decisions in 2018 to almost completely cut U.S. aid to the Palestinians – including money that was supposed to support cancer treatments, coexistence programs between Israeli and Palestinian children, and humanitarian projects that don’t directly benefit the Palestinian Authority.
- Shapiro believes Democrats will try to look for ways to “balance some of the damages” the Trump administration has caused in this arena. He specifically mentioned the danger to USAID’s activities in the West Bank and Gaza. “This is an issue where Congress could potentially still have an impact,” he said.
- A Democratic source on Capitol Hill who is involved in the party’s foreign policy agenda told Haaretz this week that “veteran members of Congress, who are well informed on the Israeli-Palestinian issue, know that even some former senior Israeli security officials have expressed concern about some of Trump’s steps against the Palestinians. They will try to find ways to support some of the programs the administration has hurt.” The Democrats could also use their oversight authorities to demand answers from the administration regarding its constantly delayed Middle East peace plan, and also on Israeli attempts to annex parts of the West Bank.

Shapiro said it “wouldn’t surprise him” if Democrats try to get administration officials to address these issues on the record in public testimonies.

- One instance where Democratic oversight and the prominence of certain Democratic lawmakers could work in favor of the Netanyahu government’s agenda is Syria. Democrats such as Rep. Eliot Engel of New York – who is slated to become chairman of the House Foreign Affairs Committee – could demand more clarity and information from the administration on its timeline for withdrawing U.S. forces from Syria, and on a broader Syrian policy, where Israel is trying to push back against Iran’s growing presence.
- The Democratic staffer who spoke with Haaretz estimated that “overall, there will be issues on which the new Democratic majority will be critical of Israel, such as settlements and the peace process. But when it comes to Israel’s security, there will be substantial support for Israel.” Alon Pinkas, Israel’s former consul general in New York, told Haaretz that “Democrats have a long history and solid record of supporting Israel, so there will be no immediate impact on U.S.-Israeli relations.” Pinkas was in Washington last month and met with a number of prominent Democratic legislators. In his analysis, “The Democratic electoral majority reflects changing demographics in the United States that Israel should be very attentive to.”
- He expressed concern, however, that Netanyahu “sees President Trump as his extension, and himself as the Republican senator from Israel, so there is little that Israel, under his government, can do to restore bipartisanship.” Pinkas accused Netanyahu and “certain political elements” in the United States of “poisoning” bipartisanship with regards to Israel, in order to promote “short-term political gain.”
- Shapiro said that while there is concern about Israel’s alignment with Trump, he believes whatever damages were caused to Israel’s standing among Democrats over the past two years can be reversed with a smart and respectful approach. Shapiro said that while there are indeed “Democrats who feel abandoned or ignored” by Israel, the new Congress “gives Israel an opportunity to strengthen and emphasize bipartisanship.” His recommendation on how to do that: “Show respect to the Democrats, engage them seriously and openly, and show appreciation for their support even when there are disagreements over specific issues.”
- Nancy Pelosi, who will become Speaker of the House, has known Netanyahu for decades, and met him during a visit she made to Israel last year. While she has continuously supported U.S. military assistance to Israel, she has also been critical of Israel’s settlements in the West Bank and has called on Israel to recommit to a two-state solution.
- While the new Congress will include a number of new members who have been very critical of Israel, and have even expressed support for the boycott, divestment and sanctions movement, the vast majority of newly elected Democrats have taken a more mainstream position on the issues. The pro-Israel lobby group AIPAC has described the incoming Congress as “solidly pro-Israel.” While the vast majority of Democrats support a two-state solution, there is also a small but growing group within the party that is now calling for a one-state solution, based on the notion that Israel’s settlement expansion in the West Bank has made it impossible to create a Palestinian state.

Trending: One state

- The Israeli left has mostly rejected this idea over the past decades as it would lead to the end of Israel's existence as a Jewish state. For the same reason, the leading left-wing Jewish groups in the United States have also consistently rejected the "one state" option, and instead pushed for a negotiated two-state solution that would ensure Israel's standing as a Jewish and democratic country.
- In recent years, though, the mood has been shifting and, as noted by Pelosi, there is growing support for a one-state solution on the left. That includes at least one new member of Congress, Rep. Rashida Tlaib (Democrat of Michigan), who is of Palestinian descent and is officially supportive of the one-state option. Another new congresswoman, Rep. Alexandria Ocasio-Cortez (Democrat of New York), has expressed openness to the one-state idea but has not officially backed it.
- There is a growing level of support among Americans for a one-state solution to the Israeli-Palestinian conflict, as long as such a solution ensures equal rights and full citizenship to Palestinians, a University of Maryland poll suggested last month. Dr. Shibley Telhami, who conducted the poll, wrote that rising support for a one-state solution is likely a result of despair from the possibility of implementing a two-state solution. "When one considers that many Israelis and Palestinians, as well as many Middle East experts, already believe that a two-state solution is no longer possible, especially given the large expansion of Israeli settlements in the West Bank, it's not hard to see why more people would be drawn to a one-state solution," he wrote.
- "There is definitely a sense among people on the left that the two-state solution is currently a meaningless slogan," said one pro-Israel activist, who asked not to be identified. "The lack of any progress in the peace process is causing people to lose any hope for a future peace deal. As a result, people are thinking of alternatives to the classic 'two-states' formula. We have a big challenge on our hands, because the one-state solution basically means Israel will no longer be a Jewish state."
- This is also a challenge for left-of-center Jewish groups – such as J Street, the Israel Policy Forum, and others – that support a two-state solution. These groups have long grown used to being criticized by the right for opposing settlement expansion and pushing for a two-state solution. These days, though, they are also being criticized from the left for precisely the same positions. J Street, specifically, announced last year year it was dropping its endorsement of Tlaib because of her support for a one-state solution.
- Dylan Williams, J Street's senior vice president for government affairs, told Haaretz his organization is concerned about support for a one-state solution on both the left and right. He noted that while Tlaib will be the only Democrat in Congress who openly supports the one-state solution, there are dozens of Republicans who have endorsed the Israeli right's version of a one-state solution – which is basically annexation in the West Bank without providing citizenship and equal rights to the Palestinians.
- Michael Koplow of the Israel Policy Forum told Haaretz that "one-staters on the left and the right have very different visions of what a single state will look like. But their support for one state is creating joint momentum for a disastrous outcome that is going to leave most Israelis and Palestinians unhappy if it comes about."

SUMMARY: In recent years, though, the mood has been shifting and, as noted by Pelosi, there is growing support for a one-state solution on the left. That includes at least one new member of Congress, Rep. Rashida Tlaib (Democrat of Michigan), who is of Palestinian descent and is officially supportive of the one-state option. Another new congresswoman, Rep. Alexandria Ocasio-Cortez (Democrat of New York), has expressed openness to the one-state idea but has not officially backed it. There is a growing level of support among Americans for a one-state solution to the Israeli-Palestinian conflict, as long as such a solution ensures equal rights and full citizenship to Palestinians, a University of Maryland poll suggested last month. Dr. Shibley Telhami, who conducted the poll, wrote that rising support for a one-state solution is likely a result of despair from the possibility of implementing a two-state solution. “When one considers that many Israelis and Palestinians, as well as many Middle East experts, already believe that a two-state solution is no longer possible, especially given the large expansion of Israeli settlements in the West Bank, it’s not hard to see why more people would be drawn to a one-state solution,” he wrote.