

**ISRAEL SAYS IT WILL REMAIN IN SOUTH LEBANON TO ENSURE SECURITY OF ITS NORTHERN BORDER IF LEBANON SCRAPS ITS MAY 17 AGREEMENT**  
By David Landau

JERUSALEM, Feb. 12 (JTA) — Israel affirmed today that it would retain in south Lebanon whatever forces it considered necessary to ensure the security of its northern borders in the event the Lebanese government scraps its May 17, 1983 withdrawal and security agreement with Israel.

That decision emerged from a seven hour Cabinet meeting which, in effect, endorsed Premier Yitzhak Shamir's stern warning to Lebanon yesterday not to yield to Syrian pressure to abrogate the May 17 accord. Cabinet secretary Dan Meridor insisted after the meeting that Israel is not prepared to accept an abrogation and would take all necessary measures to protect its northern borders.

Shamir, in a radio interview, made it clear that if the May 17 agreement is renounced, Israel will "consider itself released from any commitment it undertook within the framework of that agreement" and "will ensure the security of its northern border with or without the agreement."

Shamir also warned "those in the United States" who may feel that Lebanese President Amin Gemayel has no choice but to abrogate the agreement in order to appease Syrian aggression.

"I think this would go against the line which President Reagan upholds and which he advocates. If any one in the United States supports cancellation of the agreement, this should be seen as weakness or error," Shamir said. "It is well known that one cannot weaken aggression by succumbing to it," he observed.

**Critical Of Withdrawal of Marines**

Shamir also offered the first official comment by an Israeli leader on Reagan's decision last Tuesday to remove the marines from Beirut airport to ships of the U.S. Sixth Fleet off the Lebanese coast. He said that while he did not want to criticize the decision, the withdrawal seems hasty and comes in response to pressure of public opinion. He added, however, that the marines had not played a meaningful military role in Beirut.

Referring to the May 17 pact, which has never been ratified by the Lebanese government, Shamir contended that on balance Israel had made more concessions than the Lebanese during the lengthy and difficult negotiation process. He noted pointedly that Israel had given due consideration to Lebanon's sovereignty and warned that "if Lebanon (now) foregoes the agreement, it will be a foregoing of sovereignty on Lebanon's part."

The May 17 agreement provided for the eventual withdrawal of the Israel Defense Force from all of Lebanon in the context of security arrangements in south Lebanon. The intention was that the Lebanese army and local "territorial forces" in the south, notably the militia of the late Col. Saad Haddad, would be responsible for security along Israel's northern border.

The IDF, however, would have the right to participate with the local forces in patrol operations and the Israel Air Force would have the right of overflights over Lebanese territory. Syria has objected vehemently to the two latter provisions.

A secret annex to the May 17 agreement made Israel's total withdrawal from Lebanon contingent on the simultaneous total withdrawal of Syrian forces from that country.

**Little Hope Of Implementing May 17 Accord**

There is little realistic hope here, however, that under the present circumstances the provisions of the May 17 agreement can be implemented. But government policymakers believe that the existence of the agreement, whether carried out or not, is of political and historical significance.

They contend that if Lebanon succumbs to pressure from Damascus and cancels the accord, it would be a step backward in the broader process of convincing Arab states to come to terms with the legitimacy and existence of Israel.

Shamir stressed that Israel was prepared to recognize Lebanon's sovereignty right up to the international boundary with Israel and asked for only the minimum security arrangements for itself. If Lebanon refuses to participate in the security arrangements, Israel will have to undertake them unilaterally, he said.

**Pressure To Pull Back IDF**

Meanwhile, there is growing pressure in government circles as well as the opposition for further IDF pullbacks in south Lebanon in the wake of the American withdrawal from Beirut. Advocates of a pullback argue that it may not have been possible while the Americans maintained their military presence on the ground in Beirut, but with the marines moving out there can be no objections from Washington to prevent the IDF from redeploying closer to the Israel border.

The Israelis would like to see their forces leave the large, heavily populated Lebanese coastal towns such as Sidon and Tyre where the risk of casualties to the IDF is greatest. Discussions of the feasibility of such a redeployment are believed to be underway in various policymaking forums.

The pullback proposal won the support of former Chief of Staff Gen. Rafael Eitan who was the chief architect of the Lebanon war. He said in a radio interview yesterday that the Lebanese army clearly is not capable of taking up positions in the south. The IDF, he said, should be redeployed along the Zaharani River which is south of its present line on the Awali River. According to Eitan, this would be a long-term redeployment protecting Israel's northern border.

Defense Minister Moshe Arens offered a similar assessment in a television interview over the weekend. "Unfortunately ... (it is) unlikely that the Lebanese army will be able to undertake security in the south," he said, and Israel therefore will have to remain there to work out satisfactory security arrangements.

Arens observed that there was some common interest between Israel and the Shiites who comprise the largest single population group in south Lebanon since both regard the Palestine Liberation Organization as their enemy. Israel has been trying to draw the local

Shiites into a defense and security arrangement backed by the IDF with the aim of preventing the return of the PLO to the region.

Shamir expressed confidence that Katyusha rockets would not fall on Israeli towns in upper Galilee although three of them exploded in and around Metullah last week. An odd one or two rockets are impossible to prevent, Shamir conceded.

#### PLO Targets Bombed

In retaliation for the attack, the eighth of its kind since Israel invaded Lebanon 20 months ago, the Air Force carried out a 20-minute bombing raid Friday on what were described as PLO targets in the area of Behadoun in the Beirut-Damascus highway. Some anti-aircraft fire was encountered. But all planes returned safely to their bases and the pilots reported accurate hits on their targets, a military spokesman said.

He said the targets included buildings serving as PLO bases and gun sites near the Behadoun stadium. In addition to the air strike, an armored IDF patrol crossed the Awali River Friday and reconnoitered as far north as Damour, near the outskirts of Beirut. A military spokesman said the patrols were a regular feature of IDF preventive defense operations into territory it had evacuated months ago.

#### Conduct Of War In Lebanon Criticized

Meanwhile, two Cabinet ministers sharply criticized the conduct of the war in Lebanon. Communications Minister Mordecai Zipori told a meeting in Jerusalem Thursday that "several mistakes were made ... in the assessment (of the situation) in Lebanon and we are now suffering the consequences, to put it mildly." He declined to go into the reasons for the mistakes.

Minister of Trade and Industry Gideon Patt said "Maybe we put our money on the wrong horses," a possible allusion to the Christian Phalangists in Lebanon who had a close alliance with Israel but took little or no part in the fighting in the summer of 1982.

#### SHAMIR CRITICAL OF REAGAN'S MEETINGS WITH HUSSEIN, MUBARAK

By David Landau

JERUSALEM, Feb. 12 (JTA) -- Premier Yitzhak Shamir tonight voiced displeasure at President Reagan's meetings in Washington with King Hussein of Jordan tomorrow and with President Hosni Mubarak of Egypt on Tuesday.

Addressing Herut activists from Israel and abroad the Premier said: "I want to state that no discussion on Mideast peace can be complete or practical without the participation of Israel and without taking her views and aspirations into consideration."

He stressed that Israel "stands ready now as always" to resume the peace talks "on the basis of the only realistic plan -- Camp David." He noted pointedly that two of the three countries to be present at the Washington meetings had been partners in Camp David.

In a reference to the death of Soviet leader Yuri Andropov, Shamir said Israel's hope was that the Soviets would "revise their policy in the Middle East and conclude that they should have a free and direct dialogue with Israel and cease their massive support for the most extreme among its enemies, and recognize the right of Soviet Jews to return to their homeland."

#### MARINE IN LEBANON FLOWN TO RAMBAM HOSPITAL FOR EXTENSIVE TESTS AND DIAGNOSIS OF AN UNDISCLOSED ILLNESS

By Hugh Orgel

TEL AVIV, Feb. 12 (JTA) -- An American marine from the U.S. aircraft carrier Independence was flown to Rambam Hospital in Haifa over the weekend for extensive tests and diagnosis of an undisclosed illness. He was subsequently taken by ambulance to Ben Gurion Airport from where he was flown to an American hospital in Europe. The Independence is with the Sixth Fleet off the Lebanese coast.

The marine, who was not identified by name or rank, is the first U.S. military personnel from the American forces stationed in Beirut or offshore Lebanon to utilize hospital facilities in Israel.

The refusal of the American military to accept Israel's offer of hospital facilities for the U.S. servicemen injured in the bomb attack on marine headquarters in Beirut last October 23 created friction between the two countries and furor in the U.S. Congress at the time. Several Senators questioned the wisdom of transferring seriously wounded personnel to Europe when treatment was available in Israel, less than 30 minutes by air from the scene of the attack.

The marine, who was taken by helicopter to Rambam hospital, was accompanied by a Navy doctor from the Independence.

#### KARP REPORT UNDER FIRE

By Gil Sedan

JERUSALEM, Feb. 12 (JTA) -- The report by Deputy Attorney General Yehudit Karp citing shortcomings in the maintenance of law and order in the administered territories came under sharp attack today by two of the groups criticized in the report -- the settlers and the police.

Representatives of the settlers in Judaea and Samaria charged in a statement that the Karp report "was full of lies" and that most of the cases cited in it dealing with Jewish vigilantism were based on unreliable information, obtained primarily from one former police officer who had served in the territories.

The Karp report, published by the government last Tuesday, some 18 months after it was completed, maintained that the settlers were mostly responsible for the tensions in the West Bank and Gaza Strip, the settlers noted today. Actually, they asserted, in most cases, the Arabs were responsible for the tensions and frictions between Arabs and Jews. They charged, furthermore, that the Karp report was motivated by hostility toward the Jewish settlements in the territories.

According to the settlers, Karp now faces the challenge of either suing them for libel or resigning. Karp had resigned last year to protest the government's failure to act on her report. She withdrew her resignation later and her report came under review at the highest government levels.

#### Elements In The Karp Report

The Karp report deals specifically with 70 cases of clashes involving Arabs and Israeli security forces and Jewish civilians. It charged that police investigation into some of the cases was "poor and faulty," and noted that delays in the investigation process were caused by the separation of powers between the police and the military. Nearly half the cases -- 33 out of 70 -- were closed with no action taken against suspects, Jewish civilians. The police recommended pressing charges only in 15 cases.

The report noted, however, that there were many objective problems in law enforcement in the territories, including manpower shortage, poor quality of police work, language difficulties and a hostile Arab population.

The settlers' charges were supported today by Commissioner Yehoshua Caspi, the head of the Israeli police southern command. Addressing police officers, he said that the proportion of charges against 15 of the 70 cases cited in the Karp report was not less than the proportion of cases moved for prosecution in Israel proper.

Caspi did note, however, that there were not enough police to handle the work in the territories — only one policeman in Kiryat Arba, for example — and that there was insufficient intelligence work beyond routine criminal cases.

Eli Kulas, chairman of the Knesset Law Committee, responded to the settlers' statement and to Caspi by observing that if the preservation of law and order was necessary within Israel proper, it was even more necessary in the territories.

In a 10-point statement last Sunday, the Cabinet promised that the army, the police and other security agencies would assign more manpower and resources to deal with Arab and Jewish lawbreakers, and agreed on a series of "guidelines" aimed at correcting the deficiencies in law enforcement.

#### SPAIN APPEARS TO BE COOLING ANY MOVE TO ESTABLISH DIPLOMATIC RELATIONS WITH ISRAEL

By Lisa Palmieri-Billig

ROME, Feb. 12 (JTA) — Deputy Prime Minister Alfonso Guerra of Spain has backed off sharply from recent statements by Prime Minister Felipe Gonzales who indicated at a meeting of the European Parliament in Strasbourg on January 31 that Spain plans soon to establish diplomatic relations with Israel.

"At the present moment, setting up relations with Israel would not help to improve the situation in the Middle East," Guerra said after being prodded on the subject in an interview published in the Rome daily *Il Messaggero* last Friday.

Guerra was asked to comment on the fact that Spain, soon to join the European Economic Community (EEC) is the only Western nation which does not recognize Israel. "Our declared readiness for this gesture is in line with our thesis favoring the right of Israel to live within guaranteed borders, and also the right of the Palestinians, today dispersed, to live in a homeland," Guerra told *Il Messaggero*.

"When these reciprocal conditions have been met, we will proceed," he said. "At present, our relations with Israel are negatively conditioned by a situation which for us is incomprehensible: the expansionism of its (Israel's) government, the military occupation of part of Lebanon and a co-responsibility in massacres such as those of Sabra and Shatila," Spain's No. 2 leader added.

"Recognition could in any case not be given before the withdrawal of the Israelis from Lebanon," he said. Guerra is in Rome for the presentation of awards by the Spanish government to Italian political, literary, economic and film personalities. He is meeting with government authorities to discuss Italy's support of Spain's entry into the Common Market.

#### MAN CHARGED IN GRUNZWEIG MURDER

By Gil Sedan

JERUSALEM, Feb. 12 (JTA) — Yona Avrushmi, a 28-year-old resident of Jerusalem and the West

Bank, was formally charged Friday with willful murder in the grenade slaying a year ago of Peace Now activist Emil Grunzweig.

The charge sheet, presented in Jerusalem District Court exactly one year after the killing, alleges that Avrushmi purchased an Israeli army issue hand grenade in January, 1983 and, on the night of February 10, 1983, positioned himself on a hill overlooking the Prime Minister's Office and there awaited the arrival of a procession of Peace Now marchers who were scheduled to demonstrate outside the office.

At 8:50 p.m., as the demonstrators were about to disperse after singing the national anthem, Avrushmi allegedly threw the grenade into the crowd, according to the charge sheet. The grenade exploded, inflicting fatal wounds on Grunzweig, a 33-year-old teacher, who died within minutes. Ten other persons were wounded, one of them seriously. The charges state that the accused threw the grenade with intent to kill and fully understood the implications of his act.

Avrushmi was detained for questioning in the middle of last month. He was identified as a former resident of the Neve Yaacov quarter of Jerusalem, currently employed as a metal worker in Ofra on the West Bank. At the same time, police arrested a 20-year-old soldier, David Shem-Tov of Jerusalem on suspicion of having sold the fatal grenade to Avrushmi. The police said that Shem-Tov was not otherwise involved in the grenade attack. They described Avrushmi as the "prime suspect."

The filing of charges against Avrushmi ended a year-long investigation of the crime which shocked the country. Grunzweig was murdered at a demonstration demanding that the government implement in full the recommendations of the Kahan commission which investigated Israel's role in the September, 1982 massacre of Palestinian civilians by Christian Phalangists in the Sabra and Shatila refugee camps in west Beirut.

#### 'MALICIOUS ARSON' HELD RESPONSIBLE FOR HOTEL FIRE THAT KILLED 2 PEOPLE

TEL AVIV, Feb. 12 (JTA) — "Malicious arson" was responsible for the fire that took two lives and injured 11 people in the Moriah Hotel at Sdom on the Dead Sea on February 5 according to a preliminary police report released Friday.

Moshe Tiomkin, who heads a committee appointed by the Interior Ministry to investigate the blaze, said the fact that the fire appeared to have broken out simultaneously in three separate parts of the resort hotel and the speed with which it spread indicated it was not accidental.

Tiomkin, a former Tel Aviv district police commander, cited the eye-witness accounts of fire fighters who rushed to the scene within minutes after the alarm was sounded. They saw what appeared to be three fires burning independently of each other. The flames spread rapidly from the fourth floor to the top floor of the building, "too quickly to be accidental," the fire fighters reported.

Police also suspect arson in a fire that broke out last Thursday night among fruit and vegetable stands near the central bus station in Tel Aviv. Fire fighters fought that blaze for several hours before it was brought under control. Electric power was cut off in the area of the bus terminal.

**STATE DEPARTMENT ANNUAL HUMAN RIGHTS REPORT SAYS ISRAEL IS A DEMOCRACY BUT FAULTS ITS PRACTICES IN THE OCCUPIED AREAS**  
By David Friedman

WASHINGTON, Feb. 12 (JTA) -- The State Department, in its annual report on human rights practices around the world, repeats its assertion that Israel's main human rights problem is due to its control of the West Bank and Gaza Strip and the situation is made worse by the policy of establishing Jewish settlements there.

"The essential fact is that Israel is governed democratically and the West Bank is not," Elliott Abrams, Assistant Secretary of State for Human Rights and Humanitarian Affairs, said Friday at a press conference releasing the State Department's eighth annual country reports on human rights practices. The 1,485-page report which covers conditions in 163 countries during 1983 was submitted to the Senate Foreign Relations Committee and the House Foreign Affairs Committee.

As in the previous reports, the 1983 edition lauds Israel as a free and open parliamentary democracy. "Israeli society is characterized by its openness and by its wide-ranging and lively public debate of all issues of popular concern," the report said.

"Police and internal security functions are under the control of Cabinet ministers who must answer to the Knesset concerning the actions of personnel for whom they are responsible and whose performances are subject to the scrutiny of a free press." The report notes that this condition exists even through Israel has been in a state of war with all of its Arab neighbors, except with Egypt since 1979, and has to be constantly alert against terrorist incidents.

Most Significant Human Rights Problems

But the report adds, "The most significant human rights problems for Israel (in 1983) derived from the strained relations between the Israeli authorities and the Arab inhabitants of the occupied territories. These problems were exacerbated as a consequence of the government's continued implementation of its policy of strengthening, expanding, and developing Jewish settlements in those areas."

This is basically the same finding as in last year's report although at that time the document specifically mentioned by name the West Bank, Gaza and East Jerusalem. However, the 1983 report does define the occupied territories as the West Bank, East Jerusalem the Golan Heights and Gaza.

While the report is laudatory about conditions in Israel it does note that while Israeli Arabs have equal rights under the law, they "are substantially powerless and tend to feel alienated. Despite some governmental and private efforts to bridge the gap there is little social interaction with Israeli Jews."

In the West Bank, the report said that "civil administration of authorities have attempted to reshape local politics, particularly by blocking the influence of the Palestine Liberation Organization and by promoting an alternate leadership."

A Number Of Credits For Israel

Israel is credited for allowing the establishment of four universities in the West Bank but it is noted it "has deported faculty members for taking political stands that it regards as threatening to its security. Israel has permitted outspoken criticism of Israeli policy by the East Jerusalem-based Arabic press but

has often censored articles and editorials on security grounds and restricted the circulation of Arabic publications in the West Bank and Gaza. In addition, Israel has imposed broad restrictions on speech and assembly in those areas."

The report finds "no evidence that torture is condoned by Israel's authorities" and notes that while some Palestinian prisoners charge mistreatment, some of these charges "seemed to result from antiquated or overcrowded places of detention to which not only Palestinians are subject."

The situation in Israel is contrasted with its Arab neighbors where the report shows all of them live under authoritarian rule distinguished only by the degree of harshness. Abrams, who noted that the major gain in human rights last year was in Central and South America, said there was no improvement in the Mideast.

Worst Situation For Jews Is In The USSR

The conditions of Jews is mentioned in several of the country reports, with the worst situation being in the Soviet Union. "The Jewish community faced a particularly difficult year in 1983, which saw a sharp increase in official anti-Semitic propaganda, thinly veiled as anti-Zionism," the report says of the USSR.

The report noted the establishment of the Anti-Zionist Committee, harassment against Jews and the arrest and trials of refuseniks like Isosif Begun. The "sharp drop" in emigration with only 1,315 Jews being allowed to leave is also mentioned.

Situation In Other Countries

Elsewhere, the report finds improved conditions for Jews. While noting some anti-Semitic incidents in Argentina last year, the report stresses "Argentina's Jewish community of 300,000 to 400,000 practices its religion without restraint." The report finds "no evidence of an official policy of anti-Semitism."

In Iran, the report notes that the religious persecution against Jews and other religious minorities seems to have been a factor in the early stages of the revolution rather than today. The Bahai faith, however, is not recognized and its leaders continue to be persecuted.

In Egypt, where most Jews have emigrated, "those who remain appear to practice their faith without restriction or harassment from government or non-government sources," according to the State Department report.

The report found that in Morocco, "publications in Hebrew are permitted and rabbis serving the Jewish community are trained in Morocco. The Jewish community has extensive links to its coreligionists elsewhere, especially in Israel. Although the number of Moroccan Jews has dwindled over the years as a result of voluntary emigration, more than 20 major synagogues operate in Morocco. The government has explicitly encouraged Jews who voluntarily departed to return to Morocco."

Even in Syria, the report found that its 3000-4000 Jews "are free to practice their religion. The situation of the Syrian-Jewish community has improved in recent years, and in general, Jews are not discriminated against except for restrictions on foreign travel." The report also states that Jews are the only Syrians required to post a bond if they want to travel abroad. However, all members of the same family cannot get a passport at the same time. Jews cannot emigrate to Israel.

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There will be no Bulletin dated February 20, Washington's Birthday, a postal holiday.