

Vol. LX - 65th Year

Tuesday, October 26, 1982

No. 202

SHARON TELLS INQUIRY COMMISSION THAT THERE WAS NO ANTICIPATION OF A MASSACRE WHEN ISRAEL SENT PHALANGISTS INTO BEIRUT CAMPS

By David Landau

JERUSALEM, Oct. 25 (JTA) -- It was assumed that when Israel sent the Christian Phalangist forces into the Sabra and Shatila camps in west Beirut that there would be civilian deaths, Defense Minister Ariel Sharon told the judicial commission of inquiry this morning.

"No one thought they (the Phalangists) would behave as we behave," he said. "But is a very far cry from that assumption to the anticipation of a bloody massacre ... None of us, myself included, ever for one moment in our worst dreams anticipated or feared a horror like that."

This distinction between anticipation of some civilian casualties and anticipation of a massacre was one of the key themes in the public testimony of Sharon before the commission of inquiry. He gave evidence in open court for more than two hours before chairman Justice Yitzhak Kahan ruled that the rest of his evidence would be held behind closed doors.

The Defense Minister said that no one in Israel, at any level of decision-making, raised the thought of a potential massacre in prior consultations concerning the entry of the Phalangists into the camps. This statement, he said, included Deputy Premier David Levy's remark at the September 16 Cabinet meeting referring to a possible massacre. Sharon said Levy had "not opposed" the decision to send the Phalangists in.

Background Of The Massacre

Sharon said Israel's purpose in sending the Phalangists into the two camps -- they were also slated to enter a third Beirut camp, Kafahani -- had been to spare Israel Defense Force lives. He recalled a long-standing Cabinet policy decision from the second week of the Lebanon war to involve the Christian forces in the fighting and said the decision to send them into the camps was the "military implementation" of that political decision.

He noted in response to tough questioning from commission members that Phalangist participation in prior actions during the war had been satisfactory from the standpoint of their behavior -- "very reasonable" was how he described it.

Sharon conceded, however, that in the years of civil war before the IDF's entry into Lebanon there had been instances of Christian massacres of Palestinians, citing Tel El-Zaatar (1976) as an example. He remarked in an aside that Amin Gemayel, now Lebanon's President, had been actively involved in that episode.

Sharon said the aim of the IDF's entry into west Beirut itself in the wake of President-elect Bashir Gemayel's assassination was "to crush" the remaining (2,000) PLO terrorists there and prevent them regrouping, with the help of sympathetic leftwing militias, and retaking key areas of the city.

"We did all that was humanly possible to prevent civilian casualties," Sharon said of this IDF action that had been decided on by himself, Prem-

ier Menachem Begin and Chief of Staff Gen. Rafael Eitan at midnight September 14, several hours after the bomb blast that killed Bashir Gemayel.

Regarding the massacre on the night of September 16 and September 17 and 18, Sharon said he first heard of it from Eitan, who phoned him at his home on September 17 at 9 p.m. Eitan reported he had just returned from Beirut where he had given orders at noon that day that the Phalangists be removed from the two camps by 5 a.m. the following morning (September 18) and that additional Phalangist forces be prevented from reaching the camps.

Eitan had told him that civilians had been killed "beyond what had been expected," Sharon recalled. Eitan had used the term "they overdid it," he told the commission.

Pressed by Justice Aharon Barak why, having learned of the killings, he permitted the Phalangists to stay on till the next morning, Sharon said that it is hard for an armed unit to withdraw fast from a built-up area where fighting is in progress. This was especially the case with the Phalangist forces who lacked communications equipment.

A subsequent phone call to him at 11:30 p.m. on September 17, from Israel TV correspondent Ron Ben-Yishai, with second-hand reports from soldiers of killings in the camps, had added nothing Sharon said. It simply corroborated Eitan's information -- and he (Sharon) was satisfied with the actions taken by Eitan and reported to him earlier.

The Defense Minister said he had tried to phone Begin during the morning of September 18, but the Premier was in synagogue as it was Rosh Hashanah. There were discussions that morning with Eitan and with Foreign Ministry Director General David Kimche and Sharon stressed the IDF had been ordered "to stop it, to prevent further (Phalangist) forces getting in and to drive those in, out." After the story hit the news media later that day, Sharon recalled, he had ordered a full-scale report to be submitted to him by the army.

Media Attention Riveted On Sharon

Sharon spoke in a small lecture hall at the Hebrew University west Jerusalem campus, with 45 selected pool reporters from local and foreign media intently noting his every word. His wife Lily and close aide Uri Dan attended the session, too.

Before the evidence began, the commission allowed a five-minute photo opportunity for scores of cameramen who were later ushered out to make way for reporters. No ordinary members of the public were allowed in.

The Defense Minister had prepared a set speech, beginning with a defense of the Lebanon war and the wide-ranging assault on the PLO. He read this out and it was plain he expected the commission then to adjourn the proceedings to behind closed doors.

(He had insisted on the right to appear in open court -- saying he had "nothing to hide," but in his speech he noted that he had much to say of a secret nature.)

Commission chairman Kahan and Justice Barak were plainly not prepared to fall in with Sharon's strategy -- and they began presenting him with tough, detailed questions about Christian-Palestinian

relations in Lebanon, Israel's anticipations, and more. Repeatedly, Sharon said he would prefer to answer behind closed doors -- and repeatedly the commission insisted on an answer, even if incomplete, in open court.

ISRAEL'S CREDENTIALS AT UN EXPECTED TO BE ACCEPTED By Yitzhak Rabi

UNITED NATIONS, Oct. 25 (JTA) -- The General Assembly is expected to accept en bloc today the credentials of Israel and 89 other countries for participation in its 37th session. But the battle between Israel and the Arab states and their allies continued in the form of letters circulated by both sides as official UN documents.

A letter signed by 43 Moslem, Communist bloc and Third World countries contained a nine-point "reservation" over Israel's credentials, charging, among other things, Israel's consistent flouting of UN resolutions pertaining to the Palestinians and the Middle East.

Israel's Ambassador to the UN, Yehuda Blum, countered with a letter, also addressed to General Assembly President Imre Hollai, of Hungary, denouncing the Arab letter as "a gratuitous and completely unfounded attack" on the credentials of the Israeli delegation which "were found in due form by the Credentials Committee." He called the Arab letter "one manifestation of" their "obsessive hatred of Israel."

Arabs Retreat From Ouster Efforts

The Arabs had decided two weeks ago to seek Israel's suspension from the General Assembly. They retreated from that last week after the United States warned that if Israel were expelled it would walk out and terminate its payments to the world organization.

Today's letter was circulated in lieu of the ouster attempt. It was officially designated a "reservation" rather than an objection to Israel's credentials but stated that "The present reservation should not in any manner prejudice our position concerning the Israeli presence in the General Assembly." Egypt was the only Arab state that was not a signatory to the letter.

It charged that Israel "flagrantly and persistently violated the principles of international law and the Charter of the United Nations" and that "Israel has consistently defied with impunity UN resolutions relevant to the question of Palestine and the Middle East."

The letter referred to the General Assembly's declaration that Israel "is not a peace-loving member-state" and charged that "it has carried out neither its obligations under the UN Charter nor its commitment under General Assembly Resolution 273 of May 11, 1949." The latter was the resolution admitting Israel to membership in the UN.

Other Accusations By The Arabs

The Arab letter also accused Israel of failing to implement Security Council and General Assembly resolutions concerning Jerusalem "which it has illegally annexed and claims as its capital" and of refusing to adhere to the Security Council and General Assembly resolutions that it rescind its annexation of the Golan Heights.

According to the letter, "The credentials of the Israeli delegation issued in Jerusalem implicitly alleged that the delegation represents the inhabitants of Jerusalem and the Golan Heights in contravention of international law and the relevant resolutions of the UN."

Israel was further charged with refusal to implement UN resolutions "concerning the inalienable rights of the Palestinian people" and to withdraw "from Palestinian and other occupied Arab territory, including Jerusalem." The letter referred to "Israel's invasion of Lebanon and the crime of genocide it committed against the Palestinians in Lebanon."

Blum Denounces The Letter

In his rejoinder, Blum called the Arab letter "a crude and transparent attempt to abuse the credentials procedure in order to introduce matters completely extraneous and irrelevant to it."

Blum added: "It (the letter) constitutes one more manifestation of the obsessive hatred toward Israel of certain states which, ever since Israel was established in 1948, have been bent on my country's destruction and in the process have flagrantly violated both general international law and the (UN) Charter."

Referring to the nine points of "reservation" Blum said: "It is evident that the contentions advanced in the letter under reference would be irrelevant to the credential procedure even if they are true -- which they are not." The Israeli envoy listed four points of his own:

* "The reports of the Credentials Committee is not the occasion for any country to engage in polemics of the kind appearing in the letter under reference."

* "Such unjustified aspersions cast on credentials which are in due form and have been accepted as such by the Credentials Committee are in violation of the letter and spirit of the UN Charter."

* "The approach reflected in that letter is also incompatible with the principles guiding the UN, including the duty incumbent on all members of the UN to use it, as the Charter enjoins, as a 'center for harmonizing the actions of nations,'"

* "This approach does not merely rebound to the general discredit of the UN system as a whole; it is also liable to affect adversely the ability of the UN to perform its primary function for the maintenance of international peace and security."

Steps For Approving Credentials

According to procedure, the Credentials Committee will inform the General Assembly plenum that it has reviewed the credentials of member-states and ask for objections. If there are no objections, the credentials are approved and accepted automatically.

The Arab letter of reservation, while not an objection, could be used as a document in a new attempt to oust Israel when the General Assembly convenes for its 38th session next year.

EL AL WORKERS GIVEN THREE WEEKS TO ACCEPT MANAGEMENT PRINCIPLES WHICH COULD SAVE THE AIRLINE

By David Landau and Hugh Orgel

JERUSALEM, Oct. 25 (JTA) -- El Al workers have been given three weeks to accept a set of management principles which could save the troubled air carrier from liquidation. That was the nub of yesterday's Cabinet decision to initiate steps toward voluntary liquidation as recommended by the El Al board of directors last week.

The liquidation decision was hedged by the offer to the workers. The Cabinet communique said that if Histadrut was able to announce on behalf of the workers committees that they accept the management principles, "negotiations shall begin forthwith on a continuing basis for the conclusion of new labor relations between the management and the Histadrut." A 21-day deadline was set for agreement.

Management is demanding broad new authority to run the airline. It insists that the workers be represented by a single union rather than the eight separate committees as heretofore.

It wants sole authority on hirings, firings, job assignments, promotions and overall operations. Management would abolish seniority as a form of job security. The traditional "first in, last out" principle whereby veteran employees were entrenched in their positions regardless of efficiency would no longer prevail.

Reaction To The Cabinet's Decision

The immediate reaction to the Cabinet's decision was assent by six of the workers committees to further negotiations on the basis of management terms. But the flight attendants and pilots committees are holding out. The pilots asked for time to examine the proposals to make sure they did not affect passenger safety. At stake is the principle that the pilot, like a ship's captain, has sole responsibility for his aircraft and authority to make decisions on the ground or in flight.

El Al has a long history of labor strife and heavy losses. It was grounded by management decision nearly six weeks ago because of a wildcat strike by flight attendants. Yesterday's Cabinet decision offered hope that the airline can be reorganized, either with or without formal liquidation if labor agrees to an entirely new kind of relationship with management.

The Pilots Association has called a meeting for later this week. But airline sources said their decision is not vital because there is a worldwide excess of pilots due to the recession. New pilots can be found easily to fly the planes of a reorganized company.

El Al's current debts are said to amount to some \$200 million. That sum would have to be found by the Finance Ministry whether the airline is reorganized as a State enterprise or liquidated and sold to private interests.

CANADIAN OFFICIAL SAYS HIS COUNTRY IS NOT OPPOSED TO THE CREATION OF A PALESTINIAN STATE

By Michael Solomon

MONTREAL, Oct. 25 (JTA) -- A Cabinet minister told a gathering here of Arab students from the United States and Canada that "Canada is not opposed to the creation of a Palestinian state and does not exclude such a creation" but that "the security of Israel is the central issue in the Arab-Israeli dispute."

Those remarks were made by Pierre de Bane, the Minister of Fisheries, who represented the federal government at the convention of the Association of Arab-American University Graduates here over the weekend.

Addressing the several hundred delegates, most of them from the United States, de Bane said Canada also supports President Reagan's efforts to establish self-rule for the Palestinians on the West Bank and Gaza in association with Jordan. He did not say under what conditions Canada would support a sovereign Palestinian state.

Sharp Protests From Jewish Community

The attendance of federal and provincial government ministers at the gathering drew sharp protests from the Jewish community because they shared the platform with officials of the Palestine Liberation Organization. Among the latter was Dr. Fahtu Arafat, head of the Palestine Red Crescent, who is a brother of PLO chief Yasir Arafat, and Shafiq Al-Hout, a ranking PLO official from Beirut.

On Saturday night, some 800 Jewish students marched through downtown Montreal to the Sheraton Center Hotel where the convention was held

to protest the PLO presence in the city. Carrying placards with the words "No, No PLO" and "PLO Go Home," some of the youths tried to storm the hotel lobby but were driven back by riot police. The protesters represented the Hillel centers at Montreal area universities and the Committee for Jewish Action.

While the demonstration was in progress, the Quebec government's Minister for Intergovernmental Affairs, Jacques-Yvan Morin, addressed the convention. He said that peace in the Middle East could not be achieved except on the basis which would satisfy Israel's security needs and "a homeland for the Palestinians."

Arafat, who addressed the convention Friday, claimed that the Israeli invasion of Lebanon was "an important moral victory for the Palestinians." He said the crucial struggle is approaching which "I think will be political, we hope it will be political."

BAT MITZVAS ARE AS LEGITIMATE AS BAR MITZVAS, RABBI YOSEF RULES

By David Landau

JERUSALEM, Oct. 25 (JTA) -- Israel's Sephardic Chief Rabbi, Ovadia Yosef, has ruled that Bat Mitzva celebrations (for girls reaching the age of 12) are every bit as legitimate and valid as Bar Mitzvas for boys of 13.

Writing in the current annual issue of the Hechal Shlomo Year Book, Yosef explained that both celebrations were "Seudat Mitzva" (religious feasts) to celebrate the entry of the boy or girl into halachic adulthood, defined as the duty to obey the mitzvot (commandments).

Yosef conceded that Bat Mitzva celebration was not formerly common among Jewish communities. But he explained that this was perhaps because Jewish girls in olden days "absorbed religious values in the home."

Nowadays, in the much more open society around us, it was essential "from a pedagogic point of view" to encourage girls by giving them Bat-Mitzva parties and not causing feelings of resentment among girls by "discriminating" between them and boys, the Chief Rabbi stated.

Rabbi Goren Rules On Conversion

In the same publication, Ashkenazic Chief Rabbi Shlomo Goren handed down an important ruling in principle on the matter of conversion (ger). If a would-be convert says he intends to accept upon himself the Jewish religion, and abide by all the mitzvot, but does not intend to accept upon himself Jewish nationhood -- to become a member of the Jewish nation -- then his conversion to Judaism is invalid.

A convert, Goren wrote, must accept both elements, which are indivisible: Jewish religion and Jewish peoplehood. He cited the biblical saga of Ruth to prove his point.

Ruth, in her declaration of conversion, says to Naomi the immortal words: "Your people are my people and your God is my God." This shows clearly, Goren wrote, that the people element is even more important -- and certainly as important -- as the God element. The Jewish religion is in essence a national creed, the Chief Rabbi wrote, even though many of its precepts are universal.

JERUSALEM (JTA) -- The Knesset voted by a substantial majority to lift the immunity of its members facing traffic violations. The self-imposed discipline was applied in the face of growing public pressure and Attorney General Yitzhak Zamir's warning that he would crack down on violators by publicly asking parliament to lift the immunity of 15 of its members currently charged with breaking traffic rules.

BEGIN: THRUST OF ANY FUTURE CAMPAIGN ON SOVIET JEWRY SHOULD BE THAT OF REPATRIATION

By David Landau

JERUSALEM, Oct. 25 (JTA) -- Premier Menachem Begin told the presidium of the World Conference on Soviet Jewry that repatriation should be the main thrust of any future campaign on behalf of Soviet Jewry. The demand for repatriation, he emphasized, should continue to be "Let my people go."

He stressed that this demand should be couched in terms of repatriation rather than "emigration" with "the emphasis on the word patria--homeland."

Referring to the trickle of Jewish emigration from the Soviet Union, Begin warned it would be a mistake to divert activity from repatriation efforts to battle for Jewish cultural rights within the Soviet Union itself.

The Premier said he was confident that ultimately the "just cause" of Jewish repatriation from the USSR "will win the day because it is a basic human right written everywhere in the documents of human rights. This is an inherent right of every human being."

Begin predicted that "if this campaign is waged with vigor and with courage we will see tens of thousands of our brethren from the USSR come home." In this context he made special reference to the Prisoners of Zion and referred also to the Helsinki Final Act which the Soviet Union signed. The act included a call for reunification of families.

50 Delegates From A Dozen Countries

The presidium of the World Conference, which is also known as the Brussels Conference, is meeting in Jerusalem this week to determine future actions to try and increase Soviet Jewish emigration.

Among the more than 50 delegates at the conference from a dozen countries are leaders of top Jewish organizations, including the National Jewish Community Relations Advisory Council, National Conference on Soviet Jewry, Conference of Presidents of Major American Jewish Organizations, World Zionist Organization, B'nai B'rith, World Jewish Congress, and the International Women's Organization for Soviet Jewry.

Dulzin Describes Plight Of Two Jews

WZO chairman Leon Dulzin, who is also chairman of the presidium, read a letter addressed to the presidium from Ida Milgrom, mother of Anatoly Shcharansky, who beseeched that everything be done to save her son "while there is still time."

Shcharansky, who has been denied all contact with the outside world, has been on a hunger strike since Yom Kippur, she wrote. Dulzin said there were rumors that he was being force-fed.

Dulzin also referred to the plight of Ida Nudel who since completing her term of exile in Siberia has been on the run. Under Soviet law people may settle only where they can find work. Nudel was refused work in Moscow and was not able to take up residency there, although it is her former home. She has been moving from place to place and cannot settle anywhere, Dulzin told the delegates.

Recalling the 1980 Brussels Conference presidium meeting in Paris, Dulzin said he had drawn attention there to the potential tragedy of the closure of the gates of the Soviet Union to Jewish emigration. He had been fearful then that the Russians would use the large dropout figure as a pre-

text to halt emigration. Statistics had since proven that he had been correct, the WZO leader lamented. In 1979 more than 51,000 Jews had left the USSR. In 1980 the figure dropped to 21,000. Last year only 9,000 left. Till September this year merely 2,000 Jews had emigrated from the USSR.

"Our message to the Soviet authorities from Jerusalem," said Dulzin, is: "The struggle will go on. We will not give up."

ISRAELIS LAGGED BEHIND IN NEW YORK CITY'S MARATHON RUN

NEW YORK, Oct. 25 (JTA) -- Israeli participants in the prestigious New York Marathon run which was conducted yesterday didn't fare too well, albeit several of the runners broke the three-hour time mark for the 26-mile plus run.

Leading the Israeli contingent in time was Chaim Ivgi of Jerusalem who, with a time of 2:38:20, completed the grueling run in the 332nd position. The next best time was turned in by the veteran competitor Barry Shor who finished in the 602nd position, who came in with 2:46:20.

Shor told the Jewish Telegraphic Agency: "I was plagued by cramps throughout the complete run of the Marathon and what with pulled muscles and cramping, my body heat at the conclusion of the grind fell to 92 degrees. I was forced to stay in the first aid room for close to three hours before I completely recovered my strength."

Others who made fair showings in the Marathon included Yoram Tuena of Tel Aviv, who came in with a 2:47:02 clocking and finished 643rd. The last Israeli to break the three-hour time was Sharon Saadia of Jerusalem who was clocked in 2:56:12. Saadia finished 1218th. Altogether some 16,000 runners competed in the annual event.

Shor told the JTA that Israel's champion female marathon runner, Zava Shmueli, who finished 8th in the Boston Marathon last April, cancelled her trip to the United States at the last minute due to a bout with the flu.

ISRAELI TROOPS ATTACKED IN LEBANON

TEL AVIV, Oct. 25 (JTA) -- Israeli troops in Lebanon came under fire in two separate attacks last night, but no casualties were reported.

An IDF bus and escort jeeps, such as have been ordered to accompany all vehicles with Israelis aboard inside Lebanon since the death of six soldiers in an ambushed bus last month, came under fire in the central sector between Nabataiya and Zaharani, the first such incident in this sector in recent weeks.

But in another attack, an IDF roadblock at Kfar Sil at the entrance to Beirut was fired on by rocket-propelled grenades. This was the second attack at this spot during the past week.

* * *

BONN (JTA) -- Police in Frankfurt have established that bomb attacks there three weeks ago of travel offices doing business with Israel were carried out by the West German urban terrorist organization Revolutionary Cells and an unidentified Palestinian group. Police said they learned that a dispute within the urban terrorists group broke out after the attacks because two victims of the explosions had nothing to do with Israel. This, according to Frankfurt police, is the reason that Revolutionary Cells did not claim responsibility for the attacks.