

JTA daily news bulletin

Contents copyright. Reproduction only by previous arrangement.

Published by Jewish Telegraphic Agency / 165 West 46th Street / New York, New York 10036.

Vol. XLV - 61st Year

Monday, November 27, 1978

No. 225

ISRAEL IN DISPUTE WITH EGYPT, U.S. OVER DRAFT PEACE TREATY

By Gil Sedan and Barbie Zelizer-Meyouhas

JERUSALEM, Nov. 26 (JTA)--Israel was embroiled in new controversies with Egypt and the United States over the weekend following publication in the three countries of the Israeli-Egyptian draft peace treaty text and the release by Israel of Annex III to the treaty, which covers in detail how normal relations are to be established between Israel and Egypt.

The fresh dispute with Egypt arose over the omission from the Arabic text published in the semi-official Cairo newspaper Al Ahran Thursday of Article VI, which Israel calls the "heart" of the peace treaty. (See separate stories of Article VI and Annex III.)

The new differences with Washington stemmed from Secretary of State Cyrus Vance's assertion, in a New York Times interview Friday, that the Israeli Cabinet's acceptance of the draft treaty last week does not mean that negotiations are ended because no agreement has been reached between the parties on the key element of a timetable for implementing the autonomy scheme on the West Bank and Gaza Strip.

That was the one element that the Cabinet refused to accept and Vance's remarks gave rise to fear in Israeli circles that the U.S. intends to exert pressure on Israel for concessions on that issue.

Article VI of the treaty draft establishes that the Israeli-Egyptian treaty takes precedence over any past treaties or agreements that either country may have entered into with respect to the Middle East conflict. In essence, it would nullify anti-Israeli pacts signed by Egypt in past years.

The Heart Of The Treaty

Foreign Minister Moshe Dayan was quoted today as saying that "Article VI--which the Egyptians want left out--is the heart of the treaty and without it there is no point in signing the agreement." He insisted that Israel will make no concessions on that article and repeated that, as far as Israel is concerned, the treaty draft as approved by the Cabinet must remain as is and should be signed by the two parties immediately.

The Cabinet met for its regular weekly session today but the relatively brief--two-hour--meeting produced no decisions of far-reaching significance. Cabinet Secretary Arye Naor told reporters afterwards that the government has decided to wait for Egypt's response to Israel's acceptance of the draft treaty in its original form.

He reiterated Dayan's view that there is no need for Israel's negotiators to return to Washington at the present time. Dayan and Defense Minister Ezer Weizman head the Israeli negotiating team. Both returned to Jerusalem a week ago to participate in the Cabinet deliberations on the treaty draft.

Vance Differs With Dayan

Vance took issue with Dayan's statement

last week that there was no need for further talks on the treaty and that Egypt should "take it or leave it." He told The Times that in the American view, "the issue is not determined yet. It is still an open issue because the parties have not reached an agreement on it."

The U.S. has proposed a "side letter" to the treaty which would call on Israel and Egypt "to negotiate in good faith and continuously with the objective of holding elections (for autonomous councils on the West Bank and Gaza Strip) not later than the end of 1979." Vance said that in the U.S. view, it is necessary to set a target date "to prevent Egypt from pulling out of the negotiations."

Israel is unequivocally opposed to a set date. Premier Menachem Begin, meeting Friday with six members of the U.S. Senate Armed Services Committee on a fact-finding mission to Israel, Egypt and Saudi Arabia, said a timetable for autonomy could not be drawn up now because it was uncertain who would vote and who would run for office.

He told the Committee members, which included Sen. Henry Jackson (D. Wash.) and Sen. Jacob Javits (R. NY), that Israel was prepared to start discussing those issues "very soon after signing the treaty--a matter of weeks," but would not be bound by a timetable. He said Israel accepted the treaty, except for that element and in his opinion "there is no rational reason the treaty should not now be signed." He said Israel had made the maximum possible concessions.

Background Of Publications

The draft peace treaty, preamble and annexes represent more than a month of negotiations between Israeli, Egyptian and U.S. delegations. Publication of the Arabic version in Al Ahran took Israel and the U.S. by surprise Thursday and it was not clear what Egypt's motive was. The State Department released the official English text, containing the preamble and all nine articles on Friday, and the Israeli government published the Hebrew text and Annex III yesterday.

According to reports here, Israel intended to publish the treaty before the abridged version appeared in Cairo. Begin is said to have proposed this at last Tuesday's Cabinet meeting "so that the people in Israel will understand fully the significance of the Cabinet decision accepting the American draft." Dayan suggested that publication be delayed pending consultation with the U.S.

The consultations took place last week and both Israel and the U.S. agreed that the draft should be made public. The U.S. was reportedly opposed to publication of Annex III at this time on grounds that it was beyond the agreed treaty draft. But Israel insisted that the Annex was an integral part of the treaty itself. Annex III is the crucial one. Annex I deals with military matters relating to Israel's withdrawal from Sinai and Annex II contains maps related to the draft agreement. Israel declined to publish those for security reasons.

Apart from the latest controversies, the matter of timetable and linkage remains unresolved. Israel feels that it has made the maximum concessions on those issues because the Cabinet reversed its earlier objection to the American proposed language in the draft treaty preamble which refers to linkage in gen-

eral terms. Begin's meeting with the six Senators focused on Jerusalem and the Jewish settlements on the West Bank. The Premier said that at Camp David the Americans produced a draft stating that Jerusalem will not be divided again. However, at a later stage, apparently because of behind-the-scenes activity, the Americans deleted the paragraph. Begin said that while at Camp David he asked President Carter "what is the capital of Israel? Unfortunately I got no reply."

At one instance the Americans presented a paper which stipulated that Jerusalem was occupied territory, Begin recalled. "I replied on the spot that we did not come to Camp David to give up Jerusalem," he said. Turning around to U.S. Ambassador Samuel Lewis, who was present at the meeting with the Senators, Begin asked "Why does not America recognize Jerusalem as our capital? I hereby declare that this city will never be divided again and will so remain forever."

On the issue of Jewish settlements, Jackson expressed full support of the right of Israel to settle in that area. He cited a number of international agreements and precedents which upheld his contention. Begin, delighted, said, "I agree with you 100 percent."

TEXT OF ARTICLE VI

WASHINGTON (JTA)--Following is Article VI of the nine Articles and Preamble of the proposed peace treaty between Israel and Egypt as published by the State Department:

1. This treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the parties under the charter of the United Nations.

2. The parties undertake to fulfill in good faith their obligations under this treaty, without regard to action or inaction of any other party and independently of any instrument external to this treaty.

3. They further undertake to take all the necessary measures for the application of their relations of the provisions of the multilateral conventions to which they are parties, including the submission of appropriate notification to the secretary general of the United Nations and other depositories of such conventions.

4. The parties undertake not to enter into any obligation in conflict with this treaty.

5. Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the parties under the present treaty and any of their other obligations, the obligations under this treaty will be binding and implemented.

TEXT OF ANNEX III

JERUSALEM (JTA)--Following is the text of Annex III, as published by the Foreign Ministry:

Article 1. Diplomatic And Consular Relations:

The parties agree to establish diplomatic and consular relations and to exchange ambassadors upon completion of the interim withdrawal.

Article 2. Economic And Trade Relations:

1. The parties agree to remove all discriminatory barriers to normal economic relations and to terminate economic boycotts of each other upon completion of the interim withdrawal.

2. As soon as possible, and not later than

six months after the completion of the interim withdrawal the parties will enter negotiations with a view to concluding an agreement on trade and commerce for the purpose of promoting beneficial economic relations.

Article 3. Cultural Relations:

1. The parties agree to establish normal cultural relations following completion of the interim withdrawal.

2. They agree on the desirability of cultural exchanges in all fields and shall, as soon as possible and not later than six months after completion of the interim withdrawal, enter into negotiations with a view to concluding a cultural agreement for this purpose.

Article 4. Freedom Of Movement:

1. Upon completion of the interim withdrawal, each party will permit the free movement of the nationals and vehicles of the other into and within its territory according to the general rules applicable to nationals and vehicles of other states. Neither party will impose discriminatory restriction on the free movement of persons and vehicles from its territory to the territory of the other.

2. Neutral unimpeded access to places of religious and historical significance will be provided on a nondiscriminatory basis.

Article 5. Cooperation For Development And Good Neighborly Relations:

1. The parties recognize a mutuality of interest in good neighborly relations and agree to consider means to promote such relations.

2. The parties will cooperate in promoting peace, stability and development in their region. Each agrees to consider proposals the other may wish to make to this end.

3. The parties shall seek to foster mutual understanding and tolerance and will, accordingly, abstain from hostile propaganda against each other.

Article 6. Transportation And Telecommunications:

1. The parties recognize as applicable to each other the rights, privileges and obligations provided for the aviation agreements to which they are both party, particularly by the Convention on International Civil Aviation, 1944 (the Chicago Convention) and the International Air Services Transit Agreement, 1944.

2. Upon completion of the interim withdrawal any declaration of national emergency by a party under Article 39 of the Chicago Convention will not be applied to the other party on a discriminatory basis.

3. Egypt agrees that the use of oil fields left by Israel near El Arish, Rafah, Ras el Nagb and Sharm el Sheik shall be for civilian purposes only, including possible commercial use by all nations.

4. As soon as possible and not later than six months after the completion of the interim withdrawal the parties shall enter into negotiations for the purpose of concluding a civil aviation agreement.

5. The parties will reopen and maintain roads and railways between their countries and will consider further road and rail links. The parties further agree that a highway will be constructed and maintained between Egypt, Israel and Jordan near Eilat with guaranteed free and peaceful passage of persons, vehicles and goods between Egypt and Jordan, without prejudice to the sovereignty over that part of the highway which falls within their respective territory.

6. Upon completion of the interim withdrawal, normal postal, telephone, telex, data mail, wireless

and cable communications and television relay service by cable, radio and satellite shall be established between the two parties in accordance with all relevant international conventions and regulations.

7. Upon completion of the interim withdrawal, each party shall grant normal access to its ports for vessels and cargoes of the other as well as vessels and cargoes destined for or coming from the other. Such access shall be granted on the same conditions generally applicable to vessels and cargoes of other nations. Article 5 of the Treaty of Peace will be implemented upon the exchange of instruments of ratification of the aforementioned treaty.

Article 7. Enjoyment Of Human Rights:

The parties affirm their commitment to respect and observe human rights and fundamental freedoms for all, and they will promote these rights and freedoms in accordance with the United Nations Charter.

Article 8. Territorial Seas:

Without prejudice to the provisions of Article 5 of the Treaty of Peace each party recognizes the right of the vessels of the other party to innocent passage through its territorial sea in accordance with the rules of international law.

LABOR PARTY SUSPENDS DECISION ON PEACE TREATY UNTIL IT IS SIGNED

By Yitzhak Shargil

TEL AVIV, Nov. 26 (JTA)--The Labor Party leadership agreed, at a meeting here last night, to suspend any decision on the Israeli-Egyptian peace treaty until it is signed and brought before the Knesset for ratification. "Labor has no obligation to support the peace agreement in the Knesset just because it has supported the Camp David agreements," party chairman Shimon Peres told his colleagues.

He said the Labor Party should wait before committing itself and convene just prior to the Knesset debate to adopt its stand. Peres and other speakers elaborated on what they saw as the dangers that still lie ahead in the negotiating process.

According to Peres, the main problem posed by the issue of autonomy on the West Bank and Gaza Strip is not necessarily its linkage to the peace treaty with Egypt but what it portends for the future of those territories. In Peres' view, autonomy could lead to the creation of a Palestinian state and Israel's eventual return to its 1967 borders.

Proposes Four Points

Former Foreign Minister Yigal Allon proposed that Labor adhere to four points; that the peace agreement with Egypt must be based solely on the Camp David accords; it should stand on its own and not serve as a binding precedent for agreements with Israel's other neighbors; the administrative autonomy should apply only to those areas heavily populated by Arabs and Israel and the autonomous agencies should act in full partnership to maintain internal security; Israeli security zones must be established along the Jordan valley, in the Judean desert, in the Etzion region between Bethlehem and Hebron and in the southern part of the Gaza Strip.

Former Foreign Minister Abba Eban said

Israel must insist on the treaty's Article VI, that states specifically that the treaty supercedes any agreements Egypt has with other Arab states. Former Premier Yitzhak Rabin said he favored an Egyptian administrative presence in the Gaza Strip during the five-year interim period when the future of that territory will be decided. He said that from a security point of view it would be preferable to have different administrations on the West Bank and in the Gaza Strip.

According to Rabin, Israel's biggest problem now is American pressure. He claimed the Carter Administration is lending unprecedented support to the Arab position that Israel must withdraw to its 1967 borders.

JEWES RETURNING TO INTENSIVE JUDAISM

PORT CHESTER, N. Y., Nov. 26 (JTA)--Four prominent Orthodox rabbinic leaders and deans of rabbinic seminaries described the return of large numbers of Jews to intensive Torah study and authentic Jewish values part of "a worldwide Teshuva movement" at the opening session last Thursday of the 56th national convention of Agudath Israel of America.

In an overview of the new trend, Rabbi Shlomo Freifeld, dean of Yeshiva Sh'or Yeshuv in Far Rockaway, N. Y., indicated that the Ba'al Teshuva, referring to a Jew returning to religion, was now a worldwide phenomenon. He said that efforts to reach out to young people alienated from their heritage, by several Orthodox leaders and groups were now bearing fruit.

Rabbi Levi Yitzchok Horowitz, Bostoner Rebbe head of the New England Hasidic Center, commented, "Our present-day returnees are not arising from a climate of unrest; the decade of social protest is long past. They are not driven by adolescent rebellion; indeed, their return often harbinger their parents' interest. They are not impulsive; their return is marked by a yearning to learn; one of the greatest renewals American Jewry has ever known. Our returnees come to us with open eyes. In Judaism they find compassion and consistency." Their return, he added, "should be an experience unblemished by either missionary gimmickry or arrogant aloofness."

Rabbi Shmuel Akiva Shlesinger, chief rabbi of Strasbourg, France, said that France has become a center of the Teshuva movement in Europe. Noting that this trend of returning to roots is particularly among the university trained, he said, "The Ba'al Teshuva of today in Europe becomes involved with Torah as part of an ongoing expedition to discover meaning in life. It is a movement that has only taken hold in the past ten years. While it is very much intellectually stimulated, if nurtured properly, it could prove to be the beginning of a mass return to Orthodox Judaism."

Rabbi Boruch Mordechai Ezrachi, dean of Yeshiva Atereth Israel in Jerusalem, who deals with Israeli "returnees," declared that the new Teshuva phenomenon is unique from similar smaller trends in the past because "today the attraction that holds is the intensive Torah study experience as it is conducted in the traditional yeshiva. Enthusiasm for this deep involvement in study--rather than for the general Jewish experience or for experimentation with bizarre lifestyles--has given rise to a number of special yeshivos for Ba'alei Teshuva."

He said Israel in particular has witnessed the mushrooming of many such institutions, which have gained international notoriety for attracting some prominent Israeli entertainment stars who have radically changed their way of life by joining these yeshivos.

UN URGED TO REJECT ABC FILM AS SUBSTITUTE FILM ON PALESTINIANS

WASHINGTON, Nov. 26 (JTA)--B'nai B'rith International has urged ABC-TV to reject any bid by a United Nations unit to substitute ABC's documentary "Terror in the Promised Land" for a film prepared by the UN itself, "Palestinians Have Rights," for its "International Day of Solidarity With the Palestinian People" on Nov. 29.

Writing to the chairman of the board and the president of ABC-TV, B'nai B'rith president Jack J. Spitzer asked them "not to accede to any request to make available your documentary for obviously hateful purposes." B'nai B'rith had also previously questioned the "objectivity" of the ABC documentary.

Spitzer observed that the UN Committee on Exercise of the Inalienable Rights of the Palestinian People, which suggested the "Solidarity Day," had been embarrassed by public disclosures of the "blatant biases" and "pro-PLO apologetics" of the original UN-prepared script for the Solidarity Day film.

He said a revised script "did not achieve the bias desired by the PLO." The UN committee has indicated that it is considering substituting the ABC-TV documentary for its Solidarity Day ceremonies. "I am certain that the irony of this perspective is not lost upon you," Spitzer told the ABC executives.

The film originally intended for viewing was first denounced by Yehuda Blum, Israel's Ambassador to the UN, for glamorizing the Palestinian terrorists in general and Palestine Liberation Organization leader Yasir Arafat in particular. He noted that the film was basically a glorification of the PLO ideology of wanton murder of innocent men, women and children.

JEWISH LEADERS DENOUNCE VIOLENCE AGAINST EGYPTIAN DELEGATES TO UN

NEW YORK, Nov. 26 (JTA)--Theodore Mann, chairman of the Conference of Presidents of Major American Jewish Organizations, denounced "a series of attempts to terrorize members of the Egyptian delegation to the United Nations and Egyptian members of the UN staff by setting fires to their homes (in Westchester County, New York) and other violence." In response to a related incident, Rabbi Henry Siegman, executive director of the American Jewish Congress, assailed a fire-bombing attack over the weekend against the Egyptian Consulate in San Francisco as an "evil and stupid crime."

In a telegram to U.S. Ambassador to the United Nations Andrew Young, Mann said "we and all who support the cause of Israel and of peace in the Middle East, denounce such despicable acts. We have urged all persons who have information about such crimes to come forward so that the guilty may be brought to justice."

Mann declared that those claiming responsibility for "these cowardly and criminal deeds have identified themselves in telephone calls to the media as members of a Jewish group." He added: "If that is true, they bring shame and dishonor to all Jews. Their tactics are foreign to the Jewish tradition, for they seek to take the law into their own hands and in so doing, to decide the very question of who shall live and who shall die."

Mann declared that "the people of Israel have suffered cruel and mindless terrorism at the hands of the Palestine Liberation Organization. It is disheartening to find such attempts taking

place in our own country by those who assert they are acting in Israel's interest. These persons have no warrant to speak or act for Israel or for the American Jewish community."

Share Methods Of The PLO

In denouncing the fire-bombing in San Francisco, Siegman said that the attack is "a depressing example of how the group responsible for this act 'has become indistinguishable from the gang that calls itself the Palestine Liberation Organization. Those who committed this criminal act share not only the methods of the PLO, which is to use violent means to terrorize their opponents, but also the goal of the PLO, which is to sabotage the chances of a peaceful settlement of the Arab-Israeli conflict.'"

The violent acts against Egyptian installations and representatives are usually followed by a call to the media by an anonymous person claiming to be speaking for the Jewish Defense League, as was the case in San Francisco. The JDL officially denies responsibility but "hails" the assaults.

PREMIERE OF PLAY ABOUT SHCHARANSKY

MONTREAL, Nov. 26 (JTA)--Some 1700 people attended the world premiere of the play, "The Trial of Anatoly Shcharansky," at the University of Toronto as part of a nationwide series of mock trials and rallies during Solidarity Day with the Jewish activist who was sentenced last July by a Moscow court to 13 years for treason, three years in jail and the remaining 10 in a "strict regime" labor camp.

The play was based on the 1000-page appeal brief presented by McGill University constitutional law professor Irving Cotler, to the Soviet Ambassador in Ottawa after the sentencing of Shcharansky. The play was produced by the Canadian Bureau of the North American Jewish Students Network, under the direction of Cynthia Gunn and written by a group of law students in collaboration with Cotler. Students in Windsor also enacted scenes from the play at the Windsor University's moot court.

SHMULIK GOLDSTEIN DEAD AT 70

NEW YORK, Nov. 26 (JTA)--Funeral services were held here today for Shmuel Goldstein, who died last Thursday of a heart attack at the age of 70. Goldstein, who used the stage name of Shmulik Goldstein, had a lengthy career as a Yiddish stage star. He had been in the current Folksbiene production here of "The Inheritors," an adaptation of a Sholem Aleichem story, the latest of a long succession of theater credits. Born in Lodz, Poland, Goldstein began his acting career there, escaping to the Soviet Union during World War II. He returned to Poland after the war and then settled in Paris. There he worked in the Yiddish theater and took assignments as a standup Yiddish comic.

After emigrating to the United States in 1953, his performances included roles in four much praised Yiddish productions--"Yoshe Kolb," "It's Hard To Be a Jew," "The Big Winner," and "The Fifth Season." He also appeared in a Broadway production, "Let's Sing Yiddish," and in two works with Shimon Dzigani, the Israeli Yiddish humorist, "From Israel With Laughter" and "Hot a Yid a Landele." Goldstein had toured with Ida Kaminska, the noted Yiddish star and director from Poland.

JERUSALEM (JTA)--A bomb exploded here Saturday night, slightly wounding a 28-year-old resident of Gush Etzion. The area was immediately closed off and additional security measures were implemented.