

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. LVIII - 63rd Year

Friday, March 7, 1980

No. 47

ISRAEL GOVERNMENT AND OPPOSITION UNITED IN CONDEMNING UN RESOLUTION

Begin Respects Carter's Explanation But Urges U.S. To Repudiate Measure In Its Entirety
By Gil Sedan

JERUSALEM, March 6 (JTA) -- The government and the opposition were united in the Knesset today in condemnation of the United Nations Security Council resolution calling for the dismantling of Jewish settlements in the occupied territories and Jerusalem. Premier Menachem Begin indicated that he accepted President Carter's explanation that U.S. support for the resolution was an error due to "a failure of communications" but he urged the U.S. to repudiate the resolution in its entirety.

(Meanwhile, it was announced in Washington that a Congressional hearing will be held next Thursday to investigate the U.S. "foul-up" in the UN. See separate story.)

In a political statement to the Knesset, the first since the latest crisis in U.S.-Israeli relations erupted, Begin repeated his claim that Israel has an undisputed right to settle anywhere in "Eretz Israel" and that the settlements are an integral part of the State's security. He denounced the Security Council's call for dismantling Jewish neighborhoods in East Jerusalem as "barbaric."

Begin disclosed that he had received a cable from Carter explaining that the American vote had been cast in error on the assumption that a paragraph referring to Jerusalem had been deleted from the resolution. "It goes without saying that we regard the words of the American President with all due respect," Begin said.

But, he added: "A question must be asked whether this single error that Carter pointed at was the only expression of animosity in the resolution toward Israel and her vital interests. What about all other paragraphs which repeatedly mention Jerusalem and contradict the Camp David accords?"

Labor Party chairman Shimon Peres supported the government's stand against the American vote which, he said, went against "U.S. Mideast policy." He also expressed opposition to the supply of sophisticated weaponry to the Arab states by the West, including the U.S. He said this limited Israel's technological advantage over its neighbors.

However, the opposition leader had strong criticism for Begin's government. "We think that it caused, in a way, a deterioration of the Israeli position in the world," he said. Referring to the controversial Hebron issue, Peres declared, "We are surely against settling Hebron with Jews as well as other settlements in the middle of densely populated Arab areas." He said the only solution is to hold new elections to replace the present government with one that will adopt a clear policy.

Dayan Attacks Settlement Policy

Former Foreign Minister Moshe Dayan, an independent MK, surprised the Knesset with the vehemence of his attack on the government's settlement policy, especially in Hebron. The settlement of Jews in Hebron is completely unnecessary, Dayan declared. If, indeed, the government be-

lieves the return of Jews to Hebron is so vital, why did it wait for a Jew to be murdered there before initiating such a step, he asked. He charged that the government was taking reprisal actions rather than adopting a clear policy in the occupied territories.

Dayan also criticized the evacuation of the last Arab family from the Jewish quarter in East Jerusalem. Ayub Hamis Toutanji, his wife and six children, left their home overlooking the Temple Mount last Tuesday after an unsuccessful eight-year legal battle to retain ownership of the property that has belonged to his family since 1935. The neighborhood was taken over by the government after 1967 for conversion into an exclusively Jewish quarter.

Dayan said the decision against the Toutanjis disturbed him both as a politician and a Jew. "Why? Why? What do we want, how do we want to live? Let us assume that an Arab would live in the Jewish quarter. So what?" Dayan asked.

PREPARATIONS UNDER WAY FOR SENATE HEARING ON U.S. 'FOUL-UP' IN UN

By Joseph Polakoff

WASHINGTON, March 6 (JTA) -- Preparations were underway by the Senate Foreign Relations Committee today for a public airing of the "foul-up" by the Carter Administration in dealing with the United Nations Security Council resolution condemning Israeli settlements, first supported by the U.S. and then repudiated 48 hours later by President Carter.

Sen. Frank Church (D-Idaho), the committee chairman, announced the hearing for next Thursday morning at 10 o'clock. It will be open to the public. Invitations from the committee are going out today to Secretary of State Cyrus Vance, Assistant Secretary of State for Near East and South Asian Affairs Harold Saunders, the chief U.S. delegate to the UN, Ambassador Donald McHenry, and the State Department's legal aide, Roberts Owen.

Sen. Richard Stone (D-Fla.), chairman of the Foreign Relations Committee's subcommittee on the Middle East, will chair the hearings. Church will be in Idaho on that day to announce his candidacy for re-election to the Senate.

A committee source said, in reply to questions by the Jewish Telegraphic Agency, that White House officials will not be asked to testify at the hearing since, on the basis of previous experience, the White House exercises executive privilege. The JTA was informed that the hearing will involve the following:

Elements In The Hearing

The circumstances and events surrounding the U.S. vote on UN Security Council Resolution 465; U.S. policy on the issues contained in the resolution; and action to be taken by the U.S. to comply with and implement the resolution in view of the fact that the record shows U.S. approval of it despite Carter's statement disavowing the U.S. vote. In this connection, witnesses will be asked what elements in the resolution the U.S. disavows.

Furthermore, the committee will seek to ascertain what the Carter Administration proposes to do in a formal way at the UN with regard to the resolution that is now an official UN document. In addition, the committee also will seek from the State Department all documents that attest to its contention that the Israeli settlements in the territories it occupied

in 1967 are illegal. The Administration has consistently maintained this position and Israel has disputed it. At the State Department today, chief spokesman Hoddging Carter said he was "not sure" whether Vance would appear as a witness at the committee hearing next week but noted that the Secretary would be "happy to discuss the matter with the Congress." He said Vance has "already discussed it with a number of Congressmen." Asked if Vance would be willing to testify on Carter's instructions, the spokesman said "until such issues formally are raised" he would not discuss them.

Carter was asked if the problem at the UN last Saturday involved two different texts of the resolution, one which Vance had and the other that McHenry had when they spoke Saturday morning in advance of the vote. The State Department spokesman said he would not discuss this and reiterated that the "basic responsibility" has been taken by Vance and he was not going into "internal details."

Carter said he would not quarrel with a reported statement by National Security Advisor Zbigniew Brzezinski that the resolution was not helpful to the U.S. because it angered the Israelis and the President's repudiation angered the Arabs.

Meanwhile, as the Carter Administration sought to put a lid on further discussion of the foul-up issue, the Senate committee's action and statements by various political figures kept the issue in the forefront.

Bill Brock, Republican National Committee chairman, sent a telegram to Carter questioning the Administration's policy in the Middle East. Brock said, "I am afraid that the recent events leave in question exactly what the policy of the Administration is toward Israel and the entire Middle East region." He said that by voting to condemn Israel the Administration has "nurtured those very forces that have undermined the peace process and the viability of the State of Israel itself. To declare now that it was done by accident does not excuse the error; it compounds it."

ISRAEL LODGES FORMAL COMPLAINT WITH FRANCE OVER GISCARD'S DECLARATION By Gil Sedan

JERUSALEM, March 6 (JTA) — Israel lodged a formal protest with France yesterday over President Valéry Giscard d'Estaing's endorsement of self-determination for the Palestinians. The protest was submitted to the French Ambassador, Marc Bonnefous, by Yosef Ciechanover, director general of the Foreign Ministry, at a meeting here. The French envoy promised to convey it to Paris.

Ciechanover told Bonnefous that the French President had, in effect, expressed support for what Israel considers an obstacle to the Mideast peace process. He said that the term "self-determination" was tantamount to support for a Palestinian state, a concept contrary to the Camp David accords. In a speech to the Knesset today, Premier Menachem Begin indirectly criticized Giscard. Without mentioning him by name, Begin took issue with "attempts to interfere in the Middle East" and likened them to the opprobrium of Nazi Germany in the 1930s which led to the destruction of Czechoslovakia.

Israel's protest was triggered by Giscard's endorsement of Palestinian self-determination on three occasions during his tour of Persian Gulf states this week. On Monday, the French President signed a joint communique with the Emir of Kuwait, Sheikh Jaber al-Ahmed al-Sabah expressing the

view that the Palestinian people "must enjoy, within the framework of a just and lasting peace, the right of self-determination." He supported the same position in his visits to Saudi Arabia, Bahrain, Qatar and Abu Dhabi.

The Israeli protest was similar to one made to Ireland last month after the Irish Foreign Minister, Brian Lenihan made a pro-Palestinian statement in Bahrain. In addition to France, Great Britain, West Germany, Ireland and Belgium have, for the first time, publicly expressed support this week for Palestinian self-determination. The member states of the European Economic Community (EEC) are reportedly deliberating over whether to extend official recognition to the Palestine Liberation Organization.

In addition, a move is underway, led by British Foreign Secretary Lord Carrington, to have the EEC countries support an amendment to Security Council Resolution 242 that would give political status to the Palestinians. Presumably this would be attempted if the current autonomy talks between Israel, Egypt and the U.S. failed to end in an agreement by the May 26 deadline.

Meanwhile, Israeli ambassadors in Western Europe have been instructed by their government to make known to their host governments Israel's concern over recent anti-Israel statements.

FRENCH JEWS PROTEST GISCARD'S POLICY By Edwin Eytan

PARIS, March 6 (JTA) — A four-member French Jewish delegation led by Alain de Rothschild, president of the Representative Council of French Jewish Organizations (CRIF) met today with Premier Raymond Barre to protest against President Valéry Giscard d'Estaing's one-sided declarations on the Middle East. The delegation, and a communique issued by the CRIF, stressed Giscard's failure to mention in his recent Kuwaiti declaration Israel's right to exist and its need for safe and recognized borders.

The delegation and the communique expressed the Jewish community's "fears and growing concern" regarding France's policy. Rothschild said that France's 700,000 Jews are "alarmed by the President's mention of Palestinian rights without even mentioning those of Israel."

The CRIF communique also deplored France's lack of support for the Israeli-Egyptian peace treaty and lack of recognition of Israel's attempt to find a solution to the Palestinian problem within the framework of the Camp David accords.

Giscard last Monday in a joint communique with Kuwait stressed the Palestinian "right to self-determination" and recognized that "there is not a refugee problem" but one which he implied needs political solutions. Giscard arrived in Jordan today on the fifth leg of his current tour of Arab states.

SCHMIDT: MIDEAST STABILITY DEPENDS ON SOLUTION OF PALESTINIAN PROBLEM By Richard Levitt

NEW YORK, March 6 (JTA) — Chancellor Helmut Schmidt of West Germany declared here today that stability in the Middle East depends on a solution of the Palestinian problem and a comprehensive peace settlement in that region which "is not in sight."

Responding to a question at a Foreign Policy Association luncheon at the Waldorf-Astoria Hotel, Schmidt said: "Arabs still believe the Soviet thrust in the region is a danger but there may be a greater danger with an unsolved Palestinian question. Some of them fear enemies not in Moscow. I hate to say this but the fact that the Palestinian question remains unsolved and that a comprehensive peace

treaty is not in sight, is a great handicap for those who wish to preserve stability in the Gulf area.

Schmidt said that "So far, there has been little progress in the autonomy talks. There is the absence of a possible comprehensive settlement which will have to provide security for the State of Israel on one hand and the rights of the Palestinians." He said that such a settlement was important to the Israelis, to the Palestinians and to the Arabs, particularly those Islamic countries which are great oil exporters.

'THE GREAT PILGRIMAGE TO JERUSALEM'

NEW YORK, March 6 (JTA) -- Plans for "The Great Pilgrimage to Jerusalem" -- an American Zionist Federation project that aims to bring 1000 American Jews to Israel's capital for a three-day conference Nov. 17-20 -- were announced yesterday at a news conference here.

Rabbi Joseph Sternstein, AZF president, said the Carter Administration's support of the UN Security Council resolution last Saturday condemning Israel "dramatically underscores the need for a great demonstration of solidarity and support with Israel on the crucial question of Jerusalem."

Jerusalem must remain united under Israeli sovereignty, Sternstein said. "Our purpose in mobilizing The Great Pilgrimage to Jerusalem is to make sure that the American people and the American government understand the depth of Jewish sentiment on this issue," he said.

Rabbis and members of 100 Conservative, Orthodox and Reform congregations across the country are expected to take part in The Great Pilgrimage, according to the three co-chairmen of the event, representing each of the three major branches of Judaism: Rabbi Arthur J. Lelyveld (Reform) of Frimount Temple, Cleveland; Rabbi Seymour Cohen (Conservative) of Anshe Emet Synagogue, Chicago; and Rabbi Haskel Lookstein (Orthodox) of Congregation Kehillath Jeshurun, New York. Lookstein is currently in Israel helping complete arrangements for The Great Pilgrimage.

Lelyveld, the current chairman of the Synagogue Council of America, said The Great Pilgrimage would underscore "the place of Jerusalem in the faith and history of the Jewish people." It would serve, he said, as a "significant educational tool, solidifying American Jewish sentiment and, at the same time, as a morale booster for our fellow-Jews in Israel."

MASS WEDDING FOR JEWISH COUPLES FROM THE SOVIET UNION

By Ben Kayfetz

TORONTO, March 6 (JTA) -- Twenty-eight Jewish couples from the Soviet Union were "remarried" under the chupah in Adas Israel Synagogue in nearby Hamilton, Ontario recently by Rabbi Morton Green, the synagogue's spiritual leader. To the strains of "mazel-tov, mazel-tov" they walked down the aisle of the synagogue for the first time in their lives openly proud of being Jews.

The ceremony was shared by friends and relatives, some members of the congregation and the Hamilton Jewish community and officials of the Jewish Immigrant Aid Services of Canada who had come to see for themselves what is already becoming a tradition in this city of 5000 Jews 40 miles west of Toronto: a mass Jewish wedding for immigrants from the USSR.

It was the third year in succession that the

ceremony has taken place, and with more immigrants expected, next year's wedding may be the biggest yet. The initiator is Green, an Orthodox rabbi who has welcomed the newcomers into his shul. Carol Krames, the Jewish Social Services director, was responsible for the wedding preparations, and his teaching staff was responsible for the instruction in Yiddishkeit available for those who wanted it.

Prior to the wedding, Green spent hours interviewing each couple, obtaining personal information and, when necessary, bestowing upon them Hebrew names.

TREASURES OF DANZIG TO BE DISPLAYED

NEW YORK, March 6 (JTA) -- The history of the Danzig Jewish community will be told in an exhibition to open at The Jewish Museum on March 26. Ceremonial objects from the great synagogue (demolished by the Nazis) and private collections, as well as documents, photographs and audio-visual materials relate the story of a once thriving, cultured, German-East European Jewish community which is no more.

In December, 1938, the Nazis informed the Danzig Jewish community that their synagogue was scheduled for demolition, that their property (which included the Jewish cemetery) must be sold, and that all Jews must prepare to emigrate. Proceeds of the sale of this communal property were used to finance the emigration of those still permitted to leave.

In May, 1939, the elders of the Jewish community gathered together ceremonial objects used in the great synagogue (which incorporated several earlier synagogues), the special collection of Judaica which had been housed therein (gift of the prominent art collector, Lesser Gieldzinski, on his 75th birthday in 1904), and precious heirlooms from private families.

With the help of the American Jewish Joint Distribution Committee, negotiations were completed with the Danzig Police Department -- "For a certain sum of money which presumably would also help expedite the emigration of Jews from Danzig -- (the police) permitted the export of these objects to the United States," it was recalled by a spokesman for The Jewish Museum. In July, 1939 10 crates containing over 500 examples of Judaica were delivered to The Jewish Theological Seminary of America.

The understanding was that if, at the end of 15 years there remained a Jewish community in Danzig, these treasures would be returned. If not, the valuables would stay in this country "for the inspiration and education of the rest of the world." In August, 1939 the German army marched into Danzig. Meanwhile, Jews continued to flee to Poland; Palestine, the Soviet Union, or whichever country would accept them or in which they could find a haven.

One hundred thirty-four silver, gold, bronze and brass ceremonial objects and textiles along with Torah crowns, Torah shields, rimmonim, seder plates, menorahs, alms boxes, spice boxes, Kiddush cups, prayer books and Torah ark curtains will be shown to the general public for the first time since leaving Danzig.

...

AMSTERDAM (JTA) -- A new trial for Pieter Menten will start before the Rotterdam District Court on May 13. This followed a recent decision by the Supreme Court that Menten, 80, cannot be considered legally insane. The Rotterdam court had earlier suspended Menten's trial indefinitely because, according to two of three psychiatric experts consulted by the court Menten was no longer fit to stand trial in view of his mental condition.

BEHIND THE HEADLINES**NAZI WAR CRIMINALS:****NEW SETBACKS, OLD PROBLEMS**

By Rochelle Soidel Wolk

ALBANY, N.Y., March 6 (JTA) — No Nazi war criminal living in this country has ever been deported for his crimes by the United States government and sent back to the country where he committed his crimes. Some 400 alleged Nazi war criminals, a 40 percent increase from the government's previously announced figure, finally are now being investigated.

But the issue took three giant steps backward last month when Feodor Fedorenko's petition for certiorari was granted by the Supreme Court, when the Frank Walus case was reversed and remanded by the Court of Appeals, and when the Karlis Detlavs case was decided against the government in Immigration Court in Baltimore.

Allan Ryan Jr., Walter Rockler's designated successor to head the Justice Department's efforts regarding alleged Nazi war criminals, has pledged to complete the 400 cases, and foresees some deportations. With these three setbacks and another decision against the government predicted shortly by most experts, however, the probability of any deportation is minimal for at least the next several years.

The granting of certiorari to Fedorenko of Miami, and the Court of Appeals decision to reverse and remand the case of Walus of Chicago will have psychological and possible direct bearing on the Detlavs appeal, if the government decides to appeal the Detlavs decision. The Baltimore decision in favor of Detlavs, an admitted member of the Latvian Waffen SS, will probably be appealed by the Justice Department's Office of Special Investigations (OSI), which is filing a preliminary notice of appeal.

Detlavs, accused by eyewitnesses of atrocities against the Jews of Latvia, including mass murders in the Rumbula forest, admitted in court that he lied on his entrance visa regarding his activities.

Legal Tangles Of The Cases

The Detlavs decision did not follow the principle that lies in an entrance visa, are sufficient reason for deportation, as established by the Court of Appeals in the Fedorenko case. Before the decision was made on the Detlavs case, Fedorenko's petition for review by the U.S. Supreme Court was granted.

The case of Fedorenko, an admitted SS guard at Treblinka concentration camp, was decided against the government on July 25, 1978, although the defendant admitted lying on his entrance visa. This decision was reversed by the U.S. Court of Appeals (Fifth Circuit Court, New Orleans) on June 28, 1979, and the trial judge was ordered to strip Fedorenko of citizenship. The Court of Appeals held that lying on his entrance visa was sufficient cause for denaturalization.

The defendant filed a motion for a re-hearing to the Appellate Court, which was denied on Aug. 13, 1979. On Feb. 19, 1980, the defendant's petition for certiorari was granted by the U.S. Supreme Court, which will therefore review the Court of Appeals decision.

Until the Supreme Court decides on the Fedorenko case (which could take a year), it cannot be determined whether lying on a visa is sufficient grounds for deportation. If the government decides to appeal the Detlavs case on these grounds, the

case will remain open until the Fedorenko decision.

Walus, a U.S. citizen accused as a Gestapo agent who participated in murders of Jews and others, was ordered denaturalized by a U.S. District Court in Chicago. That decision has now been reversed and remanded by the 7th Circuit Court of Appeals. Experts believe this new development in the Walus case will have a psychological effect on a possible Detlavs appeal.

Publicizing War Criminals In The U.S.

The issue of Nazi war criminals in America was first publicized to the American masses for the first time through a Jan. 13, 1980 ABC-TV network documentary, "Escape from Justice: Nazi War Criminals in America," viewed by an estimated 30 million people; then by a feature article, "Were These Men Killers for the Nazis?" in the January-February Life magazine.

But the presence of Nazi war criminals here goes back to the 1940s. At least one case was known to the government as early as 1949, when Yugoslavia requested the extradition of Andrija Artukovic. He is charged, while Minister of Interior of the Nazi puppet state of Croatia, with signing documents that resulted in the mass murder of some 750,000 people, including Gypsies, Serbs, Croats, and 68,000 Jews. (Artukovic is still living freely in Surfside, Calif.)

As Nazi-hunter Simon Wiesenthal has said: "The Cold War had no winners. The only winners were the Nazi war criminals. For 12 years, we had a closed season for these crimes, and during that time they escaped from Europe to South America, Arab countries and Spain (and the United States). Only after the Eichmann trial in 1961 did a new search begin."

Because of Cold War competition for scientists, the U.S. government actually solicited some Nazis in the 1950s, through such programs as "Project Paperclip," brought them here, and employed them. Other Nazi war criminals filtered in as displaced persons, posing as legitimate refugees. Until the mid-1970s, with few exceptions, no one challenged the government's virtual neglect, and, in some cases, deliberate obstruction, regarding the presence of Nazi war criminals living here, according to numerous documented reports. Some alleged Nazi war criminals were even used by American intelligence agencies, such as the CIA, FBI, State Department, and others, in Cold War activities.

This was confirmed by a 1978 study by the General Accounting Office, the investigative arm of Congress. "No one with the slightest pretension of knowledge or bleness can overstate the powerful, if not ultimately fatal, role an obstreperous American intelligence community may continue to play," Nazi war criminal expert and journalist Charles Allen Jr. wrote in the September-October, 1979 issue of The Jewish Veteran.

It is picture changed in 1973-1974, when several events brought the issue into the open: Hermine Braunsteiner Ryan, a Queens housewife and former concentration camp guard supervisor, was extradited to West Germany to stand trial; Vincent Schiano and Anthony DeVito, officials of the Immigration and Naturalization Service, accusing that agency of years of cover-up on the subject of Nazi war criminals, left their jobs; and Rep. Elizabeth Holtzman (D-NY) and Rep. Joshua Eilberg (D-Pa.) of the House Judiciary Subcommittee on Immigration, Refugees and International Law, took an active interest in the issue and pushed it in Congress.