

# Israel: Major Issues and U.S. Relations

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**Jim Zanotti**  
Specialist in Middle  
Eastern Affairs

## Israel: Major Issues and U.S. Relations

Israel has forged close bilateral cooperation with the United States in many areas. A 10-year bilateral military aid memorandum of understanding commits the United States to provide Israel \$3.3 billion in Foreign Military Financing and to spend \$500 million annually on joint missile defense programs from FY2019 to FY2028, subject to congressional appropriations. Some Members of Congress have increased their scrutiny over Israel's use of U.S. security assistance, contributing to debate on the subject. This report also discusses the following matters:

**Netanyahu government and controversy over judicial system changes.** In December 2022, Likud party leader Benjamin Netanyahu became prime minister of a new coalition government, despite facing an ongoing criminal trial for corruption. Netanyahu's inclusion of ultra-nationalists Bezalel Smotrich and Itamar Ben Gvir within the new Israeli government has triggered debate about the consequences for Israel's democracy, its ability to manage tensions with Palestinians, and its relations with the United States. The government has proposed legislation to overhaul Israel's judicial system. Despite major domestic controversy over whether changes—or responses to them—might impact checks and balances, cohesion, and military readiness, and efforts by President Biden to encourage compromise, the coalition passed a law in July 2023 to prevent Israeli courts from using a “reasonableness” standard to invalidate government actions. Israel's High Court of Justice has heard arguments challenging the legislation in September, raising the possibility of a constitutional crisis. The government may consider additional legislation that could modify how judges are selected, though Netanyahu has stated openness to dialogue with the opposition into November.

**Israeli-Palestinian issues.** In hopes of preserving the viability of a negotiated two-state solution among Israelis and Palestinians, Biden Administration officials have sought to help manage tensions, bolster Israel's defensive capabilities, and strengthen U.S.-Palestinian ties that frayed during the Trump Administration. Administration officials have regularly spoken out against steps taken by Israelis or Palestinians that could risk sparking violence and undermining the vision of two states—including settlement expansion, legalization of outposts, demolitions and evictions, disruptions to the historic status quo of Jerusalem's holy sites, and incitement and acquiescence to violence. Since 2022, Israeli-Palestinian violence has triggered heightened West Bank counterterrorism measures. As the Gaza Strip remains under the control of the Sunni Islamist militant group Hamas (a U.S.-designated terrorist organization), the United States and other international actors face significant challenges in seeking to help with reconstruction without bolstering the group.

**The Abraham Accords and possible Israeli normalization with Saudi Arabia.** The Biden Administration has followed agreements reached during the Trump Administration that normalized or improved relations between Israel and four Arab or Muslim-majority states—the United Arab Emirates (UAE), Bahrain, Sudan, and Morocco. Biden Administration officials have said that any further U.S. efforts to assist Israeli normalization with Muslim-majority countries would seek to preserve the viability of a negotiated two-state solution to the Israeli-Palestinian conflict. Ongoing efforts to deepen security and economic ties between Israel, the UAE, Bahrain, and Morocco could drive broader regional cooperation—including on various types of defense. After China helped broker diplomatic normalization between Saudi Arabia and Iran, the Administration has declared that Israeli normalization with Saudi Arabia is a U.S. priority. Any negotiations toward that end would likely consider Saudi security and civilian nuclear demands, as well as a pathway toward a two-state solution. Congress has passed and proposed legislation encouraging expanded and deepened regional cooperation involving Israel.

**Countering Iran and other regional dynamics.** Israeli officials seek to counter Iranian regional influence and prevent Iran from acquiring nuclear weapons. Israel supported President Trump's withdrawal of the United States from the 2015 international agreement that constrained Iran's nuclear activities. Israeli leaders seek greater international pressure on Iran amid questions about the tenor of U.S.-Israel cooperation on Iran-related issues. Israel also has reportedly conducted a number of covert or military operations against Iran and its allies in Syria, Lebanon, and Iraq for various purposes, including to prevent Lebanese Hezbollah from bolstering its weapons arsenal and capabilities. Some reports suggest the future possibility of an informal, unwritten U.S.-Iran understanding by which Iran might limit some uranium enrichment and receive some financial relief for humanitarian purposes, raising questions about how Israel might respond to such a deal.

**Russia's 2022 invasion of Ukraine.** In the wake of Russia's 2022 invasion of Ukraine, Israel has sought to provide political support for Ukraine and humanitarian relief for Ukrainians without alienating Russia. Israel has shown reluctance to provide lethal assistance to Ukraine—citing the need to deconflict its military operations over Syria with Russia. However, Israel is reportedly providing or planning to provide Ukraine with basic intelligence, assistance with early warning systems, and anti-drone jamming systems to counter Iran-made drones and missiles used by Russia.

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## Overview: Major Issues for U.S.-Israel Relations

Israel (see **Appendix A** for a map and basic facts) has forged close bilateral cooperation with the United States in many areas. For more background, see CRS Report RL33476, *Israel: Background and U.S. Relations*, by Jim Zanotti, and CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

U.S.-Israel security cooperation—a critical part of the bilateral relationship—is multifaceted. U.S. law requires the executive branch to take certain actions to preserve Israel’s “qualitative military edge,” or QME, and expedites aid and arms sales to Israel in various ways. A 10-year bilateral military aid memorandum of understanding (MOU)—signed in 2016—commits the United States to provide Israel \$3.3 billion in Foreign Military Financing (FMF) and to spend \$500 million annually on joint missile defense programs from FY2019 to FY2028, subject to congressional appropriations. The MOU anticipates possible supplemental aid in emergency situations such as conflict. In March 2022, Congress appropriated \$1 billion in supplemental funding through FY2024 for the Iron Dome anti-rocket system as a response to the system’s heavy use during a May 2021 conflict between Israel and Gaza Strip-based groups such as Hamas and Palestine Islamic Jihad (PIJ) (both of which are U.S.-designated terrorist organizations). Some lawmakers seek oversight measures and legislation to distinguish certain Israeli actions in the West Bank and Gaza from general U.S. support for Israeli security.<sup>1</sup>

In July 2023, the House and Senate passed H.Con.Res. 57,<sup>2</sup> expressing the sense of Congress that

1. the State of Israel is not a racist or apartheid state;
2. Congress rejects all forms of antisemitism and xenophobia; and
3. the United States will always be a staunch partner and supporter of Israel.

Additional issues to be discussed below with significant implications for U.S.-Israel relations include the following:

- Domestic Israeli issues, including action by the government of Prime Minister Benjamin Netanyahu to reduce the power of Israel’s judiciary that has triggered a highly charged national debate.
- Israeli-Palestinian violence and ongoing disputes.
- Israel’s relations with various Arab states since the 2020-2021 Abraham Accords, including speculation about potential Israel-Saudi Arabia normalization.
- Concerns about Iran’s nuclear program and regional influence, including with Lebanon-based Hezbollah and in Syria.
- Russia’s 2022 invasion of Ukraine.

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<sup>1</sup> For example, the Two-State Solution Act (H.R. 5344 from the 117<sup>th</sup> Congress) would have expressly prohibited U.S. assistance (including defense articles or services) to further, aid, or support unilateral efforts to annex or exercise permanent control over any part of the West Bank (including East Jerusalem) or Gaza.

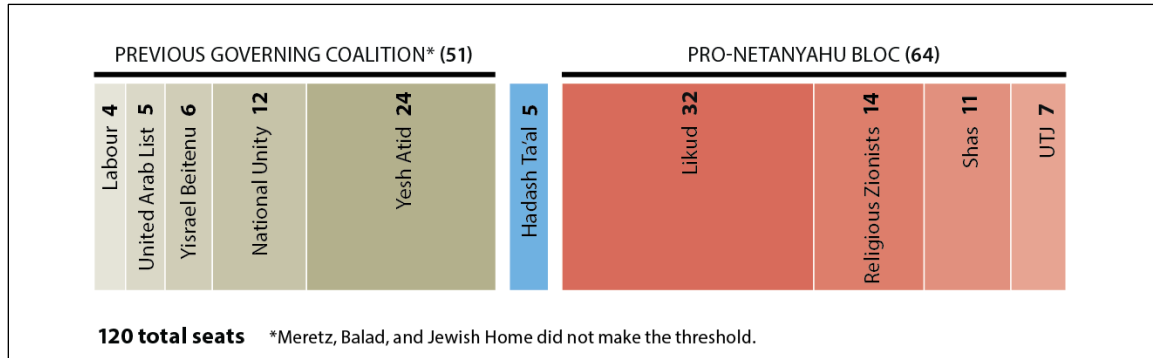
<sup>2</sup> The House passed the resolution on July 18 by a vote of 412-9, with one voting present. The Senate passed it by unanimous consent on July 25.

## Domestic Issues

### Netanyahu's Return to Power and New Coalition Partners

On December 29, 2022, Israel's Knesset (parliament) voted to reinstall Likud party leader Benjamin Netanyahu for a third stint as prime minister (his previous terms were 1996-1999 and 2009-2021). He heads a coalition government that includes ultra-nationalist and ultra-Orthodox parties (see **Figure 1** and **Appendix B**).

**Figure 1. November 2022 Knesset Election Results**



**Source:** Britain Israel Communications and Research Centre, with graphic adapted by CRS. The Religious Zionism slate consists of three separate parties: Religious Zionism (7 seats), Jewish Power (6), and Noam (1).

The 2022 election was the fifth held in Israel since a legal process regarding corruption allegations against Netanyahu began in December 2018; his criminal trial is ongoing and could last for months or years.<sup>3</sup> Two of the previous four elections did not result in the formation of a government, and the other two resulted in short-lived coalition governments—a 2020-2021 government with Netanyahu as prime minister, and a 2021-2022 government without him. Coalition partners who support legal measures to help Netanyahu avoid criminal punishment may have leverage to pursue their policy preferences.<sup>4</sup>

### Key Government Figures and Decisionmaking

Netanyahu's inclusion of ultra-nationalists Bezalel Smotrich and Itamar Ben Gvir within the new Israeli government (see **Table 1**) has triggered debate about the implications for Israel's democracy, its ability to manage tensions with its Arab citizens and with Palestinians, and its relations with the United States and other countries.<sup>5</sup> Coalition agreements state that the Jewish people have an "exclusive right" to the land between the Mediterranean Sea and Jordan River,<sup>6</sup> appearing to conflict with Palestinian statehood aspirations. Smotrich has devoted his career to expanding Jewish control in the West Bank and advocating for the application of Jewish religious law in Israeli society.<sup>7</sup> Ben Gvir expresses many similar views and has been a fixture at

<sup>3</sup> Yonah Jeremy Bob, "Where the Benjamin Netanyahu trials stand—and where they are going—analysis," *Jerusalem Post*, August 16, 2022.

<sup>4</sup> Ron Kampeas, "Why Netanyahu's new government could alienate Israel's conservative American allies," *Jewish Telegraphic Agency*, December 30, 2022.

<sup>5</sup> Josef Federman, "As Israel's Netanyahu returns to office, troubles lie ahead," *Associated Press*, December 29, 2022.

<sup>6</sup> Barak Ravid, "Israel swears in most right-wing government in its history," *Axios*, December 29, 2022.

<sup>7</sup> "Bezalel Smotrich: The controversial and feared Netanyahu ally," *Ynetnews/i24News*, December 30, 2022.

contentious gatherings of Jews and Arabs in Jerusalem.<sup>8</sup> An Israeli court convicted him in 2007 for incitement to racism and supporting terrorism.<sup>9</sup>

Upon the government's formation, President Joe Biden stated that his Administration would work with the government to jointly address many issues in the region and "will continue to support the two state solution and oppose policies that endanger its viability or contradict our mutual interests and values."<sup>10</sup> Earlier, Secretary of State Antony Blinken said that the Administration will "gauge the government by the policies it pursues rather than individual personalities."<sup>11</sup> In July 2023, President Biden said in a CNN interview that some of the members of Israel's cabinet are among the most extreme he has seen.<sup>12</sup>

**Table 1. Israeli Government: Key Positions**

Position	Name	Party
Prime Minister	Benjamin Netanyahu	Likud
Defense Minister	Yoav Gallant	Likud
Foreign Minister	Eli Cohen	Likud
Finance Minister and Minister within Defense Ministry	Bezalel Smotrich	Religious Zionism
Justice Minister	Yariv Levin	Likud
National Security Minister	Itamar Ben Gvir	Jewish Power
Transportation Minister	Miri Regev	Likud
Strategic Affairs Minister	Ron Dermer	No formal affiliation
Energy Minister	Israel Katz	Likud
Agriculture and Rural Development Minister	Avi Dichter	Likud

Smotrich and Ben Gvir have each assumed some security responsibilities. Under the coalition agreements, Smotrich has a defense ministry position with formal responsibility over civil affairs units administering West Bank and Gaza Strip issues, including the planning commission that oversees West Bank settlement construction and home demolitions.<sup>13</sup> Ben Gvir heads a national security ministry with general authority over Israel's police—including personnel that patrol Jerusalem and its disputed holy sites.<sup>14</sup> He also expects to oversee the border police, including units that have operated in the West Bank under Israel Defense Forces (IDF) authority.<sup>15</sup> Ben Gvir supports easing open-fire conditions for security forces and increasing their legal immunity.<sup>16</sup>

<sup>8</sup> Gregoire Sauvage, "Itamar Ben Gvir, the ultra-nationalist accused of stirring up violence in Jerusalem," *France24*, May 15, 2021.

<sup>9</sup> Etgar Lefkovits, "Ben-Gvir convicted of inciting to racism," *Jerusalem Post*, June 25, 2007.

<sup>10</sup> White House, "Statement from President Joe Biden on the New Government of the State of Israel," December 29, 2022.

<sup>11</sup> U.S. Department of State, "Secretary Antony J. Blinken at the J Street National Conference," December 4, 2022.

<sup>12</sup> Transcript: Interview with U.S. President Joe Biden, CNN, July 9, 2023.

<sup>13</sup> Carrie Keller-Lynn, "Smotrich given authority over key West Bank appointments in deal with Likud," *Times of Israel*, December 5, 2022.

<sup>14</sup> Carrie Keller-Lynn, "Knesset passes 'Ben Gvir law,' cementing minister's expanded powers over police," *Times of Israel*, December 28, 2022. For background on Jerusalem and its holy sites, see CRS Report RL33476, *Israel: Background and U.S. Relations*.

<sup>15</sup> "Likud agrees to split entire Border Police from police force, hand Ben Gvir control," *Times of Israel*, December 29, 2022.

<sup>16</sup> Keller-Lynn, "Knesset passes 'Ben Gvir law.'"

Defense Minister Yoav Gallant and top IDF leaders have apparently sought to prevent changes to the defense ministry and border police from disrupting the chain of command.<sup>17</sup> In February 2023, Smotrich received general responsibilities to direct settlement planning and enforcement over illegal construction in the West Bank, while Gallant maintained formal powers to intervene in Smotrich's decisions with cause.<sup>18</sup> In June, the Israeli government eased and expedited the process for settlement construction approval. While the process reportedly remains subject to final authorization by the prime minister, this move makes it harder for the defense minister or prime minister to slow the efforts of Smotrich or any successor in his position.<sup>19</sup> U.S. and Palestinian Authority (PA) officials have criticized the Israeli action.<sup>20</sup>

In anticipation of the government's formation in late 2022, Netanyahu asserted that he would personally retain ultimate responsibility for policy.<sup>21</sup> One Israeli journalist argued that Netanyahu's efforts to act as a buffer between his coalition partners and Western countries concerned about their influence will eventually lead to him losing the support of one or the other.<sup>22</sup> Two former U.S. officials wrote that if a government with Smotrich and Ben Gvir featured open hostility to Arabs and illiberal measures to change Israel's democracy, opponents of strong U.S.-Israel relations would exploit the situation "to try to undo aspects of the relationship, and certainly to challenge Israeli military requests."<sup>23</sup>

The coalition agreements are not legally binding.<sup>24</sup> The degree of their implementation could have significant consequences for issues like West Bank annexation or legalization of outposts, the rights of minorities (including Arabs, women, and LGBTQ people), and diaspora immigration to Israel.<sup>25</sup> The part of the coalition agreement referring to the possible annexation of West Bank areas explicitly defers to Netanyahu's preferred timing and consideration of Israeli interests.<sup>26</sup>

## Controversy over Judicial System Changes and Proposals

Shortly after Netanyahu's government took office, it advanced proposals in January 2023 aimed at reducing the power of the judiciary—particularly Israel's High Court of Justice (HCJ, also known as the Supreme Court)—to check actions approved by Israel's government.<sup>27</sup> The

<sup>17</sup> Herb Keinon, "Israel's new defense minister faces new challenges from within—analysis," *Jerusalem Post*, January 2, 2023; Ash Obel, "Smotrich refuses to attend meeting with IDF chief on transfer of West Bank powers," *Times of Israel*, January 25, 2023.

<sup>18</sup> Jeremy Sharon, "Smotrich handed sweeping powers over West Bank, control over settlement planning," *Times of Israel*, February 23, 2023.

<sup>19</sup> Isabel Kershner, "Israel Eases Rules for Settlements in West Bank," *New York Times*, June 19, 2023.

<sup>20</sup> Ibid.; Department of State, "The United States is Deeply Troubled with Israeli Settlement Announcement," June 18, 2023.

<sup>21</sup> Steve Inskeep and Daniel Estrin, "'They are joining me. I'm not joining them': Netanyahu defends far-right allies," NPR, December 15, 2022.

<sup>22</sup> Ben Caspit, "Crisis imminent as Netanyahu's far-right partners set to govern West Bank," *Al-Monitor*, December 9, 2022.

<sup>23</sup> Dennis Ross and David Makovsky, "A narrow government with Ben Gvir and Smotrich threatens US-Israel ties," *Times of Israel*, November 2, 2022.

<sup>24</sup> Barak Ravid, "Israel swears in most right-wing government in its history," *Axios*, December 29, 2022.

<sup>25</sup> Tovah Lazaroff, "Netanyahu coalition pledges to advance West Bank annexation policies," *Jerusalem Post*, December 22, 2022; Rina Bassist, "With discrimination protections at risk, protests planned across Israel," *Al-Monitor*, December 28, 2022; Zvika Klein, "Netanyahu agrees to amend Law of Return in coalition deal with UTJ," *Jerusalem Post*, December 22, 2022.

<sup>26</sup> Associated Press, "Netanyahu government: West Bank settlements top priority," December 28, 2022.

<sup>27</sup> Jeremy Sharon, "Justice minister unveils plan to shackle the High Court, overhaul Israel's judiciary," *Times of Israel*, January 4, 2023.



proposals have triggered several months of highly charged national debate. In March, Netanyahu dropped or delayed plans on various proposals to give the government control over Israel's Judicial Selection Committee (JSC) and allow the Knesset to override most HCJ decisions, in the face of pressure from various sectors of society and President Biden. In June, a dialogue aimed at achieving national consensus between government and opposition leaders broke down. Despite appeals from President Biden for Netanyahu to pursue compromise, the coalition proceeded in July to advance legislation that would prevent Israeli courts from using a "reasonableness" standard to invalidate government actions.<sup>28</sup> Netanyahu defended his action by saying that after trying to compromise for three months without success, he "decided to proceed with this minor correction."<sup>29</sup>

### "Reasonableness" Law, Next Political Steps, and Popular Sentiment

The new law, which the Knesset passed on July 24, amends Israel's Basic Law on the judiciary. The amendment prohibits courts from evaluating the reasonableness of administrative decisions made by the cabinet or its ministers (see text box below).<sup>30</sup> The opposition, which vehemently contested the bill, boycotted the vote.

#### The Role of Israel's Reasonableness Clause

One of the government's January 2023 proposals for changing the judiciary's role was to prevent courts from invalidating government actions on the grounds that they are "unreasonable in the extreme." The reasonableness test does not apply to laws, but only to administrative decisions such as executive orders, cabinet actions, matters that require ministerial sign-off, and municipal planning and zoning rulings.<sup>31</sup>

As the courts have developed the reasonableness framework over time, they have applied it in various cases where they determine that an action might be arbitrary, reckless, or unethical, even if it does not contradict a specific provision of law.<sup>32</sup> Among other things, the HCJ has used this clause as a basis for some decisions to vacate cabinet appointments, including the current Netanyahu government's December 2022 designation of Shas party leader Aryeh Deri (see **Appendix B**) as interior and health minister.<sup>33</sup> The HCJ found Deri's appointment to be unreasonable because of his past criminal convictions for corruption and his promise in a plea bargain not to return to public life.<sup>34</sup>

Debate was vigorous over the July 2023 bill to end courts' use of the reasonableness standard. The coalition and its supporters argued that because the clause is not clearly defined in law, its potentially broad application infringes on the government's popular mandate and chills executive action.<sup>35</sup> Despite the new limitation on using the reasonableness clause, some supporters of the limitation have said that courts can still resort to other common law standards that could protect against certain government decisions. These grounds include proportionality, anti-discrimination, conflict of interest, and lack of good faith.<sup>36</sup> Some opponents of the bill maintained that the

<sup>28</sup> Barak Ravid, "Exclusive: Biden says Bibi shouldn't rush 'divisive' judicial overhaul bill amid threats," *Axios*, July 23, 2023.

<sup>29</sup> Morgan Winsor, "Israeli Prime Minister Benjamin Netanyahu speaks out on divisive judicial overhaul: 'It's a minor correction,'" *ABC News*, July 27, 2023.

<sup>30</sup> Carrie Keller-Lynn, "Knesset begins final votes on reasonableness law, curbing court review of decisions," *Times of Israel*, July 23, 2023. Under the bill, courts can still use reasonableness to examine the actions of lower-level civil servants or municipal officials.

<sup>31</sup> Carrie Keller-Lynn, "What the 'reasonableness' law does—and doesn't—mean for judicial overhaul," *Times of Israel*, July 27, 2023.

<sup>32</sup> Amichai Cohen, "Doing Away with the Standard of Extreme Unreasonableness," Israel Democracy Institute, June 22, 2023; Jeremy Sharon, "The reason for reasonableness: A doctrine at the heart of the overhaul explained," *Times of Israel*, July 8, 2023.

<sup>33</sup> Cohen, "Doing Away with the Standard of Extreme Unreasonableness."

<sup>34</sup> Jeremy Sharon, "Deri v. High Court: What did he actually pledge in his 2022 plea bargain?" *Times of Israel*, January 24, 2023.

<sup>35</sup> Patrick Kingsley, "Israel Is Torn by Debate over How Much Power to Allow Supreme Court," July 22, 2023.

<sup>36</sup> Sharon, "The reason for reasonableness: A doctrine at the heart of the overhaul explained."



HCJ has shown restraint in rejecting most petitions challenging reasonableness, and that courts should have flexibility to employ the reasonableness standard to protect uncoded rights and prevent public corruption and malfeasance.<sup>37</sup> Israeli President Isaac Herzog and the opposition had sought a compromise with Netanyahu that would have preserved some use of reasonableness to review government action, suspended additional legislation on judicial changes for a period of time, and stipulated that the government could not fire the attorney general,<sup>38</sup> but these efforts fell short.

When the Knesset reconvenes in October, it may consider additional legislation affecting the JSC and perhaps other issues related to the judiciary. Netanyahu has said that the coalition is willing to return to dialogue with the opposition until sometime in November in an effort to “reach a comprehensive agreement,”<sup>39</sup> but opposition leader Yair Lapid has said that he will not join talks that are an “empty show.”<sup>40</sup> Lapid has demanded an 18-month moratorium on further judiciary-related legislation (unless it has support from a two-thirds majority in the Knesset) before resuming talks.<sup>41</sup>

Polls have suggested that a majority of Israelis may support some form of judicial reform, but generally favors efforts toward compromise. The specific measures introduced by the government seem to attract only minority support.<sup>42</sup> One July 2023 poll had 43% of Israelis opposing the Knesset’s reasonableness legislation, 31% supporting it, and the rest undecided. Moreover, polls also indicate a downturn in general support for Netanyahu and other coalition members.<sup>43</sup> A poll taken after the passage of the reasonableness law said that a majority of Israelis worry that civil conflict is possible, while 22% support the government advancing legislation unilaterally.<sup>44</sup>

The reaction within Israeli society—including from protests and potential military service and workforce disruptions—appears likely to affect how the legislative process continues. The proposed judicial changes have galvanized and polarized substantial portions of the Jewish Israeli populace, with some broad divisions manifest between

- **Opponents**, many of whom are members of the largely secular and Ashkenazi (Jews of European origin) communities that have traditionally occupied leading roles in government, the military, and the burgeoning high-tech sector; and
- **Supporters**, including many from certain groups with growing populations like West Bank settlers, Jewish nationalists, and the ultra-Orthodox (some of whom hail from a Mizrahi, or Middle Eastern Jewish, background).<sup>45</sup>

<sup>37</sup> Ibid.; Cohen, “Doing Away with the Standard of Extreme Unreasonableness.”

<sup>38</sup> Ravid, “Exclusive: Biden says Bibi shouldn’t rush ‘divisive’ judicial overhaul bill amid threats.”

<sup>39</sup> “Netanyahu vows to continue dialogue to reach judicial reform compromise,” *i24News*, July 24, 2023.

<sup>40</sup> Dov Lieber, “Israelis Vow to Intensify Protests Against New Judicial Legislation,” *Wall Street Journal*, July 28, 2023.

<sup>41</sup> Knesset News, “Opposition Leader MK Lapid to Knesset Plenum: The only possible solution, and the only thing that will enable a return to dialogue, is a moratorium on legislation,” July 30, 2023.

<sup>42</sup> Tamar Hermann and Or Anabi, “Only a Minority of Israelis Support the Proposed Judicial Overhaul,” Israel Democracy Institute, February 21, 2023, and “Overhauling the Judicial System—What Do Israelis Think?” Israel Democracy Institute, February 3, 2023; “Direct Polls: 3/4 of Israelis support judicial reform,” *Israel National News*, March 7, 2023.

<sup>43</sup> “43% of Israelis opposed to judicial reform Reasonableness Clause—poll,” *Jerusalem Post*, July 9, 2023.

<sup>44</sup> Moshe Cohen, “58% of Israelis fear a civil war amid judicial reform crisis,” *Jerusalem Post/Maariv*, July 28, 2023.

<sup>45</sup> Patrick Kingsley and Moises Saman, “Israelis Feeling Pain of Discord in Daily Lives,” *New York Times*, September 13, 2023; Dov Lieber and Shandi Raice, “Protests Break Out in Israel After Judicial Revamp Passes,” *Wall Street Journal*, July 25, 2023.

Since January, hundreds of thousands of opponents have joined in regular non-violent protests against the proposed changes in conjunction with opposition politicians,<sup>46</sup> and several former HCJ justices and attorneys general have strongly criticized the proposals.<sup>47</sup> At some times, the protests have disrupted traffic and operations at Israel's Ben Gurion airport. Widespread opposition also has come from Israel's financial and economic sector.<sup>48</sup> Thousands of supporters of the proposed changes have engaged in several non-violent counter-protests. A July poll suggested that majority approval in Israel of popular protests does not extend to disruptions of traffic or airport access, or to refusals to report for military reserve duty.<sup>49</sup>

## Potential Court Review

In September, the HCJ has held hearings on petitions challenging the reasonableness law. Disagreement between the HCJ and Knesset majority on the law's implementation could spark a national crisis.<sup>50</sup> Some media reports suggest that Netanyahu might be seeking some form of compromise with opposition figures in hopes of avoiding such a crisis, perhaps partly in response to polling that suggests his coalition may have lost support from the political center.<sup>51</sup>

The HCJ could strike down the reasonableness law, uphold it, or narrowly interpret it to curb its impact. To date, the HCJ has not invalidated any provision of Israel's Basic Laws, which in the absence of a written constitution lay down the rules of government and enumerate fundamental rights. Nevertheless, the HCJ has indicated that it could reverse a Basic Law if it fundamentally changes the nature of democracy in Israel or abuses the constitutional process.<sup>52</sup> One Israeli legal expert has speculated that the HCJ could refrain from deciding on the July law's validity in the abstract, but opt to engage on the issue when presented with a concrete case if the government tries to replace the attorney general or change the composition of the JSC—both of which could represent red lines for the court on the issue of judicial independence.<sup>53</sup>

## General Assessment

The following implications of the judicial system changes and proposals may have relevance for U.S. policy.

**Israel's security and economy.** Reportedly, thousands within Israel's military reserves have threatened to suspend their service, and some in the workforce (including doctors) have gone on strike or warned that they might. Consequently, observers have raised questions about effects on

<sup>46</sup> Dov Lieber, "Israel's Court Plan Deepens Divisions," *Wall Street Journal*, January 24, 2023; "Anti-overhaul protesters call to turn up heat as over 300,000 estimated at rallies," *Times of Israel*, March 11, 2023.

<sup>47</sup> Tamar Uriel-Beeri, "Former Israel A-Gs on reforms: 'They threaten to destroy judicial system,'" *Jerusalem Post*, January 12, 2023.

<sup>48</sup> Neri Zilber, "Will Less Democracy Kill Israel's Tech Sector?" *Foreign Policy*, January 26, 2023.

<sup>49</sup> Tamar Hermann and Or Anabi, "Flash Survey: Most Israelis Assess that the Protest Movement Has Delayed Progression of the Judicial Overhaul," Israel Democracy Institute, July 17, 2023.

<sup>50</sup> Neri Zilber, "Will Israel's Supreme Court Fight Back?" *Foreign Policy*, July 28, 2023. David Horovitz, "Constitutional crisis looms, as Supreme Court president shows she won't go quietly," *Times of Israel*, January 12, 2023.

<sup>51</sup> See, for example, Haviv Rettig Gur, "Neither coalition nor High Court respects Basic Laws. Urgently needed: A constitution," *Times of Israel*, September 12, 2023.

<sup>52</sup> Lieber and Raice; Emily Bazelon, "How Israel's Supreme Court Might React to the Challenge to Its Power," *New York Times*, July 25, 2023.

<sup>53</sup> Bazelon.

the country's defense readiness and economic strength.<sup>54</sup> According to a media report citing an unnamed U.S. official, the Pentagon "is concerned that the crisis facing the Israeli military could have negative implications for Israel's deterrence strategy and encourage Iran or Hezbollah to conduct military provocations that could escalate the situation in the region."<sup>55</sup> In late July, Israel's air force commander said, "It is possible that at a time like this they (Israel's enemies) will try to test the frontiers, our cohesion and our alertness."<sup>56</sup>

Additionally, disputes continue about whether reservists and other military personnel—many of whom fulfill key roles—are justified in linking their service to legislative outcomes.<sup>57</sup> In August, protest leaders claimed that thousands of reservists had stopped reporting for duty, and the military acknowledged a "limited" impact from no-shows.<sup>58</sup>

One news source has reported that the main problem for the military would be decreased cohesion and readiness over the long term rather than an immediate breakdown in performance. This source cites analysis arguing that highly skilled reservists (fighter pilots, special operations troops, and intelligence analysts) who stop volunteering would probably return in the event of a crisis, and the IDF would retain the capacity to handle most short-term threats.<sup>59</sup> Another source postulates that the IDF's recruitment of mandatory conscripts to combat duty might face challenges.<sup>60</sup>

**Democracy, governance, and Israel's international standing.** Much of the national debate focuses on the potential long-term implications for Israeli democracy and governance that might stem from changes to the judiciary's power. The discourse highlights the challenge Israel faces in respecting the actions of an elected government while protecting minority rights at a time when the prime minister's personal stake in judicial outcomes—owing to his criminal trial—may complicate efforts to build trust with the opposition.

Weakening judicial review could allow the government to take actions that the HCJ might have previously resisted. Such actions could include expanding Israel's West Bank control at Palestinians' expense, increasing economic preferences and military service exemptions for ultra-Orthodox Jews, or changing minority rights and the religious-secular balance in Israel.<sup>61</sup> Some debate whether Israel might face heightened condemnation and legal prosecution in international fora if the independence of its judiciary arguably erodes.<sup>62</sup>

<sup>54</sup> David S. Cloud and Dov Lieber, "Israel Faces New Security Threats if Protesting Military Reservists Refuse to Serve," *Wall Street Journal*, July 26, 2023; Associated Press, "Israeli doctors walk off the job and more strikes are threatened after law weakening courts passes," July 25, 2023; Dov Lieber, "Economic, Political Tumult Roil Israel," *Wall Street Journal*, July 26, 2023.

<sup>55</sup> Ravid, "Exclusive: Biden says Bibi shouldn't rush 'divisive' judicial overhaul bill amid threats."

<sup>56</sup> Reuters, "Israeli air chief warns of security threat from judicial reform crisis," July 28, 2023.

<sup>57</sup> Associated Press, "Here's how reservists are playing a crucial role in opposing Israel's judicial reforms," July 25, 2023.

<sup>58</sup> Reuters, "Israel's Netanyahu cools censure of protesting reservists as judicial crisis simmers," August 14, 2023.

<sup>59</sup> Cloud and Lieber.

<sup>60</sup> Lilach Shoval, "Israel's army readiness, Air Force cohesion at risk over judicial overhaul rift," *Al-Monitor*, July 30, 2023.

<sup>61</sup> Lieber, "Israel's Court Plan Deepens Divisions"; Associated Press, "Israel unveils controversial plans to overhaul judicial system," January 4, 2023.

<sup>62</sup> Michael Starr, "Judicial reform reasonableness bill advances to final Knesset votes," *Jerusalem Post*, July 20, 2023; Eugene Kontorovich and Avraham Russel Shalev, "Arguments about judicial reform, ICC are legally baseless—opinion," *Jerusalem Post*, July 21, 2023.

Many of those supporting the proposed changes assert that the HCJ needs corrective balance because Israel lacks a constitution providing explicit boundaries to judicial review.<sup>63</sup> Some also allege that elites from Israeli society who oppose the coalition's proposals are at least partly focused on maintaining their power and position.<sup>64</sup>

**Netanyahu's legal future.** Changes to the judicial system also might affect the status of Netanyahu's ongoing criminal trial. Some have speculated that legislative changes could lead to Netanyahu replacing the current attorney general with one amenable to dismissing the legal case against Netanyahu.<sup>65</sup> One source quoted Netanyahu as saying he would not make such a move, while citing an Israeli legal expert who questioned Netanyahu's credibility. Netanyahu and Israel's attorney general have publicly disagreed on her insistence that a conflict-of-interest agreement bars him from participating in debates surrounding proposed judicial system changes.<sup>66</sup> In late September, the HCJ is scheduled to hear a petition (supported by the attorney general) seeking the reversal of an earlier Basic Law provision (passed in March) that prevents the judiciary from ordering a prime minister to step down.<sup>67</sup>

**U.S. role.** President Biden's repeated efforts to steer Netanyahu toward compromise may have helped delay some measures, but did not stop the enactment of the July reasonableness law. Biden's attempts also have generated debate about U.S. input into Israel's domestic politics.<sup>68</sup> Members of Congress have articulated varying opinions about U.S. engagement in the discourse over Israel's judicial system.<sup>69</sup>

## Israeli-Palestinian Issues<sup>70</sup>

### Overview (Including Jerusalem, Gaza, and Visa Waiver Program)

Biden Administration officials have said that they seek to preserve the viability of a negotiated two-state solution to the Israeli-Palestinian conflict, while playing down near-term prospects for

<sup>63</sup> "PM defends judicial overhaul: Amendments will be made responsibly, everyone calm down," *Times of Israel*, January 13, 2022; Transcript: One-On-One with Israel's Netanyahu amid Surging Violence, CNN, January 31, 2023. For some additional arguments supporting judicial reform in Israel, see Richard A. Epstein and Max Raskin, "Israel's Proposed Judicial Reforms Aren't 'Extreme,'" *Wall Street Journal*, January 29, 2023; and Peter Berkowitz, "Israel's Constitutional Counterrevolution," *Real Clear Politics*, February 5, 2023. For some historical context, see Patrick Kingsley, "Social Rifts, Spread over Decades, at the Root of Israel's Judicial Crisis," *New York Times*, March 11, 2023.

<sup>64</sup> Moshe Koppel, "This reform will end limitless power for unelected elites," *Times of Israel* (blog), February 5, 2023.

<sup>65</sup> Tia Goldenberg, "What is the latest on Netanyahu's corruption trial?" *Associated Press*, April 27, 2023.

<sup>66</sup> Reuters, "Israel's attorney-general tells Netanyahu to stay out of push for judicial changes," February 2, 2023; Chen Maanit, "Netanyahu Says No Conflict of Interest in His Judicial Reforms," *Haaretz*, January 26, 2023.

<sup>67</sup> Pending its decision on the matter, the HCJ has issued a temporary injunction against the law. Michael Starr, "Israel's High Court issues injunction against Netanyahu's protection law," *Jerusalem Post*, August 6, 2023.

<sup>68</sup> See, for example, Robert Satloff, "President Biden can show his support for Israel by staying silent," *The Hill*, July 29, 2023.

<sup>69</sup> Peter Baker and Lisa Lerer, "U.S. Navigates Turbulent Ties to a Close Ally," *New York Times*, July 24, 2023; Marc Rod, "While some sound alarm, pro-Israel members call for measured approach on judicial reform," *Jewish Insider*, February 16, 2023. Full text of three letters available at <https://delauero.house.gov/sites/evo-subsites/delauro.house.gov/files/evo-media-document/final-3.8.23-delauro-schakowsky-mcgovern-letter-to-biden-administration-on-two-state-solution-compressed.pdf>, [https://nadler.house.gov/uploadedfiles/3.9.23\\_letter\\_to\\_israeli\\_government\\_final.pdf](https://nadler.house.gov/uploadedfiles/3.9.23_letter_to_israeli_government_final.pdf), and <https://eshoo.house.gov/sites/evo-subsites/eshoo.house.gov/files/evo-media-document/open-letter-to-israeli-pro-democracy-protesters-5.24.23.pdf>. See also H.Con.Res. 61, introduced in July 2023.

<sup>70</sup> See also CRS Report RL34074, *The Palestinians: Background and U.S. Relations*, by Jim Zanotti.

direct Israeli-Palestinian negotiations.<sup>71</sup> In doing so, they seek to help manage tensions, bolster Israel's defensive capabilities, and strengthen U.S.-Palestinian ties that frayed during the Trump Administration.<sup>72</sup> These officials regularly speak out against steps taken by Israelis or Palestinians that they argue could fuel violence and risk undermining the vision of two states.<sup>73</sup> In January 2023 remarks made alongside PA President Mahmoud Abbas during a visit to the West Bank, Secretary of State Antony Blinken said

Meanwhile, we oppose any action by either side that makes that goal [a two-state solution] more difficult to achieve, more distant. And we've been clear that this includes things like settlement expansion, the legalization of outposts, demolitions and evictions, disruptions to the historic status quo of the holy sites, and of course incitement and acquiescence to violence. We look to both sides to unequivocally condemn any acts of violence regardless of the victim or the perpetrator.<sup>74</sup>

### U.S. Policy on Jerusalem

The Trump Administration made U.S. policy changes affecting bilateral relations when it recognized Jerusalem as Israel's capital in 2017 and moved the location of the U.S. Embassy in Israel from Tel Aviv to Jerusalem in 2018. These actions could affect future outcomes regarding Jerusalem's status—given Palestinian claims to East Jerusalem as their future national capital—though the Trump Administration did not take a position on the boundaries of Israeli sovereignty in the city. The Biden Administration has said that the embassy will remain in Jerusalem.<sup>75</sup>

Israel's previous government initiated some steps to improve Palestinians' economic and living circumstances, including through loans and work permits,<sup>76</sup> and some of these measures have continued under its current government. Some critics have charged that the measures mirror past Israeli efforts to manage the conflict's effects unilaterally rather than address its causes through negotiation with Palestinians.<sup>77</sup> During President Biden's July 2022 visit to Israel and the West Bank, the White House released a statement saying that Israel had committed to expanding the number of Palestinian work permits, 24-hour accessibility to the Allenby border crossing between the West Bank and Jordan, and efforts to upgrade the West Bank and Gaza to 4G communications infrastructure.<sup>78</sup> As of April 2023, Israeli personnel began 24-hour operations at the Allenby crossing five days a week.<sup>79</sup>

In July 2023, the United States and Israel announced that Israel would begin allowing Palestinian-Americans to travel to Israel and the West Bank from Israeli airports, as part of Israel's effort to qualify for entry into the U.S. Visa Waiver Program—under the program's reciprocity requirement—by the end of September. Past Israeli practice had been to generally require

<sup>71</sup> Department of State Press Briefing, February 23, 2023; White House, "Remarks by President Biden and President Abbas of the Palestinian National Authority in Joint Press Statement | Bethlehem, West Bank," July 15, 2022.

<sup>72</sup> CRS Report RL34074, *The Palestinians: Background and U.S. Relations*.

<sup>73</sup> U.S. Mission to the United Nations, "Remarks by Ambassador Linda Thomas-Greenfield at a UN Security Council Briefing on the Situation in the Middle East," September 28, 2022.

<sup>74</sup> Department of State, "Secretary Antony J. Blinken and Palestinian Authority President Mahmoud Abbas After Their Meeting," January 31, 2023.

<sup>75</sup> Niels Lesniewski, "White House confirms Biden will keep embassy in Jerusalem," *Roll Call*, February 9, 2021.

<sup>76</sup> Thomas Grove and Fatima Abdulkarim, "Israel Offers Economic Help to Palestinians in Bid to Stem Influence of Hamas," *Wall Street Journal*, February 8, 2022; Aaron Boxerman, "Israel set to raise work permit quotas for Gazans to 20,000," *Times of Israel*, March 26, 2022.

<sup>77</sup> Neri Zilber, "Israel's new plan is to 'shrink,' not solve, the Palestinian conflict," CNN, September 16, 2021.

<sup>78</sup> White House, "FACT SHEET: The United States-Palestinian Relationship," July 14, 2022. The Allenby crossing started operating on a nearly continuous basis in April 2023.

<sup>79</sup> Rina Bassist, "Israel expands border crossing hours for Palestinians going to Jordan," *Al-Monitor*, April 3, 2023.

Palestinian-Americans to enter the West Bank via the Allenby crossing with Jordan.<sup>80</sup> Reportedly, Israel also plans to take steps regarding Palestinian-Americans traveling to and from Gaza in an effort to address reciprocity.<sup>81</sup> Fifteen Senators sent a letter to Secretary Blinken in September expressing skepticism that Israeli steps, as currently described, meet the reciprocity requirement.<sup>82</sup>

In January 2023, National Security Minister Ben Gvir visited Jerusalem's Temple Mount/Haram al Sharif ("Mount/Haram") a few days after taking office, triggering statements of condemnation or concern from Palestinians and several governments both within the region and globally.<sup>83</sup> Netanyahu pledged to maintain the historic "status quo" that allows only Muslims to worship at the holy site, and downplayed Ben Gvir's visit by referring to previous ministerial visits to the site.<sup>84</sup> Expressing deep concern about the potentially provocative nature of Ben Gvir's visit, the State Department spokesperson called on Netanyahu to keep his commitment on the status quo.<sup>85</sup> During Netanyahu's late January visit to King Abdullah II of Jordan, which has a custodial role over the Mount/Haram, the king reportedly told Netanyahu that Israel should respect the "historic and legal status quo in the Holy Aqsa mosque and not violate it."<sup>86</sup> Ben Gvir made additional visits to the Mount/Haram in May and July.

<sup>80</sup> Barak Ravid, "U.S. and Israel agree on conditions that could see Israelis join visa waiver program," *Axios*, July 19, 2023; Rina Bassist, "Israel signs deal with US to join visa waiver program," *Al-Monitor*, July 19, 2023. An unofficial version of the draft U.S.-Israel MOU on the issue is available at <https://ammannet.net/english/text-us-israel-visa-waiver-mou>. See also Department of State, "Israel's Commitments to Extend Reciprocal Privileges to All U.S. Citizens," August 24, 2023. For more information on the Visa Waiver Program, see CRS Report R46300, *Adding Countries to the Visa Waiver Program: Effects on National Security and Tourism*, by Abigail F. Kolker and Michaela D. Platzer.

<sup>81</sup> Reuters, "Israel to include Gaza Americans in U.S. visa waiver pilot next month," August 7, 2023.

<sup>82</sup> Text of letter available at [https://www.vanhollen.senate.gov/imo/media/doc/van\\_hollen\\_vwp\\_letter\\_to\\_blinken\\_090823.pdf](https://www.vanhollen.senate.gov/imo/media/doc/van_hollen_vwp_letter_to_blinken_090823.pdf).

<sup>83</sup> Barak Ravid, "Israeli ultranationalist minister visits sensitive Jerusalem holy site, raising tensions," *Axios*, January 3, 2023; U.N. Security Council, "Leaders on All Sides of Palestinian Question Must Help Alleviate Tensions, Maintain Status Quo at Jerusalem's Holy Sites, Senior Peace Official Tells Security Council," January 5, 2023.

<sup>84</sup> Transcript: One-On-One with Israel's Netanyahu amid Surging Violence. For background, see CRS Report RL33476, *Israel: Background and U.S. Relations*.

<sup>85</sup> Department of State Press Briefing, January 3, 2023.

<sup>86</sup> Reuters, "King Abdullah meets Israeli PM Netanyahu in surprise Jordan visit, royal court says," January 24, 2023. For background, see CRS Report RL33546, *Jordan: Background and U.S. Relations*, by Jeremy M. Sharp.



### Gaza and Its Challenges

The Gaza Strip—controlled by Hamas but significantly affected by general Israeli and Egyptian access and import/export restrictions—faces difficult and complicated political, economic, and humanitarian conditions.<sup>87</sup> Palestinian militants in Gaza clash at times with Israel's military as it patrols Gaza's frontiers with Israel, with militant actions and Israeli responses sometimes endangering civilians in both places. These incidents occasionally escalate toward larger conflict, as in May 2021. Hamas and Israel reportedly work through Egypt and Qatar to help manage the flow of necessary resources into Gaza and prevent or manage conflict escalation. Since 2018, Egypt and Hamas (perhaps with implied Israeli approval) have permitted some commercial trade via the informal Salah al Din crossing that bypasses the formal PA controls and taxes at other Gaza crossings.<sup>88</sup>

With Gaza under Hamas control, the obstacles to internationally supported recovery from the May 2021 conflict remain largely the same as after previous Israel-Gaza conflicts in 2008-2009, 2012, and 2014.<sup>89</sup> Because of the PA's inability to control security in Gaza, it has been unwilling to manage donor pledges toward reconstruction, leading to concerns about Hamas diverting international assistance for its own purposes.<sup>90</sup> Before the 2021 conflict, Qatar had provided cash assistance for Gaza, but due to Israeli concerns about the potential for its diversion, Qatar began an arrangement in September 2021 to provide money transfers to needy families through the United Nations.<sup>91</sup> In November 2021, Qatar and Egypt agreed on a new mechanism—with Israel's tacit approval—to restart assistance toward Gaza civil servants' salaries that had been on hold since the May 2021 outbreak of conflict.<sup>92</sup>

## Israel-West Bank Violence and Settlement Tensions

**Overview of violence, Palestinian militant groups, and some countermeasures.** After an upsurge in Israeli-Palestinian violence during 2022 that resulted in the deaths of 30 Israelis or foreigners in Israel and at least 170 Palestinians in the West Bank,<sup>93</sup> violence has spiked in 2023. For this year, at least 30 Israelis and 180 West Bank Palestinians have died from attacks by militants and/or extremists on both sides against civilians and/or their property, or clashes involving Israeli security forces and Palestinian militants.<sup>94</sup>

Israeli counterterrorism efforts have concentrated on northern West Bank cities like Nablus and Jenin in connection with efforts to arrest terrorism suspects, halt illicit weapons smuggling and production, and establish order.<sup>95</sup> Newer groups like the **Jenin Brigades** and Nablus-based **Lion's Den**—which polls suggest enjoy high levels of Palestinian domestic popularity—feature young fighters from across and even outside of the spectrum of Palestinian militant factions that includes the secular, Fatah-linked Tanzim, and Islamist groups like PIJ and Hamas.<sup>96</sup> According to some

<sup>87</sup> CRS Report RL34074, *The Palestinians: Background and U.S. Relations*.

<sup>88</sup> Ahmad Abu Amer, "Egypt, Qatar agreement with Israel, Hamas provides boost for Gaza economy," *Al-Monitor*, November 23, 2021; Neri Zilber, "New Gaza Crossing Raises Questions About Blockade Policies," Washington Institute for Near East Policy, October 23, 2019.

<sup>89</sup> David Makovsky, "Why Blinken Will Have a Tough Sell," Washington Institute for Near East Policy, May 25, 2021.

<sup>90</sup> Ibid.

<sup>91</sup> Aaron Boxerman, "UN to begin dispensing Qatari cash to needy Gazan families Monday under new deal," *Times of Israel*, September 12, 2021.

<sup>92</sup> Yaniv Kubovich, "Egypt, Qatar Reach Breakthrough on Hamas Civil Servants Salaries," *Haaretz*, November 29, 2021; Abu Amer, "Egypt, Qatar agreement with Israel, Hamas."

<sup>93</sup> Patrick Kingsley, "As Violence Rages, New Israeli Alliance Risks Fueling Even More of It," *New York Times*, January 29, 2023.

<sup>94</sup> Shayndi Raice and Fatima Abdulkarim, "Palestinian Authority Fights Its Own," *Wall Street Journal*, September 6, 2023; Patrick Kingsley, "Israeli Guard Is Shot Dead After Settler Kills Palestinian," *New York Times*, August 6, 2023.

<sup>95</sup> Isabel Kershner, "Palestinian Assailant Kills Three Israelis in the West Bank," *New York Times*, November 16, 2022.

<sup>96</sup> Ayman Oghanna, "Inside the Lions' Den: the West Bank's Gen Z fighters," *Economist (1843 Magazine)*, July 7, 2023; Udi Dekel, "The Lion's Den: A Wake-Up Call for Imminent Challenges," Institute for National Security Studies, October 19, 2022; Hani al-Masri, "The Jenin Brigades and The Lions' Den: Palestine's new resistance," *Middle East Eye*, October 21, 2022.



open sources, various factors may fuel increased Palestinian militancy, including Israeli actions in the West Bank, PA weakness, socioeconomic challenges, and the easy availability of weapons.<sup>97</sup> One article suggests that much of the funding comes from Iran, supposedly allowing some fighters to earn \$300 to \$700 per month in an area of chronic unemployment, but that Iran defers to the local groups on operational planning and implementation. This same article says, “Much of the weaponry used by the Jenin fighters comes from Israel itself, stolen and sold on through criminal gangs, Israeli officials say. Some is smuggled across the Jordanian border, and some is improvised in local workshops.”<sup>98</sup>

As the increase in Israeli-Palestinian violence has attracted greater U.S. policy attention,<sup>99</sup> Israeli and PA forces have approached West Bank militants in different ways, leading to some tensions and the possibility of future escalation.<sup>100</sup> The PA reportedly has sought time and flexibility to address militancy independent of Israel’s preferred methods, as part of an effort to reach compromises that minimize major armed confrontations or arrests. In 2022, some PA personnel reportedly acted outside their authority by directly targeting Israeli forces or settlers, raising questions about the PA’s ability to control individuals’ actions.<sup>101</sup>

Israel’s government approved measures in January that Prime Minister Netanyahu said were aimed at curbing terrorism, but might further fuel tensions, including steps accelerating home demolitions and West Bank settlement building, reinforcing Israeli military and police units, and expediting gun licenses for Israelis.<sup>102</sup> In defending Israel’s steps as “targeted action on the terrorists and their immediate circle,” Netanyahu said that he continues to allow 150,000 Palestinians to work in Israel, has reduced security checkpoints, and encourages investment by Israelis and “our new peace partners in the Gulf” in Palestinian areas of the West Bank.<sup>103</sup>

After a deadly January Israeli raid in Jenin, the PA announced a suspension of security coordination with Israel,<sup>104</sup> but its practical meaning is unclear.<sup>105</sup> Previously, the PA publicly suspended security coordination with Israel for a few months in 2020 when Israel was contemplating annexation of West Bank areas.<sup>106</sup> In February, Central Intelligence Agency Director Bill Burns remarked that the tensions resembled “some of the realities” of the 2000-2005 period of Israeli-Palestinian violence known as the second Palestinian *intifada* (or uprising).<sup>107</sup> An

<sup>97</sup> Dekel, “The Lion’s Den”; al-Masri, “The Jenin Brigades and The Lions’ Den.”

<sup>98</sup> Reuters, “Palestinian gunmen say they’re fighting for Jenin, not foreign backers,” August 14, 2023.

<sup>99</sup> Department of State Press Briefings, October 25, 2022 and September 28, 2022; “Remarks by Ambassador Linda Thomas-Greenfield,” September 28, 2022. See also CRS Report RL34074, *The Palestinians: Background and U.S. Relations*.

<sup>100</sup> Isabel Kershner, “Israeli Military Targets New Palestinian Militia,” *New York Times*, October 26, 2022; Yaniv Kubovich and Jack Khoury, “Nablus’ ‘Lion’s Den’ Has Become a Major Headache for Israel and the Palestinian Authority,” *Haaretz*, October 12, 2022.

<sup>101</sup> Ahmad Melhem, “Palestinian security forces become more involved in resistance in West Bank,” *Al-Monitor*, October 12, 2022.

<sup>102</sup> Dov Lieber et al., “Israeli-Palestinian Violence Grows,” *Wall Street Journal*, January 30, 2023; Raja Abdulrahim, “Palestinian Is Shot Dead Outside Israeli Settlement in West Bank as Violence Rages,” *New York Times*, January 30, 2023.

<sup>103</sup> Transcript: One-On-One with Israel’s Netanyahu amid Surging Violence.

<sup>104</sup> Wafa News Agency, “In light of the massacre in Jenin, Palestinian leadership declares end to security coordination with Israel,” January 26, 2023.

<sup>105</sup> Yoni Ben Menachem, “By Ending Security Coordination with Israel, the Palestinian Authority Is Shooting Itself in the Foot,” Jerusalem Center for Public Affairs, January 30, 2023.

<sup>106</sup> Reuters, “Palestinian Authority resuming cooperation with Israel, Palestinian official says,” November 17, 2020.

<sup>107</sup> Jacob Magid, “CIA director: Current Israeli-Palestinian tensions resemble Second Intifada,” *Times of Israel*, February 7, 2023.

unnamed “senior Israeli security source” was cited in September as saying that terrorist threats from the West Bank are “rising tremendously” because restraining factors are weakening and accelerating factors are growing, but that “it is not close to what happened” with a deep terror infrastructure during the second intifada.<sup>108</sup>

**Challenges related to de-escalation efforts and settlements.** During Secretary Blinken’s January visit to the West Bank, he said that “it’s important to take steps to de-escalate, to stop the violence, to reduce tensions, and to try as well to create the foundation for more positive actions going forward.”<sup>109</sup> He also said that he discussed with President Abbas “the importance of the Palestinian Authority itself continuing to improve its governance and accountability, strengthening the institutions of the PA.”<sup>110</sup>

In February, the Israeli government decided to advance West Bank plans to construct nearly 10,000 additional settlement units and begin a process to retroactively legalize nine outposts that had previously been illegal under Israeli law—triggering a statement of strong opposition from Secretary Blinken.<sup>111</sup> A few days later, the United States, Israel, the PA, Jordan, and Egypt issued a communique from Aqaba, Jordan aimed at de-escalating tensions and violence by committing Israel and the PA to suspend unilateral measures for a few months.<sup>112</sup> In March, the five parties reconvened as scheduled in Sharm El Sheikh, Egypt, and restated the commitments from Aqaba.<sup>113</sup>

Also in March, the Knesset passed legislation to overturn parts of a 2005 law that had made Jewish settlements in certain areas of the northern West Bank illegal. In that year, then-Israeli Prime Minister Ariel Sharon had affirmed in writing to then-President George W. Bush that Israel committed to evacuate settlements and outposts in that region. A State Department spokesperson said that the United States is extremely troubled about the legislation, and that it clearly contradicts Israel’s longtime undertaking to the United States, as well commitments it made earlier in March to de-escalate Israeli-Palestinian tensions.<sup>114</sup> Despite the legal change, Netanyahu’s office issued a statement saying that Israel’s government has “no intention of establishing new communities” in the West Bank areas in question.<sup>115</sup> The relocation of a yeshiva (Jewish religious school) within one of these areas in May triggered additional criticism from the State Department,<sup>116</sup> as did additional settlement-related announcements from Israel in June.<sup>117</sup> Reportedly, when President Biden raised concerns about settlement expansion in a July call with Netanyahu, Netanyahu said that no additional settlement plans would be approved in 2023.<sup>118</sup>

<sup>108</sup> Ben Caspit, “Israel’s security brass advocates Saudi deal as way to calm tensions with Palestinians,” *Al-Monitor*, September 8, 2023.

<sup>109</sup> Department of State, “Secretary Antony J. Blinken and Palestinian Authority President Mahmoud Abbas After Their Meeting.”

<sup>110</sup> Ibid.

<sup>111</sup> Department of State, “Israeli Settlement and Outpost Legalization Announcement,” February 13, 2023. Israel announced the legalization of three of the nine outposts in September in the face of U.S. criticism. Jacob Magid, “US slams legalization of 3 West Bank outposts ‘previously illegal under Israeli law,’” *Times of Israel*, September 8, 2023.

<sup>112</sup> Department of State, “Aqaba Joint Communique,” February 26, 2023.

<sup>113</sup> Department of State, “Joint Communique from the March 19 meeting in Sharm El Sheikh,” March 19, 2023.

<sup>114</sup> Department of State Press Briefing, March 21, 2023.

<sup>115</sup> Israeli Prime Minister’s Office, “Prime Minister’s Office Statement on the Knesset Decision to Repeal Parts of the Disengagement Law,” March 22, 2023.

<sup>116</sup> Ben Caspit, “Israel’s Netanyahu further provokes Biden with relocation of outpost yeshiva,” *Al-Monitor*, May 30, 2023.

<sup>117</sup> State Department, “The United States is Deeply Troubled with Israeli Settlement Announcement,” June 18, 2023.

<sup>118</sup> Barak Ravid, “Inside Biden’s call with Israel’s Netanyahu,” *Axios*, July 18, 2023.

### Policy Change on U.S.-Israel Science/Technology Cooperation in Settlements

In June 2023, the State Department announced that the Biden Administration would return to pre-Trump Administration U.S. policies that limit U.S.-Israel scientific and technological cooperation to areas administered by Israel before the June 1967 Arab-Israeli war.<sup>119</sup> In 2020, the Trump Administration signed agreements with Israel removing geographic restrictions on three U.S.-Israel binational foundations.<sup>120</sup> In July, 14 Senators sent a letter to President Biden and Secretary Blinken denouncing the June 2023 policy change as an “antisemitic boycott of Israel” that undermines bilateral cooperation. The Senators threatened to block the Biden Administration’s nominees if it does not reverse course.<sup>121</sup>

**Summer escalation and PA efforts to restore order.** In summer 2023, clashes between Israeli forces and Palestinian militants intensified in the northern West Bank. Reports indicate that Hamas and PIJ may have increased their direct involvement, perhaps helping West Bank militants employ tactics similar in sophistication to those used by Iran-supported groups in Lebanon and Gaza, such as improvised explosive devices (IEDs).<sup>122</sup> After a Palestinian shooting attack in June killed four Israeli settlers, and a group of Israeli settlers stormed a Palestinian town, setting fire to multiple homes and cars in a scene reminiscent of a similar reprisal attack by settlers in February.<sup>123</sup>

In early July, the IDF launched a major two-day raid into Jenin featuring around 1,000 ground troops, aerial cover, and armored vehicles to counter IEDs. During the raid, which Israel apparently carried out in hopes of reducing militants’ ability to use Jenin’s refugee camp as a haven for stockpiling weapons and planning attacks against Israelis, 12 Palestinians and one Israeli died.<sup>124</sup>

Israel’s operation in Jenin was its largest since Operation Defensive Shield in 2002 during the second intifada. According to one Israeli officer, the scale of the challenge in 2023 is smaller than in 2002, when general Palestinian involvement in violence was more widespread.<sup>125</sup> Some IDF officials reportedly worry that a more overt war footing in the West Bank could harden negative Palestinian popular attitudes toward Israel.<sup>126</sup>

After the IDF raid, the PA deployed more security forces in Jenin and elsewhere in the northern West Bank. Reportedly, Secretary Blinken had encouraged President Abbas privately to implement a security plan backed by the U.S. Security Coordinator for Israel and the Palestinian Authority (USSC) and aimed at helping PA forces regain greater control in Jenin and Nablus.<sup>127</sup>

<sup>119</sup> Department of State Press Briefing, June 26, 2023.

<sup>120</sup> For more information on these foundations, see CRS Report RL33222, *U.S. Foreign Aid to Israel*, by Jeremy M. Sharp.

<sup>121</sup> Text of letter available at [https://www.cruz.senate.gov/imo/media/doc/cruz\\_bds\\_final.pdf](https://www.cruz.senate.gov/imo/media/doc/cruz_bds_final.pdf).

<sup>122</sup> Isabel Kershner, “Five Palestinians, Including 15-Year-Old Boy, Are Killed in Israeli Raid in the West Bank,” *New York Times*, June 20, 2023; Ben Caspit, “Israel increasingly fears West Bank chaos, rise of Hamas,” *Al-Monitor*, June 20, 2023; Emanuel Fabian, “After roadside bomb during Jenin raid, Gallant says ‘all options on the table,’” *Times of Israel*, June 20, 2023.

<sup>123</sup> Euronews with Associated Press, “Hundreds of Israeli settlers torch Palestinian homes and cars after deadly shooting at settlement,” June 21, 2023; Emanuel Fabian, “Palestinian killed as settlers rampage in Huwara after deadly terror attack,” *Times of Israel*, February 26, 2023.

<sup>124</sup> Caspit, “Can Israel’s operation in Jenin restore IDF deterrence in West Bank?”; Agence France Presse, “Israel ends large-scale West Bank raid that left 13 dead,” July 2, 2023; Reuters, “Israeli troops withdraw in West Bank, Gaza rockets fired,” July 5, 2023.

<sup>125</sup> Caspit, “Can Israel’s operation in Jenin restore IDF deterrence in West Bank?”

<sup>126</sup> Caspit, “Israel increasingly fears West Bank chaos, rise of Hamas.”

<sup>127</sup> Barak Ravid, “Scoop: Blinken pressed Abbas to accept U.S. security plan for Jenin,” *Axios*, February 1, 2023; Barak Ravid, “Israeli-Palestinian showdown at UN averted after U.S. mediation,” *Axios*, February 19, 2023. For (continued...)

PA officials reportedly expressed reservations about the plan, partly because of concerns that it might not reduce Israeli incursions into West Bank cities or include other provisions calculated to attract Palestinian public support.<sup>128</sup>

PA forces in Jenin have taken steps toward restoring order, apparently in line with the USSC plan, but their operations have not extended into policing Jenin's refugee camp—the city's greatest source of instability.<sup>129</sup> Some Palestinians express general support for PA efforts to maintain order, but warn that increased Israeli raids in the area make PA personnel look like collaborators with Israel against their own people.<sup>130</sup> Amid some media reports in September that PA forces received armored vehicles and perhaps also some weapons as a result of U.S. and Jordanian efforts, the Department of State said that U.S. security assistance to the PA “does not include provision of weapons or ammunition.”<sup>131</sup> In the meantime, top Israeli security officials reportedly support Israeli diplomacy with Saudi Arabia that could potentially calm tensions in the West Bank (as discussed below).<sup>132</sup>

## Potential U.S.-Israel-Saudi Deal: Palestinian Elements

As the United States, Israel, and Saudi Arabia engage in initial discussions aimed at normalizing Israel-Saudi relations amid other potential agreements involving the three countries (see “The Abraham Accords” below), media reports have speculated that the Biden Administration and Saudi leaders may insist on Israeli concessions to Palestinian demands as integral to any deal. However, the current Israeli government may have difficulty in considering such concessions.<sup>133</sup> How Palestinian issues are addressed may be an important factor for some Members of Congress.<sup>134</sup>

PA leaders have reportedly engaged in some initial discussions with U.S., Israeli, and Saudi counterparts about whether they might accept measures short of immediate Palestinian statehood. According to various sources, PA officials are seeking “irreversible” steps to advance Palestinian statehood aspirations. They reportedly are asking for Israel to give the PA more control over some parts of the West Bank and to demolish illegal Israeli outposts.<sup>135</sup> The PA also apparently wants Saudi Arabia to resume funding to the PA and open a consulate in Jerusalem. Additionally, the PA seems to be pressing the Biden Administration to follow through on its pledge to reopen the consulate in Jerusalem that the Trump Administration closed in 2019, to back full Palestinian representation at the United Nations, and to work with Congress to remove the legislative

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background on the USSC, which is a multilateral mission based in Jerusalem and headed by a U.S. three-star flag officer, see CRS Report RL34074, *The Palestinians: Background and U.S. Relations*.

<sup>128</sup> Ravid, “Scoop: Blinken pressed Abbas to accept U.S. security plan for Jenin.”

<sup>129</sup> Isabel Debre, “After Israeli raids, Palestinian police struggle in militant hotbed, reflecting region on the brink,” Associated Press, August 18, 2023.

<sup>130</sup> Raice and Abdulkarim.

<sup>131</sup> “Fuming at reported weapons transfer to PA, far-right ministers threaten Netanyahu,” *Times of Israel*, September 13, 2023.

<sup>132</sup> Ben Caspit, “Israel’s security brass advocates Saudi deal as way to calm tensions with Palestinians,” *Al-Monitor*, September 8, 2023.

<sup>133</sup> Barak Ravid, “Senior Biden adviser heading to Saudi Arabia to talk mega-deal with Palestinians,” *Axios*, September 3, 2023, and “Scoop: Palestinians gave Saudis list of what they want in Israel-Saudi peace deal,” *Axios*, August 30, 2023.

<sup>134</sup> Ben Samuels and Amir Tibon, “Israeli-Saudi Normalization Pact Could Die in Congress if Palestinians Overlooked, Senators Warn,” *Haaretz*, August 8, 2023.

<sup>135</sup> Jacob Magid, “Officials: Saudis assured Palestinians they won’t be abandoned in normalization talks,” *Times of Israel*, September 14, 2023; “Palestinians seek ‘irreversible’ measures as part of Israel-Saudi deal, officials say,” *Times of Israel*, August 31, 2023.

designation of the PLO as a terrorist group.<sup>136</sup> Without necessarily addressing other PA asks, a U.S. official reportedly told PA officials that U.N. recognition “wasn’t in the cards.”<sup>137</sup>

## The Abraham Accords

**General overview.** In late 2020 and early 2021, Israel reached agreements to normalize or improve its relations with four members of the Arab League: the United Arab Emirates (UAE), Bahrain, Morocco, and Sudan. The Trump Administration facilitated each of these agreements, known as the Abraham Accords, and provided U.S. security, diplomatic, or economic incentives for most of the countries in question.<sup>138</sup> In 2021, Israel opened embassies in the UAE and Bahrain, and both countries reciprocated. Israel and Morocco also reopened the liaison offices that each country had operated in the other from the mid-1990s to 2000. Israel’s July 2023 recognition of Moroccan sovereignty in the disputed territory of Western Sahara could lead to full Israel-Morocco diplomatic relations via the mutual opening of embassies. The Sudanese military’s seizure of power in October 2021 froze the Israel-Sudan normalization process.<sup>139</sup> In January 2023, the Sudanese military leadership said that Sudan would sign a normalization deal with Israel after it transitions to a civilian government,<sup>140</sup> but the outbreak of Sudanese civil conflict in April may delay any major developments on that front for the foreseeable future.

While Saudi Arabia has not normalized its relations with Israel, it reportedly supported the UAE and Bahrain in their decisions to join the Abraham Accords.<sup>141</sup> Additionally, Saudi Arabia and Oman have opened their airspace to Israeli civilian airlines, significantly reducing their travel time to Asian destinations.

Trade, tourism, and investment ties among the other Accords countries have deepened, particularly between Israel and the UAE. Some notable developments include an Israel-UAE free trade agreement that went into effect in March 2023, and a major Israel-UAE-Jordan initiative focused on desalinated water and solar energy. Additionally, since 2022, Israel and the UAE have been part of a larger “I2U2” grouping with the United States and India that focuses on joint investments and initiatives in various areas.<sup>142</sup> In September 2023, the I2U2 countries, Saudi

<sup>136</sup> Ibid.; Ravid, “Senior Biden adviser heading to Saudi Arabia to talk mega-deal with Palestinians” and “Scoop: Palestinians gave Saudis list of what they want in Israel-Saudi peace deal”; Dion Nissenbaum and Summer Said, “Palestinians Press Saudis for Israeli Concessions in Deal,” *Wall Street Journal*, September 1, 2023. The Anti-Terrorism Act of 1987 (ATA, Title X of P.L. 100-204) included a congressional determination that “the PLO and its affiliates are a terrorist organization and a threat to the interests of the United States, its allies, and to international law and should not benefit from operating in the United States,” along with various prohibitions on PLO-related actions. Section 1003(3) of the ATA prohibits the PLO from having an office in the United States; subsequent legal provisions have permitted the executive branch to temporarily waive this prohibition from time to time under specified circumstances.

<sup>137</sup> Ravid, “Senior Biden adviser heading to Saudi Arabia to talk mega-deal with Palestinians.”

<sup>138</sup> See <https://www.state.gov/the-abraham-accords/>. These incentives included possible U.S. arms sales to the UAE and Morocco, possible U.S. and international economic assistance or investment financing for Morocco and Sudan, and U.S. recognition of Morocco’s claim of sovereignty over the disputed territory of Western Sahara. Some reports suggest that the Trump Administration linked Sudan’s removal from the U.S. state sponsors of terrorism list to its agreement to recognize Israel.

<sup>139</sup> Testimony of Assistant Secretary of State for African Affairs Molly Phee, “Sudan’s Imperiled Transition: U.S. Policy in the Wake of the October 25<sup>th</sup> Coup,” Senate Foreign Relations Committee, hearing, February 1, 2022.

<sup>140</sup> Reuters, “Israel, Sudan announce deal to normalise relations,” February 3, 2023.

<sup>141</sup> Barak Ravid, “Scoop: Jake Sullivan discussed Saudi-Israeli normalization with MBS,” *Axios*, October 20, 2021.

<sup>142</sup> White House, “Joint Statement of the Leaders of India, Israel, United Arab Emirates, and the United States (I2U2),” July 14, 2022.



Arabia, and the European Union committed to establish an India-Middle East-Europe Economic Corridor featuring infrastructure links such as rail, clean energy, and digital connectivity.<sup>143</sup>

As a sign of mutual high-level commitment to the Accords, Secretary of State Antony Blinken met the foreign ministers of Israel, the UAE, Bahrain, Morocco, and Egypt at a March 2022 summit in Israel's southern Negev desert to inaugurate a regional cooperation framework. The framework features periodic Negev Forum meetings, as well as working groups engaging regularly on clean energy, education and coexistence, food and water security, health, regional security, and tourism.<sup>144</sup> Participants have expected that a 2023 foreign ministerial meeting would take place in Morocco, but U.S. officials reportedly told Israel that plans for holding the meeting in July would be postponed due to an Israeli settlement construction announcement in June.<sup>145</sup> Developments since the new Israeli government took office have reportedly fueled some concerns among Arab governments about closer ties with Israel, including the new government's actions against Palestinians, Israeli domestic discord, and some apparent U.S.-Israel differences.<sup>146</sup>

Despite closer government-to-government ties and broader Israel-UAE economic cooperation, public opinion polling in Arab states indicates that long-standing popular opposition to regional governments recognizing Israel remains strong.<sup>147</sup> According to one poll, support in the UAE and Bahrain for the Accords dropped from 47% and 45%, respectively, in 2020 to 25% and 20% in 2022.<sup>148</sup> However, the same poll shows incremental increases in support since 2020 within the UAE, Bahrain, and Saudi Arabia to permit private business and sports ties with Israelis.<sup>149</sup>

U.S. and Israeli officials seek to expand the Abraham Accords to include other Arab and Muslim-majority countries. Secretary Blinken has said that “we’re committed to continue building on the efforts of the last administration to expand the circle of countries with normalized relations with Israel in the years ahead.”<sup>150</sup> In June 2023, Blinken announced the appointment of Daniel Shapiro (formerly U.S. ambassador to Israel) as senior adviser on regional integration, a new position focused on deepening and broadening the Accords. Reportedly, Shapiro will be less engaged in diplomacy aimed at Israel-Saudi normalization (discussed below) than in boosting other aspects of the Abraham Accords.<sup>151</sup>

<sup>143</sup> White House, “Memorandum of Understanding on the Principles of an India – Middle East – Europe Economic Corridor,” September 9, 2023.

<sup>144</sup> Department of State, “The Negev Forum Working Groups and Regional Cooperation Framework,” January 10, 2023; Israeli Ministry of Foreign Affairs, “Meeting of the Negev Forum steering committee and working groups opens in Abu Dhabi,” January 9, 2023.

<sup>145</sup> Itamar Eichner, “US responds to new settlement construction: postpones Negev Forum in Morocco,” *Ynetnews*, June 18, 2023.

<sup>146</sup> Dion Nissenbaum, “Israel’s Ties with Arabs Falter,” *Wall Street Journal*, April 10, 2023; Yoav Limor, “Exclusive: Intelligence Directorate sounds alarm over eroding Israeli deterrence,” *Israel Hayom*, April 4, 2023.

<sup>147</sup> Arab Center for Research and Policy Studies, *2022 Arab Opinion Index*, January 3, 2023.

<sup>148</sup> Dion Nissenbaum, “Israeli Official Visits Bahrain to Lift Ties,” *Wall Street Journal*, December 5, 2022; Dylan Kassin and David Pollock, “Arab Public Opinion on Arab-Israeli Normalization and Abraham Accords,” Washington Institute for Near East Policy, July 15, 2022.

<sup>149</sup> Kassin and Pollock, “Arab Public Opinion on Arab-Israeli Normalization and Abraham Accords.”

<sup>150</sup> Department of State, “Secretary Antony J. Blinken and Israeli Alternate Prime Minister and Foreign Minister Yair Lapid and United Arab Emirates Foreign Minister Sheikh Abdullah Bin Zayed Al Nahyan at a Joint Press Availability,” October 13, 2021.

<sup>151</sup> Jacob Magid, “Ex-US ambassador to Israel Dan Shapiro tapped as Biden’s first Abraham Accords envoy,” *Times of Israel*, June 29, 2023.

The Biden Administration's willingness to offer major U.S. policy inducements to countries in connection with normalization efforts remains unclear.<sup>152</sup> It has sought to avoid portraying Israeli normalization with Arab and Muslim-majority states as a substitute for efforts toward a negotiated two-state solution to the Israeli-Palestinian conflict.<sup>153</sup> Negev Forum members acknowledge that part of their mandate is to "create momentum in Israeli-Palestinian relations."<sup>154</sup> However, the PA has opted not to join the forum. Palestinian leaders denounced the initial announcement of UAE normalization with Israel as an abandonment of the Palestinian national cause, given Arab League states' previous insistence that Israel address Palestinian negotiating demands as a precondition for improved ties.<sup>155</sup> Jordan also has remained on the sidelines of the Negev Forum, conditioning its involvement on PA participation.<sup>156</sup>

**Normalization efforts with Saudi Arabia.** In May 2023, an unnamed senior Israeli diplomatic source was cited as saying that "the Saudi [normalization] issue is now more important than anything else" for Netanyahu's foreign policy. "He knows that Israel cannot stop Iran on its own."<sup>157</sup> Saudi Foreign Minister Prince Faisal bin Farhan Al Saud has expressed general support for normalization with Israel but stated in January 2023 that "true normalization and true stability will only come through giving the Palestinians hope, through giving the Palestinians dignity. That requires giving the Palestinians a state, and that's the priority."<sup>158</sup> Various factors could complicate an Israel-Saudi normalization process, including the March 2023 Saudi-Iran normalization deal brokered by China, Saudi desires for stronger U.S. support for Saudi security and civilian nuclear priorities (which might require congressional approval), and Arab concerns regarding increased Israeli-Palestinian tensions and violence.<sup>159</sup> One media report has suggested that while Arab states like Saudi Arabia "may see Iran as a menace, they see little gain in isolating and opposing Tehran to the extent that Israel does."<sup>160</sup> A 2023 public opinion poll suggests that large majorities of Saudis oppose normalization with both Israel and Iran, and that about 18% support cooperation with Israel against Iran.<sup>161</sup>

During Secretary Blinken's June 2023 visit to Saudi Arabia, he said that helping normalize Israeli-Saudi ties is a U.S. priority, saying, "We discussed it here, and we will continue to work at

<sup>152</sup> Michael Koplow et al., "Biden has an opportunity to put his own stamp on Arab-Israeli relations," *The Hill*, October 14, 2021.

<sup>153</sup> Department of State, "Secretary Antony J. Blinken and Israeli Prime Minister Benjamin Netanyahu after Their Meeting," January 30, 2023.

<sup>154</sup> The Negev Forum Regional Cooperation Framework Adopted by the Steering Committee on November 10<sup>th</sup>, 2022, hyperlink to document available at <https://www.state.gov/the-negev-forum-working-groups-and-regional-cooperation-framework/>.

<sup>155</sup> Walid Mahmoud and Muhammad Shehadeh, "Palestinians unanimously reject UAE-Israel deal," *Al Jazeera*, August 14, 2020.

<sup>156</sup> Jacob Magid, "US laments Jordan's absence from Negev Forum, aims to keep Palestinians in loop," *Times of Israel*, January 8, 2023.

<sup>157</sup> Ben Caspit, "For Israel, normalization with Saudi Arabia not impossible," *Al-Monitor*, May 16, 2023.

<sup>158</sup> Marita Kassis, "Saudi FM says no normalizing ties with Israel before Palestinian issue resolved," *Al-Monitor*, January 20, 2023.

<sup>159</sup> Mark Mazzetti et al., "U.S., in Long Shot, Seeks Saudi Deal with Netanyahu," *New York Times*, June 19, 2023; Elizabeth Hagedorn, "Israeli-Saudi normalization still elusive despite US push," *Al-Monitor*, May 25, 2023; Barak Ravid, "Biden admin pushing for Saudi-Israeli peace deal by end of year, officials say," *Axios*, May 17, 2023. See also CRS In Focus IF10799, *Prospects for U.S.-Saudi Nuclear Energy Cooperation*, by Christopher M. Blanchard and Paul K. Kerr.

<sup>160</sup> Patrick Kingsley, "For Israel, Saudi Deal with Iran Undermines Its Hopes of Isolating Tehran," *New York Times*, March 11, 2023.

<sup>161</sup> David Pollock, "New Saudi Opinion Poll Shows 40 Percent Still Back Some Ties with Israel," Washington Institute for Near East Policy (Fikra Forum), May 15, 2023.



it, to advance it in the days, weeks, and months ahead.”<sup>162</sup> In the same briefing, Saudi Foreign Minister Al Saud said

I have said before and it’s quite clear that we believe that normalization is in the interest of the region, that it would bring significant benefits to all. But without finding a pathway to peace for the Palestinian people, without addressing that challenge, any normalization will have limited benefits. And therefore, I think we should continue to focus on finding a pathway towards a two-state solution, on finding a pathway towards giving the Palestinians dignity and justice.<sup>163</sup>

In a July CNN interview, President Biden said that “We’re a long way” from an Israel-Saudi normalization deal that could partly depend on what Saudi Arabia might ask of the United States.<sup>164</sup> Amid speculation in August about possible progress in negotiations, and reported Israeli interest in a U.S.-Israel security agreement as part of a potential deal,<sup>165</sup> a White House spokesperson was cited as saying, “There is no agreed to set of negotiations, there’s no agreed-to framework to codify normalization or any of the other security considerations that we and our friends have in the region.”<sup>166</sup> In September, U.S., Israeli, and Saudi leaders have alluded to their ongoing discussions, expressing some optimism while acknowledging a number of outstanding issues.<sup>167</sup>

**Security cooperation and Israel in CENTCOM.** In January 2021, President Trump determined that U.S. Central Command (CENTCOM), which commands U.S. military forces in most countries in the Middle East, would add Israel to its area of responsibility (AOR), partly to encourage military interoperability as a means of reinforcing closer ties between Israel and many Arab states.<sup>168</sup> Israel had previously been under the purview of U.S. European Command. CENTCOM formalized Israel’s move in September 2021,<sup>169</sup> and in October an Israeli Defense Forces liaison was stationed at CENTCOM headquarters.<sup>170</sup> Since then, Israel has joined military exercises with the United States and the other Abraham Accords states, as well as other CENTCOM partners such as Saudi Arabia, Oman, Jordan, Egypt, and Pakistan.<sup>171</sup>

Following a string of missile and drone attacks against the UAE in early 2022, apparently by Iran-allied forces in Yemen (known as the Houthis), the UAE government reportedly expressed interest in closer security cooperation with Israel.<sup>172</sup> Earlier, both Morocco (November 2021) and

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<sup>162</sup> Department of State, “Secretary Antony J. Blinken and Saudi Foreign Minister Prince Faisal bin Farhan Al Saud at a Joint Press Availability,” June 8, 2023.

<sup>163</sup> Ibid.

<sup>164</sup> Transcript: Interview with U.S. President Joe Biden. See also Thomas L. Friedman, “Biden Is Weighing a Big Middle East Deal,” *New York Times*, July 27, 2023.

<sup>165</sup> Barak Ravid, “Scoop: Bibi wants security agreement from Biden as part of mega Saudi deal,” *Axios*, August 9, 2023.

<sup>166</sup> Reuters, “White House: No framework agreed yet for an Israel-Saudi deal,” August 9, 2023.

<sup>167</sup> Barak Ravid, “Inside the Biden-Netanyahu Meeting,” *Axios*, September 20, 2023; September 21, 2023; Reuters, “Saudi deal could be in place early 2024 - Israel FM,” September 20, 2023.

<sup>168</sup> Jared Szuba, “Trump orders US Central Command to include Israel amid strategic shift,” *Al-Monitor*, January 15, 2021.

<sup>169</sup> U.S. Central Command, “U.S. Central Command Statement on the Realignment of the State of Israel,” September 1, 2021.

<sup>170</sup> Judah Ari Gross, “IDF liaison sets up shop in US CENTCOM offices in Florida, solidifying move,” *Times of Israel*, October 29, 2021.

<sup>171</sup> Reuters, “UAE, Bahrain, Israel and U.S. forces in first joint naval drill,” November 11, 2021. Participant list for 2022 International Maritime Exercise available at <https://www.dvidshub.net/graphic/18822/imx-ce-22-participant-list>.

<sup>172</sup> Arie Egozi, “Amid attacks, UAE quietly asks Israel about defense systems: Sources,” *Breaking Defense*, January 25, 2022.

Bahrain (February 2022) signed MOUs with Israel on security cooperation.<sup>173</sup> These MOUs appear to anticipate more intelligence sharing, joint exercises and training, and arms sales. Reports indicate that Israel has agreed to sell air defense systems to all three countries and may be contemplating more defense and defense technology sales.<sup>174</sup> In late 2022, Israel's defense ministry estimated that its deals with the three countries were worth \$3 billion.<sup>175</sup>

At the March 2022 Negev summit, Israeli leaders and their Arab counterparts reportedly discussed a range of possible cooperative measures, such as real-time intelligence sharing on inbound drone and missile threats and acquisition of Israeli air defense systems.<sup>176</sup> Speculation about specific measures has continued since then.<sup>177</sup> In January 2023, the Department of Homeland Security publicized its efforts to help expand U.S.-Israel-UAE cooperation on cybersecurity to Bahrain and Morocco.<sup>178</sup>

Reports suggest that while some air defense coordination may be taking place between Israel, certain Arab states, and the United States, "Arab participants are reluctant to confirm their involvement, let alone advertise their participation in a fully fledged military alliance."<sup>179</sup> Actions by this Israeli government may be fueling any such reluctance to some degree.<sup>180</sup> Regional countries might be hesitant to share the real-time intelligence data that underlies less sensitive basic threat information.<sup>181</sup> Unless and until a regional framework is formalized, CENTCOM apparently plans to help coordinate air defense and response with various U.S. regional partners using the X-band radar stationed in Israel, ship-borne Aegis combat systems, and existing air defense systems and fighter jets.<sup>182</sup> Additionally, U.S. Naval Forces Central Command (NAVCENT) is reportedly working with Israel and some Arab states to develop a network of unmanned maritime drones to monitor Iranian naval activity and narcotics smuggling in NAVCENT's area of responsibility.<sup>183</sup>

**Selected congressional actions.** In January 2022, some Members of the Senate and House formed bipartisan caucuses to promote the Abraham Accords.<sup>184</sup> In March, Congress enacted the

<sup>173</sup> Ben Caspit, "Gantz says Israel, Morocco 'leap together' in historic agreement," *Al-Monitor*, November 26, 2021; Rina Bassist, "Israel signs security cooperation agreement with Bahrain," *Al-Monitor*, February 3, 2022.

<sup>174</sup> Arie Egozi, "First Israeli Barak air defense system deploys to UAE, bigger deals expected: Sources," *Breaking Defense*, October 19, 2022; Dion Nissenbaum, "Accords Benefit Israel's Defense Industry," *Wall Street Journal*, October 10, 2022.

<sup>175</sup> Nissenbaum, "Accords Benefit Israel's Defense Industry."

<sup>176</sup> "Israel reportedly working on air defense pact with regional allies," *Times of Israel*, March 29, 2022.

<sup>177</sup> Arie Egozi, "Gulf States Willing to Host Israeli Sensors for Air-Defense Network: Sources," *Breaking Defense*, June 29, 2022; "Israel to ask Biden for okay to provide air defense laser to Saudi Arabia—report," *Times of Israel*, June 28, 2022; Patrick Kingsley and Ronen Bergman, "Israel Grows Military Role with Alliance Against Iran," *New York Times*, June 21, 2022.

<sup>178</sup> Department of Homeland Security, "DHS Expands Abraham Accords to Cybersecurity," February 2, 2023; Tim Starks and Ellen Nakashima, "The Abraham Accords expand with cybersecurity collaboration," *Washington Post*, January 31, 2023.

<sup>179</sup> Ronen Bergman and Patrick Kingsley, "Israel Destroys Iranian Drones as Arabs Assist," *New York Times*, July 14, 2022. See also Dion Nissenbaum and Dov Lieber, "U.S. Presses for Stronger Israeli-Arab Security Ties," *Wall Street Journal*, July 13, 2022.

<sup>180</sup> "UAE, Jordan consider reducing diplomacy with Israel—report," *Jerusalem Post*, March 22, 2023.

<sup>181</sup> Lara Seligman and Alexander Ward, "Biden wants a Middle East air defense 'alliance.' But it's a long way off," *Politico*, July 12, 2022.

<sup>182</sup> Anshel Pfeffer, "How Israel and Saudi Arabia Plan to Down Iranian Drones Together," *Haaretz*, July 13, 2022.

<sup>183</sup> Dion Nissenbaum, "Inside a U.S. Navy Maritime Drone Operation Aimed at Iran," *Wall Street Journal*, August 31, 2022.

<sup>184</sup> For more information, see <https://www.rosen.senate.gov/sites/default/files/2022-01/Senate%20Abraham%20Accords%20Caucus%20Mission%20Statement.pdf>.

Israel Relations Normalization Act of 2022 (IRNA, Division Z of P.L. 117-103). Among other things, the IRNA required the Secretary of State to submit an annual strategy for strengthening and expanding normalization agreements with Israel, and an annual report on the status of measures within Arab League states that legally or practically restrict or discourage normalization efforts with Israel or domestic support for such efforts.

The FY2023 James M. Inhofe National Defense Authorization Act (P.L. 117-263), enacted in December 2022, included a provision requiring the Secretary of Defense (in consultation with the Secretary of State) to submit to foreign affairs and intelligence committees, within 180 days of enactment:

a strategy on cooperation with allies and partners in the area of responsibility of the United States Central Command to implement a multinational integrated air and missile defense architecture to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

Some Members have introduced legislation in the 118<sup>th</sup> Congress aimed at strengthening the Abraham Accords, including:

- H.R. 3099, which seeks to amend the State Department Basic Authorities Act of 1956 to establish a Senate-confirmed position of “Special Envoy for the Abraham Accords.” The House passed the bill in June 2023.
- S. 2413, which among other things would authorize the creation of a Regional Integration Office within the State Department, to be headed by a Senate-confirmed position of “Special Presidential Envoy for the Abraham Accords, Negev Forum, and Related Normalization Agreements” (this provision is also included in S.Amdt. 717 to S. 2226, the FY2024 National Defense Authorization Act). S. 2413 also would establish a \$105 million Regional Integration Opportunity Fund for FY2024-FY2030, authorize additional cooperative Arab-Israeli funding, and expand the reach of U.S.-Israel foundations to include Abraham Accords and Negev Forum countries.
- H.R. 2973/S. 1334, which seeks to require the Administration to submit a strategy to some congressional committees for greater regional maritime and interdiction cooperation to counter Iranian and Iran-related naval capabilities and threats to lawful commerce.
- H.R. 3792, which, among other things, encourages U.S. officials to use three existing regional or global programs—the Middle East Partnership Initiative, Middle East Research Cooperation, and the International Visitor Leadership Program—to fund activities to expand and deepen the Accords.
- S. 1777, which, among other things, would authorize the Secretary of Homeland Security, in consultation with the Secretary of State, to engage in activities to strengthen network defense and cybersecurity collaboration between Abraham Accords countries and the United States.
- S.Amdt. 255 to S. 2226, which would authorize the President to enter into “trilateral and multilateral cooperative project agreements with Israel and Abraham Accords countries, Negev Forum countries, and countries that have signed peace treaties with Israel, under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767), to carry out research on and development, testing, evaluation, and joint production (including follow-on support) of defense articles and defense services to detect, track, and destroy armed unmanned aerial systems that threaten the United States, Israel, and partners in the Middle East.”

## Countering Iran<sup>185</sup>

Israeli officials cite Iran as one of their primary concerns, largely because of (1) antipathy toward Israel expressed by Iran's revolutionary regime, (2) Iran's broad regional influence (including in Syria, Iraq, Lebanon, and Yemen), and (3) Iran's nuclear and missile programs and advanced conventional weapons capabilities. Iran-backed groups' demonstrated abilities since 2019 to penetrate the air defenses of countries like Saudi Arabia and the UAE through coordinated drone and missile attacks have implications for Israeli security calculations.<sup>186</sup> Israeli observers who anticipate the possibility of a future war similar or greater in magnitude to Israel's 2006 war against Lebanese Hezbollah refer to the small-scale military skirmishes or covert actions since then involving Israel, Iran, or their allies as "the campaign between the wars."<sup>187</sup>

The IDF's Military Intelligence directorate reportedly warned Israeli officials in early 2023 that the "anti-Israeli axis led by Iran"—including Hezbollah and Hamas—appears to be emboldened by Israeli domestic discord and some purported U.S.-Israel differences.<sup>188</sup> According to one media report's profile of the intelligence warning, Iran doubts that Israel can "carry out an offensive against it or strike its nuclear program with US support."<sup>189</sup> Another media report said that Iran and its allies are not "necessarily interested in a direct, all-out clash," but are "willing to risk more daring offensive operations," while arguing that closer U.S.-Israel security coordination may at least partly reflect a pragmatic U.S. desire to prevent being dragged into a confrontation with Iran.<sup>190</sup> This same report surmised that Iran may calculate it has bolstered its position vis-à-vis Israel and the United States because Iran and the Syrian regime have improved their relations with Saudi Arabia and other Sunni Arab governments, Iran is approaching "nuclear threshold state" status, and Iran has a growing partnership with Russia.

## Iranian Nuclear Issue and Regional Tensions

Israel has sought to influence U.S. decisions on the international agreement on Iran's nuclear program (known as the Joint Comprehensive Plan of Action, or JCPOA). Prime Minister Netanyahu strenuously opposed the JCPOA in 2015 when it was negotiated by the Obama Administration, and welcomed President Trump's May 2018 withdrawal of the United States from the JCPOA and accompanying reimposition of U.S. sanctions on Iran's core economic sectors. Since this time, Iran has increased its enrichment of uranium to levels that could significantly shorten the time it requires to produce fissile material for nuclear weapons.<sup>191</sup> Reported low-level Israel-Iran conflict has persisted in various settings—including cyberspace, international waters, and the territory of Syria, Lebanon, and Iraq—with implications for regional

<sup>185</sup> See also CRS Report R47321, *Iran: Background and U.S. Policy*, by Clayton Thomas.

<sup>186</sup> Farnaz Fassihi and Ronen Bergman, "Drone Strike on Iranian Military Facility Is Deemed an Attack," *New York Times*, May 28, 2022; Anna Ahronheim, "How serious is the drone threat against Israel?" *Jerusalem Post*, March 11, 2022.

<sup>187</sup> See, for example, Seth J. Frantzman, "Iran and Hezbollah analyze Israel's 'war between the wars,'" *Jerusalem Post*, November 14, 2021.

<sup>188</sup> Limor, "Exclusive: Intelligence Directorate sounds alarm over eroding Israeli deterrence."

<sup>189</sup> *Ibid.*

<sup>190</sup> Amos Harel, "Washington's Mideast Pullout Sets Israel and Iran on a Collision Course," *Haaretz*, April 11, 2023. See also Jared Szuba, "US, Israel war games underscore warnings to Iran on nuclear enrichment," *Al-Monitor*, July 11, 2023.

<sup>191</sup> Stephanie Liechtenstein, "UN report: Uranium particles enriched to 83.7% found in Iran," Associated Press, February 28, 2023.

tensions.<sup>192</sup> In June 2022, then-Israeli Prime Minister Naftali Bennett characterized some operations inside Iran as targeting the “head of the octopus” to counter a range of Iranian military capabilities.<sup>193</sup>

As the Biden Administration has engaged in international diplomacy and considered the possibility of reentering or revising the JCPOA, Israeli leaders have sought to influence diplomatic outcomes.<sup>194</sup> Given various developments starting in 2022, including unrest and government crackdowns in Iran and Iranian material support for Russian military operations in Ukraine, near-term prospects for a renewed or revised JCPOA appear to have diminished.<sup>195</sup>

During President Biden’s trip to Israel in July 2022, he and then-Prime Minister Lapid signed the Jerusalem U.S.-Israel Strategic Partnership Joint Declaration, which included a U.S. commitment “never to allow Iran to acquire a nuclear weapon,” and a statement that the United States “is prepared to use all elements of its national power to ensure that outcome.”<sup>196</sup> Additionally, Biden said that he would be willing to use force against Iran as a “last resort” to prevent it from acquiring nuclear weapons.<sup>197</sup> In February 2023, then-Ambassador Nides said that the United States would not engage in negotiations on Iran’s nuclear program while Iran provides drones for Russia in its war in Ukraine. He also said that U.S.-Israel cooperation vis-à-vis Iran was “lockstep”:

As President Biden has said, we will not stand by and watch Iran get a nuclear weapon, number one. Number two, he said, all options are on the table. Number three, Israel can and should do whatever they need to deal with and we’ve got their back.<sup>198</sup>

In January 2023, the United States and Israel held their largest-ever bilateral military exercise, named Juniper Oak. According to CENTCOM, the exercise “enhanced interoperability and the ability of CENTCOM forces to rapidly move combat power into the region,” and provides opportunities to incorporate lessons learned with all U.S. partners in the CENTCOM AOR.<sup>199</sup> The two militaries held another stage of Juniper Oak in July.<sup>200</sup>

Various sources have documented reported Israeli covert or military operations targeting Iran’s nuclear program,<sup>201</sup> and some U.S. officials have reportedly differed with Israeli counterparts on the overall effectiveness of such operations.<sup>202</sup> Even with reported upgrades to Israeli military

<sup>192</sup> Ben Caspit, “IRGC colonel’s assassination highlights Israel’s shift in tactics against Iran,” *Al-Monitor*, May 24, 2022; Dion Nissenbaum, “Israel Steps Up Campaign Against Iran,” *Wall Street Journal*, April 11, 2022; Arie Egozi, “With missile attack and alleged espionage, Israel-Iran ‘shadow war’ slips into the open,” *Breaking Defense*, March 16, 2022.

<sup>193</sup> Dion Nissenbaum et al., “Israel Widens Covert Actions to Rein in Iran,” *Wall Street Journal*, June 21, 2022.

<sup>194</sup> “Bennett says he won’t pick public fight with US over Iran nuclear deal,” *Times of Israel*, March 21, 2022; Israeli Prime Minister’s Office, “PM Lapid’s Remarks at the Start of the Weekly Cabinet Meeting,” July 17, 2022.

<sup>195</sup> International Institute for Strategic Studies, *The dimming prospects of returning to a nuclear agreement with Iran*, November 2022.

<sup>196</sup> White House, “The Jerusalem U.S.-Israel Strategic Partnership Joint Declaration,” July 14, 2022.

<sup>197</sup> Associated Press, “Biden delivers tough talk on Iran as he opens Mideast visit,” July 15, 2022.

<sup>198</sup> Carrie Keller-Lynn, “US envoy Nides: Israel ‘can do whatever they need’ on Iran, ‘and we’ve got their back,’” *Times of Israel*, February 19, 2023.

<sup>199</sup> U.S. Central Command, “Completion of Juniper Oak 23.2 Exercise,” January 26, 2023. See also Michael Eisenstadt, “The Juniper Oak Military Exercise: Implications for Innovation, Experimentation, and U.S. Policy Toward Iran,” Washington Institute for Near East Policy, February 1, 2023.

<sup>200</sup> U.S. Central Command, “U.S. Central Command and the Israel Defense Forces Begin Military Exercise,” July 10, 2023.

<sup>201</sup> Agence France Presse, “Iran foils Israel-linked ‘sabotage’ plot at nuclear plant,” March 15, 2022.

<sup>202</sup> David E. Sanger et al., “Israeli Attacks Spur Upgrade of Iran Sites,” *New York Times*, November 22, 2021.



capabilities,<sup>203</sup> questions apparently remain about military readiness for a major operation against Iran's nuclear program.<sup>204</sup>

In a January 2023 CNN interview, Prime Minister Netanyahu said that Israel has conducted attacks on Iran aimed at thwarting its nuclear program and targeting "certain weapons development." He also said, "I think the only way that you can stop a rogue state from getting nuclear weapons is a combination of crippling economic sanctions, but the most important thing is a credible military threat. And I would say this, if deterrence fails, you have no choice but to take action."<sup>205</sup> Amid some international concerns about advanced levels of Iranian uranium enrichment, Defense Minister Gallant stated in February that Israel would not allow Iran to enrich uranium to 90%.<sup>206</sup>

While an imminent return to the JCPOA may be unlikely, media reports emerged in June 2023 of indirect U.S.-Iran discussions aimed at a possible informal, unwritten understanding,<sup>207</sup> despite public statements by U.S. officials denying that a deal is in the offing. The reports said that such a U.S.-Iran arrangement might feature various elements, including

- Iranian agreement not to enrich uranium beyond 60%, and to release some Iranian-American prisoners; and
- U.S. agreement not to tighten sanctions, and to unfreeze billions of dollars in Iranian funds held abroad for Iran to use for humanitarian purposes.<sup>208</sup>

Netanyahu has reportedly indicated to members of the Knesset Foreign Affairs and Defense Committee that Israel "could live with" such a U.S.-Iran understanding,<sup>209</sup> though on June 13 he said

Our position is clear: No agreement with Iran will be binding on Israel, which will continue to do everything to defend itself. Our opposition to a return to the original agreement, I think it is working, but there are still differences of outlook and we do not hide them, also about smaller agreements.<sup>210</sup>

Additionally, Netanyahu is apparently wary of U.S. efforts aimed at persuading Israel to promise not to surprise the United States with military action against Iran.<sup>211</sup>

In August, Iran and the United States reportedly reached an agreement by which the countries would each release five detained nationals of the other country and Iran would obtain limited

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<sup>203</sup> Yonah Jeremy Bob, "Israel's 'Top Gun': The US-Israeli aircraft that can take down Iran," *Jerusalem Post*, February 25, 2023.

<sup>204</sup> Ethan Bronner and Henry Meyer, "Will Israel Attack Iran? What to Know About Netanyahu's Military Posturing," *Bloomberg*, June 13, 2023; Yossi Melman, "Israel Has No Realistic Military Option on Iran," *Haaretz*, September 1, 2022.

<sup>205</sup> Transcript: One-On-One with Israel's Netanyahu amid Surging Violence.

<sup>206</sup> "Netanyahu said to huddle repeatedly with military brass over possible attack on Iran," *Times of Israel*, February 22, 2023.

<sup>207</sup> Michael Crowley et al., "U.S. and Iran Quietly Discussing a Deal to Ease Nuclear Tensions," *New York Times*, June 15, 2023; Laurence Norman and David S. Cloud, "U.S. Begins Quiet Push to Reduce Tensions with Iran," *Wall Street Journal*, June 15, 2023.

<sup>208</sup> *Ibid.*

<sup>209</sup> "Report: Netanyahu says US and Iran in talks for a 'mini-deal' Israel can live with," *Times of Israel*, June 13, 2023.

<sup>210</sup> Israeli Prime Minister's Office, "Prime Minister Benjamin Netanyahu to the Knesset Foreign Affairs and Defense Committee: 'No agreement with Iran will be binding on Israel, which will continue to do everything to defend itself,'" June 13, 2023.

<sup>211</sup> Lahav Harkov, "Herzog to fly to Washington for White House visit, Congress speech," *Jerusalem Post*, July 16, 2023.

access to some frozen funds, triggering speculation that a U.S.-Iran understanding on Iran's nuclear program might follow.<sup>212</sup> The mutual prisoner release and some unfreezing of funds occurred in September.<sup>213</sup>

## Hezbollah and Syria

Lebanese Hezbollah is Iran's closest and most powerful nonstate ally in the region. Hezbollah's forces and Israel's military have sporadically clashed near the Lebanese border for decades—with the antagonism at times contained in the border area, and at times escalating into broader conflict—most notably in a 2006 war.<sup>214</sup>

Some developments in 2022 and 2023, such as greater Hezbollah activity in disputed border areas, and occasional cross-border drone incursions and projectile fire, have fueled speculation about a possible outbreak of hostilities.<sup>215</sup> One July 2023 report citing Israeli security sources assessed that Hezbollah leader Hassan Nasrallah does not appear to want all-out confrontation with Israel, but “no longer has deep-seated concern about a possible escalation into a day or a few days of limited fighting,” which might increase the risk of 2006-style intensified conflict.<sup>216</sup> Nasrallah's possible interest in probing for limits to Israeli deterrence may be due in part to domestic upheavals in Israel. In response to Israeli protests over the July Basic Law provision affecting the judiciary, Nasrallah said that Israel “is on the path to collapse, fragmentation, and disappearance, God willing.”<sup>217</sup>

Israeli officials have sought to draw attention to Hezbollah's buildup of mostly Iran-supplied weapons—including reported upgrades to the range, precision, and power of its projectiles—and its alleged use of Lebanese civilian areas as strongholds.<sup>218</sup> In 2022, Hezbollah's leadership and Israel's defense ministry both publicly cited Iran-backed efforts by Hezbollah to manufacture precision-guided missiles in Lebanon.<sup>219</sup> Israeli officials reportedly warned Lebanon that Israel could strike the Beirut airport if it serves as a destination for weapons smuggling, based on reports that Iran has planned flights that could carry equipment directly to Hezbollah in Lebanon.<sup>220</sup>

In October 2022, Israel, Lebanon, and the United States resolved a long-standing maritime boundary dispute, with potential implications for Israel-Hezbollah conflict (see **Appendix C**). Public debate in Israel centered on whether the economic benefits from the deal were worth the

<sup>212</sup> Zvi Bar'el, “U.S.-Iran Prisoner Deal Signals Possible Path to New Nuclear Deal,” *Haaretz*, August 13, 2023.

<sup>213</sup> Michael D. Shear and Farnaz Fassihi, “Iran Releases 5 Americans as U.S. Unfreezes Billions in Oil Revenue for Tehran,” *New York Times*, September 18, 2023.

<sup>214</sup> CRS Report R44759, *Lebanon: Background and U.S. Relations*; CRS In Focus IF10703, *Lebanese Hezbollah*.

<sup>215</sup> Ben Caspit, “Israel's Hezbollah deterrence is eroding as Lebanon border heats up,” *Al-Monitor*, July 14, 2023; Associated Press, “Lebanon's militant Hezbollah group says it shot down an Israeli drone near the southern border,” June 26, 2023; Neville Teller, “Hezbollah is as big a threat to Israel as Iran's nuclear program—opinion,” *Jerusalem Post*, December 28, 2022.

<sup>216</sup> Caspit, “Israel's Hezbollah deterrence is eroding as Lebanon border heats up.”

<sup>217</sup> “Hezbollah chief gloats: Israel had its ‘worst day,’ is on ‘path to disappearance,’” *Times of Israel*, July 25, 2023.

<sup>218</sup> See, for example, Associated Press, “Hezbollah says it has doubled its arsenal of guided missiles,” December 28, 2020; Ben Hubbard and Ronen Bergman, “Who Warns Hezbollah That Israeli Strikes Are Coming? Israel,” *New York Times*, April 23, 2020.

<sup>219</sup> Associated Press, “Hezbollah claims it's making drones and missiles in Lebanon; chief offers export opportunity,” February 16, 2022; Israeli Government Press Office, “DM Gantz Signs Seizure Order Against Lebanese Companies Supplying Hezbollah Project,” February 6, 2022.

<sup>220</sup> Ben Caspit, “Israel could strike in Lebanon if Iran renews weapons smuggling,” *Al-Monitor*, December 16, 2022.



concessions and the possible emboldening of Hezbollah.<sup>221</sup> While Prime Minister Netanyahu made a statement before taking office again about “neutralizing” (rather than canceling) the maritime boundary agreement,<sup>222</sup> his government has not taken action to date.<sup>223</sup>

Given Syria’s greater reliance on Iran due to its long civil war, Iran has sought to bolster Hezbollah by sending advanced weapons to Lebanon through Syria or by establishing other military sites on Syrian territory. In response, Israel has conducted thousands of airstrikes on Iran-backed targets that could present threats to its security.<sup>224</sup>

Russia has reportedly shown some capacity to thwart Israeli airstrikes against Iranian or Syrian targets,<sup>225</sup> but has generally refrained via a deconfliction mechanism with Israel.<sup>226</sup> This deconfliction has apparently continued to date even with Russia’s war on Ukraine, but Russia has criticized some Israeli strikes.<sup>227</sup>

## Russia’s Invasion of Ukraine

Israel has publicly condemned Russia’s 2022 invasion of Ukraine through statements and votes in international fora. Meanwhile, it has sought to provide political support for Ukraine and humanitarian relief for Ukrainians—including allowing around 46,000 Jewish and non-Jewish refugees to enter Israel—without alienating Russia.<sup>228</sup> As mentioned above regarding Syria, Israel has counted on airspace deconfliction with Russia to target Iranian personnel and equipment, especially those related to the transport of munitions or precision-weapons technology to Hezbollah in Lebanon.<sup>229</sup>

Despite entreaties from U.S. and Ukrainian officials, Israel has shown reluctance to provide lethal assistance to Ukraine.<sup>230</sup> Starting in May 2022, Israel has sent some protective gear to Ukrainian rescue forces and civilian organizations.<sup>231</sup>

<sup>221</sup> Isabel Kershner, “Israel and Lebanon Sign Deal on Maritime Border,” *New York Times*, October 28, 2022.

<sup>222</sup> Carrie Keller-Lynn, “Netanyahu says Ben Gvir could be police minister, vows to ‘neutralize’ Lebanon deal,” *Times of Israel*, October 31, 2022.

<sup>223</sup> Seth J. Frantzman, “Qatar swoops into Lebanon gas deal in wake of Jerusalem-Beirut agreement,” *Jerusalem Post*, January 31, 2023.

<sup>224</sup> Anna Ahronheim, “Thousands of airstrikes carried out by Israel in past five years,” *Jerusalem Post*, March 29, 2022.

<sup>225</sup> Arie Egozi, “Israel Shifts to Standoff Weapons in Syria as Russian Threats Increase,” *Breaking Defense*, July 27, 2021.

<sup>226</sup> Jacob Magid, “Russia says military coordination with Israel in Syria will continue as usual,” *Times of Israel*, February 27, 2022.

<sup>227</sup> Anna Ahronheim, “Israel to increase military, civilian aid to Ukraine—report,” *Jerusalem Post*, May 4, 2022; Emanuel Fabian, “Shuttering Damascus airport, Israel ramps up its efforts to foil Iran arms transfers,” *Times of Israel*, June 12, 2022.

<sup>228</sup> Bret Stephens, “Naftali Bennett’s Exit Interview,” *New York Times*, June 21, 2022; Bar Peleg, “Israel to Bar Ukrainians Arriving Since October from Working,” *Haaretz*, December 28, 2022. About 14,000 Ukrainians who entered Israel after the invasion remained as of December 2022. Additionally, about 26,000 Russian Jews had entered Israel in 2022 as of October. Bethan McKernan and Quique Kierszenbaum, “‘It’s driven by fear’: Ukrainians and Russians with Jewish roots flee to Israel,” *Guardian*, October 16, 2022.

<sup>229</sup> Transcript: One-On-One with Israel’s Netanyahu amid Surging Violence; Zev Chafets, “Why Israel Won’t Supply the Iron Dome to Ukraine,” *Bloomberg*, March 11, 2022.

<sup>230</sup> Arie Egozi, “As Iranian munitions kill in Ukraine, pressure builds for Israel to reassess its Russian balancing act,” *Breaking Defense*, October 18, 2022.

<sup>231</sup> “Zelensky ‘shocked’ by lack of Israeli defense support: ‘They gave us nothing,’ *Times of Israel*, September 23, 2022; “In first, Israel sends 2,000 helmets, 500 flak jackets to Ukraine,” *Times of Israel*, May 18, 2022.

Once Russia began using Iran-made drones in Ukraine, Israel offered to help Ukraine develop an early-warning system for its civilians, and also began sharing basic intelligence with Ukraine aimed at helping its forces counter drone attacks.<sup>232</sup> In November 2022, one news outlet reported that Israel had funded the purchase of “strategic materials” by a North Atlantic Treaty Organization (NATO) member, which then transferred the materials to Ukraine for its use.<sup>233</sup>

In 2022 and 2023, the United States reportedly withdrew 300,000 155-millimeter artillery shells from War Reserve Stocks for Allies stockpiles in Israel to send to Ukraine.<sup>234</sup> According to multiple reports, Israeli officials acceded to the Pentagon’s request in order to avoid confrontation with the United States and because, according to one Israeli official, “it’s their ammunition and they don’t really need our permission to take it.”<sup>235</sup>

In early 2023, Israel reportedly approved export licenses for the possible sale of anti-drone jamming systems that could help Ukraine down drones. Israeli officials have claimed that this step does not change Israel’s policy against providing lethal assistance because the systems are defensive in nature and do not target Russian soldiers. While Ukrainian officials appear interested in the systems, they view them as less critical than air defense systems that can counter ballistic missiles.<sup>236</sup>

In July 2022, Russia’s Justice Ministry signaled to Israel that it was seeking to close the Russian branch of the Jewish Agency for Israel, an entity that has branches around the world to facilitate emigration to Israel and run cultural and language education program in coordination with Israel. Russia claimed that the agency violated privacy laws by storing personal information about emigration applicants, but many Israelis suspected that Russian concerns about Israeli policy on Ukraine and possibly Syria and Jerusalem may have motivated the pending legal action.<sup>237</sup> As of early 2023, the agency had reportedly frozen most activities related to promoting Jewish emigration to Israel from former Soviet Union countries, except Ukraine.<sup>238</sup>

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<sup>232</sup> Reuters, “Israel offers help with air-attack alerts, but Ukraine wants interceptors,” October 19, 2022; “Israel giving intel on Russia’s Iranian drones to Ukraine—report,” *Jerusalem Post*, October 24, 2022.

<sup>233</sup> Yossi Melman, “Under U.S. Pressure, Israel Funded ‘Strategic Materials’ for Ukraine,” *Haaretz*, November 17, 2022.

<sup>234</sup> Eric Schmitt et al., “Pentagon Sends U.S. Arms Stored in Israel to Ukraine,” *New York Times*, January 17, 2023.

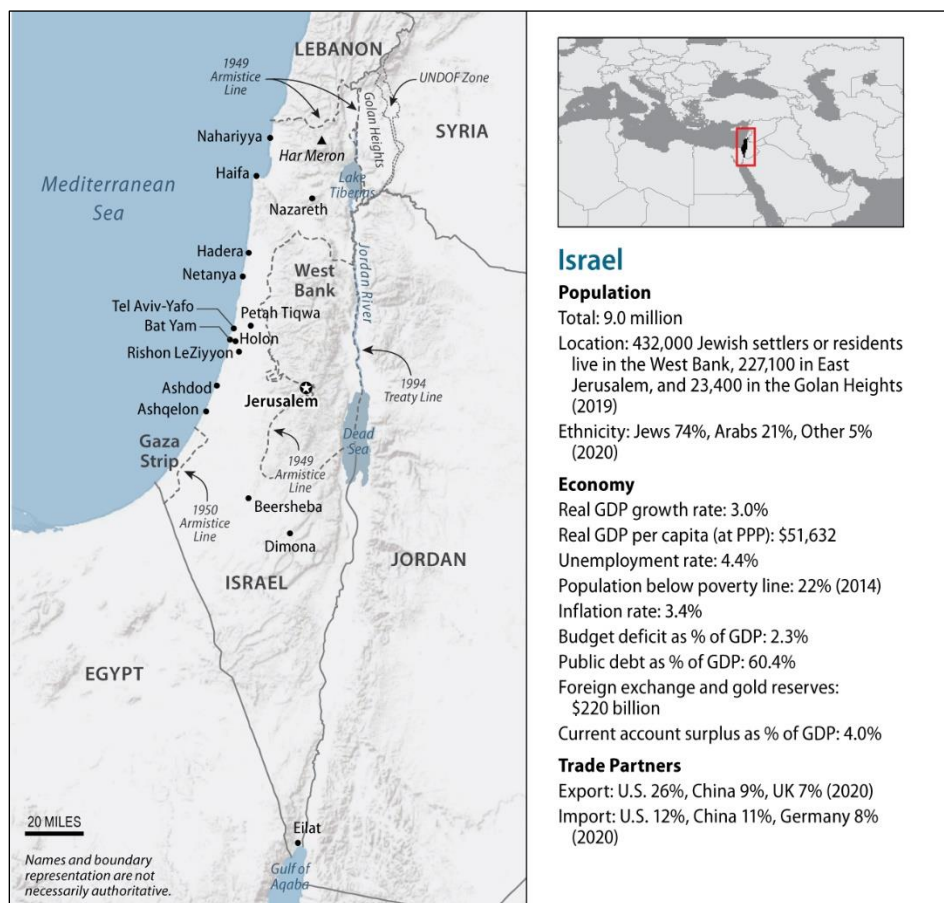
<sup>235</sup> Barak Ravid, “U.S. sends weapons stored in Israel to Ukraine,” *Axios*, January 18, 2023.

<sup>236</sup> Barak Ravid, “Scoop: Israel approves export licenses for anti-drone systems for Ukraine,” *Axios*, March 15, 2023.

<sup>237</sup> Anton Troianovski and Isabel Kershner, “Russia Moves to Shut Down Agency Handling Emigration to Israel,” *New York Times*, July 22, 2022.

<sup>238</sup> Zvika Klein, “Jewish Agency lowers profile in Russia, less activity in FSU countries—exclusive,” *Jerusalem Post*, February 21, 2023.

## Appendix A. Israel: Map and Basic Facts



**Sources:** Graphic created by CRS. Map boundaries and information generated using Department of State Boundaries (2017); Esri (2013); the National Geospatial-Intelligence Agency GeoNames Database (2015); DeLorme (2014). Fact information from International Monetary Fund, World Economic Outlook Database; CIA, *The World Factbook*; and Economist Intelligence Unit. All numbers are projections for 2023 unless otherwise specified.

**Notes:** According to the U.S. executive branch: (1) The West Bank is Israeli occupied with current status subject to the 1995 Israeli-Palestinian Interim Agreement; permanent status to be determined through further negotiation. (2) The status of the Gaza Strip is a final status issue to be resolved through negotiations. (3) The United States recognized Jerusalem as Israel's capital in 2017 without taking a position on the specific boundaries of Israeli sovereignty. (4) Boundary representation is not necessarily authoritative. Additionally, the United States recognized the Golan Heights as part of Israel in 2019; however, U.N. Security Council Resolution 497, adopted on December 17, 1981, held that the area of the Golan Heights controlled by Israel's military is occupied territory belonging to Syria. The current U.S. executive branch map of Israel is available at <https://www.cia.gov/the-world-factbook/countries/israel/map>.

## Appendix B. Main Israeli Parties and Their Leaders

### RIGHT



#### **Likud** (Consolidation) – Coalition (32 Knesset seats)

Israel's historical repository of right-of-center nationalist ideology; skeptical of territorial compromise; has also championed free-market policies.

##### Leader: Prime Minister Benjamin Netanyahu

Born in 1949, Netanyahu returned as Israel's prime minister in December 2022. Previously, he served as prime minister from 2009 to 2021, and also from 1996 to 1999. Netanyahu served in an elite special forces unit (Sayeret Matkal), and received his higher education at MIT. Throughout a career in politics and diplomacy, he has been renowned both for his skepticism regarding the exchange of land for peace with the Palestinians and his desire to counter Iran's nuclear program and regional influence. He is generally regarded as both a consummate political dealmaker and a security-minded nationalist.



המחנה הממלכתי

#### **National Unity** (HaMachane HaMamlachti) – Opposition (12 seats)

Merger of centrist Blue and White (led by Benny Gantz) and right-of-center New Hope (led by Gideon Sa'ar) parties. Seeks to draw contrasts with Netanyahu-led Likud by claiming support for long-standing Israeli institutions such as the judiciary and for an inclusive vision of Israeli nationalism for Jewish and non-Jewish citizens. Varying views on Israeli-Palestinian conflict.

##### Leader: Benny Gantz

Born in 1959, Gantz served as chief of general staff of the Israel Defense Forces from 2011 to 2015. He then served as defense minister from 2020 to 2022.



#### **Religious Zionism** (HaTzionut HaDatit) – Coalition (7 seats)

Ultra-nationalist party with focus on expanding settlements, supporting annexation of West Bank areas, and aligning Israeli societal practices with traditional Jewish religious law. Elected on a common slate with Jewish Power and Noam.

##### Leader: Bezalel Smotrich

Born in 1980, Smotrich is Israel's finance minister, as well as a minister within the defense ministry with some responsibilities over West Bank administration. He has headed the underlying party that leads Religious Zionism since 2019. A trained lawyer, he has engaged in regular activism to promote Jewish nationalist and religiously conservative causes.



#### **Jewish Power** (Otzma Yehudit) – Coalition (6 seats)

Ultra-nationalist party with similar positions to Religious Zionism. Elected on a common slate with Religious Zionism and Noam.

##### Leader: Itamar Ben Gvir

Born in 1976, Ben Gvir is Israel's national security minister. He once belonged to Kach, a movement based on the racist ideology of former Knesset member Meir Kahane (1932-1990) that was finally banned from elections in the 1990s. Ben Gvir was convicted in 2007 for incitement to racism and supporting terrorism but says that he has moderated his positions and does not generalize about Arabs. He is a lawyer and has regularly represented Jewish nationalist activists. Ben Gvir has been a regular fixture at contentious gatherings of Jews and Arabs in Jerusalem.



#### **Yisrael Beitenu** (Israel Our Home) – Opposition (6 seats)

Pro-secular, right-of-center nationalist party with base of support among Russian speakers from the former Soviet Union.

##### Leader: Avigdor Lieberman

Born in 1958, Lieberman has previously served as Israel's defense minister, foreign minister, and finance minister. He is generally viewed as an ardent nationalist and canny political actor with prime ministerial aspirations. Lieberman was born in the Soviet Union (in what is now Moldova) and immigrated to Israel in 1978. He worked under Netanyahu from 1988 to 1997. Disillusioned by Netanyahu's willingness to consider concessions to the Palestinians, Lieberman founded Yisrael Beitenu as a platform for former Soviet immigrants. He was acquitted of corruption allegations in a 2013 case.



נעם

**Noam (Pleasantness) – Coalition (1 seat)**

Ultra-nationalist party with focus on traditional Jewish religious values on family issues (including opposition to LGBTQ rights), Sabbath day observance, and the conversion process. Elected on a common slate with Religious Zionism and Jewish Power.

Leader: Avi Maoz

Born in 1956, Maoz is a former civil servant who later turned to politics. He has headed Noam since its establishment in 2019. In the current government, he nominally headed an office in the prime minister's office devoted to Jewish identity, but resigned from that post in February 2023 based on concerns that he was not given the authority to change policy as he desired.

**LEFT**



העבודה

**Labor (Avoda) – Opposition (4 seats)**

Labor is Israel's historical repository of social democratic, left-of-center, pro-secular Zionist ideology; associated with efforts to end Israel's responsibility for Palestinians in the West Bank and Gaza.

Leader: Merav Michaeli

Born in 1966, Michaeli became Labor's leader in 2020 and was first elected to the Knesset in 2013. She served as transportation minister in the 2021-2022 coalition. Before entering national politics, she founded and headed an organization that supports victims of sexual assault and was a regular national media presence and university lecturer.

**CENTER**



יש עתיד

**Yesh Atid (There Is a Future) – Opposition (24 seats)**

Yesh Atid is a centrist party in existence since 2012 that has championed socioeconomic issues such as cost of living and has taken a pro-secular stance.

Leader: Yair Lapid

Born in 1963, Lapid transitioned from a successful media career to politics in 2013, when he founded Yesh Atid. In the 2013 election, Yesh Atid had a surprising second-place finish and Lapid served as finance minister in the Netanyahu-led government from 2013 to 2015. Subsequently, Lapid has avoided allying with Netanyahu, and Yesh Atid appears to have displaced the Labor party as the leading political option for Israelis who do not support right-of-center parties. Lapid has stated support for a two-state solution to the Israeli-Palestinian conflict. He served as foreign minister and then prime minister in the 2021-2022 coalition.

**ULTRA-ORTHODOX**



**Shas (Sephardic Torah Guardians) – Coalition (11 seats)**

Mizrahi Haredi ("ultra-Orthodox") party; favors welfare and education funds in support of Haredi lifestyle; opposes compromise with Palestinians on control over Jerusalem.

Leader: Aryeh Deri

Born in 1959, Deri led Shas from 1983 to 1999 before being convicted for bribery, fraud, and breach of trust in 1999 for actions taken while serving as interior minister. He returned as the party's leader in 2013. As part of a plea deal for tax fraud in January 2022, Deri agreed to resign from the Knesset, but returned in the November 2022 election. In January 2023, Israel's High Court of Justice ruled that he could not serve as interior and health minister in the current government because he had indicated in the 2022 plea deal that he would permanently leave politics.



יהדות התורה

**United Torah Judaism – Coalition (7 seats)**

Ashkenazi Haredi coalition (Agudat Yisrael and Degel HaTorah); favors welfare and education funds in support of Haredi lifestyle; opposes territorial compromise with Palestinians and conscription of Haredim; generally seeks greater application of its interpretation of traditional Jewish law.

Leader: Yitzhak Goldknopf

Born in 1951, Goldknopf is Israel's construction and housing minister. He has been prominent in the ultra-Orthodox community as an operator of kindergartens and day care centers, and as an advocate for legal measures to enforce Sabbath observance.



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## ARAB

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### **Hadash-Ta'al** – Opposition (5 seats)

Electoral slate featuring two Arab parties that combine socialist and Arab nationalist political strains: Hadash (Democratic Front for Peace and Equality) and Ta'al (Arab Movement for Renewal).

Leader: Ayman Odeh

Born in 1975, Odeh is the leader of Hadash, an Arab Israeli socialist party, along with the overall Hadash-Ta'al slate. An attorney, he served on the Haifa city council before becoming Hadash's national leader in 2006.



### **United Arab List** (UAL or Ra'am) – Opposition (5 seats)

Islamist Arab party that embodies conservative social values while seeking state support to improve Arabs' socioeconomic position within Israel.

Leader: Mansour Abbas

Born in 1974, Abbas has led the UAL since 2007 and is a qualified dentist. He led the UAL into the previous 2021-2022 coalition after receiving promises that the government would focus more resources and attention on socioeconomic help for Arab Israelis.

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**Sources:** Various open sources.

## Appendix C. Israel-Lebanon Maritime Agreement

Despite the lack of formal Israel-Lebanon relations, on October 11, 2022, Israel, Lebanon, and the United States announced that they had reached an agreement to settle a long-standing Israel-Lebanon maritime boundary dispute. The agreement paves the way for both countries to eventually increase offshore gas production. The deal also recognizes an existing 5 km buoy line extending into the Mediterranean as the status quo pending a formal future Israel-Lebanon agreement (see **Figure C-1**). According to a senior Biden Administration official

This is not a direct bilateral agreement. It is through the United States. But it is marking a boundary that will allow both countries to pursue their economic interests without conflict.<sup>239</sup>

On October 27, the parties signed documents to begin implementation of the deal.<sup>240</sup> Reportedly, President Biden drafted a letter to Israel guaranteeing Israel's security and economic rights in the agreement and pledging to prevent Hezbollah from receiving any income from Lebanese natural gas drilling.<sup>241</sup>

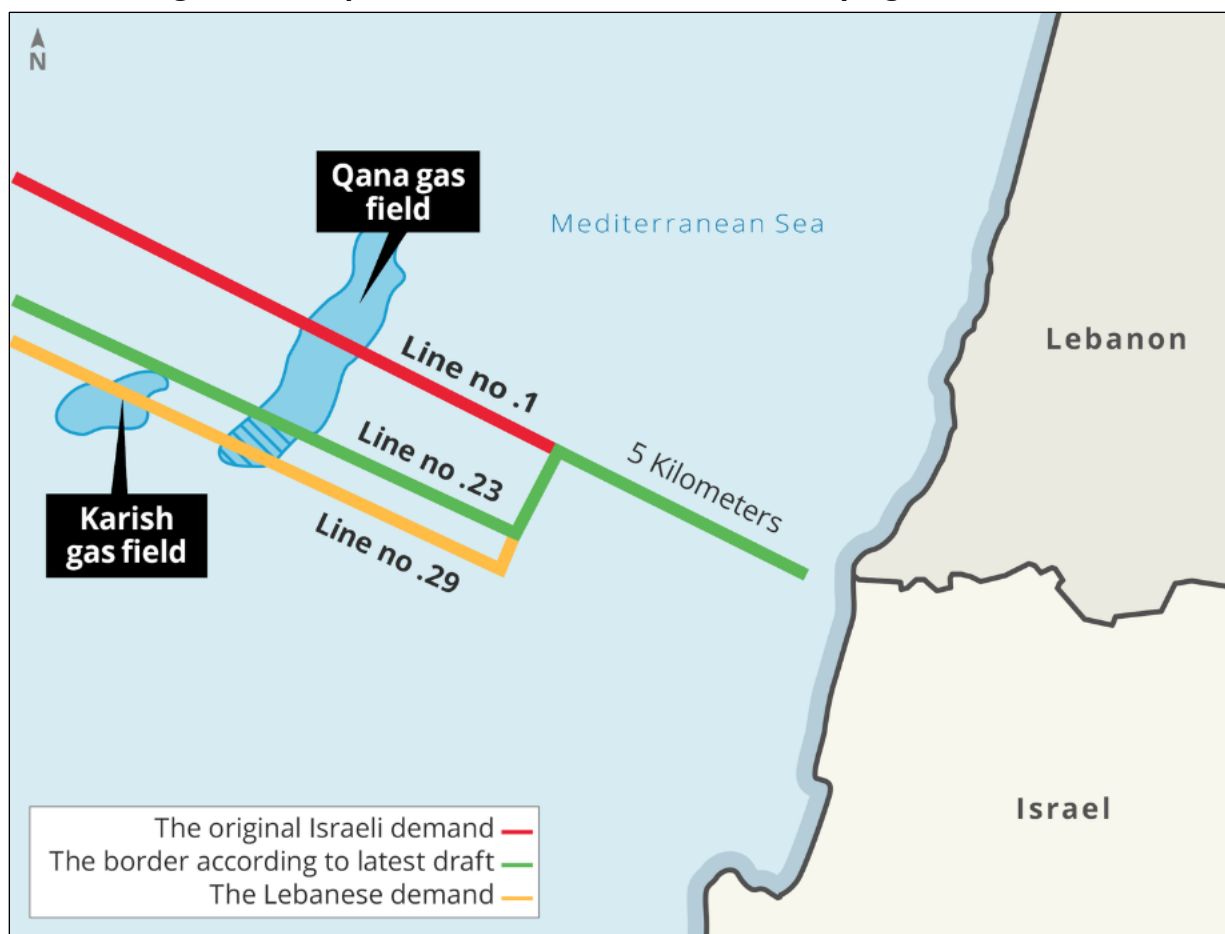
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<sup>239</sup> White House, "Background Press Call by Senior Administration Officials on the Israel-Lebanon Maritime Agreement," October 11, 2022.

<sup>240</sup> Lazar Berman, "Biden drafts letter guaranteeing Israel's rights in Lebanon maritime deal," *Times of Israel*, October 29, 2022.

<sup>241</sup> Jonathan Lis, "Lebanon Maritime Deal: U.S. Offers Guarantees if Hezbollah 'Challenges the Agreement,'" *Haaretz*, October 11, 2022; Lahav Harkov, "What is in the Israel-Lebanon maritime border agreement?" *Jerusalem Post*, October 11, 2022.



**Figure C-1. Map: Israel-Lebanon Maritime Boundary Agreement**

**Source:** Haaretz.

**Note:** All boundaries are approximate.

Under the agreement, Lebanon has full rights to the Qana gas field—with the caveat that a future side agreement between Israel and Lebanon’s Block 9 operator (the French company Total) will settle any revenues granted to Israel in the case of gas production in the section of the Qana field that falls into Israel’s Block 72. It is only after this side agreement that initial exploration can begin at Qana, with regular extraction likely beginning several years after that.<sup>242</sup>

The terms of the deal leave the Karish gas field—from which Israel started extracting gas shortly before the deal’s signing—completely within Israel’s exclusive economic zone. Hezbollah had threatened attacks against Israel if extraction at Karish began before resolving the dispute.

<sup>242</sup> Lazar Berman, “Israeli official: Development of disputed Qana gas field will take four stages,” *Times of Israel*, October 12, 2022.

## **Author Information**

Jim Zanotti  
Specialist in Middle Eastern Affairs

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