

Peace for Warplanes?

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Articles & Testimony

How domestic and foreign disputes over the potential sale of F-35 jets to the UAE could complicate the country's normalization deal with Israel.

The Trump administration wants to push through within months an arms deal with the United Arab Emirates that includes the world's most advanced warplane, the F-35, an ambitious timetable that could well be thwarted by the U.S. Congress, depending largely on Israeli Prime Minister Benjamin Netanyahu's position on the sale. Publicly, Netanyahu has said he opposes the deal, insisting that Israel's position on Middle Eastern states acquiring such high-end weapons had not changed. But the Trump administration and Emirati officials have suggested that the F-35 sale was one of the understandings that led the UAE to [normalize relations with Israel \(https://foreignpolicy.com/2020/08/13/israel-uae-normalization-west-bank-annexion/\)](https://foreignpolicy.com/2020/08/13/israel-uae-normalization-west-bank-annexion/) this month—in a watershed agreement brokered by Washington.

The arms deal is important enough to the UAE that Emirati diplomats canceled a trilateral meeting with Israel and the United States recently as a sign of displeasure over Netanyahu's vocal opposition to the sale, according to a report in Axios (<https://www.axios.com/uae-f-35-arms-deal-israel-meeting-united-nations-896c572c-0488-4b4a-b3c6-61d0103a4556.html>). And defense officials were removed at the last minute from an Israeli ministerial delegation that traveled to Abu Dhabi on Monday for talks with U.S. and Emirati counterparts.

U.S. officials and congressional sources who spoke to *Foreign Policy* said a large weapons deal like the one proposed with the UAE would usually take almost a year to process. They said the Trump administration wants to get it underway within two to five months, ideally by the time of the U.S. election in November and certainly ahead of any presidential transition in January, in the event that Trump loses the White House.

According to the complicated timeline of the arms deal, Congress would need to be provided with details of a proposed sale by October so that lawmakers would have time to consider it and raise objections. “I don’t see how the UAE would have agreed [to the deal] if it wasn’t happening in three to four months,” one congressional staffer with knowledge of the process told *Foreign Policy*. “They read the tea leaves, and they know things will change for them in the next administration.” A Democratic congressional aide versed in foreign-policy issues was even blunter: “If Biden wins, this is never going to happen.”

The UAE this month became only the third Arab state to agree to full diplomatic relations with Israel, following Egypt in 1979 and Jordan in 1994. The [agreement \(https://foreignpolicy.com/2020/08/13/israel-uae-normalization-west-bank-annexation/\)](https://foreignpolicy.com/2020/08/13/israel-uae-normalization-west-bank-annexation/) outlined a series of collaborations and projects in trade, investment, tourism, and COVID-19 response initiatives. It also called for Israel to suspend its planned annexation of West Bank settlements.

The UAE has wanted for years to buy the F-35, a sophisticated stealth fighter plane that only Israel among countries in the Middle East has been allowed to purchase. U.S. presidential advisor Jared Kushner, who mediated the UAE-Israel deal, said in a recent interview with CNN that the “peace agreement should increase the probability of them getting it.”

President Donald Trump echoed the sentiment at a news conference the week after the deal was announced. “[The Emiratis] have the money, and they would like to order quite a few F-35s...It’s under review, but they made a great advance in peace in the Middle East,” he said.

Emirati officials believe Israel should have no grounds for opposing the deal now that the two countries are officially at peace. “The UAE expects that its requirements [regarding the F-35s] will be accepted, and we feel that with the signing of this peace treaty in the coming weeks or months...that any hurdle towards this should no longer be there,” Emirati Foreign Minister Anwar Gargash said at a recent talk at the Atlantic Council, a Washington-based think tank.

An unnamed senior Emirati official [told \(https://www.ynet.co.il/article/H1pMzFFfD\)](https://www.ynet.co.il/article/H1pMzFFfD) the Israeli daily *Yedioth Ahronoth* that, indeed, Netanyahu knew and gave his approval for such a move. But several former and current officials in Israel and the United States told *Foreign Policy* that selling F-35s to the UAE could have adverse consequences for the national security of both countries.

In Israel, the main concern is that the sale would undermine the country’s military superiority in the region—its qualitative military edge (QME), in U.S. diplomatic parlance. QME is a U.S. commitment that dates back to the 1970s, now codified into law, whereby the United States is legally bound to uphold Israel’s military advantages over any individual Middle Eastern state or coalition of states.

Israeli Defense Minister Benny Gantz, who was not consulted about the UAE deal ahead of time, [said \(https://www.jpost.com/israel-news/intel-minister-israel-didnt-change-policy-to-let-uae-get-f-35s-639040\)](https://www.jpost.com/israel-news/intel-minister-israel-didnt-change-policy-to-let-uae-get-f-35s-639040) at a recent press conference that while the normalization is a positive step, it should not come at the expense of Israel’s security. “It’s not good for Israel that the [F-35] plane is going around in other places,” he said. This position was reportedly echoed by Israel’s air force chief this summer.

Amos Yadlin, a former Israeli military intelligence chief, told *Foreign Policy* that the F-35’s unique attributes would help Israel maintain its regional military edge. “The F-35 isn’t just a stealth fighter but also an entire system of advanced sensors, intelligence, radars, avionics, and weapons that give the pilot a very unique picture of battle,” he said.

Yadlin, also a former fighter pilot who now heads the Institute for National Security Studies in Tel Aviv, added that the real difference between the F-35—a fifth-generation jet—and fourth-generation warplanes like the F-15 and F-16 held by Israel, the UAE, and other regional states was the stealth component. “It’s like the difference between a smartphone in 2020 and a regular mobile phone in the year 2000.”

Other Israeli analysts said they were worried about the precedent such a sale would set in a region where political orientations and alliances are volatile. “It can turn on us in an instant without advance warning,” said Amos Gilead, a retired general and former top Defense Ministry official. “Who could have predicted that Turkey and Iran would now be serious rivals of Israel, after they were such close friends? Or the Islamist takeover of Egypt and then the [Abdel Fattah al-] Sisi takeover from them and return to the alliance with Israel? You can’t predict these things.”

Gilead, considered one of Israel’s foremost experts on the QME agreement with the United States, said Egypt and Saudi Arabia might also want F-35s after the Emiratis received theirs. The U.S. would have “already established the principle, so you would just be negotiating the price,” he said. “I don’t want to risk our security in the long term, and you can’t put your faith in miracles.”

Netanyahu [said \(https://www.timesofisrael.com/pompeo-well-honor-israels-military-edge-but-are-reviewing-arms-sales-to-uae/\)](https://www.timesofisrael.com/pompeo-well-honor-israels-military-edge-but-are-reviewing-arms-sales-to-uae/) at a press conference last week with U.S. Secretary of State Mike Pompeo that the peace agreement “did not include Israel’s acceptance of any arms deal, and I don’t know of any arms deal that has been agreed upon...Our position hasn’t changed.”

Yet doubt lingers about the veracity of such denials and just how strong Netanyahu’s opposition will be. “There is opposition on paper, and then there is opposition via all channels available to you. The U.S. won’t sell [the F-35s] if there is real opposition” from Israel, Gilead said.

Several U.S. congressional sources said Netanyahu’s position on whether the sale degrades Israel’s QME will be crucial once lawmakers are asked to vote on the deal. “It will be difficult [for Congress] to oppose if Bibi blesses it,” the congressional staffer said, using Netanyahu’s common nickname. The senior Democratic aide said aggressive lobbying by Netanyahu and the Israeli Embassy in Washington “could tip it in the Emiratis’ favor.”

Prior to any congressional vote, however, the State Department will be required by law to certify whether an F-35 sale undermines Israel’s military advantage. According to the congressional staffer, the State Department has yet to say whether certain restrictions would be imposed on where and how the Emiratis can use the F-35 and other weapons systems now contemplated for sale, including advanced armed drones. A sale without limits would be unacceptable to many members of Congress, the staffer said.

Both Yadlin and Gilead remain skeptical that any limits—technical or geographic—placed on a weapons system like the F-35 would be enough to ameliorate Israeli concerns. Apart from how the sale would affect Israel, congressional staffers pointed to the UAE’s human rights record in Yemen and Libya as an additional area of concern for lawmakers that could at least delay approval of any F-35 sale.

In addition, the U.S. Defense Department must also approve the F-35 deal based on whether the UAE can meet the technical security criteria to own and operate the planes. This, too, could pose an obstacle to the deal.

“The UAE will have to display a level of technological knowledge that they don’t currently possess and that they’re a long way from,” said Michael Stephens, an associate fellow at the Royal United Services Institute (RUSI), a London-based think tank. “It’s not just a plane. It’s a completely different level of command and control, maintenance and servicing, and operational integration.”

At present, only a handful of NATO states and partner countries—including Israel, South Korea, and Japan—operate the F-35. Stephens said concerns about Chinese espionage are another reason the United States and Britain tend to withhold their best technology from Gulf states.

“What’s the guarantee that, with the Gulf increasingly looking eastward, that our [Western] technological edge won’t seep out? There’s a reason you keep people out who aren’t part of the club—you can’t expose your equipment to that level of scrutiny.”

If the deal is ultimately scuttled, the UAE will have to decide whether to proceed with normalization, without the F-35s. “The F-35 was the first thing I thought about” after the peace deal with Israel was announced, the congressional staffer told *Foreign Policy*. “The UAE was getting something out of this, and it wasn’t direct flights from Abu Dhabi to Tel Aviv.”

But Trump could use an emergency arms sale authority to bypass Congress. Though rarely invoked, **Trump used this provision (<https://www.wsj.com/articles/trump-invokes-emergency-arms-sales-authority-to-counter-iran-11558721927>)** last year to ram through an \$8 billion deal to Saudi Arabia and the UAE that included precision-guided missiles—drawing rebukes from even some Republican lawmakers. According to congressional staffers, Trump is almost certain to do the same this time around if necessary, so long as there is no two-thirds (veto-proof) majority against the sale in the House of Representatives and Senate.

In any event, actual physical delivery of the planes to the UAE could take up to a decade due to production backlogs and prioritized deals with nations that are partners in the production of the F-35. “The planes aren’t there, and the [pilot] trainers aren’t there,” said Stephens, the RUSI analyst. “It’s not like ordering 100 Mars bars out of the factory.”

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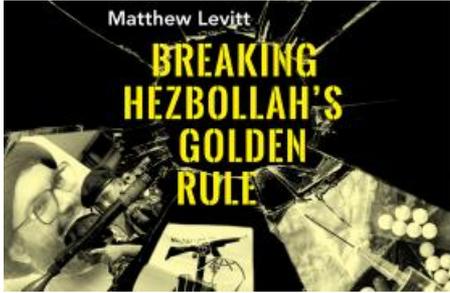
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