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CENTER FOR MIDDLE EAST PEACE

## Israel and the Middle East News Update

*Thursday, April 4*

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# News Excerpts

April 4, 2019

Associated Press

## **PM Thanks Putin for Discovery of Soldier's Remains**

Prime Minister Benjamin Netanyahu on Thursday thanked Russia for its assistance in finding the remains of an Israeli soldier missing in battle since 1982. Netanyahu is meeting with Russian President Vladimir Putin in Moscow visit just five days before elections at home. On Wednesday, Israel announced the recovery of the remains of a soldier who went missing in a 1982 battle with Syrian forces in southern Lebanon. Putin acknowledged that Russia had worked to retrieve Zachary Baumel's remains from Syria.

Ha'aretz

## **Likud Widens Margin Over Blue and White**

Netanyahu is on the path for a fifth term as prime minister, with his Likud being the biggest party and the right wing-haredi bloc holding a substantial lead over its rival, according to a Ha'aretz poll released Tuesday. The poll found Likud widening its margin over Blue and White by three seats (30-27), with Netanyahu's bloc bolstered up to 67 seats. All right-wing parties cross the electoral threshold of 3.25 and will receive a minimum of five Knesset seats, including Moshe Feiglin's Zehut, which seemed to be soaring swiftly upward, according to the poll.

Times of Israel

## **Hamas Said to Order Halt to Arson Balloon Launches**

The Hamas and Islamic Jihad terror groups in the Gaza Strip have instructed their members to stop launching flaming and explosive-laden balloons into Israel and to halt nighttime protests in the border region, according to a Palestinian report Wednesday. According to the report, the Gazan groups told their members to stop employing "rough tools" along the border, using a phrase that refers to incendiary and explosive-laden balloons and nighttime protests.

Associated Press

## **Palestinians Nowhere to be Found in Israel's Election**

In a charged election campaign that has been heavy on insults and short on substance, Israel's conflict with the Palestinians has been notably absent. Netanyahu's Likud has offered no plan for what many believe is the country's most existential problem. Gantz speaks vaguely of "separation," while Netanyahu's hard-line partners speak openly of the once unthinkable idea of annexing all or parts of the West Bank. Talk of a Palestinian state, the international community's preferred solution for the past two decades, is non-existent.

Times of Israel

## **PM 'Likely Benefited' from Cousin's Sales to Libya**

Netanyahu may have profited from sales made by his cousin's company to unknown entities in Libya in 2007 and 2008, in violation of US nuclear nonproliferation regulations, the Huffington Post reported Wednesday. The prime minister's cousin Nathan Milikowsky said Netanyahu did not know about the deals. A spokesperson said Netanyahu was only a passive investor in SeaDrift Coke, which supplied the company owned by Milikowsky, C/G Electrodes.

Ha'aretz

## **Tibi: Likud Killed Two-State Solution, One State Likely**

Ahmad Tibi, a member of Knesset and the co-leader of the Hadash-Ta'al slate, said that Netanyahu "killed the two-state solution," explaining that this is why many on both sides are beginning to think about a one-state solution, although his political party still supports the two-state solution. A survey recently published by Haaretz found that 42 percent of Israelis polled support some form of annexation of the West Bank.

Jerusalem Post

## **Former Generals Call for Inquiry into Submarine Corruption**

Former prime minister Ehud Barak, a former IDF chief of staff, two former major generals, a former national security adviser and a former diplomat said on Wednesday that Case 3000, "the Submarines Affair," is likely the biggest corruption and mismanagement case in this country's history. Barak slammed Netanyahu as a liar. "Every 12-year-old child sees the king has no clothes," he said. The panelists – who included former national security adviser Uzi Arad, former IDF chief of staff Dan Halutz, former diplomat Yoram Ben Zeev, and former major generals Amos Yaron and Ilan Biran – called for a national inquiry. In November, police recommended that Netanyahu's lawyer, confidant and cousin David Shimron, as well as former Israel Navy commander Eliezer Marom, be indicted on counts of bribery, among other alleged crimes.

Times of Israel

## **Zehut's Feiglin Calls for Third Temple**

The head of the far-right quasi-libertarian Zehut party said Wednesday that he wants to rebuild the Jewish Temple on the Temple Mount in Jerusalem immediately. "I want to build it now," Moshe Feiglin said, referring to the site that currently houses the Dome of the Rock and the Al Aqsa Mosque and where both Jewish Temples stood in the past. Such a move would be unrealistic in the extreme; suggestions of even small changes to the status quo on the tinderbox holy site, where Jews can currently visit but not pray, have met with vociferous and often violent protests.

## **Why Israel Aims for Arrangement with Hamas**

By Shlomi Eldar, Senior Columnist

- Officially, Israel denies — or rather declines to confirm — reaching an agreement with Hamas last week. Indeed, the issue was not brought to the security Cabinet. New Right leader Naftali Bennett and his party colleague Justice Minister Ayelet Shaked have been running an election campaign headlined “Bennett will defeat Hamas,” calling for a harsh stance against the Gaza Strip escalating violence and criticizing Prime Minister Benjamin Netanyahu’s policy on Hamas. But on April 1, Shaked conceded in an interview on Channel 13, “I have no idea whether there is an agreement with Hamas, I have not been updated.” Earlier, Shaked and Bennett had urged Prime Minister Benjamin Netanyahu to convene the security Cabinet to discuss the reportedly emerging deal, saying they would vote against “Israel’s surrender to Hamas,” as Bennett described it.
- That’s the crux of the issue. An agreement with Hamas, whether concluded or signed, means that Israel has recognized the group de facto and no longer views it as a terror organization. That’s probably why Netanyahu has avoided convening his Cabinet. However, what occurred March 30 along the Gaza border — with Hamas curbing violence against Israel — was obviously the result of understandings between the sides, a type of ad hoc Israel-Hamas arrangement mediated by Egypt on the way to a broader compact. Israel and Hamas are not discussing a cease-fire or a prisoner swap, as states sometimes do with terror organizations. The United States, for example, made a deal with the Taliban for the 2014 release of captured soldier Robert Bergdahl without removing it from the list of terror-supporting organizations. Such was also the case with American journalist Peter Theo Curtis freed from captivity in Syria the same year by the jihadist group Jabhat al-Nusra, which the United States continues to view essentially as a terror organization.
- Israel has reached numerous understandings on cease-fires with Hamas after every flare-up of violence in recent years. In 2011, with Egyptian mediation, the two sides even signed an agreement on the exchange of some 1,000 Palestinians jailed in Israel in return for Gilad Shalit, the Israeli soldier held by Hamas for five years. Despite these agreements and indirect meetings in Cairo, Israel continued to view Hamas as a terror organization. In issuing statements after every Israeli retaliatory bombing in Gaza, the chief military spokesperson would report “attacks on terror targets and infrastructure of the terror organization Hamas.”
- Last week’s agreement that prevented yet another round of violence is not simply one more cease-fire arrangement designed to stop violent Palestinian demonstrations along Israel’s border and the launch of rockets and explosive balloons. One could define it as a diplomatic accord between Israel and Hamas. According to the understandings between the sides, Israel has committed to significant easing of various restrictions on Gaza if Hamas dials back the anti-Israel violence. The Ynet news website reported March 28 that Israel’s proposals included more supply trucks allowed to enter Gaza through the Kerem Shalom border crossing and

expansion of Gaza's fishing zone to 12 nautical miles, which was actually extended to 15 miles. The offer also included expanding the United Nations temporary employment project to include 40,000 Gazans, upgrading the power line from Israel to the Gaza Strip, easing of import and export permits, and allowing the entry into Gaza of dual-use items that Israel had banned until now.

- On March 30, after the mass Palestinian protest along the border went off relatively smoothly, the Israel Defense Forces issued the following statement, which translated from Hebrew reads: "The events of the so-called March of One Million on the Gaza Strip border have ended with less violence than expected. The organization controlling Gaza acted with restraint, which we have not seen for the past year." It is important to note that the statement referred to the "organization controlling Gaza" rather than the usual term of "terror organization Hamas." The following morning, Israel reopened the crossings, despite the five rockets fired overnight toward its border communities. On April 1, the Coordinator of Government Activities in the Territories (COGAT) announced that Gaza's fishing zone was extended to 15 nautical miles, a range that Israel had not allowed since its 1993 Oslo Accord with the Palestinians. COGAT later issued a strange explanation: "This is part of our policy, which distinguishes between terrorism and the general population ..." This explanation seems strange as the agreement to extend the fishing zone was obviously reached vis-a-vis Hamas, and not vis-a-vis the fishermen (i.e., "the general population").
- Hamas on the other hand, has no qualms about using the word "agreement," as deputy head of the Hamas political department Salah al-Arouri explained March 30. "We expect agreements to be signed within a few days," he said. Obviously aware of the significance of an agreement with the enemy that Hamas refuses to recognize, Arouri added, "This is not a peace agreement with Israel and has no connection to diplomacy. We are interested in ceasing the fighting in exchange for [Israel] lifting the siege." "The agreement reached with Israel is just the beginning," a Hamas source told Al-Monitor on condition of anonymity. The leadership, he added, understands that the Israeli government is under pressure due to the April 9 elections. It had, however, received an explicit promise of accelerated and intensive negotiations soon on lifting the blockade of Gaza and discussion of all issues Hamas had raised in the past, including the building of sea and airports and establishment of commercial-economic zones.
- Asked by Al-Monitor whether the agreement, which includes a Hamas commitment to cease all armed action or violent popular activity against Israel, means it had given up jihad and was recognizing Israel's existence, the source answered, "The Hamas leadership has said repeatedly, 'We do not recognize Israel as long as we have not been given our rights.'" Nonetheless, his words are clear. Agreement with Israel based on a cessation of armed activity in return for economic concessions is de facto recognition by each side of the other's existence. Hamas will probably keep dubbing Israel "the Zionist enemy," but it is far from certain that Israel will be able to keep calling Hamas "a terror organization." It will probably adopt the term minted in recent days by the military spokesperson, "the organization controlling Gaza."

- Even as Israel engages in agreements and understandings with Hamas, Netanyahu treats his security cooperation partner in the West Bank as a terror organization. Ever since the breakdown of the US-mediated Israeli-Palestinian peace talks in April 2014, no significant agreement has been reached with Palestinian President Mahmoud Abbas. Netanyahu and his ministers keep treating the Palestinian Authority (PA) as a “terror entity” despite the close and beneficial security coordination between the sides. The only agreement reached so far has been on settling the PA’s debt to the Israel Electric Corporation, at the instigation of Finance Minister Moshe Kahlon. Netanyahu insists at every opportunity that Abbas supports terrorism and incites his people to terrorist activity. His divide and conquer method, in regard to Gaza and the West Bank, is designed to enable Israel to evade any deal with the PA, which would by its very nature entail territorial and diplomatic concessions that Netanyahu cannot or does not want to deliver. Netanyahu finds it far simpler to reach agreement with Hamas and whitewash the sins of the group that Israel has for years referred to in disgust as “the Hamas terror organization.”

## **The End of Oslo Is an Opportunity**

By Lara Friedman, Foundation for Middle East Peace; and Khaled Elgindy, Brookings Institution

- The Israeli-Palestinian conflict is at an inflection point. The peace process birthed 26 years ago in Oslo, Norway, is officially dead, and a two-state solution is off the table—at least for now. Moreover, both the Trump administration and the government of Benjamin Netanyahu are today pursuing policies designed to render permanent Israel's control over all the land between the Jordan River and the Mediterranean Sea and ultimately foreclose a negotiated two-state solution between Israelis and Palestinians. Doing so highlights the two governments' shared embrace of illiberalism and, more broadly, their shared contempt for international law, human rights, and the post-World War II liberal world order.
- That is the bad news. The good news is that the collapse of the peace process has opened up space for a long-overdue discussion in the United States on a new way forward on Israel-Palestine. This development comes at a rather propitious moment in U.S. politics. Today, there is a growing and newly energized grassroots constituency that is focused on the protection of human rights, civil rights, and dignity, both at home and abroad, and which now includes the Israeli-Palestinian conflict as an integral part of its agenda.
- Sen. Bernie Sanders understood this when, in the course of his 2016 presidential campaign, he chose to make Palestinian rights and the need for a more even-handed approach to the conflict a centerpiece of his foreign policy, a move that was well-received by the party's base and may have prompted other Democratic candidates to moderate their own positions. Likewise, the election to Congress of Democratic Reps. Rashida Tlaib and Ilhan Omar, both of whom openly support the boycott, divestment, sanctions (BDS) movement against Israel, makes clear that, after more than 50 years of occupation and 26 years of a failed peace process, growing numbers of American politicians and voters are seeking a new way forward on Israel-Palestine.
- Several of the Democratic senators who are in the race for president in 2020—including Cory Booker, Kamala Harris, Elizabeth Warren, and Sanders, an independent—also see this shift, as evidenced in February by their rejection of the Strengthening America's Security in the Middle East Act, which, if passed, would give political cover to efforts to quash political free speech in the name of fighting BDS. Although the measure passed the Senate by a vote of 77-23, Democrats were split virtually down the middle, 24-22 including Sanders. That bill, which has not yet been taken up in the House, was backed by the American Israel Public Affairs Committee and Senate Democratic leaders but vocally opposed by grassroots groups, including MoveOn.org, J Street, the American Civil Liberties Union, and Indivisible, as well as a number of politically engaged students on college campuses across the country.
- This expanded debate has created an unprecedented opportunity to conceive a new approach to the Israeli-Palestinian conflict based on what is required to achieve a durable peace that both

serves U.S. interests and upholds America's values, with respect to the welfare of the people of the region, rather than what is deemed politically expedient. Though the Trump administration continues to put off the release of its much-touted peace plan, several important elements of President Donald Trump's approach are already known, including the decisions to take key issues such as Jerusalem, refugees, and a fully sovereign Palestinian state "off the table." The administration has now openly endorsed Israel's ability to keep land acquired by force, effectively negating United Nations Security Council Resolution 242 and the "land for peace" formula on which the peace process has been based for more than half a century. We saw this first in Jerusalem—where by recognizing the city as Israel's capital without a political agreement Trump broke with U.S. policy dating back to before the establishment of the state of Israel—and more recently in the Golan Heights. It seems clear that, if ever released, the plan would be a nonstarter.

- But while it may be tempting to attribute the sorry state of the Israeli-Palestinian peace process entirely to the Trump administration's policies, in reality the U.S.-led peace process had already run aground well before Trump's arrival. Since the start of the Oslo process in 1993, successive administrations from both political parties officially opposed Israeli settlements and called for ending Israel's occupation, in keeping with land for peace and the goal of two states, while simultaneously pursuing policies that actively undermined all of these. The results of this ambivalence can be seen in the explosive growth of Israeli settlements over the life of the peace process, with the settler population growing from roughly 280,000 at the start of the process in 1993 to well over 630,000 today.
- These stark realities have produced very different responses from America's two main political parties. While Republicans have by all appearances made their peace with, if not welcomed, permanent Israeli control over the West Bank—even going so far as to officially deny the occupation exists, according to the 2016 Republican platform—Democrats are increasingly divided over how or even whether to address the issue. Indeed, many within the Democratic Party fear that the Israeli-Palestinian conflict is dividing the party and becoming a political Achilles's heel that could hurt its chances heading into the 2020 election.
- These fears are not entirely unfounded. During the 2018 midterm campaigns, the issue was weaponized against candidates such as Stacey Abrams in Georgia, Andrew Gillum in Florida, Cynthia Nixon in New York, and Scott Wallace in Pennsylvania. Abrams was taken to task for voting "no" on a state BDS bill over free speech concerns; Gillum was criticized for having supporters who back BDS; Nixon was attacked for having signed a petition in support of Israeli artists who refused to perform in a settlement; and Wallace was aggressively scrutinized for having headed a fund that gave money to progressive causes, including some groups that support BDS. Since then, we have seen the kind of hyperscrutiny elected officials who are viewed as unsympathetic to Israel, including Rep. Omar, are subjected to, with every statement or tweet parsed for evidence of anti-Semitism. Further, a poorly chosen phrase or careless word can both cause real pain and be cynically politicized to hijack the news cycle for days and

weeks (if not longer), all of which exacts a political toll and serves to distract from other issues of concern to the party.

- The shifts in the U.S. political landscape are still in their infancy, and the outcome is anything but assured. Given the political difficulty associated with challenging Israeli policies and the overall hopelessness of the Trump approach, many in the Democratic Party establishment seem to believe their best option is to double down in support of the policies of the pre-Trump era while simultaneously imposing limits on dissent and debate. A bipartisan resolution introduced recently in the House and Senate embodies this approach, pairing a fulsome restatement of commitments to peace and a two-state solution with scathing indictment of those who venture past specified red lines for debate and protest by engaging in or supporting boycotts of Israel. But, with respect to dissent and protest, the genie cannot be put back in the bottle. The status quo ante no longer represents a political safe space to which Democratic leaders can realistically hope to retreat in order to avoid attacks.
- But, with respect to dissent and protest, the genie cannot be put back in the bottle. The status quo ante no longer represents a political safe space to which Democratic leaders can realistically hope to retreat in order to avoid attacks. While criticizing Israeli rights abuses or advocating for BDS remains politically radioactive in Washington, the views of Sanders or Omar are well within the Democratic and broader American mainstream. According to a recent poll by the University of Maryland's Shibley Telhami, for example, 40 percent of Americans and 56 percent of Democrats support imposing sanctions on Israel in response to continued settlement activity.
- Indeed, the Democratic leadership is increasingly out of step with the party's rank and file, large elements of which are no longer willing to acquiesce to Israel's mistreatment of the Palestinians or to unconditional U.S. financial, political, military, and diplomatic support for Israel while it engages in policies that violate democratic principles, human rights norms, and international law. The mobilization of grassroots activism in opposition to the anti-BDS bill at the beginning of 2019 was another example, as is the near-constant introduction of pro-BDS measures on college campuses around the country. Efforts to stifle debate and delegitimize dissenting voices in any event will likely only highlight and exacerbate internal divisions; rather than averting attacks, such efforts will fuel them.
- U.S. management of the peace process was already fundamentally broken long before Trump took office. By failing to challenge the dynamics that define and sustain the conflict—particularly Israel's ongoing and ever deepening occupation—U.S. mediation has helped entrench the status quo while reinforcing, and even institutionalizing, the vast power imbalance between the two sides. Policies that are built on denial—whether through attempts to erase the reality of Israeli occupation or the refusal to challenge it—cannot succeed. A more responsible way forward—for the United States, Israel, and the Palestinians—requires a new approach grounded in international law and in universal norms and values. Primary among these must be the principles of equality, respect for human rights and dignity, and mutual accountability, bolstered

by an explicit recommitment to uphold Security Council Resolution 242 and other relevant U.N. resolutions, as well as to international human rights laws, as embodied in various conventions and treaties. Under such an approach, efforts to promote peace, security, and self-determination for both Israelis and Palestinians flow from these principles, resolutions, and law—rather than exist in constant tension with them.

- A key objective of this new approach should also be to create and defend the political space for the broad spectrum of political opinions that exists on Israel-Palestine; efforts to suppress criticism of Israel or quash constitutionally protected political free speech, including boycotts, must be rejected. A genuine two-state solution, including the establishment of a fully sovereign state of Palestine with its capital in East Jerusalem, can and should remain the desired outcome; pursuit of this outcome cannot be cover for perpetual occupation and disenfranchisement of Palestinians. Moreover, the focus on territorial partition should not preclude consideration of other equitable solutions, such as confederation between Israelis and Palestinians, some form of shared sovereignty, or a single binational state. Challenging decades of thinking on Israel-Palestine is, by its nature, politically uncomfortable. However, the demise of the Oslo process makes such a re-examination imperative. This is a crisis that U.S. political leaders cannot avoid and an opportunity they cannot afford to miss.