

'Israel would be embarrassed if it were known it's selling arms to these countries'

Itay Mack, a Jerusalem-based human rights lawyer and activist, seeks greater transparency and public oversight of Israel's military exports.

By [Ayelett Shani](#) | Aug. 7, 2015 | 9:09 PM |

Israel is known to be a powerhouse in military exports, but what does "military exports" actually mean?

It's a very broad term, encompassing arms and security equipment, as well as know-how, such as that involving combat doctrines or the training of militias and regular forces.

As I understand it, we're among the top 10 in the world in this regard.

All countries engage in military exports. The problem is that Israel is involved in places that the United States and Europe decided to avoid exporting weapons to. We know Israel is selling arms to Azerbaijan, South Sudan and Rwanda. Israel is training units guarding presidential regimes in African states. According to reports, this is happening in Cameroon, Togo and Equatorial Guinea – nondemocratic states, some of them dictatorships, that kill, plunder and oppress their citizens.

What is clear is that military exports are perhaps identified with Israel, but it's not just government companies that are involved.

There are a few huge government corporations that are active in this field, such as Rafael [Advanced Defense Systems]. The others are completely private companies, created to make money. There are more than 1,000 firms and more than 300 individuals licensed to deal with sales. All the companies are under the umbrella of the Defense Ministry, which must authorize their activity.

I understand that there are several types of permits.

There's a budget "pie" that's made up of states and others that want to buy arms. The Defense Ministry decides who gets the permits and how to divide the pie. Naturally, that's done in accordance with its interests and those of its cronies. There's concern about partiality here, as some of those involved [in requesting permits] are [former] senior Israel Defense Forces officers, former Defense Ministry employees and ex-politicians, or politicians who are taking a break from politics. In the end, the pie is divided among the old-boy network.

So we can assume that supervision and enforcement are not strict.

Out of a staff of some 30 employees at the Defense Export Controls Agency, there are only people in charge of examining the 400,000 annual permits. They are also responsible for ensuring that the recipients of the permits do not violate the terms. They are also supposed to oversee real-time developments on the ground, such as violent conflicts that might require the annulment or suspension of permits.

So, does anyone know if there are violations?

The state comptroller found that most of the enforcement of the terms is the result of companies informing on one another. There are about 160 violations [reported by the Defense Ministry] each year, of which only a few are investigated. There is administrative enforcement with negligible fines imposed. Criminal sanctions are not imposed and permits are not revoked – according to the information the ministry delivered to the Knesset. Effectively, DECA is customer service for exporters.

For the same exclusive club.

Right. Who has the courage to stand up to any of these former generals? And even if someone were to do this, the general would simply call someone higher up in the Defense Ministry and arrange things. Besides which, you can make money from arms exports without a permit, by being a go-between, as [former Prime Minister Ehud] Olmert claimed was done by [former Prime Minister] Ehud Barak. That's where the really big money is.

'Raking in big bucks'

In one of the recorded conversations between former Prime Minister Ehud Olmert and his bureau chief, Shula Zaken, he says Barak took huge bribes as part of these deals.

I've been asked about that, and I replied that I have no information about bribes, but the brokering itself – if indeed Barak took part in it – is legal. That's because neither Barak, who was defense minister from 2009 to 2013, nor his predecessors nor those who followed him, took the time to set regulations or introduce an organized procedure for receiving permits to broker arms deals. This is a completely open and unsupervised field, and those involved in it are raking in the really big bucks.

Are countries that need such an intermediary unable to buy directly, for example, due to arms embargoes?

Generally speaking, yes. Take Nigeria, for example. The U.S. torpedoed arms deals between Israel and Nigeria in 2014, because elements in the Nigerian army are perpetrating war crimes. But at the same time there was a report about an Israeli who brokered a deal. Under the aegis of Nigerian intelligence, he flew from Nigeria to South Africa to buy arms there. Being a middleman makes it possible to bypass all the inspection mechanisms.

How does it work?

A general or senior politician goes to a country – let's say, Ivory Coast – and tells them that with his connections, he can arrange for an Israeli company to get a permit to transfer weapons to Ivory Coast. Or, he tells them that even if they are subject to restrictions in many countries, he has connections with General X from Country X.

And the amounts involved are incredible.

Unbelievable.

But that will all change now, won't it? I understand that in December, Israel signed an international treaty to regulate the arms trade.

Israel signed the treaty, but hasn't ratified it, so all it has to do is not breach the spirit of the treaty. When [Meretz MK] Tamar Zandberg and I urged the Defense Ministry to join the treaty, they told us the implications of signing are less cardinal for exports but could be damaging for imports.

In other words, countries that sign the treaty will not be able to sell arms to Israel.

Yes. I think this is the first time the Defense Ministry admitted to feeling threatened. A group of American senators and congressmen objected to the treaty and told Secretary of State Kerry that under its conditions, the U.S. would be limited in terms of arms sales to Israel. We saw that during Operation Protective Edge in Gaza last summer, Britain and Spain declined to supply certain types of arms to Israel. Theoretically, if it's determined that Israel is perpetrating war crimes, the countries that are signatories to the arms treaty, such as France, Germany and England, will not be able to sell us arms.

Israel's 'ticket'

How did Israel become a major arms exporter?

Israel was on the verge of annihilation in the 1973 Yom Kippur War. There was a huge foreign currency crisis and a crisis in arms and ammunition. The government decided to kill two birds with one stone and began developing the military industries, both to ensure that we would have our own means of production and not be dependent on others, and also to sell abroad. Israel was able to exploit its relative advantage: experience in managing an occupied population and coping with guerrilla organizations. On that "ticket" – know-how and means for suppressing a population – Israel entered South America and afterward Central America. The generals in Guatemala grasped that their confrontation with the [local] Indian population is very similar to the situation in Israel.

In the overall ranking of military exports, we are in sixth or seventh place, but in proportion to our size we are actually first, right?

Correct, and in terms of our involvement in human rights violations and aid in war crimes, the amounts are not relevant – in Africa, for example, even a few rifles can cause tremendous damage. In the Central African Republic, a civil war marked by horrific crimes erupted because a group of rebels obtained machine guns, mounted them on jeeps and attacked the capital.

Since 2008, Israeli military exports have soared, from \$3 billion to somewhere between \$7 billion and \$8 billion.

Yes, that's the average since Operation Cast Lead, in Gaza.

Israel, then, can sell battle-proven weapons.

Yes. There are some who maintain that Israel carries out certain operations in order to test weapons. That's my opinion, too, though there is no proof for it. If I'm asked how I have the gall to think that Israel is conducting weapons tests in the territories, I reply that the allegation is not that Israel initiates wars to test weapons, but that the industries 'hitch a ride' on them and profit – it's the arms exporters who market the weapons as battle-proven. That's what they tell people at the international fairs. I heard it with my own ears: "It's Cast Lead battle-proven," "It's Defensive Shield battle-proven."

The leap in sales after Cast Lead was also due to the cynicism of the international community, which first condemned the operation and then came here to learn how Israel

conducted it. [Maj. Gen. (res.)] Yoav Galant, who was then the head of Southern Command [and now housing minister] made an amazing remark in this connection: "They came to see how we turn blood into money."

Every such war is utilized for a massive introduction of new technologies. In the West Bank, too, in the regular areas of demonstrations – Bil'in, Kadoum, Qalandiyah – we constantly see new or upgraded weapons and means of crowd dispersal. The military industries also exploit Israel's activity in the territories, especially in the Gaza Strip, to promote sales.

How, for example?

There were reports about the use of the Tamuz missile [a long-range anti-personnel and antitank weapon] against Syrian positions. Complete technological specifications were made available. Reporters noted that such information is usually censored. But a few months later, a report noted that Israel was going to display the Tamuz at the Paris Air Show. Sometimes the information is in the background of an article about Israeli and Palestinian casualties – they report on what types of shells were used – and there are also articles that are pure promotion.

Does the Defense Ministry "sell" marketing content to journalists?

The Defense Ministry makes information available to journalists, who are happy to get it and aren't aware of the damage. Something else I've noticed concerns the humanitarian missions. It's a bit like Naomi Klein's "shock doctrine." They send [people out on] a mission, and suddenly there are foreign reports about arms deals. That was the case in the Philippines, for example [after the monsoons in 2013].

What do you know about Israeli involvement in South Sudan?

According to reports of international organizations and human rights activists, Israel has violated the embargo and sold arms during the civil war. There are reports that the security forces are armed with Galil and Tavor rifles. We know about South Sudan forces who are trained by Israelis, both there and in Israel, and about a defense mission from South Sudan that visited Israel about half a year ago. We know that Israel built and is operating a surveillance system in South Sudan and is cooperating with the local secret service.

I find this appalling. It recalls Chile during the Pinochet period. Chile was a democracy and didn't have a secret service when the coup took place, and according to reports Israel trained and prepared the Chilean secret service, which conducted the most brutal torture. Again we see ties with an organization in a country that commits crimes against its citizens.

How many countries does Israel sell arms to?

Israel currently sells arms to 130 countries. We know that among the countries authorized by the Defense Ministry there is a list of special countries with which Israel has no public ties. Israel would be deeply embarrassed if it were known that it's selling arms to these countries.

Let's talk about the good sides of our being a military exports power.

I am not a pacifist. I believe countries have to defend themselves. I only think that there have to be clear rules for military exports. Part of the damage that Israel is causing internationally is that it's bringing about the militarization of civilian forces. In Brazil, for example, the police force is undergoing a rapid militarization process.

Under Israeli sponsorship?

With Israeli assistance. The Brazilians are now starting to realize that this is harmful: The wilder the police become, because of the training they get and the equipment they receive – the more “military” the crime gangs become, because they have the money and means to smuggle in weapons. The police complain about increasing physical and property assaults, and the people object, because their favelas have simply become a Gaza Strip. Israel is contributing significantly to militarization everywhere.

But military exports bring in a lot of money.

Not necessarily. The height of the chutzpah is that the military industries are included under the Encouragement of Capital Investments Law – which is supposed to induce companies like Teva or Intel to stay in Israel. Well, the Israeli military industries can’t actually leave Israel, can they? But the law stipulates that a company in which more than 25 percent of the turnover is intended for export, receives huge tax breaks. According to the Defense Ministry, 75 percent of the military industries’ production goes abroad, so that all these companies are entitled to tax breaks totaling billions. At least they took the government companies off the list; until five years ago, Rafael and Israel Military Industries also enjoyed the tax exemptions. Absurd.

How did you become interested in this subject?

By chance. A few years ago, while trekking in South America, I met a girl from Ireland who was wearing [Israeli-made] Source sandals. She told me she was planning to hike in the jungles of Colombia, where Israelis train the security forces, and she bought the sandals so they would think she was Israeli and not shoot her by mistake. I started to ask myself whether I was safe there as an Israeli, and if I were not an Israeli, would I be under threat? And without Source sandals, would I be shot?

Good questions.

Ultimately, we are on the wrong side of history in most places. And the memory persists. It persists in Latin America. That’s why I decided to open an office and deal with it, because no one else wants to and there’s no funding for it. I understood that when Israel secures a dictator, the public that’s oppressed by the dictator identifies Israel as having chosen a side. Israel chose a side for us all, without asking us.

What do you say to people who allege that you’re unpatriotic, that you are endangering the country’s security?

Israel’s citizens are important to me, and I think I am acting in their interest, whereas the Defense Ministry is not and prefers its cronies. We need transparency and public oversight, because for decades all the mechanisms that were supposed to act as checks simply did not work. We see this in military exports that violate UN Security Council embargoes.

Surely no country conducts its military exports in full transparency.

Military exports are not completely open in any country, but there is a far higher level of transparency in both the U.S. and Europe. When arms were sold to Pakistan during the Bangladesh genocide, Congress established investigative committees. It’s understood in the West that this subject cannot be left exclusively to security personnel, because their considerations are inadequate. The public has moral considerations as well.

The transparency you’re after could entangle Israel diplomatically.

Obviously, not everything can be revealed, but the sweeping refusal to provide any information is also wrong. What does it look like when the Defense Ministry tries to protect its people and whitewash Israel's involvement in places where war crimes are being perpetrated, and the courts abet this? There is proof that Israel sold arms during the genocide in Rwanda. The Defense Ministry never denied it. It's absurd that Israel, which was established in the wake of the Holocaust in Europe, is hiding documents relating to genocide.

What would you like to see happen?

I want legislation to be enacted that restricts military exports to countries where there are serious human rights violations, torture, rape for religious, political or ethnic motives, executions without trial and so on. Something like American law that imposes clear limitations on military exports to all kinds of elements in Africa; already today the dramatic change it caused is visible.

It's all very depressing, isn't it?

Why depressing? I am optimistic. I think that what went on until now will not be able to continue, because things cannot be silenced. There will be no choice, because the testimonies are accumulating, and more and more people are joining the struggle. That's the direction, and I am constantly telling the Defense Ministry that in my discussions with them: Remember that there is no statute of limitations on war crimes and on crimes against humanity. If it doesn't happen now or in a couple of years, it will happen in another 30 years. We will not give up.