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HABIB BACK IN ISRAEL, STATUS OF MISSION UNKNOWN

By David Landau

JERUSALEM, June 17 (JTA) -- U.S. special envoy Philip Habib returned to Israel this afternoon after several weeks' absence. He flew in from Damascus but neither he nor other American officials would comment on the status of his mission to defuse the Israeli-Syrian missile crisis over Lebanon.

Habib will meet with Premier Menachem Begin tomorrow morning. But reports in the Syrian press and speculation among Israeli observers during the past few days have been uniformly negative with respect to Habib's chances of success. During his latest visit to the Syrian capital, all indications were that President Hafez Assad will not consent to remove the SAM-6 anti-aircraft missiles from Lebanon that Israel has threatened to destroy.

Various comments reported by the State-controlled Kol Israel Radio today reflected pessimism in Israeli official quarters. The consensus seemed to be that Habib's mission is going on endlessly with no progress in sight. Virtually the same view was expressed in Syria's government-controlled press this week.

Israeli sources stressed that Begin would give the American diplomat all the time he needs to come up with a peaceful solution if Habib himself would indicate that he had reasonable prospects to do so. He has been on his mission for six weeks, including a week in Washington for consultations and has visited Saudi Arabia, Lebanon, Syria and Israel a number of times.

SECURITY COUNCIL SEEKING 'CONSENSUS' STATEMENT ON ISRAELI RAID

By Yitzhak Rabi

UNITED NATIONS, June 17 (JTA) -- Jeane Kirkpatrick, the U.S. Ambassador to the United Nations, indicated today that efforts are underway to reach a consensus statement in the Security Council on Israel's air raid that destroyed Iraq's nuclear reactor June 7.

Speaking to reporters after this morning's session of the Council, Kirkpatrick, asked when she intended to address that body, observed that "The speech is a lot less important than finding a consensus resolution."

Meanwhile, intensive behind-the-scenes negotiations were underway to reach a consensus statement rebuking Israel for the raid. The efforts, reportedly initiated by France, are aimed at avoiding a U.S. veto of a harsh resolution being pushed by Iraq which calls for military and economic sanctions against Israel.

The Jewish Telegraphic Agency was informed that two draft resolutions critical of Israel were in circulation today. According to the informants, the West European delegations are seeking a "mild" resolution that would condemn Israel for the air raid but avoid reference to sanctions. The other draft resolution, being developed by delegates from the non-aligned countries, supports Iraq's call for sanctions in addition to condemning the

raid. According to sources here, such a resolution was virtually certain to be vetoed by the U.S.

ISRAEL DEFENDED, CRITICIZED AT HOUSE HEARINGS ON IRAQ RAID

By David Friedman

WASHINGTON, June 17 (JTA) -- State Department officials stressed today that neither the Reagan Administration's "condemnation" of Israel nor its suspension of the delivery of four F-16 planes implies "judgement" on whether Israel violated its arms agreement with the United States when it used American-made weapons to destroy the Iraqi nuclear reactor June 7.

But Walter Stoessel, Jr., Undersecretary of State for Political Affairs, said the United States believes that Israel did not "exhaust all the diplomatic options" before the raid. He also said that the U.S. did not share Israel's belief that Iraq was on the verge of building nuclear weapons, although the U.S. was concerned about the Iraqi nuclear program and understood Israel's concern.

Stoessel and several other senior State Department officials testified before a joint meeting of the House Foreign Affairs Committee's Subcommittee on Europe and the Middle East and the Subcommittee on International Security and Scientific Affairs.

The hearing was held following Secretary of State Alexander Haig's letter to Congress last week that "A substantial violation" of the 1952 Mutual Defense Assistance Agreement with Israel "may have occurred."

The Senate Foreign Relations Committee is scheduled to begin holding hearings on the matter tomorrow. Rep. Clement Zablocki (D. Wis.), chairman of the House Committee, said it was "essential" that the "true and complete facts be established." But Zablocki indicated the House may not make a determination on whether Israel violated the agreement. Stoessel could not say when the State Department's review of the matter would be finished. He also said that it would be "premature" to indicate when the suspension of delivery of the planes would be lifted.

Damage To Peace

In his testimony, Stoessel noted that the U.S. had condemned Israel after the Iraq attack and that Washington "cannot but be dismayed by the damage which has been done to the search for peace in the Middle East" by the Israeli action. He particularly noted that the raid had especially embarrassed President Anwar Sadat of Egypt and "cast a shadow" over the efforts of special envoy Philip Habib to bring a peaceful solution to the crisis in the Middle East.

At the same time, Stoessel said that the U.S. understood Israel's concern over Iraq, which has never recognized Israel and is still technically at war with it. He said Iraq "has not played a constructive role in the Middle East peace process." He also conceded that Iraq is considered a nation that aids terrorism.

But he rejected a contention by Rep. William Broomfield (R. Mich.) that Iraq has used "blackmail" to get France and Italy to help it build its nuclear plant. While Stoessel refused to go into details, he argued that the U.S. has voiced concern about the Iraqi nuclear plans with France and Italy, and said that the Israeli action had prevented the U.S. diplomatic efforts from succeeding.

Rep. Stephen Solarz (D. NY) said he was "amazed and appalled" at Stoessel's refusal to say that Iraq was planning to build a nuclear weapon. He asked if the U.S. thought Iraq was intending "to replace oil as a source of energy?" But Ronald Stiers, director of the State Department Bureau of Intelligence and Research, also said that U.S. intelligence estimates did not believe Iraq was capable of building a nuclear bomb.

Congressmen Differ

Rep. Tom Lantos (D. Calif.) charged there was a "double standard being used against Israel since no one condemned Iran when it unsuccessfully bombed the same Iraqi nuclear plant last September. Nicholas Veliotis, Assistant Secretary of State for Near Eastern and South Asian Affairs, said that the attack came during the war between Iran and Iraq and the U.S. and others had expressed concern over the war and not just one particular incident.

Rep. David Brown (D. Miss.) said that a recently completed Congressional research study rejected Israel's contention that it had to bomb the nuclear plant because if it waited until the plant was operational, or "hot" it would have caused large numbers of deaths in Baghdad. He said the study found that a bomb dropped on an operational plant would not have endangered any more people.

Brown later told reporters that he and most members of the committee were friendly toward Israel but thought it should have waited until it had exhausted diplomatic efforts and not acted in a way which endangered the peace process.

Rep. Paul Findley (R. Ill.) said the U.S. was "a silent partner in the attack." He said if the U.S. had spoken to Israel about the use of American-made weapons in Lebanon, as he had urged the attack on Iraq would never have occurred.

Stoessel stressed that "the United States was not consulted in any way on any phase of this action. Nor were we informed in advance," he said.

JEWISH LEADERS HAIL REAGAN'S 'UNDERSTANDING' OF ISRAEL'S CONCERNS

By Kevin Freeman

NEW YORK, June 17 (JTA) -- Jewish community leaders today expressed their appreciation and gratitude to President Reagan for his "sympathetic understanding of Israel's position" and his concern over Israel's security at his press conference yesterday.

Howard Squadron, chairman of the Conference of Presidents of Major American Jewish Organizations said that the President "underscored the dilemma facing Israel" when he pointed out that nations that sign the Nuclear Non-proliferation Treaty may "themselves be violating that treaty" and that "the treaty does not lend itself to verification." Squadron added that by recognizing "Iraq's refusal to make peace with Israel or even acknowledge Israel's existence," the President gave reason to the Jewish State to "sincerely believe" that their attack upon the Iraqi nuclear reactor was indeed a defensive act.

Maynard Wishner, president of the American Jewish Committee said today that the President's expression of "Israel's vulnerability in regard to such countries as Iraq, who refuse to recognize her very existence is the very heart of the Middle East issue" and "is most significant."

Meanwhile, the President's decision to suspend the delivery of four F-16s to Israel "give the appearance that Israel has been prejudged without full consideration of the factors that made its actions necessary," according to a letter sent to Reagan by the National Jewish Community Relations Advisory Council (NJCRAC).

The letter, signed by NJCRAC chairman Bennett Yanowitz dated June 15 and made public today said the NJCRAC executive committee was "deeply distressed and disappointed" by the President's actions. The letter continued that in light of the fact that the United States "has rightly condemned Iraq as one of the principal purveyors of international terrorism" and that "American intelligence and diplomatic agencies assess Iraq's nuclear development program as being directed toward the production of nuclear weaponry," the destruction of the Iraqi reactor was "a necessary act of self-defense not deserving American condemnation."

GOLDBERG SAYS ISRAEL'S RAID ON IRAQ 'LEGAL' UNDER INTERNATIONAL LAW

By David Landau

JERUSALEM, June 17 (JTA) -- Former U.S. Supreme Court Justice Arthur Goldberg believes Israel had a "legal right" under international law to bomb Iraq's nuclear plant and that its June 7 air raid therefore was a "justified act of self-defense."

Goldberg, who also served as U.S. Ambassador to the United Nations in the late 60s, offered his opinion in a letter to Premier Menachem Begin that was released here tonight. "I have no doubt about Israel's right to bomb Iraq's nuclear installations in light of the given circumstances under traditional principles of international law and generally accepted concepts of what actions constitute self-defense between belligerents," Goldberg wrote.

He noted in that connection that Iraq and Israel were certainly belligerents in international law since "Iraq has consistently proclaimed that it is in a state of war with Israel." He pointed out further that "Iraq, contrary to relevant resolutions of the United Nations, has refused to renounce belligerency against Israel and to conclude a peace treaty" or to accept Security Council resolutions 242 and 338. Israel has expressed willingness to make peace in accordance with those resolutions, he said.

According to Goldberg, "In light of the fact that Iraq deems itself to be at war with Israel, the State of Israel under established rules of international law has the right to take military action, including bombing, against installations in Iraq which potentially may assist Iraq in its proclaimed warlike designs."

OSI CHIEF ASKS HELP OF HOLOCAUST SURVIVORS IN BRINGING NAZI CRIMINALS TO JUSTICE

By Barbie Zelitzer

JERUSALEM, June 17 (JTA) -- Allan Ryan Jr., director of the U.S. Department of Justice's Office for Special Investigations (OSI) issued a plea here today to Holocaust survivors around the world to help in locating Nazi war criminals now residing in the U.S.

"My office has one purpose," Ryan told a press conference at the World Gathering of Holocaust Survivors in Jerusalem, "To seek out, investigate and prosecute those persons who took part in Nazi persecutions and who received an American citizenship which was never rightfully theirs. Our ultimate goal is to remove them from the United States." Set up three years ago, Ryan's office is presently in-

vestigating 20 cases of such a nature. But Ryan believes there may be hundreds more. In that light, he needs to make contact with as many survivors as possible. "The cooperation of survivors can make the differences between winning and losing a case. The story must be told to American judges if we are to prevail," he said.

Ryan attended the World Gathering to talk with heads of survivor organizations. He circulated a questionnaire to all Gathering participants in hopes that this might broaden his contacts with Holocaust survivors from around the world.

DEMONSTRATORS PROTEST BRAILOVSKY TRIAL OUTSIDE SOVIET AIRLINE OFFICE

By Kevin Freeman

NEW YORK, June 17 (JTA) -- About 35 people gathered in front of the offices of Aeroflot, the Soviet airlines, here yesterday to protest the trial of Soviet Jewish activist Victor Brailovsky. Brailovsky, a cybernetist, is charged with crimes against the State and defaming the Soviet Union and its social system. The trial reportedly opened in Moscow this morning as scheduled.

Prof. William Glaberson, physicist from Rutgers University and a member of the Committee of Concerned Scientists read a statement outside the Aeroflot office saying that the charges for which Brailovsky is on trial "are the culmination of years of official harassment brought on by his application to emigrate to Israel." Brailovsky first applied for an exit visa in 1972.

Brailovsky had been the founder of the Moscow Sunday Scientific Seminar, weekly meetings and international conferences for scientists. Glaberson, who has participated in the Sunday Seminar said they are "purely scientific, adding that hundreds of other Western participants can attest to the fact that "nothing can be construed as defamation of the Soviet State."

Others participating in the demonstration included representatives of the National Conference on Soviet Jewry, the National Jewish Community Relations Advisory Council, the Council of Jewish Organizations in Civil Service, Pioneer Women, the United Synagogue of America, Hashomer Hatzair and the Greater New York Conference on Soviet Jewry.

In addition to the demonstration, which succeeded in closing the Aeroflot office just before noon, preventing individuals from entering the offices, hundred of telegrams directed to Soviet officials and to the Reagan Administration have been dispatched in the last few days, according to the Greater New York Conference on Soviet Jewry.

VIOLENCE AGAINST LABOR PARTY AN ELECTION ISSUE

By David Landau

JERUSALEM, June 17 (JTA) -- Election campaign violence, directed chiefly against the opposition Labor Alignment by Likud activists, allegedly inspired by or at least condoned by Likud, has become a major issue with elections less than two weeks away.

The latest incident occurred here today when Laborite Yaacov Ohion found the inside of his car gutted by fire and the outside smeared with the word "traitor" and other graffiti. Elsewhere in Jerusalem, the Labor Party reported its headquarters were broken into during the night and damage done to property.

The Labor Party is obviously seeking to focus attention on such incidents and the rowdyism and violence that has attended recent Labor election rallies all over Israel. On its TV cast last night, the Labor Party showed films of the disruption of a speech by party chairman Shimon Peres by pro-Begin youths in Petach Tikva Sunday night. Later, Likud screened a softspoken appeal by Premier Menachem Begin to "everyone" to cease election violence. He advised people to stay away from the rallies of parties they strongly opposed. But if they do attend, they must refrain from creating disturbances, he said.

AMSTERDAM GROUP OPPOSES RACISM

By Henriette Boas

AMSTERDAM, June 17 (JTA) -- The "Amsterdam Initiative Against Facism, Racism and Anti-Semitism" has called on the Minister of Justice to take measures to dissolve the "Nederlandse Volksunie" in view of its fascist and racist character. A statement issued by the group said that if the Minister does not take such steps within three months it will lodge a complaint with the international commission supervising implementation of the 1966 United Nations declaration banning racial discrimination.

The Volksunie failed to win a single seat in the May 26 parliamentary elections. The Amsterdam group, which is Communist controlled, was formed last December to oppose discrimination against ethnic minorities in Holland such as Moroccans, Turks, Surinamese and Jews. But it also actively combats those Moroccan and Turkish groups that it considers fascist.

NEO-NAZI PARTY GETS 4 YEARS TO PAY ELECTION DEBT

By David Kantor

BONN, June 17 (JTA) -- The neo Nazi National Democratic Party (NPD) has been given a four year period of grace to pay its 669,000 mark debt to a State-run foundation which allocated election funds to groups competing in the Bundestag elections. The debt was incurred by high advance payments reflecting previous election results in which the NPD had made considerable gains.

Sources here confirmed that Federal Finance Minister, Hans Matthoefer personally authorized the unexpected delay. The official reason given is that a thorough investigation has established that the NPD is in dire financial straits and is in no position to repay its debt immediately.

Under the agreement reached between the authorities and the NPD, the party committed itself to four 25,000 Mark payments yearly. The NPD is the biggest single neo-Nazi political organization in West Germany. In recent national elections it failed to win representation in the Bundestag.

In another development a court in Mannheim has declared unlawful the firing five years ago of a 28 year-old policeman, Juergen Schuetzinger, on grounds of his membership in the NPD. The decision reversed a verdict of a lower court, which confirmed the firing. Schuetzinger is the chairman of the NPD in the Federal State of Baden-Wuerttemberg in southwest Germany.

DR. AZMON DEAD AT 72

NEW YORK, June 17 (JTA) -- Dr. Avraham Azmon, senior vice president of the Magen David Adom, Israel's Red Cross service, died of a heart attack in Israel last Saturday at the age of 72, the American Red Magen David for Israel reported.

NEW TAMI PARTY BEARS HEAVY BURDENS IN ELECTIONS FIGHT

By David Landau

(This is the eighth in a series of articles examining the political parties running in the June 30 Knesset elections.)

JERUSALEM, June 17 (JTA) -- Tami, the new party put together by Religious Affairs Minister Aharon Abu Hatzeira only a month ago has had a hard time getting off the ground. To win any sort of meaningful representation in the next Knesset it must woo voters away from the entrenched religious-political blocs: the National Religious Party -- from which Abu bolted last month -- and the Aguda Israel.

Its name, the Hebrew acronym for Tenuah Lemassoret Israel (Movement for Jewish Tradition), is intended to appeal to those voters. But it apparently did not impress the venerable Rabbi Yisrael Abu Hatzeira of Netivot, Aharon's uncle who has endorsed the Aguda list. This was a severe setback.

The rabbi, known as "Baba Sali", leader of Moroccan Jews in Israel, is venerated by them as an ascetic and holy man. His followers tell of "miracles" he performed and his spiritual leadership is acknowledged by all Moroccan rabbis in Israel.

By spurning his nephew's political ambitions, Rabbi Yisrael has dampened Abu's hopes for support from the North African backers of the two major parties--Likud and the Labor Alignment. Public opinion polls taken during the first week of June indicated that Tami could expect no more than 3-4 Knesset seats. Abu and his No. 2 man, former Laborite Aharon Uzan, had expressed confidence they would win twice that number and emerge from the June 30 elections with important bargaining power.

The manner of the Baba Sali's repudiation was particularly embarrassing. Both Abu and Uzan had indicated publicly that their new party was created with his blessings. Indeed, a Tami spokesman at first denied Aguda's claim to his endorsement. But the rabbi invited television cameramen to his modest home in the Negev town of Netivot to record the act of his signing a pro-Aguda manifesto. His name appears alongside those of other leading rabbis from Israel's various ethnic communities, both Sephardic and Ashkenazic.

Theoretically, the Tami party would have been expected to benefit from the long standing differences between Sephardic and Ashkenazic Jews in the religious and other parties. The Moroccan-born Religious Affairs Minister quit the NRP because, among other things, it allegedly neglected its Sephardic constituents and discriminated against them in the allocations of "safe" spots on its election list.

The Aguda was also beset by such ethnic tensions during the bitter and delicate process of putting together its list of Knesset candidates. The first Sephardic name is that of Rabbi Melamed of Rosh Haayin in the chancey No. 5 spot. His Sephardic supporters had demanded one of the first four "safe" spots. The issue was resolved when the Aguda's "Council of Sages", the ultra-Orthodox party's supreme authority, ruled that Melamed would rotate positions with the No. 4 man midway through the life of the tenth Knesset.

A similar struggle occurred within the NRP where Abu Hatzeira's defection came as a serious blow. In the view of most political observers, it was no coincidence that the issue came to a

head on the day Abu was acquitted by a Jerusalem district court on charges of soliciting and accepting bribes in connection with his ministerial duties. The following day, Abu left the NRP citing "ethnic discrimination" as his reason.

Many observers believe that the spadework for that move began weeks or even months earlier and that Abu and his supporters were simply awaiting the verdict of the court before acting. In fact, since Tami was founded, the press has reported several "plots" by Sephardic politicians in the major parties that allegedly have been brewing for as long as two years. According to those accounts, Tami as finally constituted is but a pale shadow of a grander and bolder concept discussed by Sephardic leaders from Labor, Likud and the NRP over the past two years.

Sectarian Base

The idea, apparently was to establish one major Sephardic bloc which would have divided the Israeli body politic between Oriental and European Jews. But Tami, as it emerged, is a party of Jews of North African origin, indicating that its organizers had neither the time nor the patience to woo other Sephardic groupings such as the Iraqi Jews and Yemenites. As a result, Tami is perceived to have a narrow, sectarian base which has harmed its image in the election campaign.

Another harmful element is the controversy surrounding the key role played in Tami's creation and its financial support by the Geneva-based millionaire businessman and philanthropist, Nissim Gaon, president of the World Sephardic Federation. While Gaon has provided financial support to other parties, his generous pledge of cash to Tami was probably the most important factor enabling Abu to make his move.

According to one newspaper, Gaon has already given the new party a quarter million dollars. He is one of several principal contributors to a fund set up by Sephardim around the world to defray the costs of Abu's recent trial. But Gaon, once a close friend of Premier Menachem Begin, is not a popular figure with Israel's media. He has been accused of "interference in Israel's democratic process." Such hostile comments during the election campaign can hardly benefit Tami.

The ethnic essence of Tami's platform has also been attacked as an attempt to undo years of efforts to "integrate" Israel's disparate communities and to foment social and cultural tensions.

Another albatross that hangs heavy on the neck of the new party is the pending second trial of Abu, this time on charges of financial malfeasance as administrator of a charitable institution when he was mayor of Ramle five years ago. The trial will be held after the elections and some pundits believe many voters will by-pass Tami because of the question mark that still hangs over his character.

ENTEBBE HIJACK VICTIMS REACH OUT OF COURT SETTLEMENT WITH AIR FRANCE

By Hugh Orgel

TEL AVIV, June 17 (JTA) -- Air France, the French airline, has reached a secret seven-figure out-of-court settlement with the 67 Israelis held hostage in the hijacking of one of its aircraft by Arab and German terrorists to Entebbe in 1976 and the relatives of those killed. According to a Jerusalem Post report today, the settlement is in U.S. dollars. The airline stipulated that the agreement remain secret to avoid influencing outstanding foreign claims still being negotiated.