

The ICC's Vendetta against Israel Won't Help Palestinians or Strengthen International Law

By Stephen Daisley

spectator.co.uk

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A lawless decision.

Sovereignty, that old-new friend, is in vogue again thanks to Brexit and the advances made by nationalists across Europe and the United States. Those of us who lament these developments should not regret the reassertion of national sovereignty, for it is intimately linked to democracy and self-determination and provides domestic legitimacy for the kind of liberal, cooperative world order we wish to see. If you want a strong international community, you need to have strong, confident nation-states in which people believes their country can be active in the world without losing its sense of self.

Sovereignty is at the heart of the International Criminal Court's ruling that it enjoys the jurisdiction to investigate alleged war crimes in eastern Jerusalem, Gaza, and Judea and Samaria. This has been coming for some time, with chief prosecutor Fatou Bensouda having indicated in 2019 that she wanted to open an investigation in what she calls 'Palestine', more than 12 months before the court established whether it had jurisdiction.

The pre-trial chamber opinion is keen to stress that it would be looking for potential 'war crimes' committed by Israel or the Palestinians. But anyone with a passing familiarity with elite attitudes to the Middle East conflict knows which of the two is likely to face greater scrutiny. The ICC can be expected to pronounce on everything from voluntary civilian settlement of Judea and Samaria to Israel's defensive actions against Hamas in Gaza.

The United States seems to recognise what is afoot. A spokesman for the State Department said:

'The United States objects to today's International Criminal Court decision regarding the Palestinian situation. Israel is not a state party to the Rome Statute. We will continue to uphold president Biden's strong commitment to Israel and its security, including opposing actions that seek to target Israel unfairly.'

Australia's foreign minister Marise Payne has expressed 'deep concerns'. Noting that 'Australia does not recognise a 'State of Palestine'', something Canberra made clear to the pre-trial chamber during its deliberations. Payne says 'Australia does not therefore recognise the right of any so-called 'State of Palestine' to accede to the Rome Statute'.

The court's decision not only undermines the sovereignty of Israel but could also affect the sovereignty of countries like Australia, which has ratified the treaty but now finds the court redefining that instrument without Canberra's consent.

One voice of protest is noticeably absent: ours. UK governments, Labour and Tory alike, typically bend the knee to any global body that comes bearing the phrase 'international law'. No one wants to be seen to be against something so obviously virtuous, but claiming to be upholding international law and actually doing so are not the same thing.

There is the ideal of international humanitarian law, much of it codified in the wake of the Holocaust and not a matter that the Jewish state needs to be lectured on by anyone; and then there is the instrumentalisation of international law by activist jurists, prosecutors, academics and NGOs, who interpret and apply global rules and norms in a fashion that suits their political preferences. In the latter instance, international law is, by Clausewitz's definition, a 'political instrument, a continuation of political commerce, a carrying out of the same by other means'.

This is judicial activism on a global scale and the UK should oppose it — and loudly — for two reasons. For one, there is the principle that a body created by a treaty should not claim powers which that treaty does not grant it. The Rome Statute does not empower the ICC to prosecute non-party states, except where such states 'accept the exercise of jurisdiction by the court'.

Instead the Rome Statute gives the court jurisdiction where 'the state on the territory of which the conduct in question occurred' is a 'part[y] to this statute', but Israel has not ratified the statute and the Palestinian Authority, which acceded in 2015, is not a state. If the UK is for international law, it should be against this lawless behaviour. I have asked the Foreign, Commonwealth and Development Office for its view but have yet to hear back.

The second reason is one of self-interest. The ICC has previously probed the UK over the Iraq war. And while it decided not to open a prosecutorial investigation, it said it made this decision 'without prejudice to a reconsideration based on new facts or evidence'.

Mauritius threatened to take the UK to the ICC over the depopulation of the Chagos after a 2019 advisory opinion by the International Court of Justice called Britain's ongoing occupation of the islands 'unlawful' and demanded the UK leave in order to 'complete the decolonisation of Mauritius'. Argentina would have more to fear from any review of the Falklands war but Britain might not wish Fatou Bensouda to go raking through the decision to sink the Belgrano, for instance. While the UK is a signatory to the Rome Statute, it has an interest in discouraging politically-motivated prosecutions against

unpopular countries over unpopular military actions. Israel today, Britain tomorrow.

The UK believes in a rules-based global order — except in certain specific and limited ways — but it is a mistake to think of the ICC like a domestic court. It is a political body and its decision to prosecute or otherwise is shaded by concerns that would not be permitted to influence a High Court judge or Supreme Court justice. Hence the ICC has not put Syria (which is not party to the Rome Statute) in the dock, because Russia would veto any attempt by the UN Security Council to refer the atrocities committed by the Assad regime to the panel. Israel is a much easier target, loathed as it is by those who resent the notion of Jewish sovereignty in the Jewish homeland. It cannot hope to receive a fair trial.

Israel is not perfect. No country is. But it is home to one of the most activist judiciaries in the democratic world and its Supreme Court is proudly a thorn in the side of the defence minister of the day. Bensouda could scarcely be more adversarial towards Bibi than Bagatz already is. But her determination to initiate an investigation even before jurisdiction was decided is a reasonable indication of how she intends to proceed. Given the choice, I would sooner be a Palestinian terrorist in the dock of an Israeli court

than a law-abiding Israeli official called before The Hague.

No doubt the court yearns to see an end to the conflict, as do we all, but its apparent attempt to jump-start that process is as knuckle-headed as Obama's 'daylight' strategy towards Israel or Downing Street's endless scolding over settlements. This train of thought starts from the flawed assumption that Israel is the impediment, when the immovable obstacle to a Palestinian state remains the Palestinians. This is why Donald Trump's pro-Israel stance was also pro-Palestinian. By disabusing the Palestinian leadership of the self-harming delusion that they need only hold out a little longer and the Zionist entity would be gone, Trump forced them to confront the choice before them: compromise for statehood or suffer in glory. No one — not Barack, Biden, Boris nor even Bensouda — can end Palestinian suffering, only they can. It is for the Palestinians to claim their own sovereignty at the negotiating table.

An ICC vendetta against Israel will not achieve dignity, prosperity and self-determination for the Palestinians. It will only promote the suspicion that the ICC imperils national sovereignty in pursuit of political ends.

Mr. Daisley is a Spectator regular and a columnist for the Scottish Daily Mail.

The Right Way for the Biden Administration to Help the Palestinians

By Peter Berkowitz

realclearpolitics.com

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Building on the Abraham Accords.

In December 2016, more than two years after the collapse of his efforts to broker a comprehensive peace between Israel and the Palestinians, then-Secretary of State John Kerry discussed the conflict with Atlantic editor Jeffrey Goldberg at the Brookings Institution's prestigious Saban Forum. Kerry concurred with the foreign policy establishment's long-held view that Israel's only route to peace with Arab states -- notwithstanding the Jewish state's separate agreements with Egypt and Jordan -- was through a deal that brought a Palestinian state into existence. "There will be no separate peace between Israel and the Arab world," Kerry declared. "I want to make that very clear to all of you."

Kerry acknowledged that his unequivocal judgment was not universal: "I've heard several prominent politicians in Israel sometimes saying, well, the Arab world is in a different place now, we just have to reach out to them, and we can work some things with the Arab world and we'll deal with the Palestinians." Kerry then dismissed the Israeli view out of hand. "No, no, no, and no. I can tell you that [was] reaffirmed even in the last week as I have talked to leaders of the Arab community. There will be no advance and separate peace with the Arab world without the Palestinian process and Palestinian peace. Everybody needs to understand that. That is a hard reality."

In August 2020, Israel, Bahrain, and the United Arab Emirates, assisted by the Trump administration, proved John Kerry and the foreign policy establishment wrong. The Abraham Accords -- which Sudan joined last month,

and which Israel and Morocco supplemented with a separate agreement two months ago -- charted a new course after two decades of failed efforts by American diplomats to secure a conflict-ending settlement between Israel and the Palestinians. Moreover, in contrast to the cold peace that has prevailed between Israel and Egypt since 1979 and the cold peace that has held between Israel and Jordan since 1994, Israel, the UAE, and Bahrain have enthusiastically embraced their normalization of relations.

The Abraham Accords are rooted in shared interests. Israel, the UAE, and Bahrain are determined to counter the Islamic Republic of Iran's pursuit of nuclear weapons, its export of Islamic extremism throughout the Middle East, and its quest for regional hegemony. At the same time, the two Arab Gulf states and Israel see extraordinary opportunities to develop commercial ties and launch educational and cultural exchanges.

To build on this achievement by promoting stability and freedom throughout the region, the Biden administration must overcome the grip of conventional wisdom. The initial signs are not encouraging.

On the very August day that the United States, Israel, and the United Arab Emirates issued a joint statement announcing the normalization of relations, several Brookings experts opined that the diplomatic accomplishment harmed or overlooked the Palestinians. One Brookings fellow maintained, "The losers, as often, are the Palestinians." Another asserted that Palestinians would be "the big losers." A third contended that the agreement was a "cynical" deal that demonstrated "that

Arab authoritarian regimes can't be bothered to pretend they care about Palestinian rights." A month later, Atlantic editor Goldberg agreed that the Palestinians were "the big losers."

Despite the discouraging experience of four successive U.S. administrations -- two Democratic, two Republican -- knowledgeable progressive figures held fast to the dream of a comprehensive peace between Israel and the Palestinians lurking just around the corner if only the United States could summon the will and ingenuity. Veteran diplomats and longtime observers seemed unable to imagine the benefits that full and warm diplomatic relations between Israel and additional Arab states could bring to the Palestinians, starting with the variety of gains from free-flowing commerce between Israel and Gulf Arab states.

But not all.

In a September Washington Post piece, David Makovsky, a fellow at the Washington Institute for Near East Policy, joined with Daniel Shapiro, who served as President Obama's ambassador to Israel, to find in the Abraham Accords an opportunity to challenge the conventional wisdom. "History and common sense," they wrote, "both show that Arab states that maintain diplomatic relations with Israel play a more active role in supporting Palestinian aspirations than those who do not."

In a recently released Washington Institute monograph, "Building Bridges for Peace: U.S. Policy Toward Arab States, Palestinians, and Israel," Makovsky goes further, exploring concrete ways the Abraham Accords can set the stage for improving the lives of Palestinians. However, a sober evaluation of the constraints on diplomacy, he cautions, is essential. The Biden administration, facing "enormous tasks ... at home and around the world," will have limited resources to address the Israeli-Palestinian conflict, he acknowledges. And in late March, Israel faces its fourth election in two years. Meanwhile, in the West Bank, the Palestinian Authority continues to operate the world's most fervently indulged kleptocracy while in Gaza Hamas maintains an Islamist theocracy dedicated to Israel's destruction. Given the destabilizing challenges all around, Makovsky discerns little near-term prospect for a "final-status deal."

But he does propose a constructive path forward. Last summer's breakthrough, he contends, provides a chance to "shrink" the conflict. This echoes Israeli author Micah Goodman's analysis. In April 2019 -- well before the Abraham Accords had been contemplated -- in an Atlantic piece and again in an update last month in the magazine in light of the Abraham Accords, Goodman made the case for setting aside the dream of a near-term comprehensive peace in favor of focusing on incremental steps that simultaneously promote Palestinian freedom and prosperity while preserving Israeli security.

A senior adviser in 2013-2014 to Martin Indyk, then-Secretary Kerry's special envoy for Israeli-Palestinian negotiations, Makovsky is determined to keep the old

dream alive. The establishment of a Palestinian states that lives in peace with Israel should remain, in his view, the organizing principle of American diplomacy in the conflict even as he recognizes that realization of the dream must be reconceived as a long-term undertaking. The "hopeful shift in regional dynamics," he writes, "presents opportunities for Washington both to widen the arc of Arab-Israeli peace and to use that progress to reinvigorate Israeli-Palestinian peacemaking."

Instead of the all-or-nothing approach characteristic of his former State Department boss and of the foreign policy establishment in general, Makovsky urges the Biden administration to adopt a strategy of "gradualism." Such a strategy would "steer clear of the core issues." It would foster "positive trends in Arab-Israel state-to-state cooperation." And it would "minimize the Israeli-Palestinian conflict ... while preserving the two-state framework endorsed by the last four U.S. administrations - - Clinton, Bush, Obama, and Trump." The main elements of Makovsky's gradualism include recognition of Jerusalem as Israel's capital and reaffirmation of negotiation by the parties as the means to determine the city's final borders; assistance to the Palestinian Authority to reform its domestic governance and diplomacy, and to develop the West Bank's economy; regular talks between the parties to achieve interim understandings; and consultation on Hamas-controlled Gaza.

These are reasonable steps to shrink the conflict. To carry them out and to realize gradualism's full promise, however, Makovsky's approach must address three issues that his monograph overlooks.

First, the Biden administration must be persuaded that the Abraham Accords have transformed the dynamics of Middle East politics. Largely staffed with former Democratic Party officials who cling to the old catechism, the new administration has yet to emancipate itself from the disproven conventional wisdom that the only policy toward the Israeli-Palestinian conflict worth pursuing is one of near-term comprehensive peace.

Second, the private sector must be encouraged to invest in the West Bank. Instead of spearheading government-led development projects, the United States should help create conditions favorable to private investment in the territories many Israelis call by their biblical names, Judea and Samaria. Rather than government officials and national bureaucracies, it should be entrepreneurs, financiers, and philanthropists -- from the Gulf states, Israel, the United States, and, of no small importance, the areas under Palestinian Authority jurisdiction -- who should be given room to identify and pursue profitable and useful ventures that create opportunities and improve the Palestinians' condition.

Third, Israel's broader security perspective must be taken into account in fashioning reasonable concessions and compromises. Makovsky mentions the grave threat posed by Iran. One must add that Hezbollah has positioned more than 120,000 rockets and missiles -- all of

which are meant for Israel -- in Lebanese civilian areas and structures while constantly increasing and upgrading its armaments through a supply chain originating in Tehran and passing through Syria. Hezbollah's massive and increasingly sophisticated aerial arsenal gives it the capacity to strike most of the Jewish state's population and accurately hit vital military installations. In the Gaza Strip, Hamas's supply of rockets and missiles is less formidable but of concern, particularly in the event of war with Iran.

Fracturing of the Israeli-Arab Political Consensus Has Mainstream Parties Scrambling for Their Votes

By Haviv Rettig Gur

timesofisrael.com

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More than mere politicking.

At an online English-language town hall event on Tuesday, Yesh Atid party leader Yair Lapid was making his election pitch to over 600 English-speaking Israelis who had tuned in over Zoom.

After a short speech laying out his case against the outgoing government, Lapid took questions for over an hour. One participant asked a question not usually raised in such forums. Hailing from the upscale northern town of Zichron Yaakov, he asked Lapid to comment on the enormous wealth and infrastructure gap between his town and the adjacent Arab town of Fureidis.

Lapid's response was a forceful one.

Coalitions, he began, require compromises, so each party must decide which of its policy objectives are "a must, things I will never compromise on." For Yesh Atid, he said, those were "LGBT rights, the fact that we won't let [the right wing] do whatever they want with the territories — and the fact that Israel needs to invest more in its Arab population."

Israeli politicians, especially on the right, often respond to questions about equality with practical arguments. Investment in the Arab community is good for the economy, good for industry, reduces crime — its strongest argument, in other words, is that it's good for everyone else. But Lapid's concern was emphatically about the Arabs themselves.

It's "right," he said, "for the country to invest in Arab neighborhoods the same money they're investing everywhere else, in housing, in schooling, in the health system. This should be — it's just the right thing to do."

He added: "I travel quite a bit. I'm always a bit ashamed when entering an Arab city or an Arab town in Israel and seeing how the roads shrink and how the infrastructure [worsens]. Civil equality is part of what countries should do. And we don't."

He noted that Israel spends about 25% less on Arab children in school than Jewish ones.

"This is just not right," he said. "You don't get to do this if you consider yourself a just country. We cannot sit in Zichron and look at Fureidis and say [to ourselves], these are second-class citizens. There are no second-class citizens in a country that respects itself."

Lapid's concern for the Arab community in Israel isn't new in the broadest sense. He has written and spoken

To complete the break from the failed past -- and improve the long-term prospects for peace for all parties -- it will be necessary to implement genuinely incremental measures that, without prejudging the most difficult issues, improve Palestinian lives while preserving Israeli security.

Mr. Berkowitz is the Tad and Dianne Taube senior fellow at the Hoover Institution, Stanford University. In 2019 and 2020, he served as Director of Policy Planning at the U.S. State Department.

about inequality before. But there is a new urgency to the question for Israel's politicians, and for good reason.

In flux

"Things are very much in flux," explained Yousef Makladeh, the preeminent pollster of Israel's Arab community. "Public opinion is shifting much more dramatically than in the past."

The Joint List, an alliance of the four main Arab parties, has done spectacularly well in the last two elections, winning 13 and 15 seats in the last two races, the latter a historic high for Arab political representation in the Knesset.

But that's not expected to happen again this time around, Makladeh told The Times of Israel on Thursday. The splintering of the list with Ra'am's departure, as well as the collapse of an Arab political consensus that saw the parties put aside internal differences in favor of unity, appear set to drive down turnout in Arab towns.

Makladeh noted that the Arab parties are now running negative campaigns — "campaigns of hatred" — against each other.

"Very strident campaigns and strident discourse. Those campaigns lower the turnout," he said.

He predicted 100,000 fewer votes than the last election for the Joint List, a 17 percent drop from the roughly 580,000 votes the party won in March 2020.

But Makladeh also noted the folly of trying to read the future. Things are in flux like never before, he said, and "we can't know what will be in a month."

Makladeh's polls, which have accurately predicted the Arab vote in the past, now put the Joint List at between six and nine seats, and rebellious Ra'am hovering near the electoral threshold, as likely to garner four seats as none.

If the most pessimistic of Makladeh's models bear out, 15 outgoing seats in the 23rd Knesset may become just six returning to the 24th. Even his optimistic polls put the combined lists at a diminished 12 to 13.

That's a resounding crash for the short-lived success story of the Arab list, reflecting the growing divides in the Arab community itself.

The lopping off of Ra'am has changed the conversation in the Arab political arena. In the past, the parties would jockey for higher placement on their amalgamated slate, which the average voter didn't care

about. “Now the fights are over agendas, issues,” Makladeh said.

Those issues are among the fundamental fissures of Arab politics: gay rights (Ra’am opposes, Hadash endorses); the approach to the Israeli-Palestinian conflict; the place of religion in public life; or Ra’am’s desire to join ruling coalitions, even if it means dealing with right-wing parties, in order to bring funding to Arab towns.

Up for grabs

That looming collapse has driven a massive effort among other parties to appeal to disenchanting Arab voters.

Parties from Likud to left-wing Meretz and Labor have made a public show of appealing to Arab voters, including by placing Arab candidates on their Knesset slates.

Prime Minister Netanyahu has spent a surprising amount of time over the past month campaigning among the Bedouin in the south, Ra’am’s most loyal base. He’s made a point of visiting coronavirus vaccination drives in Arab towns, sometimes in towns he had never before stepped foot in.

In a first, Likud on Thursday even released an Arabic-language campaign video.

The Jewish-majority parties have good reason to appeal to Arab voters. Meretz and Labor now routinely poll precariously close to the threshold, so the prospect of new potential constituencies is an attractive one.

For Likud, the need to break the deadlock in a Knesset in which the right finds itself repeatedly on the cusp of victory but never quite there, drives its own calculated appeal to conservative Arab constituencies.

And for Yesh Atid, a self-avowedly liberal-centrist party, equality for Arabs is also a way of highlighting the defining ethos that is its political identity as it appeals to liberal, secular-leaning constituencies in the country’s urban centers.

That is not to say the parties ignored Arab citizens in the past. Meretz and Labor have long championed minority rights, and left-led governments in the 90s invested significantly in Arab towns, at least in comparison

to past neglect.

Netanyahu’s last three governments invested more in infrastructure, education, and other arenas of public life in the Arab community than any governments that came before. Likud used to play down that fact; now it celebrates it.

Yesh Atid, too, isn’t new to the issue. It has long supported investment in Arab towns. It also has a long record of attentiveness to Arab concerns. One recent example: After a police shootout with criminals in the Arab town of Tamra earlier this month left 20-year-old nursing student Ahmad Hijazi dead in the crossfire, Yesh Atid MK Yoav Segalovitz, a former deputy commissioner of the Israel Police, drove to Tamra to pay a condolence call to the victim’s mother.

Unlike other leaders now seeking the Arab vote, he already knew the way.

As Arab Israeli commentator and activist Afif Abu Much noted following the visit, “I’ve followed Segalovitz for a while, and I have to say that he makes a point of visiting Arab towns to hear the people, unlike many Jewish MKs who think of the Arab public and Arab society as a kind of territory outside the country.”

In other words, it’s too simple to dismiss the newfound commitment of Jewish politicians to the Arab community as mere politicking. Politicians from left-wing Meretz to right-wing Yamina like to think of themselves as inclusive and egalitarian, even if campaign strategy sometimes pushed them to behave otherwise. The new attentiveness is also driven by the most authentic of political impulses: There are votes up for grabs, and everyone wants them.

But will it last? If the next Knesset sees far fewer Arab lawmakers, who will hold the government accountable to its promises to the Arab electorate after election day? If the Jewish-majority parties discover that their campaigns failed to draw Arab voters, will the newfound concern for Arab communities suddenly evaporate from Jewish politics as quickly as it arrived, leaving Israel’s Arab citizens with nothing to show for all the lavish attention now on display?

The Dangerous U.S. Capitulation to Iran in Yemen

By Elliott Abrams

cfr.org/blog

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The Houthis are a terrorist group because they carry out terrorist attacks.

Last week the Biden administration announced that it was reversing the Trump administration’s decision to name the Yemeni Houthis (formally, Ansar Allah) a Foreign Terrorist Organization (FTO) and a Specially Designated Global Terrorist group.

And then, two days later, came this statement from the State Department:

As the President is taking steps to end the war in Yemen and Saudi Arabia has endorsed a negotiated settlement, the United States is deeply troubled by continued Houthi attacks. We call on the Houthis to

immediately cease attacks impacting civilian areas inside Saudi Arabia and to halt any new military offensives inside Yemen, which only bring more suffering to the Yemeni people. We urge the Houthis to refrain from destabilizing actions and demonstrate their commitment to constructively engage in UN Special Envoy Griffiths’ efforts to achieve peace. The time is now to find an end to this conflict.

This statement appeared to be a reaction to four Houthi drone attacks on Sunday, which several Arab governments also condemned, and a previous drone attack on Saturday.

Now, there is a very clear contradiction here. What do we usually call attacks on civilians, of the sort that led to this State Department rebuke? Terrorism.

What might we call this December Houthi attack, as reported by the BBC:

At least 22 people have been killed and more than 50 wounded in an attack at the airport in the southern Yemeni city of Aden, officials say. There was at least one explosion shortly after a plane carrying the war-torn country's newly formed government arrived from neighbouring Saudi Arabia. Aid workers and officials were among the casualties.

Again, this is rightly called terrorism. The main defense of the Trump administration decision to call the Houthis terrorists is that they repeatedly commit acts of terrorism. QED. And the main critique of the Biden administration's revocation of that decision is equally simple: the Houthis have long committed, and continue to commit, acts of terror. They should be designated an FTO because they are an FTO.

The motivation for the Biden decision is clear: the FTO designation may have a negative humanitarian impact in Yemen because some suppliers of food and other goods may back away for fear of prosecution. It may also be that the administration concluded the terrorism designation would make negotiating with the Houthis more complex, thereby hindering efforts to end the war.

But if one's central goal is to end the war, what is the impact of this FTO reversal regarding the Houthis? Is it clear that they will react by changing their behavior and stopping acts of terror? That theory may have already been proved false. Is it clear that with renewed good will toward the United States Government because the FTO designation was reversed, they will now negotiate in good faith with our new Yemen envoy, the excellent Foreign Service Officer Tim Lenderking? There is no evidence for this theory.

It's Time for Joe Biden to Call Benjamin Netanyahu

By Jonathan Schanzer

Pull off the band-aid.

Rip off the Band-Aid, Mr. President.

We're one month into the Biden administration and the president still has not called the prime minister of Israel, America's most valuable ally in the Middle East. Admittedly, the sky is not falling. There is still plenty of time for the two leaders to speak. And there are plenty of senior officials downstream in the U.S. bureaucracy who are engaging with their Israeli counterparts. Secretary of State Blinken spoke with Israeli Foreign Minister Gabi Ashkenazi. National Security Adviser Jake Sullivan spoke with Meir Ben Shabbat, Netanyahu's NSA. Innumerable other American bureaucrats are working with their counterparts in Jerusalem, too. The U.S.-Israel relationship is both wide and deep.

Nevertheless, critics of the president and his loyalists are attacking and defending the silence along partisan lines.

Logic suggests an alternative view: that the Houthis will be less inclined to negotiate, especially because the administration's decision comes only days after its statement that it would no longer support offensive military operations by Saudi Arabia in Yemen. If I were a Houthi leader, I might conclude "I am winning. The Americans want out. They've walked away from the Saudis and reversed the terrorism designation even though my own behavior has not changed. Why negotiate?" If that is right, the Biden administration ought to be thinking hard about ways to change the incentive structure it has backed into.

If at bottom the Biden administration considers the war lost and is willing to hand Yemen over to the Houthis (though slowly and using negotiation as a cover), its steps make sense and will likely be followed by additional, similar moves. If the administration seeks to end Houthi terrorism and negotiate an agreement that creates a national government the Houthis do not control, it is far from clear that these initial U.S. moves will prove conducive to those goals. One wonders: might it have been better to tell the Saudis privately we'd end our support for "offensive military operations" in 90 days if they did not make progress toward a negotiated solution? Or to tell the Houthis privately that we were willing to reverse the FTO designation if they pledged to stop hitting civilian targets? Perhaps these efforts at creating some incentives would have failed, but were they not worth trying?

For the moment, we can state one thing with clarity: the Houthis committed acts of terrorism before they were designated an FTO, continued to do so while they were designated, and are still committing acts of terrorism now that the Biden administration has revoked that designation. While we debate what labels to apply to them, their attacks on civilians continue. Wish Mr. Lenderking good luck, for he has been handed a most difficult file.

Visit suburbanorthodox.org for the current issue.

thedispatch.com

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The longer the pause before the call, the more fears mount of a return to the bad old days of acrimony between the Netanyahu government and the Obama administration, when the White House lowered its shield, allowing the United Nations to pass a horribly one-sided Security Council resolution against Israel denying its very heritage in Jerusalem.

Spoiler: It is not going to be that bad. Biden is a pragmatist who values the alliance. The same can be said for a number of his top advisers, even if there are some ideologues (Rob Malley, most notably) among them.

But as this pregnant pause stretches into its second month of gestation, there are some obvious warning signs.

First, this is a clear deviation from the norm. This is particularly noteworthy after four years of Democrats decrying how the Trump administration violated norm after norm (which it did). President Bill Clinton called

Prime Minister Yitzhak Rabin on January 23 and met with Rabin two months later. President George W. Bush called Prime Minister Ariel Sharon on February 6. President Barack Obama spoke with Prime Minister Ehud Olmert on January 2 (before inauguration). He called Netanyahu on April 1, the day after Netanyahu was sworn in. President Donald Trump spoke with Netanyahu on January 22, and hosted the Israeli prime minister the following month. We could go back further in time, but you get the point.

Then there is the assertion that the president is more than justified in postponing his call with Netanyahu because foreign policy is less important these days. To be sure, there are many pressing domestic agenda items that Biden must prioritize: the pandemic, the economy, and the fractured Washington politics that prompted security officials to wrap the Capitol in concertina wire.

But if Biden has in fact decided to keep the focus at home, how has he made time for Vladimir Putin (Russia), Xi Jinping (China), Justin Trudeau (Canada), Andres Manuel Lopez Obrador (Mexico), Boris Johnson (U.K.), and others? An obvious answer to this question is that Biden has time for foreign policy issues on our immediate borders (Canada and Mexico), great power competition (Russia and China), and repairing transatlantic alliances (U.K.) after four years of Trump administration policies that strained those ties. This makes perfect sense.

Here's what doesn't make sense: The Biden administration continues to issue statements about its intent to return to the highly controversial 2015 Iran nuclear deal, otherwise known as the Joint Comprehensive Plan of Action (JCPOA). Biden and Blinken tapped controversial figure Rob Malley as the envoy to try to resurrect that agreement. The appointment is one of several unmistakable signs that the Middle East remains a significant area of interest for this White House.

Here's press secretary Jen Psaki: "If Iran comes back into full compliance with the obligations under the JCPOA... the United States would do the same, and then use that as a platform to build a longer and stronger agreement that also addresses other areas of concern."

Here's Secretary of State Tony Blinken: "President Biden has been very clear on this. He's said that if Iran returns to compliance with its obligations under the agreement, we would do the same thing."

And here's Jake Sullivan: "We are actively engaged with the European Union right now, particularly the three members of the P5+1: Germany, the UK, and France. We are talking to them at various levels of our government. Those consultations, I think, will produce a unified front when it comes to our strategy towards Iran and towards dealing with diplomacy around the nuclear file."

So, the intent is clear. The Iran deal remains a priority. Therefore, the Middle East remains a foreign policy priority. Cue the contentious debate.

During the last go-round, the Israelis emerged as the

most effective and outspoken critics of the Iran deal. From public statements to private meetings, the Israelis were both relentless and substantive in their opposition. This was perfectly understandable given that Israel is within range of Iran's missiles. Also, Iran has been perfectly honest about the fact that it seeks the destruction of the Jewish state.

But the Israelis were certainly not the only critics of the deal. The JCPOA will go down as one of the most controversial foreign policy initiatives in modern American history for its generous sanctions relief to the world's foremost state sponsor of terrorism, and for its sunset clauses that granted Iran permission in 12 years to return to the illicit nuclear activity that it never admitted it was pursuing in the first place. The deal provoked harsh criticism from Republicans and national security hawks. The Gulf Arab states—notably the United Arab Emirates, Saudi Arabia, and Bahrain—are aligned in opposition to a return to the JCPOA. Indeed, they stand opposed to any deal that doesn't stop Iranian enrichment, regional aggression, and missile development.

But, without question, the foremost critic of the deal was Israeli Prime Minister Benjamin Netanyahu. Obama resented him, not only for his controversial address to a joint session of Congress on the topic in 2015, but for this constant messaging on the matter at every turn.

With the Iran deal back on the table, the rather severe policy disagreement between the prime minister and America's new president is quite likely to pick up right where it left off. And, if anything, the Israelis have more ammunition now, given that Iran has crossed many redlines since 2015.

President Biden is trying to avoid controversy early on in his presidency. He is admirably trying hard to be a healer and a uniter. But with the JCPOA as his signature foreign policy, he may find that increasingly difficult. For now, he appears to be deliberately pressing pause on what will quickly escalate into a heated debate, both at home and abroad. In the interim, he has his top officials—Blinken and Sullivan—quietly engaging with Israel and other opponents of the JCPOA.

Here's the problem: The longer Biden waits to engage, the more his silence can run the risk of signaling a deeper problem with Israel. Critics are already deriding his foreign policy as "Obama's third term."

There is an easy way for Biden to disabuse his critics of this notion. He needs to rip off the Band-Aid. He should speak to Netanyahu. It can be quick and breezy if they table the JCPOA discussion for another time. Or it can be substantive and potentially uncomfortable if they want to get down to business. Either way, it's time to cut the act. The U.S.-Israel relationship is just fine—but the JCPOA looms large. Expect turbulence ahead.

Mr. Schanzer, a former terrorism finance analyst at the United States Department of the Treasury, is senior vice president at the nonpartisan Foundation for Defense of Democracies.

How Israel Killed Iran's Chief Nuclear Scientist, and Made the World a Safer Place

By Jake Wallis Simons

thejc.com

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With a one-ton, self-destructing, remote-control gun.

The Iranian nuclear scientist who was shot dead near Tehran in November was killed by a one-ton automated gun that was smuggled into the country piece-by-piece by the Mossad, the JC can reveal.

The 20-plus spy team, which comprised both Israeli and Iranian nationals, carried out the high-tech hit after eight months of painstaking surveillance, intelligence sources disclosed.

The Tehran regime has secretly assessed that it will take six years before a replacement for top scientist Mohsen Fakhrizadeh is fully operational.

Meanwhile, Israeli analysts have concluded that his death has extended the period of time it would take Iran to achieve a bomb from about three-and-a-half months to two years — with senior intelligence figures privately putting it as high as five years.

The disclosures come as the JC gives the fullest account yet of the assassination that made headlines around the world and significantly degraded Tehran's nuclear capabilities.

Mohsen Fakhrizadeh, 59, known as the “father of the bomb”, lost his life in a burst of 13 bullets as he travelled with his wife and 12 bodyguards in Absard, near Tehran, on 27 November last year.

Neither his wife nor any of his security team were harmed in the attack, which was carried out using a hyper-accurate automated weapon in order to protect civilians from collateral damage.

Since Fakhrizadeh's death, speculation has been rife about his killers, with no intelligence agency claiming responsibility for the murder. The circumstances of the killing have also been shrouded in mystery, with wild reports wrongly blaming a team of 62 gunmen.

Now the JC can confirm that Israel's feared spy agency was behind the hit, which was carried out by mounting the killing device in a Nissan pickup.

The bespoke weapon, operated remotely by agents on the ground as they observed the target, was so heavy because it included a bomb that destroyed the evidence after the killing.

It was carried out by Israel alone, without American involvement, the JC has learnt. US officials were only

given a “little clue, like checking the water temperature” prior to the attack, according to top international intelligence sources.

The audacious operation, which humiliated the Tehran leadership, succeeded partly because Iranian security services were too busy watching suspected political dissenters, sources said.

Jacob Nagel, one of Israel's most senior defence officials who acted as Benjamin Netanyahu's national security adviser, said: “The Mossad had documents proving that Fakhrizadeh had worked on several nuclear warheads, each one able to cause five Hiroshimas.

“He was serious. He still meant to do what he planned. So someone decided that he had had enough time on earth.”



Mohsen Fakhrizadeh was responsible for the weaponisation part of Iran's nuclear programme, which means turning fissile material into a warhead. But he also oversaw the entire project, from personnel to plans for deployment

LONG READ:
Death from Mossad's hyper-accurate gun

By Jake Wallis Simons, Deputy Editor

When Mohsen Fakhrizadeh, Iran's “father of the bomb”, perished in a hail of bullets on the outskirts of Tehran in November, the assassination stunned the Iranian regime and made headlines around the world. But three months on, key questions remain unanswered.

Nobody even knows how the 59-year-old nuclear scientist was killed. Initial reports suggested he was gunned down by armed men; later, a Revolutionary Guards official blamed a “satellite-operated” gun using artificial intelligence.

Quite where such a device had come from, and how it had been set up, remained unexplained. To this day, nobody knows whether the operation was a snap move or had been planned for months. And despite many theories, no one knows exactly why he was killed.

Uncertainty also hangs over President Trump's role in the hit. Some analysts argued that he was making his mark before leaving office, while others denied American involvement.

Most importantly of all — despite widespread speculation that Israel was responsible — nobody has pinned down the identity of those behind the killing.

Until now. Today, the JC can confirm that the hit was carried out by Mossad, Israel's feared intelligence service. And in the most complete account of the operation yet

published, we can reveal for the first time the answers to the questions that have eluded the world.

To understand the need for such a high-profile and high-risk operation, the plot must be traced back to the night of 31 January 2018, to a bleak commercial district on the outskirts of the Iranian capital, and a blinding flash of light inside a darkened warehouse.

That was the start of one of the most significant intelligence coups carried out by Mossad in recent times. After a year of surveillance, spies stole a vast archive of Iran's nuclear secrets, using torches that burned bright at 2,000C to free the documents from 32 giant safes.

Starting with the black ringbinders containing the most vital information, the agents spirited away 50,000 pages of documents and 163 CDs containing the full details of Iran's clandestine nuclear weapons programme.

Today, the nuclear archive — which Benjamin Netanyahu unveiled in a famous address at the Israeli Defence Ministry in 2018 — is housed in a forensically-secure unit at a secret location in Israel. Sources confirmed that the Jewish state is now using the intelligence it contained to persuade the Biden administration, via the International Atomic Energy Agency, that Tehran cannot be trusted to abide by the terms of any nuclear deal.

"We will base our arguments this time on pure intelligence, not politics," an Israeli source said. "It will be cleaner to do that." The secrets would not be new to the Americans, the source clarified, but Israeli officials would be offering their own interpretation and emphasis.

Earlier this month, the Mossad convened a meeting of its Brigadier-Generals to decide how to stop the US from entering another flawed nuclear deal that would only empower Iran. Israel believes that the 2015 Obama agreement, the Joint Comprehensive Plan of Action (JCPOA), disastrously allowed Tehran to keep its nuclear programme intact, pausing it but not dismantling it. And it allowed the regime to siphon money to its numerous proxy militias as soon as sanctions were lifted, subjecting the region to years of havoc.

The archive suggested that Iran had failed to respect the terms of Obama's bargain. Fast forward to 2021, and Israel hopes that it will convince Joe Biden not to repeat the errors made by his old friend, and maintain some semblance of Donald Trump's "maximum pressure" campaign on the theocracy.

Operationally, however, the archive meant something else. As soon as Israeli analysts opened those black ringbinders back in 2018, they knew that Mohsen Fakhrizadeh was destined — to use Mossad slang — to "depart".

"It contained original documents ordering the concealment of the nuclear programme, many of them in Fakhrizadeh's handwriting," a source said.

"Analysts realised they were looking at his ink, his fingerprints, his pressure on the paper as he wrote. He was the one who was behind the deception.

"Fakhrizadeh was the father of everything we found in the archive. All was under his command, from the science and the secret sites to the personnel and know-how. He had led an operation to hide it from the world. From that point, it was just a matter of time."

The assassination plot went live in March 2020, as the world was preoccupied with the Coronavirus threat. A team of Israeli spies was dispatched to Iran, where it liaised with local agents.

The group was comprised of more than 20 operatives, a large number for such a complex and risky mission. A meticulous surveillance operation was launched. "The team built up an extremely detailed, minute-by-minute plan," said a source. "For eight months, they breathed with the guy, woke up with him, slept with him, travelled with him. They would have smelled his aftershave every morning, if he had used aftershave."

The decision was made to kill the scientist on the road leading east out of Tehran to the exclusive country retreat of Absard, where he owned a villa.

The team knew that Fakhrizadeh travelled there from Tehran on Fridays. "They knew his daily route, speed and timing, and they knew exactly which doors they would use to get out," a source said.

The JC has confirmed that the assassins did indeed use a sophisticated remote-controlled gun, with a small bomb built in to allow it to self-destruct (though contrary to Iranian claims, it was not "satellite operated").

Including the explosives, the bespoke device weighed one ton, and was smuggled into Iran in small pieces over several months. Then it was assembled and installed inside a Nissan pick-up truck, which was parked by the side of the road.

On 27 November, Fakhrizadeh was travelling with his wife in a black Opel saloon, in the midst of a convoy carrying 12 bodyguards. Unbeknownst to them, a team of Israeli spies was on the ground, watching their every move and waiting to operate the gun from a distance.

When the car passed the designated spot, they pressed the button and the hyper-accurate weapon opened fire. Thirteen bullets hit Fakhrizadeh head-on, while his wife, who was sitting 10 inches away, was not harmed.

Iranian authorities claimed that the scientist's security chief was struck by four bullets as he threw himself across his boss. But sources close to the operation said this was untrue. Not a single one of Fakhrizadeh's bodyguards, nor anybody aside from the scientist, was killed or injured, the JC can confirm.

"There were several ways to operate but this one was the most accurate," a source said. "It was the most elegant way to make sure that the target will be hit, and only him. The objective was to avoid harming anyone else." Claims that gunmen moved in to finish the scientist off were inaccurate, the source added.

As the Mossad team made its escape, the one-ton weapon blew itself up, adding to the confusion at the scene. "Thank God we got all our people out and they

didn't catch anyone. They didn't even come close," one of those familiar with the operation said. "Their security was not bad at all, but the Mossad was much better. It was a major thing that happened, a dramatic operation."

The impact of the assassination was so profound that it surprised even the Mossad top brass. "Israel had a big team there, including Israelis, and it was a big embarrassment for Tehran," a source said. "The regime was humiliated and devastated. Even the Mossad was surprised by the huge impact."

"The machine was quite an impressive thing. There was a team on the ground as well, which made it quite complicated. But it had to be done and it was worth it."

The source disclosed: "It has hit the Iranians hard. Tehran has assessed that it will take six years to find a replacement for Fakhrizadeh. Israeli analysis has now put the breakout time (the period it would take Iran to finalise a nuclear bomb) at two years. Before Fakhrizadeh departed, it was about three months."

And two years is a conservative estimate. Senior Mossad figures privately believe that the breakout time is closer to five years, the JC can reveal. The source added: "The Americans were not involved. It was absolutely an Israeli operation, door to door. It was not political, it was a matter of security. It had nothing to do with Trump or the US election. It happened after Biden was elected."

"But Israel did give the Americans a little clue — not to the level of asking for the green light, more like checking the water temperature. Just like they had notified us before killing (Iranian Brigadier-General Qasem) Soleimani."

Further assassinations were planned for the future, the source said, though nothing on the same scale as Fakhrizadeh or Soleimani. "Yes, the Mossad may have plans for further departures," the source said. "We need to keep the pressure on. Israel will keep on fighting, for sure. We have already created big holes in Al Qaeda and the (Iranian special forces) Quds force." According to Mossad analysis, Iran is responsible for 80 per cent of the threats facing the Jewish state. And there is no doubt that whatever approach the Americans take with Iran, Israel will "defend itself by itself".

"Our main strategy for leverage over the United States is to present our 2018 intelligence to the IAEA," a source said. "But if it doesn't work, we will act. The US won't love it, but we will keep our sovereignty and fight every existential threat. Many Al Qaeda and Iranian personnel have departed, and now Fakhrizadeh has departed. That has made a big difference."

"But if the situation becomes critical, we will ask nobody for permission. We will kill the bomb."

ANALYSIS: Tehran beware, the Mossad knows everything

By Norman T. Roule, who served in the Central Intelligence Agency (CIA) for 34 years. From 2008 to 2017, he was National Intelligence Manager for Iran (NIM-I), responsible for US intelligence activities related to the theocracy

The Iranian nuclear archive that Mossad stole three years ago revealed extraordinary detail of Tehran's covert nuclear weapons programme. But the reason for undertaking such a risky operation to remove an adversary like Mohsen Fakhrizadeh is not justified by such past activities, but more likely concern of what he might do in the future.

Fakhrizadeh was known for his work on the nuclear weaponisation programme, and it is logical that he was killed to deny Iran this expertise. We shouldn't ignore, however, the possibility that he was working on other technologies at the same time, which might have also been perceived to be a strategic threat.

Fakhrizadeh was the sole, senior Iranian official to have managed a secret nuclear weapons programme. His work would likely have involved every aspect of project management, from overseeing the budget to looking after personnel. He reportedly enjoyed a rare level of access to Iran's Supreme Leader and senior military officials.

He also had a reputation of being able to fend off his bureaucratic adversaries, having the backing of the most powerful men in the country. Iran has many nuclear scientists, but his experience made him unique. Whoever his successor turns out to be, they will be highly unlikely to enjoy his stature, bureaucratic clout, or access to such senior leaders.

Several challenges will confront Iran's Supreme Leader, should he authorise a new weaponisation programme. First, Iran's adversaries have demonstrated tremendous capacity and skill.

Recently, Iran has suffered heavy losses. First, it lost its most sensitive nuclear archive to Israel. Then, the US killed Major-General Qasem Soleimani and his Iraqi accomplice, Abu Mahdi al-Muhandis, in a surgical operation in Iraq. After that, in August, al-Qaeda leader Abu Muhammad al-Masri and his daughter were killed in another surgical attack in Tehran. Now they have suffered the death of Fakhrizadeh, their top nuclear scientist.

In addition, Iran has claimed sabotage at its nuclear installation in Natanz, as well as at other facilities. These operations showed that Tehran's adversaries apparently have strong intelligence and a capacity to neutralise hostile actors without risking civilian casualties.

One can't help thinking that such operations are meant to discourage other Iranians from similar hostile actions, or even from taking the place of the individuals killed in these attacks.

Also, the proven ability of foreign intelligence services to uncover Iran's most sensitive secrets will likely cause Iran's leadership to wonder whether they can keep a nuclear weaponisation programme secret long enough to reach completion.

It is hard to imagine that Iran's leaders wouldn't believe — with good reason — that such a programme would be discovered well before they had constructed a single weapon. At that point, Iran would risk a diplomatic disaster, and possibly a military strike by its adversaries.

Lastly, it may well be that the nuclear archive stolen by Mossad had no backup in Iran. This information provided not only the details of how to construct a nuclear weapon, but equally importantly, which methods didn't work. Such knowledge would have allowed Iran to save much time on any future effort. Without these insights and Fakhrizadeh's memory of them, any future Iranian nuclear weaponisation effort will take far longer to develop.

Tehan's response to Fakhrizadeh's killing will require time. They will likely need to conduct an internal security review, if only to try to ensure that any retaliation won't be discovered. They will fear that anybody involved in planning retribution against the Israelis or Americans could meet a similar fate to Soleimani, Abu Mohammed al-Masri, and Fakhrizadeh.

ANALYSIS: Scientist was a marked man

By Jacob Nagel, Israel's acting national security advisor under Prime Minister Benjamin Netanyahu

There are three stages to making a nuclear bomb. First, the fissile material must be produced, which in Iran's case is uranium. Then comes weaponisation, which means shaping the material into a warhead. Finally, you need to attach it to the means of delivery, usually a missile.

From an Israeli point of view, denying Iran the bomb means dealing with all three of these stages. Some people say that the fire at the uranium enrichment site in Natanz, Iran's largest such facility, in August, was caused by the Mossad. That would be disrupting the fissile material stage.

In terms of the third stage, Major-General Qasem Soleimani, the Iranian military chief who was killed by an

American missile, was involved with funding the nuclear programme and the means of delivery. His departure was a big hole in organising the means of delivery of the bomb.

Fakhrizadeh's specialism was in stage two, weaponisation. There is only a small number of experts in Iran who understand the weaponisation process — we're talking double digits. He was the foremost of them. His departure has created a vital break in the chain towards a viable nuclear weapon.

But Fakhrizadeh was even more important than this. He was the head of the Iranian nuclear programme overall. As we learned from the archive stolen by Mossad in 2018, he was responsible for building a cover story, with dual-purpose projects in academia, industry and the civilian world, allowing Iran to cultivate the manpower and know-how necessary to build a bomb.

The International Atomic Energy Agency (IAEA) is about to submit a report detailing the residuals it recently found in four different sites in Iran, which is evidence of nuclear tests and experiments. All of this was Fakhrizadeh. That is the reason why he was ready to depart.

His death was a big blow to Tehran, especially following the blow of the death of Soleimani. Maybe more blows will be necessary.

It is certain that if Iran developed the bomb, it would be a problem for the whole world, including the UK. Israel especially cannot live with a nuclear Iran. So we will defend ourselves by ourselves, and in the process we are defending you, too.

Arabs and Israelis Are Fighting a Common Enemy: The Red Palm Weevil

By Matti Friedman

timesofisrael.com

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Like many a happy relationship, this one starts with a date.

Dates in the Middle East are like corn for the Maya — not just a crop but an icon, the “bread of the desert,” a symbol of life itself. The date palm appears on mosaic floors laid by Roman artisans and on coins stamped by the early caliphs. The fruit recurs in the Quran and the Hebrew Bible: Many scholars believe the honey in “land of milk and honey” refers to honey from dates, not bees.

With their long shelf life, dates were beloved by Arabian nomads and caravan traders, and are still eaten to break the Ramadan fast. In Israel the name Tamar, which means “date” and appears in the Book of Genesis, remains the most popular Hebrew name for girls. (I have a daughter named Tamar who doesn't like dates.) At desert oases and in small holdings along the Nile, the same trees might support the same family over generations.



The red palm weevil is destroying date crops across the Middle East. Dan Balilty for The New York Times

There's the Middle East of the news, a region of nuclear proliferation, civil wars and futile diplomacy. Then there's the Middle East of dates — a map defined not by national boundaries but by the stately trees in their hundreds of millions, stretching east from the Atlantic coast of Morocco through North Africa, Egypt and Israel, to Iraq and the Persian Gulf toward Iran and beyond.

The Middle East of the news saw a striking political shift at the end of last year, produced by the efforts of American envoys and by new perceptions of common enemies. In the date world, too, there's a new alignment afoot. This change has nothing to do with American diplomats or Iranian Revolutionary Guards. But it, too, involves a common enemy and is undermining the familiar boundaries, creating new connections among the people who live here and restoring others that once existed and were lost. These stories intersect in the emirate of Dubai.

Past a camel racetrack 30 miles inland from the Persian Gulf, skyscrapers looming in the distance like Oz, past a desert turnoff adorned with a portrait of this emirate's ruler, Shaikh Mohammed bin Rashid al-Maktoum, is one orchard of 1,500 palms. The owner is Abdalla Ahli, 59, a native of Dubai who attended the University of Delaware. He greeted me in a traditional robe (the thawb) and a matching baseball hat (Lacoste). Mr. Ahli keeps a few emus in a pen and owns larger farms deeper in the interior. The dates he grows here are a compact, chewy kind called khalas, some of the best I've eaten. The total number of trees in the United Arab Emirates, of which Dubai is part, is sometimes estimated at 40 million, though even the government doesn't know exactly.

It doesn't take long in the shade of Mr. Ahli's green fronds to see that something's wrong. Many of the trees have strange holes in their trunks, and some are so thoroughly riddled they appear to have been sprayed with bullets. Amid the living trees are craters of ash, the remains of comrades chopped down and burned.

Attached to the trunks on one row of 10 palms, barely visible unless you're looking, are devices the size and color of apples. Nearby, a small white box uploads their signal to the cloud. The generic-seeming name on the box leads to a company in generic office space outside Tel Aviv.

For more than seven decades, this region has been defined for many observers by an Arab and Islamic front against Israel, and by the seemingly intractable collision of Israelis and Palestinians. The last half of 2020 didn't end any of those conflicts, but it did alter the regional map in a remarkable fashion, with announcements of open relations between Israel and this Gulf state, as well as Bahrain, Morocco and Sudan.

The breakthrough known as the Abraham Accords has much to do with shared fears of Iranian power and with the successful maneuvering of the previous American administration, which, amid domestic controversies spiraling toward last month's implosion in Washington, pulled off a genuine diplomatic accomplishment in our part of the world.



Red palm weevils burrow holes in date palms, damaging the trees. Mohamed Sonji for The New York Times



A sensor made by the Israeli company Agrint is used to detect red palm weevils at a date farm in the United Arab Emirates. Mohamed Sonji for The New York Times

The accords are still fragile. But they are already suggesting different maps of the Middle East: maps of Arab alliances that include Israel, new flight maps between Tel Aviv and Dubai, maps of trade and blunt economic interest.

The journey from Israel, where I live, to Mr. Ahli's date orchard was a lesson in some of the changes we have just seen. When I made the trip, in early December, commercial flights between Tel Aviv and Dubai had just begun. The Israil flight was full of Israeli tourists and businesspeople, Jews and Arabs, who seemed excited to be going somewhere unfamiliar and to be traveling anywhere at all after a year of grim news and immobility. Everyone was breaking out of quarantine — the pandemic kind of quarantine, and the regional quarantine imposed on Israelis by most of the Arab world since the country's founding in 1948.

Israelis are used to a wall of regional hostility, even in countries like Egypt and Jordan, which signed peace agreements decades ago. After the Gulf accords became public this fall, however, my Twitter feed filled up with investment conferences at Dubai hotels, Israelis grinning

for selfies under the spire of the Burj Khalifa and friendly Emiratis wishing me a happy Hanukkah. A billboard appeared in Tel Aviv urging me to invest in the emirate of Abu Dhabi. Even if much of it was corporate or regime messaging, the Emirates were doing their best to smile at Israelis, and Israelis noticed.

The novelty, and a brief break from pandemic travel restrictions, was enough to generate 30 flights a

day and a minor Hebrew pop hit: "Yalla bye, I'm going to Dubai, not Miami or Hawaii." The four people sitting closest to me on the plane were in the kitchen appliance business and had a few meetings set up with potential customers. None of this was imaginable a few months ago. The atmosphere was festive, though tempered by having all the flight attendants in hazmat suits. It felt like a group outing with a giddy Semitic plague ward.

As the flight map showed us over Saudi Arabia, one of the appliance men leaned over to me and said in Hebrew — "History." It was true. The Saudis had just opened their airspace to Israeli planes. The man in the window seat

posted a Facebook photo (“First visit to Dubai!!!”) before we’d even stopped taxiing to the terminal. A flight attendant got on the speaker to remind us to behave while in town, “because they still don’t know what Israelis are.”

Coming out of the sleeve, the Facebook guy spotted an airport worker in a head scarf: first contact. He shouted to her in mangled English, “Welcome, we love you!” Few airport workers in Dubai are actually from Dubai — the city is run mostly by foreign workers. The woman might have been Malaysian. She was a bit startled, but gracious. The sentiment was heartfelt.

In the fall, after the accords became public, a delegation of Israeli tech executives traveled to Dubai to present to investors, an event of enough significance to draw a few Western reporters. (Merchandise of the shadier variety, like weapons and spyware, changes hands more discreetly.) One of the reporters, a friend of mine, described to me the investors dozing patiently through presentations about unintelligible Israeli cyberproducts and sitting upright when one of the visitors started talking about dates.

That was Yehonatan Ben Hamozeg, 62, who spent decades in the world of Israeli security tech, dealing with a completely different set of problems, before palm trees attracted his attention. The Israeli Army’s technology units were formed to protect Israel against enemies, but about 20 years ago the same units emerged as the country’s start-up incubator.

Mr. Ben Hamozeg served years ago in a senior position in one of them; the details of his résumé are predictably vague. But he will say that his past work included developing seismic sensors, the kind of device that might detect a cross-border infiltration or a prison break.

In 2016, a friend, another former intelligence officer who was now in the pesticide business, told him about the greatest threat facing palm trees worldwide: the voracious pest known as the red palm weevil. By the time of that meeting, many of the palms in my neighborhood in Jerusalem had died — the fronds drooping as the tree’s core was devoured, the telltale holes in the trunk, the tree listing perilously until a chain saw crew finally came to deliver the coup de grâce.

For a date farmer, the only solution is expensive and crude: dosing your trees with pesticide several times a year at the risk of polluting your groundwater and harming the people laboring up in the fronds. A key problem, Mr. Ben Hamozeg learned, was the lack of any reliable way to identify an infestation when it starts. A tool like that would let farmers use pesticide selectively, rather than spray the whole orchard with poison.

By the time he put his mind to the puzzle, scientists across the globe had already pitted their ingenuity against the weevil. There were attempts to fry them with microwaves, to sense them with thermal cameras mounted on drones, to hear them with stethoscopes and to sniff them out with trained dogs.

In Israel, Zvi Mendel of the entomology department at Israel’s Agricultural Research Organization, one of the country’s best-known tree experts, remembers being contacted in the mid-1990s about helping farmers in the United Arab Emirates fight the weevil. Israel and the U.A.E. were officially enemies, though both were American allies and communicated under the table, mostly about the mutual threat becoming apparent from Iran.

Nothing came of it at the time. Professor Mendel remembers knowing little about the insect, which was native to the Indian subcontinent and had begun to move out for reasons that no one understood, perhaps climate change. By the 1990s trees were dying in Egypt. By 1999 the first weevils were detected in Israel, but the real invasion came a decade later, according to Professor Mendel, after infected trees were shipped across the Mediterranean from Egypt to the Turkish city Adana. The pest spread southeast along the coast into Syria and Lebanon and then over Israel’s northern border, which is heavily guarded against Hezbollah guerrillas but helpless against weevils.

The first local victims were decorative Canary palms common in Israeli cities. That was a shame, but not an agriculture crisis. “We didn’t take it seriously at first,” the expert said. But then the weevil started to go after the date palms. The trees grown by Israeli and Palestinian farmers are concentrated in the perfect date-growing climate — the brain-crushing summertime heat — of the Jordan River Valley. My wife is from a date-growing kibbutz in the valley, and I remember hearing the word “hidkonit,” Hebrew for weevil, come up in conversation about a decade ago, pronounced with gravity reserved for words like “cancer.”

One of Mr. Ben Hamozeg’s first moves was to visit a scientist and hold a wriggling larva in his hand. It was a few centimeters long, yellow-white with a brown head. Within a few weeks it would pupate, and transform into the red bug with its distinctive beak, then breed and produce hundreds of eggs. Mr. Ben Hamozeg felt a pinch as the creature bit his palm. “I thought, OK, this is something we can detect,” he said.

He brought in a few friends and “played around in a garage,” which eventually became a company called Agrint. They came up with a sensor and an algorithm that could differentiate the specific vibration of the weevil from the other sounds and tremors in a living palm tree. The sensor is drilled into the trunk and is sensitive enough to detect even a few young larvae when they’re still only half the size of a date seed. A farmer gets a smartphone app that shows healthy trees in green and infested ones in red.

The Agrint sensors were commercial by 2018, becoming, according to Professor Mendel, the first practical early-warning system for the weevil to go on the market anywhere. A few Israeli cities and date farms have picked it up, and Agrint hopes to sell to Palestinian farmers as well. Israelis and Palestinians oppose each other loudly in many ways — Palestinian leaders have

condemned the normalization accords, for example, as a betrayal of their cause — but cooperate quietly in others.

In December, I accompanied an Agrint representative to visit an interested farmer in a part of the Jordan Valley that is in the West Bank and under Israeli military rule. The farmer, Amjad Barakat, has 100 trees in the lush town of Al-Jiftlik. Mr. Barakat explained his motivation in concrete terms: He'd been hospitalized a few years ago with nerve damage linked to pesticides. He needed a way to stop spraying.

The local dates, particularly the sugar bombs known as medjool, are highly regarded, but Israel has only about 800,000 trees. Not far away, however, in the Arab states, waited tens of millions more — a vast and tantalizing market that was all but off-limits to Israeli companies when the sensors went on sale. There was little sign that this would change.

At his farm in the emirate of Dubai, Abdalla Ahli actually heard about the sensors before the normalization agreements were signed. Israel and the U.A.E. may not have had relations, but Israeli tech had a good reputation and word got around somehow, like the weevil. In a way, the sensors might offer an early sign of a political opening, a willingness to put aside old problems in favor of new solutions to different problems.

When we spoke in the date orchard, Mr. Ahli was philosophical about the new accords. "People who live in the same part of the world should know each other," he said. "The truth is, we never had a problem with Israeli people, and we have more in common than differences." Israel's conflict with the Palestinians was something he preferred not to discuss. Countries have many problems.

Among his Emirati friends, he said, there was a lot of interest in visiting. He wanted to know what I thought about Tel Aviv real estate, and if I knew Yuval Noah Harari, the Israeli historian and author of "Sapiens," whom he likes listening to on podcasts. Of his new sensors he said, "They are a sign of something starting — a small thing, but important." He has 100 more en route from Israel to Dubai.

In Mr. Ben Hamozeg's office near Tel Aviv, the chief executive opened the sensor app on his cellphone and showed me an orchard in a Gulf country that doesn't have open ties with Israel. He zoomed in with a finger and a

thumb: A farmer there has a weevil infestation in four trees in the northwest corner of his orchard. It was even more striking to see, in a nearby Arab power that also has no official relations with Israel, 100 sensors showing a nine-tree infestation just a few miles from one of Islam's holiest sites.

Last year, a few hundred Agrint sensors sold by a third party were drilled into trees in the North African kingdom of Morocco, and a few thousand more are going in now.

Morocco's normalization announcement is of special significance to Israeli Jews, about a sixth of whom are of Moroccan descent — including Mr. Ben Hamozeg. His parents are from the city of Fez and lived there until the Jewish population of the Arab world left or was driven out after the creation of Israel. In recent years, Morocco has allowed Israelis to visit with special permission, and when Mr. Ben Hamozeg arrived and had to request a visa, he told me, he joked with the clerk that he shouldn't need one. He should be a citizen. The clerk, it turned out, was also from Fez, and he waved Mr. Ben Hamozeg through.

In that personal anecdote is a story of reconnection, one that's missed if these new accords are analyzed solely through the lens of American policy and the Iranian threat. Jews have always been around this region, farming and trading like everyone else, and it's not the past few months of renewed contact that are the anomaly, but the past seven decades of isolation.

David Ibn Maimon, brother of Maimonides, the great medieval Jewish philosopher who lived in Cairo, was on a business trip not far from Dubai when he was lost at sea in the 12th century. Some of the sixth-century Jews around Arabia in the time of Muhammad were date farmers. The capital city of another date-palm power, Iraq, was about one-third Jewish into the 1940s. Most of those people's descendants are now Israelis.

The sensor is a feature of the present moment, as are the normalization agreements, but much about this story seems Ottoman: A Jew from the Levant with roots in North Africa is doing date business with Arabs on the Persian Gulf. They agree about some things and disagree about others. They have a complicated past.

Mr. Friedman is the author, most recently, of "Spies of No Country: Secret Lives at the Birth of Israel."

The Israeli Ensemble That Combines Jazz with Hasidic Melody

By Matthew Kassel

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The Nigun Quartet.

Before the pandemic, an Israeli jazz ensemble was gaining recognition for its ecstatic live performances dedicated to interpreting incantational Hasidic melodies known as nigunim. The idea of crossing jazz with Jewish spiritual music isn't a new concept, but the Nigun Quartet — saxophone, piano, bass and drums — stood out even in Israel's crowded jazz scene thanks to its engaging shows approximating the loose, convivial vibe of a fabrangén — a kind of festive Hasidic gathering.

Polina Fradkin, who saw one of the group's first performances and now helps with promotion, recalled being moved by the quartet's on-stage approach. Before launching into a song, she said, the band members would detail the origin of each nigun — a Holocaust story, a circular dance, a meditation on joy — creating a transcendent interplay between music and source material that imbued the improvisation with deeper meaning. "You feel it," Fradkin mused. "To hear the nigun after you hear the story is something else."

Baruch Velleman was equally enthusiastic in a fall 2019 review for *The Times of Israel*, writing that the group was “one of the best jazz quartets I’ve ever come across” after he saw a show at an art studio in the West Bank settlement of Tekoa.

Recently, the Nigun Quartet independently released its first, self-titled album, including nine tracks that draw on a variety of nigunim such as “Shures,” “Shalom Aleichem” and “Shamil” — all of which derive from different Hasidic sects. Though the music was recorded in one live session at the beginning of 2019, there was a delay as the band sought donations in a crowdfunding campaign to recoup production expenses. The album was released a couple of months ago.

The album requires that the listener do some work on their own — such as reading the liner notes that give the backstory behind each tune — in order to at least simulate the experience of a live performance. But the sturdy arrangements and easy interplay suggest the group was more than ready to set these tracks down. The album invokes mid-period Coltrane, post-bop, funk, classical and other elements that in many ways represent the lingua franca of modern jazz — all filtered through a Hasidic folk prism.

For the four band members, that unique influence is what sets the Nigun Quartet apart. “The key to understanding our approach is to understand the function of the nigun,” Opher Schneider, the band’s 49-year-old bassist and resident mystic, told *Jewish Insider* in a Zoom interview from outside Jerusalem last month. “Hasidic niguns are a vessel, like, it’s an inner thing — they use the nigun to evoke a certain awareness. It’s not just a song.”

“We’re using what we’ve collected through the years — even now from contemporary music and grooves and certain harmonies — and using all that to amplify the inner function of the nigun,” Schneider added. “Sometimes it gets really astray. You know, people wouldn’t even recognize the nigun. But it’s there all the time. It repeats all the time. And that’s what fuels all the rest of the music that goes around it.”

As an example, he cites “Ashreinu,” the second track, which was inspired by a melody from the Breslov Hasidim about a group of Hungarian boys who narrowly escape the

gas chambers at Auschwitz after they are found dancing defiantly on Simchat Torah. The song, featuring a skittering call and response between tenor saxophonist Tom Lev, 34, and pianist Moshe Elmakias, 24, functions much like a soundtrack to the imagined story.

Schneider played jazz professionally — both in New York and Israel — before he abandoned music altogether at 36 and devoted himself fully to Judaism. After a while, the urge to play returned as he began to learn more about traditional klezmer from Eastern Europe as well as other forms of Jewish music — and he slowly made his back back onto the scene.

A few years ago, he met two of the musicians who would later make up the Nigun Quartet — Lev and Yosi Levi, the group’s 53-year-old drummer — in a wedding band. They all agreed that there has to be more to music than securing the perfunctory gig. “We said, let’s do something, let’s figure out a way to play jazz while playing religious Jewish music.”

“We didn’t expect what came out of that,” said Schneider. “It’s something that totally blew our minds. It’s not what most people expect to hear.”

Fradkin agreed. “You feel all the musicians really connected to each other,” she said, “which is the first thing that I noticed when I saw them for the first time — connecting to each other and deeply connecting to the music on a really internal and spiritual level.”

Jazz has a long spiritual tradition including but by no means limited to some works by John Coltrane and Duke Ellington, so the impulse to draw from nigunim was appropriate. “Many people do combine between Jewish music and jazz or between any kind of spiritual music,” said Elmakias. “But this band has the combination of really good musicians with a huge amount of knowledge, of backgrounds for the songs and stories.”

“I always felt that jazz is a really, actually a deeply spiritual platform — it’s a very, very good platform in order to bring your spiritual connection into being,” said Lev, speaking on Zoom from outside Tel Aviv. “It happens right now, in the moment, on the spot. And that’s what jazz is about. Jazz is about bringing your spiritual entity into this music, right here, right now — that’s why it’s an improvised music.”



Nigun Quartet strikes a different note



Nigun Quartet (Courtesy)

The Nigun Quartet brings that ethic into new territory, according to Lev. “The thing with this band is that it marries the whole idea of jazz but it takes it to a much deeper place,” he said. “You can have almost a heavenly presence come down and be present in the music in the here and now.”

Lev, of course, wasn’t speaking from recent memory, as Israel has been on intermittent lockdown since the pandemic hit last March. The group hasn’t played together for some time. Elmakias is now in Boston, where he is studying to receive his master’s degree in jazz piano at the New England Conservatory of Music. In the Zoom call,

each musician was sequestered at home, waiting out the coronavirus crisis.

Still, Elmakias, a Jerusalem native, says the band has much more in store as they make plans to draw from an extensive song book that came together after several rehearsals and performances. The hope, according to Elmakias, is to record at least two more albums, which will document the 20 or so arrangements they haven’t yet released.

“That’s what’s beautiful about these niguns. We have so much material to work with,” he said. “It’s endless.”

Facebook Shouldn't Ban Attacks on "Zionists"

By Philologos

Sure, the word is sometimes used as a pejorative term for “Jew.” But does anyone really think that banning it, as is reportedly being discussed, will prevent other terms from taking its place?

“Sticks and stones can break my bones but names can never hurt me” was a rhyme that every child knew and resorted to often when I was growing up in New York long ago. Whatever taunt came your way, that was your answer. It wasn’t just meant for the taunter; it also comforted the answerer. “Call me what you want,” it said. “I know inside of me who I am—and that’s somewhere you can’t get to.”

Of course, that wasn’t entirely true—names could and often did hurt you—but you learned not to give them too much importance. There was a difference between being insulted and having your nose punched. And you also learned that if someone could say what they wanted about you, you could say what you wanted about them, which was the upside.

Today, Americans live in a culture of “Names will always hurt me,” which is why they obsess so much about “hate speech” and about what it does or doesn’t consist of and what laws or regulations should exist to curb it. The debate now taking place over whether social media such as Facebook and Twitter should ban attacks on “Zionists” because the word “Zionist” is sometimes used as a pejorative term for “Jew” is a good example of the absurd lengths to which an obsession with such speech can lead.

It’s an obsession that’s futile. Once you start, there’s no end to it. Yes, there are people who say “dirty Zionist” when they mean “dirty Jew” and who speak of “Zionist criminality” when they mean “Jewish criminality.” But does anyone really think that banning such expressions will prevent others from taking their place? If I’m not allowed to attack “Zionists,” I’ll attack “matzah-ball eaters,” and if I’m not allowed to say a bad word on Facebook about matzah balls, I’ll think of something else. It’s a sure path to an infinite regression.

Moreover, unless we mean to ban the words “Zionism” and “Zionist” from social media entirely, including their use by Zionism’s supporters, who is to determine when they are functioning as slurs against Jews

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and when not? Clearly, if I say “the Zionists want to take over the world,” I’m voicing an anti-Semitic canard. But if I say “Zionists put Jews first,” am I being an anti-Semite or simply uttering a truth about Jewish nationalism that could just as well apply to the national movement of any people?

We all know, of course, how to deal with such a problem: you appoint a committee to rule on it. But the word “Zionist” comes up in social media thousands of times every day. How many committees would Facebook need in order to review each such case? And even if all the necessary committees were to be established, why assume that they would come to sensible conclusions, let alone agree with one another?

Besides which, the whole thing is, as I’ve said, double-edged. If you can’t attack “Zionists” because you may be referring to all Jews, why should I be allowed to attack “jihadists” when I may be referring to all Muslims, or “fundamentalists” when I may be referring to all Christians, or “idol worshipers” when I may be referring to all Hindus? The logical answer is that I shouldn’t be. Indeed, this is the direction we are heading in: one in which public criticism of certain racial, religious, or social groups, no matter how veiled by euphemism, will be forbidden. It is, ultimately, the direction to a public discourse of mindlessness.

Nor is it just a question of euphemisms. The boys from the Irish Catholic schools who came looking for fights with us Jewish kids didn’t call us “dirty Zionists”; they called us “dirty Jews,” pure and simple. I didn’t like being called that then and I wouldn’t like being called it now. But just as it never occurred to me as a boy that “dirty Jew” should be a banned expression, so I don’t think it should be one now. Should it be frowned upon? Of course. Rebuked? Whenever possible. Its users shunned? Yes, definitely. But banned, whether in speech, in print, or digitally? Not if we wish to preserve anything resembling freedom of speech—and where there is no freedom of speech, let us remember, there is, sooner or later, no freedom of thought.

Of course, even for a society that understands that outward censorship of speech inevitably results in inward

ensorship of thought, there can be no absolutely clear line between what should or shouldn't be allowed in fighting expressions or opinions that we consider baneful. Still, one might formulate certain common-sense propositions. If, for example, I refuse to publish a book that denies the Holocaust, it would be absurd to accuse me of infringing on anyone's rights. On the contrary, it's I who should have the right not to be forced to publish anything I don't want to.

Nor would I be challenging anyone's freedom of speech if I sought to persuade other publishers not to publish such a book, or if, supposing it were published by someone, I organized a peaceful boycott of it and of the bookstores that sold it. Yet if, on the other hand, I make it a crime (as it is in many countries today) for such a book to be published at all, I have gone too far. You're dumb or bigoted enough to think the Holocaust never existed? It should be your right to say so in the public space, just as it should be my right to call you dumb and bigoted. .

When it comes to something like "Zionist," what needs to be asked is whether social-media platforms such as Facebook and Twitter should be likened to publishers or to public spaces—and they are, I would say, much more

like the latter. Even the largest publisher publishes only a tiny percentage of the books that appear in print and does not publish anything automatically simply by virtue of its having been submitted for publication. Facebook, Twitter, and a very small number of similar applications, on the other hand, control nearly all open communication over the Internet and let everything appear in them as long as it is not specifically blacklisted. Although they are money-making concerns, they cannot be considered ordinary businesses and for them to bar a word, expression, or opinion from being voiced is like barring its voicing in the streets or parks of a city.

When does a word, expression, or opinion become a "clear and present danger" to life and limb, to use the sensible criterion laid down in the landmark case of *Schenck vs. the United States* that was decided by the Supreme Court in 1919? That's a good and legitimate question, and countries like the United States have their laws and legal precedents regarding it. But as long as nasty remarks about Zionists remain unlikely to send their readers immediately running to the nearest synagogue with a loaded gun, they're only words, not sticks and stones.

UAE swears in its first ambassador to Israel

By JNS

Ambassador Mohammad Mahmoud Al Khajah was installed in an official ceremony in Abu Dhabi.

The United Arab Emirates on Sunday swore in the country's first-ever ambassador to Israel.

Ambassador Mohammad Mahmoud Al Khajah was installed in an official ceremony in Abu Dhabi, in the presence of Sheikh Mohammed bin Rashid Al Maktoum, vice president and prime minister of the UAE and ruler of Dubai, said the Dubai Media Office, which tweeted out the event.

Al Maktoum wished Al Khajah much success and urged him to work to achieve friendly and cooperative relations with Israel. Al Khajah pledged to carry out his job with integrity and sincerity, reported Gulf News.

A number of ministers, senior sheikhs and other officials attended the event.

On Sept. 15, Israel and the UAE signed the Abraham Accords, the normalization agreement brokered by the

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Trump administration. Bahrain signed the accords at the same time. Before former President Donald Trump left office, normalization agreements were also signed between Israel and Sudan and Morocco.

Avi Berkowitz, Special Representative for International Negotiations under Trump and a key figure on the U.S. team that brokered the accords, took to Twitter to share his elation at watching the UAE's ambassador to Tel Aviv being sworn in.

The UAE Cabinet approved the assignment of an ambassador to Israel on Jan. 24. The same day, Israel's Foreign Ministry announced the opening of an official diplomatic mission in

Abu Dhabi, with Israel's ambassador to Turkey, Eitan Na'eh, appointed to head the temporary mission until a permanent ambassador is appointed.

