

Testimony before the House Committee on Foreign Affairs  
Israel Imperiled: Threats to the Jewish State

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Dear Mr. Chairmen and Ranking Members,

Thank you for the opportunity to speak before these two distinguished subcommittees. In keeping with your request, I would like to address the challenges Israel faces: security, conflict with the Palestinians and the de-legitimization movement.

Today, Israel is facing many security challenges, in an evolving threat environment. Between 1948 and 1973, the Arab-Israel conflict witnessed several state to state wars between neighbors. At least in those wars, states had rules of warfare. In the Arab-Israel context, these wars were classic pitched tank battles in the Sinai Desert or the Golan Heights. As such, for the most part, the fronts were not adjacent to urban areas. In contrast, today, Israel is encircled largely by non-state actors, which have no rules. They do not accept that Israel has a right to exist within any boundaries and critically, they aim to set the front line inside Israel's urban areas. They have no problem to embed themselves in the heart of urban areas, fire rockets into Israeli cities and in so doing, challenge Israel to retaliate in a terrain that could lead to greater civilian casualties on the Palestinian side.

On five of Israel's borders, Israel is facing non-state actors. First, in Lebanon, the dominant non-state actor is Hezbollah, which is believed to have 150,000 rockets. Second, along the Syrian border, where Syrian soldiers and UN peacekeepers once stood, there is now Jabhat al-Nusra, an offshoot of al-Qaeda. This does not even count ISIS, which is in eastern Syria and has openly threatened Jordan, a key Israeli ally. Third, on the Egyptian front in the south, an ISIS affiliate has wreaked havoc in the Sinai, territory ostensibly under Egyptian control since the 1979 Egyptian-Israeli peace treaty. This group is also trying to make inroads with Hamas in Gaza.

Fourth, there is Hamas in Gaza, which has fought three wars with Israel in the last seven-plus years, using the same formula of firing rockets at Israeli urban areas. The most recent war in 2014 lasted a full 51 days and civilians on both sides were impacted. Israelis had mere seconds to head for cover, hoping that Iron Dome missile defense debris would not land on their heads. Palestinian civilians also suffered tragic losses in relatively larger numbers due to Hamas' strategy of embedding fighters and weaponry in urban areas. And while today there is relative quiet along this front, it is only a matter of time before a fourth war begins in Gaza. Moreover, Hamas has resisted uniting Gaza under the Palestinian Authority. Needless to say, without US military assistance writ large and without Iron Dome specifically, Israel's security predicament would be far worse. A fifth border is a power-sharing arrangement with the Palestinian Authority in the West Bank, which I will discuss below.

The only border that resembles a classic state to state security relationship is that between Israel and Jordan. These are two states that have drawn much closer to each other in recent years amid shared threats and common interests.

Of course, beyond the challenges of its immediate neighbors, there is also Iran. Israel may not like the Iran deal, as we all know, but it understands it must now turn towards enhancing the US-Israel bilateral security relationship. At a joint conference with Secretary of Defense Ash Carter in October, Israeli Defense Minister Moshe Ya'alon said "The Iran deal is a given... Our disputes are over. And now we have to look to the future." Israel's military Chief of Staff, Gadi Eizenkot, even argued recently that in the short-term Israel is safer, given that the Iran nuclear deal forces the Iranians to ship out its stockpile of enriched uranium and cut down many of its centrifuges. Yet, two sets of questions remain. One is about what will happen when the restrictions on Iranian enrichment and deployment of advanced centrifuges are lifted under the terms of the deal over the next 10-15 years? Israel questions Washington's resoluteness to address the myriad of implementation issues that could arise. It also questions US willingness to ensure that Iran understands the consequences of dashing for the bomb, either during the agreement or after its main components expire. Second, in the more immediate sense, Israel worries that Iran is shedding its pariah status and will use access to post-sanctions capital to gain greater regional influence.

This rather sober assessment is punctuated by two rather unusual rays of light. First, despite the political impasse on peace negotiations since the collapse of Secretary of State John Kerry's initiative in 2014, Israeli-Palestinian security cooperation in the West Bank has, for the most part, been strong. Of course, nothing is ever easy and Palestinians control or partially control only 40% of the West Bank. There have been over 200 stabbings by Palestinians since October, many of them perpetuated by teenagers. While it is true that inflammatory statements by Mahmoud Abbas in the early days of this "lone wolf" stabbing wave exacerbated tensions, Israeli officials say PA security cooperation with Israel has been essential in ultimately reducing the violence. Israeli officials corroborate a statement by Palestinian Intelligence chief Majid Faraj to Defense News in January that the Palestinian security services have stopped 200 additional attacks. They also corroborate a recent statement by Abbas that the Palestinian security services have gone into Palestinian schools and confiscated knives. It is also known that Palestinian plainclothes police have stayed on the Palestinian side of key checkpoints to confiscate more knives and stop even more attacks. Israeli Defense Minister Moshe Ya'alon just last week held a press conference and praised the Palestinian security services for all their efforts against terrorism. He said "the PA has worked tirelessly recently to stop terror."

In return, Israel's security services have served an important stabilizing role within the Israeli structure and promoted further economic and security cooperation with the Palestinians. Officials say 120,000 Palestinians work in Israel or for Israelis in the West Bank and unofficial estimates are even higher. Since the start of the latest round of violence, the Israeli defense establishment has advocated for increasing this number by 30,000. The Israeli security services have also been advocates for providing the Palestinian security services with more authority in Palestinian urban areas (known as Area A). Such authority is premised upon more intelligence sharing, so Israel can avoid incursions, which have negative political implications for the PA. Israel insists that its

forays into Palestinian urban areas are used sparingly, namely only when the intelligence is too sensitive to be shared with Palestinian counterparts. While Palestinians would like Israel to announce that it will stop all incursions in area A, in reality, both sides understand the Palestinians will need to gradually build capacity. Such a gradualist approach is in interest of both sides. Anything abrupt could set up the Palestinian side for failure.

In recent months, there has been a decline in violence and as of this writing, it is unclear who perpetrated yesterday's bus bombing in Jerusalem, the first in several years. In a preliminary sense, this decline seems to show that the Israeli security services have been vindicated in their approach. They have consistently argued against over-reaction, seeking to maintain an even-keel and avoid collective punishment of the Palestinian population. But it still may be too soon to pronounce the wave of stabbings over, as there could be an upsurge during the upcoming Jewish and Muslim holiday season. When I testified last time about clashes on the Temple Mount (TM), as it is known to Jews, and Haram al-Sharif (HAS), as it is known to Muslims, it was on the heels of the fall holiday season. During this time, Secretary Kerry, Jordan's King Abdullah and Israel's Prime Minister Netanyahu agreed on a camera system to ensure better security monitoring of the area. However, according to media reports, this plan has been abandoned amid Palestinian complaints. I hope it will be reinstated.

A second ray of hope for Israel, beset by non-state actors and a hegemonic Iran, is its growing cooperation with Sunni Arab states in the region. Israel has grown closer to Amman over fears that ISIS could infiltrate Jordan, a country Israel considers its strategic depth in the Mideast. Israel has been pulled closer to Egypt over fears about infiltrations of Hamas and the Sinai affiliate of ISIS. It is no secret that Israel is not enforcing the military restrictions for the Sinai, laid out in the 1979 Peace Treaty, when it comes to Egypt's fight against the ISIS affiliate. The idea that an Egyptian military jetliner would fly through Sinai with tacit Israeli acceptance would have been unfathomable in the past.

Israel has also been pulled closer to virtually all the six Gulf States, amid the shared fear of Iranian encroachment in the region. While these under-the-radar relations tend to focus on security and counter-terrorism, every once in a while they have protruded above the surface. In November, it was announced that Israel would establish a diplomatic mission to the International Renewable Energy Agency in the UAE, marking the first official Israeli presence in the Gulf in more than a decade. There is also the recent announcement signed between Egypt and Saudi Arabia, returning the islands of Tiran and Sanafir to Saudi sovereignty. Saudi Foreign Minister Adel al Jubeir said recently, "here is an agreement and commitments that Egypt accepted related to these islands, and the kingdom is committed to these," alluding to Saudi's first public recognition of the historic 1978 Camp David accords and the peace treaty that followed.

There have been two recent developments that are also worth noting. First is the Arab League's recent designation of Hezbollah as a terrorist organization. Second, just this past weekend, The Organization of Islamic Countries issued a statement which "deplored Iran's interference in the internal affairs of the States of the region and other Member States including Bahrain, Yemen, Syria, and Somalia, and its continued support for terrorism." Both these developments point to a Middle East that is more willing to publicly identify extremist threats. Often in the past,

ambiguous phrasing was used to avoid ruffling feathers, unless the feathers ruffled were Israeli feathers. This is no longer the case.

What can the US do to tackle these threats and seize the opportunities?

When it comes to Iran, the US and Israel need to strictly enforce Iranian compliance of the nuclear deal and push back against malign Iranian behavior in the region. There needs to be consequences for violations, such as the recent missile tests. The US and Israel should form a joint implementation committee, which would deal with implementing the Joint Comprehensive Plan of Action, addressing potential violations and the maintenance and strengthening of non-nuclear sanctions. The US and Israel should also work together to track Iranian financial flows and Iranian arms transfers to Hezbollah.

The Iranian nuclear deal has triggered a wave of US arms commitments to the Gulf States, in order to offset the impact of the JCPOA. For Israel, this represents a tight-wire move. On one hand, Israel fears the possibility of sophisticated American hardware ending up in the wrong hands, as has been the case with ISIS in Iraq. At the same time, Israel itself is drawing closer to the Gulf States. In this context, the US has been and must continue to be committed to Israel's Qualitative Military Edge.

In a broad sense, Israel views the strength of the US-Israel relationship as a function of how the US is perceived in the region by friend and foe alike. If governments believe the US is trying to extricate itself from the Mideast, both the US and Israel will be deemed as having less credibility in the region. However, if the US is viewed as the center of the pragmatic camp in the Mideast, this will bolster the position of this critical bilateral relationship, at a time when Iranian proxies are involved in many of the region's conflicts.

Another way of bolstering the US-Israel security relationship is by concluding the Memorandum of Understanding (MOU), which sets foreign military aid levels for the next ten years. We have seen two MOUs in this regard in the last two decades. Concluding these negotiations swiftly will send a message to Israel's friends and enemies alike that the U.S. remains committed to Israel's security. Specifically, Israel's deterrent power is, in large part, a reflection of how its adversaries view the strength of its strategic relationship with Washington. An inability to conclude terms of an MOU satisfactory to both sides will erode this deterrence.

Of course, there are many steps that the US is already taking to bolster Israel's security, such as the ongoing development of missile defense technology. Today, the US is working with Israel on Arrow III and David's Sling. There is also the success of Iron Dome. Without Iron Dome, there would have been thousands of more fatalities in the 2014 Gaza War. Without Iron Dome giving Israel political breathing space, there is no doubt that Israel would have been forced into a ground assault, which would have increased both Israeli and Palestinian fatalities. There has also been closer technological cooperation in areas such as tunnel detection, preventing armed smuggling and cyber security. Israel sees itself as a leader in cyber-security and leading officials in the US have publicly said they see such cooperation as good for the US and something the US wants to intensify for its own interests.

On the Palestinian issue, there remain challenges. The US has engaged in three noble efforts in 2000, 2007/8, and 2013/2014 to solve the entire conflict. (As I have disclosed, I was part of the third.) For a variety of reasons, these efforts did not succeed and under the current leadership constellation, I don't see us succeeding in reaching a final deal. As such, I am rather skeptical about efforts to put forward parameters at the United Nations Security Council. Invariably a parameters resolution will be interpreted by both sides as an imposed solution and could serve as a baseline for defiance, rather than bringing the parties closer to a common solution. Moreover, I have my doubts that the US could reach a sufficiently explicit and balanced text, with equally tangible benefits, given the competing interests of the Security Council members. Taken together, I am concerned that a resolution will be seen as a walk-away strategy by the United States that ties the hands of future US administrations. We need more flexibility, not less in dealing with this complex issue.

Whenever it is all or nothing in the Middle East, it is always nothing. Therefore, we need to find a way to maintain the viability of a two-state outcome, even if we cannot implement a two-state solution today. I worry that stagnation will lead to further violence. Moreover, without a deal, Israel becomes a binational state, in contrast to Israel's desired identity as the nation-state of the Jewish people, albeit with equal rights for all citizens.

We have tried to hit the home-run ball three times, so perhaps now it is time for singles and doubles. It is important to note that approximately 80 percent of the Jewish settlers live in five percent of the West Bank, west of the security barrier. For Israel, this distribution of demography could be the key to maintaining the viability of a two-state solution. Israel could declare that it is not building east of the barrier, an area where a minority of settlers live but where the bulk of Palestinians reside, and consider financial incentives for settlers east of the barrier to move west. Israel could also announce that it will not build in Arab neighborhoods of East Jerusalem. This would focus Israeli activity largely into the small percentage area of the West Bank that Palestinians acknowledge will one day be Israel, in return for comparable territorial exchanges or swaps. Palestinian polls say an increasing number of Palestinians believe Israel will keep taking more of West Bank territory. Therefore, these steps could be an important signal to both Palestinians and the international community that Israel is serious about two states. This approach could help blunt the delegitimization movement, stem Israel's drift towards binationalism, give the US more leverage to block future European sanctions against Israel and help improve the US-Israel relationship.

There are also moves the Palestinians can take to prove their commitment to two states. First, the Palestinian Authority could jettison its anti-normalization policy. It is hard to see how peace can be reached without a pro-active policy that encourages grassroots activity for reconciliation. Second, the Palestinians need to stop incentivizing terror by paying money to Palestinian prisoners and relatives of suicide bombers. This is not a small sum of money. Estimates put it at about \$115 million per year. It is true that in 2014 the PA eliminated the Prisoner Affairs Ministry and the issue is now under the jurisdiction of the technically independent PLO. Yet, people continue to wonder if this is a sleight of a hand, since Abbas is the head of both and the PLO does not advertise the sources of its income.

Today, Abbas seems to be of two minds. On one hand, he will still call Palestinians stabbers who are killed “shahids” or “martyrs,” even while indicating the action itself is not to be encouraged. He recently told an Israeli interviewer, "Our security forces go into the schools to search pupils' bags and see if they have knives...In one school, we found 70 boys and girls who were carrying knives. We took the knives and spoke to them and said: 'This is a mistake. We do not want you to kill and be killed. We want you to live, and for the other side to live as well.'"

The US also needs to sensitize our European allies to this issue. When Europeans come to the US or perhaps when members of the US Congress go to Europe, it needs to be conveyed the Palestinians cannot continue to promote the message that terrorism pays and those that die stabbing Israelis are martyrs. Given the closeness between Europe and the Palestinians, this would carry weight. The Europeans love it when the US administers tough love to Israel in a public fashion, but they seem never to do the same when it comes to our Palestinian friends.

There is also the issue of the Boycott Divestment and Sanctions (BDS) movement. Sadly, the BDS movement is importing the politics of confrontation from the Middle East, rather than exporting the politics of pluralism and dialogue, which are the hallmarks of American society. As someone who has made scores of visits to American campuses since 2008, I am troubled by this movement for a variety of reasons. First, it puts the onus for the impasse entirely on Israel. As someone who was in the US Government, I can say this is definitely not accurate. On all three final status attempts, Israel has been willing to yield the land in question, if they know the deal will make them more secure, not more vulnerable. Second, there is the false perception that BDS is about using financial leverage to achieve an equitable two state solution. Omar Barghouti, founder of BDS, has said he doesn't want Israel to exist at all. I continue to be troubled that the main group pursuing BDS on American campuses, called Students for Justice in Palestine (SJP), pointedly refuses to accept the idea of two states. I challenge SJP to disavow this policy and accept the principle of two states. Third, we must work to find an approach that creates wide-ranging coalitions on campus, involving Jewish and Muslim groups together. These divisive BDS resolutions rip campus communities apart. Instead, we must strive for practical coexistence. If the BDS movement is not blunted and there is no movement on the ground, along the lines I have suggested, I am concerned that this movement could metastasize beyond college campuses.

In conclusion, there are definite challenges, but there are also opportunities amid the crises. The dynamism of the US-Israel relationship will be tested by how our countries work together to meet these new challenges and in so doing, take our relationship to the next level.