



ISRAEL NEWS

*A collection of the week's news from Israel
From the Bet El Twinning / Israel Action Committee of
Beth Avraham Yoseph of Toronto Congregation*

it is still worse than that when the critique is flat-out wrong in so many respects. (NY Post May 4)

Palestinians, Israel and the Coronavirus

By Richard Kemp

Commentary...

Obama Alums Wrong On All Counts in Attacks on Trump Mideast Peace Plan By US Ambassador David Friedman

The Obama administration's approach to the Israeli-Palestinian conflict, and the Middle East as a whole, is best remembered as "often wrong, never in doubt": from the disastrous Iran deal, to squeezing Israel without obtaining meaningful peace concessions from the Palestinians, to allowing the UN jackals to demonize and single out the Jewish state.

Now, two of the architects of the last administration's Mideast policy have publicly offered their advice on how to frustrate President Trump's bold and creative Vision for Peace and Prosperity, a major step forward in the pursuit of peace between Israel and the Palestinians. Philip Gordon and Robert Malley, champions of the Iran deal and apologists for Palestinian intransigence, published an article last week in Foreign Policy magazine headlined: "Biden Must Speak Out Against Israeli Annexation Plans Before It's Too Late."

Gordon and Malley served up a barrage of falsehoods and wrongheaded ideas. Seven especially -demand answering.

(1) The authors argue that the limited annexation of West Bank territory envisioned by Trump would jeopardize Israel's future as a Jewish state. Wrong. Under the Trump vision, -Israel would be claiming sovereignty over a fraction of the West Bank, comprising territories that either are sparsely populated or overwhelmingly populated by Israeli Jews. -Israel wouldn't be doing that to territories with significant Palestinian populations. Therefore, the vision wouldn't alter the Jewish majority within the State of Israel. In fact, it would increase it.

(2) Gordon and Malley also argue that the vision would jeopardize Israel's democracy. Wrong again. A majority of Israelis, as well as Israel's democratically elected government, support the president's vision. It is ironic that so many of Israel's critics, who purport to care so much about democracy, condemn Israel when it adheres to the will of its own citizens. The vision would only enhance democracy by permitting Israelis to choose their elected leaders — and Palestinians to freely do the same. Two states for two peoples.

(3) Which brings us to their third piece of malarkey, as Joe Biden would put it: that the -vision would undermine the two-state solution. Wrong. On the contrary, the Trump vision provides for a two-state solution. Ours is the first and only administration to have obtained Israel's commitment to negotiate based upon specific terms, conditions and territorial dimensions that would lead to the creation of a Palestinian state with double the geographic footprint they enjoy now.

(4) The Trump vision, the critics claim, violates international law. False. Settlements of the kind allowed under the deal don't presumptively violate international law. That's not our view alone. It is the longstanding position going back to Undersecretary of State Eugene Rostow, who negotiated the 1967 UN resolution setting out peace terms between Israel and her Arab neighbors following the Six-Day War.

(5) The Trump vision relegates Palestinians to second-class status, Gordon and Malley charge. Wrong, yet again. The vision gives Palestinians a clear path to statehood and a huge influx of economic investment that would allow them to live independently with peace, prosperity and dignity.

(6) Gordon and Malley want the United States to reject any action the Israelis take in furtherance of the Trump vision unless the Palestinians agree. Wrong. That approach was taken for 53 years and led nowhere. Giving the Palestinians a veto on progress guarantees stagnation and violence.

(7) The two Obama alumni would withhold aid to Israel and deny it support at the United Nations if the Jewish state declares sovereignty in conformity with the Trump vision. Wrong. Extremely wrong. -Israel has made enormous concessions in agreeing to negotiate in accordance with the Trump vision, and it shouldn't be punished for acting in accordance with its commitment to Washington. To do that isn't in the region's interest — or America's.

Publicly seeking to frustrate the foreign policy of our duly elected president is downright obnoxious. It's even worse when the effort comes from members of a prior administration that never achieved any steps towards peace and that damaged the US-Israel relationship. And

Coronavirus has turned the world upside down. One Through the Looking Glass moment was the UN's praise for Israel over "unprecedented cooperation on efforts aimed at containing the epidemic". Those of us who follow the Middle East know that any judgement on Israel apart from outright condemnation is unprecedented for the UN.

What is not unprecedented is cooperation between Arabs and Israelis such as we see today. One hundred years ago, a Jewish microbiologist, Dr Israel Kligler, led the fight to eradicate malaria from this land. For centuries, the territory had been ravaged by the mosquito, decimating the people that tried to live there, leaving it barren and sparsely populated. Shortly before Kligler's war on malaria, British General Edmund Allenby, speaking of his 1917-18 fight against the Ottoman Empire in Palestine, had said: "I am campaigning against mosquitoes". His battle plans against the Turks were shaped above all by the need to overcome the murderous effects of malaria on his own forces.

Like Coronavirus, malaria did not differentiate between Jews and Arabs, and both communities learnt the need to work together against a disease that had for so long caused devastation to both their peoples. Despite violent efforts by Amin al-Husseini, Grand Mufti of Jerusalem, to prevent his people from cooperating with the hated Jews, Kligler's endeavours enabled the land to be cultivated, populated and developed, and eventually to the total elimination of the disease in the area.

Like al-Husseini, some Palestinian Arab leaders today seem to prefer that their own people succumb to disease rather than cooperate with Israel. While Palestinians and Israelis on the ground pull together against Coronavirus, Palestinian Authority (PA) Prime Minister Mohammad Shtayyeh says: "Some soldiers are trying to spread the virus through the door handles of cars. It is a case of racism and hatred by people who hope for the death of the other." More *Alice in Wonderland* fantasy.

A PA spokesman accused the Israeli authorities of "racist and inhumane" behaviour and articles in official PA publications assert that Israel is deliberately spreading the infection and trying to contaminate Palestinian prisoners, using Coronavirus as a biological weapon. Of course, Israel-haters in both mainstream and social media are only too eager to amplify such defamatory and divisive outbursts.

Meanwhile Israeli and PA health departments meet regularly to coordinate action and share vital information. Troops from the IDF's Coordinator for Government Activities in the Territories (COGAT) are organising joint training for medical teams. Israel provides test kits, laboratory supplies, medicines and personal protective equipment for Palestinian health workers.

COGAT is also working to coordinate safe transit for Palestinian Arabs from their homes into places of work across the Green Line in Israel. Their earnings put food on the table for tens of thousands of Arab families. Authorities ensure these workers observe the same social distancing as Israeli citizens and are equipped with the same protective equipment. Unprecedented arrangements have been made to allow them to remain in Israel for extended periods to avoid cross-contamination. Despite that, PA leaders maliciously accuse Israel of using their workers, who are so vital to the Palestinian economy, to transmit infections back into Arab areas.

The IDF is closely cooperating with local authorities among Israeli Muslim communities, providing testing and medication and evacuating the sick to hospitals and hotels. Across Israel, they have established discrete isolation facilities in 21 hotels, tailor-made to specific communities, including strictly kosher for Orthodox Jews and halal for Muslims.

The IDF have distributed more than 100,000 food packages to Israeli Muslims in places where there have been significant outbreaks, and are supplying groceries for those who are unable to leave their homes. IDF uniforms inside Muslim villages are often seen among locals as provocative. In places where the Ministry of Health identifies hotspots, deployment of Muslim IDF soldiers and careful messaging and coordination with village leaders have so far helped prevent incidents. In some cases, Muslim civilians carrying out official roles have donned fluorescent vests with IDF Home Front Command markings, something normally unheard of and indicative of understanding the need to pull together.

A recent Coronavirus op-ed in the Washington Post demanded that Israel "lift the siege on Gaza". Predictably, the author ignores the fact that Israel's lawful blockade of the Gaza Strip -- also imposed by Egypt -- is in place for one reason only: the regime there remains intent on using Gaza as a base for terrorist attacks against both Israel and Egypt. But even in Gaza, a form of cooperation has been achieved.

The Washington Post article goes on: "Israel must immediately lift restrictions on supplies and equipment entering Gaza and ensure Palestinian doctors and nurses have the resources they need to ensure the health and safety of their patients."

Israel-haters don't want to know this, but what the author calls for is of course exactly what has been happening since the Coronavirus outbreak. Israel has continued, as usual, to supply essential aid to the people of Gaza, including electricity and water. COGAT facilitates unhindered all international aid deliveries into the Gaza Strip, including testing equipment, protective garments, disinfectant, medical stocks and other humanitarian supplies provided by WHO, the EU, UNRWA, Qatar, Norway and other countries. Last week alone this included 197 tons of medical supplies among the 2,563 truckloads of goods that crossed from Israel into Gaza.

Despite scaremongering in the Washington Post and other papers, the Gaza health authorities report very low levels of Coronavirus, and restaurants re-opened last week. Hamas seems to have been managing the crisis effectively, no doubt anxious to avoid unrest that could destabilise its regime.

The cooperation between Israel and Palestinian Arabs will enable Coronavirus to be contained and perhaps eventually eradicated there. But will it lead to improved long-term relations between the two sides? If history is any guide, the answer is unfortunately no. Despite the extraordinary mutual benefits achieved by cooperation against malaria in the 1920s, which literally enabled life to flourish throughout the land, the obsessive hatred stirred up by Amin al-Husseini and his henchmen prevailed, leading to relentless conflict from that day to this. Despite the insight into Israel's true nature gained by many ordinary Palestinians in this crisis, it looks likely that al-Husseini's modern-day successors will continue to betray their own people as he did, with the same self-destructive animosity and aggression. (Gatestone May 6)

The writer is a former British Army Commander.

Supreme Court Validates Netanyahu Government Weeks after Attempted Putsch By Alex Traiman

On Wednesday, Israel's Supreme Court unanimously rejected eight separate petitions filed against Prime Minister Benjamin Netanyahu and the coalition agreement he signed with former challenger Benny Gantz. The ruling paves the way to the immediate formation of a parliamentary majority coalition for the first time in a year-and-a-half-long battle consisting of three consecutive national elections.

The court ruled that Netanyahu may form a new coalition regardless of the indictments filed against him by the attorney general. Supreme Court President Esther Hayut wrote in her ruling that the court "did not find any legal reason to prevent Knesset member Netanyahu from forming a government," adding that "the legal conclusion we reached does not diminish the gravity of the pending charges against MK Netanyahu for violations of moral integrity, or the difficulties deriving from a prime minister serving when charged with criminal activity."

The ruling on Netanyahu's fitness to serve was completely redundant, as Israeli law already explicitly permits a prime minister to continue to serve if indicted, and even if convicted, until all appeals processes have been exhausted. Moreover, Israeli citizens have voted for Netanyahu in large numbers on three consecutive occasions despite full knowledge of the indictments.

Just prior to the ruling, Gadi Taub, a senior lecturer at the School of Public Policy and the Department of Communications at the Hebrew University of Jerusalem, told JNS that in "agreeing to adjudicate this issue in the first place, the court is behaving as if it feels it needs to protect democracy from citizens," and called the court hearing an "amazing feat of audacity."

Somewhat surprisingly, however, the court simultaneously ruled that it would not invalidate the irregular and legally-unprecedented terms of the Netanyahu-Gantz agreement.

In addition to limits on appointments and general parliamentary legislation, Gantz will begin the term as a newly-created vice prime minister, who lives in a state-sponsored residence and has nearly the same authorities as the prime minister, including veto power over legislation. In a unique rotation arrangement, Gantz will assume the premiership midway through the coalition's shortened three-year term. Once Gantz takes over as prime minister, Netanyahu becomes vice prime minister, and maintains the same legal protections as a prime

minister.

It may not have been out of bounds for the court to negate one or more of the agreement's terms, which require several new basic laws to be immediately passed.

Prior to the ruling, the Likud threatened that if the court struck down even one of the clauses in the painstakingly-negotiated coalition agreement, Israel would spiral into a fourth election, and that the court would be blamed for violating the democratic will of the public. Just weeks earlier, the court did exactly that. In the middle of heated coalition negotiations, Supreme Court President Hayut conspired with now-opposition leader Yair Lapid—who filed one of the eight petitions against the current government—to violate the very basic laws the court is enshrined to protect, and simultaneously violate the democratic balance of powers between Israel's judiciary and legislative branches.

In an attempted putsch, the court ruled that incumbent Knesset Speaker Yuli Edelstein be forced to hold a snap vote to replace himself, prior to the formation of a parliamentary majority by either Netanyahu or Gantz. Lapid had wanted to replace Edelstein with a member of his own faction, in order to advance four separate retroactive bills, each of which would have prevented Netanyahu from forming a government. Edelstein, as speaker, refused to advance the legislation.

According to the basic laws of the State of Israel, "The Knesset shall itself prescribe its procedure" and "the Knesset shall follow its accepted practice and routine." Additionally, according to Knesset's own bylaws, "The Speaker shall run the affairs of the Knesset ... and oversee the observance of its rules of procedures."

Edelstein heroically resigned rather than hold the vote. Then the court ruled a second time in violation of the explicit Knesset bylaws, demanding that the vote for a new speaker be held ahead of Edelstein's legally-mandated 48-hour resignation period.

It was after this second snap ruling that Gantz boldly decided to end his political alliance with Lapid. Gantz advanced his own candidacy for the post of Knesset Speaker, and instead entered into unity negotiations alongside Netanyahu. Gantz's surprise move put a sudden end to the Lapid-Hayut putsch.

At the time, the issue of the court's radical judicial interference took a backseat to the newly-started unity negotiations and the outbreak of the coronavirus pandemic.

Had the court decided once again to interfere with the legislative electoral process, by negating clauses of the coalition agreement, the issue of the court's interference in the Edelstein case would without a doubt have risen back to the surface.

The court hearings earlier this week did little to impress upon the public that the court is the protector of Israel's democratic process.

Due to coronavirus restrictions on how many individuals, including members of the press, could be present in the courtroom, the court itself decided, for the first time, to televise the hearings.

Those watching could see the 11 justices of the court, dressed in black, sitting on the dais, accosting the lawyers defending the government. One after the other, the judges acted as prosecutors, interrupting the attorney before he was able to complete sentences, let alone paragraphs in defense of the government's position.

Given the question of which party, the court or the government, was representing the democratic will of the people, it was clear to any spectator that the representatives of the unity government were the ones expressing the will of the people, while the court was making certain the government was conforming to its standards.

That the court chose not to invalidate the agreement may have more to do with the court's precarious standing than protecting the law. Many had expected the court would invalidate at least some of the coalition agreement's irregular clauses.

Early polls show that should Israel descend into yet a fourth election cycle, Netanyahu's Likud Party could grow from its present 36 mandates to as many as 40, and that his bloc of right-wing and religious allies would easily pass the 61-mandate threshold necessary to form Netanyahu's preferred narrow right-wing government. Such a government, free of the sensitive constraints of a unity government that balances the goals of political opponents, would likely make major judicial reform a key tenet of its parliamentary agenda.

At present, it is the current Supreme Court justices, together with Israel's Bar Association (the pool for future justices) that make up two-thirds of the nine-member committee to select new justices. This near-monopoly enables the court to select new justices that it expects will continue its longstanding progressive and activist agenda.

Six of the court's 15 justices are scheduled to retire within the next four years. Should a new government legislate major adjustments to the selection process for future justices, it could radically alter the face of the court in the years ahead.

By contrast, Gantz, who serves as a coalition counterweight to

Netanyahu's legislative agenda, is not likely to rubber-stamp judicial reform. Gantz himself views the court as a counterweight to protect him against future Netanyahu maneuvers to oust him from the government and remain in power. As such, the court likely views the unity government as the alignment most likely to maintain the status quo on judicial appointments, allowing the court to maintain its influence over the selection process of new justices.

In other words, the court's ruling was not based on a desire to protect democracy or uphold the will of the electorate. The court had just severely violated Israel's democratic balance of powers, as well as its basic laws, just weeks earlier. Rather, its decision not to invalidate the Netanyahu-Gantz unity government was an act of self-preservation. (JNS May 7)

Is Love for Israel Sufficient to Overcome Hatred of Israel?

By Grant Newman

All of Christendom fasted this year on Good Friday for relief from the coronavirus, and Providence responded with an Israeli research institute based in the Galilee that is working on a vaccine for the virus and with the release of the third season of "Fauda" on Netflix. And Christians once again found salvation in Israel.

Alas, not all communities are similarly philo-Semitic. Indeed, the past six months have seen a spike in anti-Semitism in the New York metropolitan area. In early December 2019, two members of the Black Hebrew Israelites murdered a police officer before entering a kosher delicatessen in Jersey City and killing five patrons. There is reason to believe that their initial target was actually the yeshiva next door. In late December 2019, a man entered a rabbi's home in Monsey, N.Y., and began stabbing people gathered for a celebration on the last night of Hanukkah. These two events took place amid a broader uptick in anti-Semitic attacks in Brooklyn. Most notably was an incident where a woman assaulted three Jewish women while spewing anti-Semitic slurs. Because of recent reforms to the criminal justice system in New York, the woman was released from police custody without bail, whereupon she immediately proceeded to assault another woman.

A chilling aspect of these attacks is the response of neighboring communities. Rather than condemn the attackers, local residents instead cited reasons why an individual might be understandably angered unto violence against the local Jewish community and expressed sentiments that have been common whenever anti-Semitism has been en vogue throughout history.

New York City's municipal government has been anything but philo-Semitic. In late April 2020, after learning that Orthodox Jews had gathered in Brooklyn at a rabbi's funeral, Mayor Bill de Blasio publicly threatened the Jewish community with arrests for violating social-distancing guidelines. During New York's darkest hour, de Blasio identified a scapegoat and characterized the entire Jewish community as lawbreakers who are unconcerned with public health, as though the Jewish community alone—and not de Blasio's own failed leadership—should be blamed for New York's prolonged coronavirus pandemic. As Ronald S. Lauder, president of the World Jewish Congress, noted, "Every time a leader like [De Blasio] stereotypes the 'Jewish community,' he feeds into the dangerous agenda of white supremacists and anti-Semites around the world."

It is on this background that Robert Nicholson and Rabbi Meir Y. Soloveichik introduced the need for philo-Semitism. According to Nicholson, anti-Semitism grows from a resentment of "chosenness"—resentment that G-d chose the nation of Israel to play a special role in history. Anti-Semitism "turns Jewish chosenness on its head and assigns to the people of Israel responsibility for all the world's ills." Nicholson suggests that calling out anti-Semitism is not enough and posits that the best response to anti-Semitism isn't anti-anti-Semitism, but rather philo-Semitism, or love of the Jewish people. Rabbi Soloveichik cites the welcoming of public displays of the menorah and other public celebrations of Jewish chosenness as examples of philo-Semitism among gentiles in America. Surely, philo-Semitism, including acknowledgement of the contribution that the Jewish community and its members make to society, can do much to change the hearts and minds of local residents who might otherwise harbor anti-Semitic animosity.

However, regardless of its capacity to do good at a local level, it is unlikely that philo-Semitism is sufficient to reverse institutionalized anti-Semitism at a global level. Commenting on the difficulty of changing a global institution with anti-Semitic tendencies, John Podhoretz recently said of the United Nations, "I am skeptical that you can fix what's broken in an endemically anti-Semitic institution simply by dint of the fact that it is endemically anti-Semitic and therefore in its DNA has a conspiratorial and conspiracist worldview that will distort every decision that the institution makes."

Examples of institutionalized hatred towards Israel abound. For

instance, the African Charter on Human and Peoples' Rights, which is a founding legal instrument of the African Union, includes as an organizing principle the elimination of "colonialism, neo-colonialism, apartheid, [and] zionism." That a founding document of a political union encompassing 1.2 billion people includes Zionism as an existential threat against which the union and its subjects must organize their resources suggests the extent to which hatred of Israel has become normalized in global institutions. Anti-Semitism has become yet another piece of furniture in the moral universe of international governing bodies.

Furthermore, just as a general must tailor an army's attack to match the enemy's defense, so, too, the methods used to eradicate anti-Semitism must be tailored so as to effectively combat anti-Semitism in the places where anti-Semitism lives. The case of the African Charter indicates that anti-Semitism lives not just in the hearts and minds of anti-Semites, but also in the founding documents of global organizations. Thus, displaying a menorah in an American neighborhood and otherwise promoting philo-Semitism, while undoubtedly having a positive impact in that neighborhood, will probably do little to remove hatred of Israel from the founding documents of global institutions. As such, purging anti-Semitism from these institutions will require instruments that have a legal effect that is at least as legally binding as the instruments used to institutionalize anti-Semitism in the first place.

Still another example of institutionalized hatred can be seen in the response of the BDS movement to news that Israel is developing a vaccine for the coronavirus. According to Omar Barghouti, cooperating with Israel to fight COVID-19 does not constitute a normalization of Israeli evil and therefore one may take advantage of a future Israeli vaccine without violating tenets of the BDS movement. But at no point does Barghouti express gratitude towards Israel for working to develop a vaccine. In other words, the development of a vaccine is neither a normalization event nor a reason to shed even the smallest amount of anti-Semitism. Creating a vaccine to save the world from the worst health pandemic since the bubonic plague is perhaps the most tangible and irrefutable philo-Semitic argument one could ever hope to make, and yet even the production of this life-saving nectar is not enough to cure certain institutions of their institutionalized anti-Semitism.

Anti-Semitism must be attacked at both the local and international levels, and philo-Semitism should play an important role in a broader strategy to do so. However, if implemented on its own, it is unlikely that philo-Semitism will be enough to effectively fight anti-Semitism at international levels, especially where such anti-Semitism is legally institutionalized. (JNS May 6)

The writer is a publishing adjunct at The MirYam Institute.

The Final Days of the Iran Nuclear Deal By Caroline B. Glick

There is a growing chance that by October, the nuclear deal with Iran, otherwise known as the Joint Comprehensive Plan of Action (JCPOA) will be dead. Under the deal with the US, China, Russia, Germany, Britain, and France, Iran purported to accept limitations on its nuclear program.

These limitations included capping its low enriched uranium stockpiles at 300 kilograms (661 pounds), restraining its enrichment activities, and accepting the UN's International Atomic Energy Agency's right to inspect its declared and undeclared nuclear sites.

In exchange, the five permanent members of the UN Security Council and Germany agreed to cancel the Security Council sanctions resolutions that had been imposed on Iran due to its illicit nuclear activities over the previous decade.

The JCPOA, which was never formally signed, was anchored in UN Security Council Resolution 2231, which was passed immediately after the JCPOA was concluded.

At the time, the JCPOA was vociferously opposed by US lawmakers from both sides of the partisan divide. Their opposition owed to the fact that even if Iran abided by the restrictions on its nuclear activities prescribed by the JCPOA, it would still be able to develop a full-blown nuclear arsenal within ten to fifteen years.

To placate the deal's opponents, and secure its approval in the Senate, the Obama administration added two safeguards to Resolution 2231. The first imposed a five-year embargo on conventional weapons sales to Iran.

The second enabled all sides to the agreement to end the JCPOA by triggering the re-imposition of the UN sanctions canceled under 2231. According to Articles 10-12 of the resolution, if a party to the agreement informs the Security Council that Iran is in breach of its commitments under the agreement, such a declaration will automatically trigger the reimposition of the sanctions within thirty days. The Obama administration dubbed this mechanism "snapback

sanctions."

Now both of these safeguards are being tested.

In May 2018, due to incontrovertible evidence of Iranian bad faith both during the negotiations process and following the implementation of the JCPOA, President Donald Trump announced that the United States was washing its hands of the nuclear deal. Secretary of State Mike Pompeo set out the US's new "maximum pressure campaign" that replaced the JCPOA as the central element of the US's policy towards Iran.

-The strategy of maximum pressure involves applying harsh US economic sanctions against Iran's oil, financial, and shipping sectors in particular. The goal is to weaken the Iranian economy in order to destabilize the regime and minimize its financial capacity to fund its nuclear operations and its terror proxies in Iraq, Syria, Lebanon, Gaza, and beyond.

The other parties to the JCPOA did not follow America's lead. On the contrary, they sought to undermine US sanctions. Led by Germany, the EU clung ever more tightly to the nuclear deal. Germany, France, and Britain attempted to create a financial mechanism that would enable Iran to bust US sanctions. They also continued to develop Iran's heavy water reactor at Fordo.

The Russians maintained and intensified their alliance with Iran in Syria. China breached the US sanctions and continued importing Iranian oil and gas. Currently, China is working closely with Iran in Afghanistan on behalf of the Taliban.

The Europeans, Russians, and Chinese have all been playing for time in the hope that Trump loses the presidential election in November. The presumptive Democratic presidential candidate, former Vice President Joe Biden has pledged that if elected, he will return the US to the nuclear deal and end US economic sanctions against Iran.

The problem for all of these parties is that time and the facts aren't on their side.

The Iranian regime which they are so keen to keep afloat is not playing along with them. Instead, it is systematically and openly breaching all of its commitments under the JCPOA. In March the UN's International Atomic Energy Agency revealed that between November 2019 and March 2020, Iran increased its store of low-enriched uranium from 373 to 1050 kilograms (822 to 2315 pounds) – more than three times the quantity permitted under the agreement.

The IAEA also reported that Iran had increased the number of advanced centrifuges capable of enriching uranium to prohibited levels in operation by approximately 20% since last November.

In January, the Iranian regime rejected IAEA requests for information regarding three newly discovered undeclared nuclear sites and subsequently rejected IAEA requests to dispatch inspectors to two of them.

Earlier this month, the head of Iran's Atomic Energy Organization, Ali Akbar Salehi, announced that Iran was building two more nuclear reactors at Bushehr. He added that "A new generation of centrifuges would soon come online at the Natanz fuel enrichment plant."

Salehi explained that Iran is now in full breach of the JCPOA. "Nuclear activities, as well as research and development on the nuclear fuel cycle, uranium conversion, and enrichment – including production and storage – are being carried out without any restrictions."

Iran's apparent race to develop the ability to build a nuclear arsenal on-demand – or what has been dubbed, "breakout capacity" – is happening in the context of the quickly approaching deadline for the conventional arms embargo imposed under Resolution 2231. The embargo will expire on October 23.

-Over the past six months, Pompeo has stated repeatedly that the US will not permit the embargo to be lifted. According to US intelligence agencies, Russian defense firms have already concluded deals to sell Iran advanced aircraft, tanks, and air defense systems the moment the embargo is lifted.

In a press briefing on Wednesday, Pompeo set out how the administration intends to prevent it from being lifted. Pompeo explained that the administration is pressuring the Europeans to put forward a Security Council resolution calling for the arms embargo to be extended even as Russia has vowed to veto any such resolution.

In light of the Russian position, the only way to extend the arms embargo is to cancel the JCPOA entirely by triggering 2231's snapback sanctions clause, which no side can veto.

To prevent the Americans from triggering the snapback clause, since May 2018, the Europeans, Iranians, Russians and Obama administration officials have claimed Trump's decision to withdraw from the agreement canceled America's standing as a party to the JCPOA and so abrogated the US's right to trigger the snapback sanctions.

Last year, the State Department's legal department published a brief rejecting this position. The US action did not abrogate Security

Council Resolution 2231, and Article 10 of the resolution clearly names the US as a party to the agreement.

At Wednesday's briefing, Pompeo repeated this key claim.

"The UN Security Council Resolution 2231 is very clear: We don't have to...declare ourselves a participant. UN Security Council Resolution 2231 is unambiguous where the United States is a participant," he said.

Pompeo added, "We're going to... makes sure that come October of this year, the Iranians aren't able to buy conventional weapons that they would be given what President Obama and Vice President Biden delivered to the world in that terrible deal."

As the sides set up for a confrontation, the fact is that the administration will come out on top under all circumstances. This is true for three reasons:

First and foremost, the US will benefit if the administration invokes the snapback sanctions articles because it is the right thing to do. As the IAEA reported and Salehi acknowledged, the Iranians are comprehensively breaching all of their commitments under the JCPOA. There is no substantive justification for maintaining the fiction that the deal is still salvageable. There is clearly no substantive justification for selling Iran conventional weapons.

This brings us to the second reason, and to Iran's defenders – particularly the EU and the Democrats:

If the US triggers the snapback sanctions, the move will critically harm the European Union which, under German leadership has consistently advanced a harshly anti-American foreign policy. If the EU responds to a US move to trigger the snapback sanctions by insisting the US has no authority to act, the position will boomerang.

Even before the appearance of the coronavirus pandemic, many EU member nations were rejecting the EU's authority to dictate a unified anti-American, pro-Iranian foreign policy.

In February 2019, Poland co-hosted a summit on Iran in Warsaw with the US. Then EU Foreign Policy Commissioner Federica Mogherini refused to participate in the conference that bought more than a dozen key EU states along with Israel, Saudi Arabia, and the UAE together to discuss the threat Iran poses to global security.

The EU's utter failure to manage the coronavirus pandemic has struck a massive blow to the EU. Its incompetence has convinced millions of Europeans who had previously supported the EU that they have nothing to gain from it. Their national governments are the only instruments to protect their lives and liberty.

The EU's weakened was apparent earlier this month when several EU member states angrily rejected an attempt by current EU foreign policy commissioner Josep Borrell to pass a resolution condemning the Trump Middle East peace plan and Israel's intention to apply its law to parts of Judea and Samaria in the framework of the Trump plan.

If the EU subverts a US effort to restore UN sanctions on Iran, its action is liable to destroy whatever is left of Brussels power to dictate a unified EU foreign policy.

Perhaps to block this prospect, and perhaps due to Iran's reduced economic prospects after two years of US sanctions. Germany announced Thursday that it is finally outlawing Hezbollah's "political" wing and blocking its operation in Germany.

To date, Germany blocked the EU from recognizing Hezbollah's military wing as a terrorist organization and so enabled the Iranian proxy army to raise funds and draft operatives throughout Europe. Germany's action Thursday indicates that aware of the dangers to the EU, Germany may support a US move to impose the snapback sanctions and end the JCPOA.

Thirdly, there is Biden. If the administration moves to implement the snapback sanctions and so end the ill-begotten JCPOA, which was the centerpiece of US foreign policy in Obama's second term, Biden and the Democrats will be harmed no matter how the move plays out: If the UN blocks the US move, the Trump administration will claim – rightly – that Obama and Biden deliberately lied to the American people when they said the snapback sanctions provision would ensure Iran could not get away with breaching the JCPOA.

If the administration is successful, and snapback sanctions are imposed, scuppering the JCPOA, its success will expose the madness at the heart of Biden's pro-Iranian Middle East policy. It will demonstrate that the key component of the Obama-Biden foreign policy was to provide the US's most dangerous enemy in the Middle East with the ability to develop a nuclear arsenal while building itself into a regional hegemon.

It isn't clear how events will transpire in the coming weeks and months. But as things now stand, the Trump administration seems to recognize that there is no downside to triggering the snapback sanction articles in Resolution 2231 and ending the JCPOA by October. (Israel Hayom May 1)