

LYON IS TENSE AS BARBIE TRIAL BEGINS

By Edwin Eytan

LYON, May 11 (JTA) -- A temporary museum of the Holocaust was formally opened here Monday to stand for the duration of the trial of Klaus Barbie as a reminder of the horrors of Auschwitz, Treblinka and other death camps where French Jews were deported 45 years ago on the orders of the then Gestapo chief known as the "butcher of Lyon".

The inauguration was by 44 Jewish school children representing symbolically the 44 Jewish children from an orphanage in the village of Izieu, southeast of Lyon, arrested by Barbie's Gestapo agents and deported to Auschwitz. The ceremony was attended by Mayor Michel Colomb of Lyon, former Premier Raymond Barre and members of the Jewish community, and about a half dozen government ministers.

The steel and canvas structure, standing opposite the city hall, contains hundreds of drawings of scenes from Auschwitz and other death camps. It was built at the initiative of the French Jewish writer, Marek Halter, author of the international best-seller "The Book of Abraham", and by local Jewish community leaders.

The inauguration was timed to coincide with Barbie's departure from his cell in St. Joseph Prison for the Palais de la Justice where his trial for "crimes against humanity" opened Monday morning.

Security Is Tight And Visible

The 73-year-old Nazi is transported to and from the court in a convoy of armored cars. Security is strict and highly visible in Lyon in view of mounting threats by neo-Nazi and right-wing extremists against prosecution lawyers and witnesses. Reporters from the Israeli media and Jewish correspondents have been given special protection. Plainclothes detectives are on 24-hour duty outside their hotels.

An additional 300 police were rushed to Lyon Sunday and several hundred more were due Monday as a precaution against street violence when the trial gets under way.

Neo-Nazis demonstrated here Saturday and Sunday. A group of black-shirted youths marched past the Joan of Arc monument shouting slogans demanding Barbie's release. They passed out leaflets claiming the Holocaust never occurred.

Police Chief George Bastelica is concerned. "Two weeks ago I was not worried but now I am. I am afraid of extremism," he said.

Jewish community leaders have asked the Jewish citizens of Lyon to maintain a dignified presence and give no provocation.

BARBIE TRIAL OPENS WITH TWO SURPRISES

By Edwin Eytan

LYON, May 11 (JTA) -- The long-awaited trial of Klaus Barbie, the wartime Gestapo chief in Lyon, opened here Monday with two surprises.

Barbie, replying to the first question by the presiding magistrates, identified himself as "Klaus Altmann, a Bolivian businessman." He admitted that his father's name was Barbie and that he

was born in Bad Godesberg, Germany. Altmann was the alias under which Barbie lived in Bolivia for nearly 40 years until his expulsion in January 1983. Legal experts believe he gave that name in court in furtherance of one of the defense strategies of his lawyer, Jacques Verges.

Verges contends his client cannot be legally tried in France because he was never extradited to this country but taken into French custody when he was forced to leave Bolivia. Verges has used the word "kidnapped."

The second surprise was the fawning courtesy with which the accused, once known as "the butcher of Lyon," was treated by the court. The presiding judge addressed him invariably as "Monsieur Barbie" or even "sir."

Again, according to the same experts, the politeness is due to the court's determination to observe all of the legal niceties to avoid any possible appeal on technical grounds or claim of bias against the defendant. The trial began immediately after the jury of five men and four women was sworn in. The first legal action was rejection by the court of a motion by a lawyer for a Holocaust survivor, one of Barbie's victims, to reinstate the death sentence imposed on Barbie in absentia by a French court in 1952.

The State Prosecutor opposed the motion on grounds that the war crimes for which Barbie was originally sentenced are covered by the 20-year statute of limitations. The maximum penalty now is life imprisonment.

SOVIET CANCER PATIENT REFUSENIK DIES AFTER HIS ARRIVAL IN VIENNA

By Susan Birnbaum

NEW YORK, May 11 (JTA) -- Soviet cancer patient Yuri Shpeizman died Sunday in Vienna. The ten-year refusenik succumbed to cardiac arrest immediately after his arrival in Vienna after being released from the Soviet Union.

Shpeizman was en route to Israel with his wife, Nelly, to be reunited with their daughter, Rita Levin of Jerusalem, who campaigned for her father's emigration. She never got a chance to see her father again. She has been living in Israel for 10 years.

Shpeizman, 55, who was ill with lymphosarcoma, suffered a heart attack March 11 at the Leningrad OVIR emigration office where he had been told his much-refused application was incomplete, lacking a new photograph. Almost two weeks later, Soviet emigration authorities finally granted the Leningrad engineer permission to leave. At the time, he was too ill to be moved.

Nelly Shpeizman had been unusually active in past months trying to publicize the plight of her husband and other refuseniks. She was among eight signatories to a telegram sent to Soviet leader Mikhail Gorbachev saying they were tired of waiting to emigrate, and also joined a three-day fast by a group of hunger-striking women refuseniks during commemoration of International Women's Day. Yuri Shpeizman's heart attack came one day after his wife concluded her hunger strike.

Dr. Gerald Batist, a Montreal research oncologist who founded the International Cancer

Patients Solidarity Committee and was constantly in touch with Shpeizman and his family, told JTA, "For me, this is a confirmation of the pattern begun with Michael Shirman (brother of Inessa Fleurova) and Inna Meiman, who have all been victims of the Soviet Union. There is no question in my mind that the delay in their emigration contributed to their deaths. The Soviets will only let a person leave when it is too late, and then they will benefit from positive public relations and not be asked to account for the emigres' deaths."

The Student Struggle for Soviet Jewry mourned the death of "our good friend Yuri Shpeizman. This is the true face of 'glasnost.' The Kremlin is continuing its policy of either forbidding the release of many ill refuseniks or permitting some to emigrate only when they're about to die."

The National Conference for Soviet Jewry said, "Once again, as in the case of the valiant Inna Meiman, a courageous refusenik waiting so long to be repatriated to Israel but prevented by Soviet officials from doing so, even though desperately ill with cancer, has died with the Promised Land almost literally in sight. Inna Meiman and Yuri Shpeizman were denied even their last wish: to live in freedom and dignity in Israel."

Shpeizman will be buried in Israel.

CLOSED DOOR INNER CABINET MEETING DEBATES PERES' PROPOSALS FOR AN INTERNATIONAL MIDEAST PEACE CONCLAVE

JERUSALEM, May 11 (JTA) -- The Inner Cabinet met behind closed doors Monday to debate Foreign Minister Shimon Peres' proposals for an international conference for Middle East peace and a counter-plan by Premier Yitzhak Shamir based on the Camp David accords.

The outcome is likely to determine the fate of the Labor-Likud unity coalition government. No word of the deliberations emerged from the Inner Cabinet which comprises five Labor and five Likud Ministers. Peres told reporters before the meeting that he had no deadline for a decision but hoped the debate would not be drawn out.

Meeting Sparsely Attended

While the Ministers were closeted in their session, Labor and Likud fought the issue in the Knesset, which was in the first day of its summer session. Mutual recriminations were hurled by those members present. But the session was so sparsely attended that acting Speaker Meir Cohen-Avidov of Likud adjourned it early in the day.

Meanwhile, Leo Tindemans of Belgium, the current President of the Council of Ministers of the European Economic Community (EEC) who is visiting Jerusalem, sought to influence Israeli opinion in favor of an international conference.

Tindemans told reporters that both Egypt and Saudi Arabia envisaged a joint Jordanian-Palestinian negotiating team at an international forum. He noted that officials in both those countries which he has just visited had not insisted specifically that the Palestine Liberation Organization must represent the Palestinians.

In fact, the Saudis explicitly endorsed the condition Jordan imposed on the PLO -- renunciation of violence and acceptance of United Nations Security Council Resolutions 242 and 338 by the PLO.

KIRKPATRICK: MIDEAST PEACE CONFERENCE WOULD ISOLATE ISRAEL AND THE U.S.

NEW YORK, May 11 (JTA) -- An international peace conference on the Middle East, as construed by the Soviet Union and the Arab states, would be a "recipe for disaster" for both Israel and the United States, Jeane Kirkpatrick declared.

The former U.S. Ambassador to the UN addressed a capacity crowd of 3,000 people Tuesday night as the guest of Rabbi David Kahane of the Sutton Place Synagogue in the opening program of the congregation's seventh annual "Jewish Town Hall" series.

"I am profoundly dubious about the prospects for a conference in which the permanent members of the Security Council would play a major role," she said, adding: "No Israeli government could submit itself to arbitration by such a group. It would result in the isolation of Israel and the U.S." Kirkpatrick, who served at the UN during Kurt Waldheim's tenure as Secretary General, indicated that the recent decision to bar the Austrian President from entering this country was arrived at "carefully, prudently and judiciously." She characterized Waldheim as "an organization man who adopted the ethos of the Nazis," rather than a major war criminal like Adolf Eichmann.

At the same time, she urged that the world body's archives on Nazi war criminals should now be made public. "There are some crimes so terrible that no statute of limitations can be applied. The Holocaust is such a crime," she said.

Prospects Of Soviet Jewish Emigration

On prospects of increased Jewish emigration from the Soviet Union as a result of Mikhail Gorbachev's policy of "glasnost," the former UN envoy indicated that she thinks the recent changes in the USSR are real, but that they may not bring about a substantial increase in the number of Jews who are permitted to leave. She said: "We must keep up the pressure on human rights." She added:

"While Gorbachev has staked his political future on modernizing the Soviet economy and other liberalizing reforms, it is important for us to understand that this does not mean turning Russia into a Western-style democracy."

Assessing the potential long-term effects of the Pollard spy case and Israel's role in the Iran-Contra affair, Kirkpatrick said that these incidents "do not strike at the base of the U.S.-Israel relationship." That relationship remains strong, she said, "because Israel is a good friend, a fellow democracy, a very important strategic ally and a state that has deep political and moral meaning for anyone who has lived in our century." The former diplomat expressed doubt that the Jonathan Pollard spy case would raise the specter of "dual loyalty" charges against American Jews. "We are all hyphenated Americans. America is a pluralistic society -- and that is our glory."

Kirkpatrick agreed with Kahane that Israel is judged by a double standard. "Holding Israel to such unusual and unrealistic standards is a compliment Israel can well do without," she declared.

As a prime example of this tendency, Kirkpatrick cited the Zionism-is-Racism resolution passed by the UN General Assembly in 1975. She termed the resolution "an obnoxious and gross insult," and charged that it was part of a continuing campaign orchestrated by Arab states to delegitimize Israel.

**BEHIND THE HEADLINES
UNLOCKING UN WAR CRIMES FILES**

By Margie Olster

NEW YORK, May 11 (JTA) -- Yad Vashem researchers who have examined 300 files from the United Nations War Crimes Commission (UNWCC) archive have discovered a significant body of new information on the Holocaust, including lists of people who ran the camps, official reports previously unknown detailing Nazi policy on European Jewry and the camps, and new information on Nazi medical experiments.

Yad Vashem researchers also noted that the files are especially valuable to English-speaking researchers because they are a rare source of first-hand information on the Holocaust in English.

The researchers concluded that maintaining the current level of confidentiality of the files seriously hinders research, publication and dissemination of this information and consequently impedes a more accurate record of the Holocaust and Nazi era.

Greater access to the files would also assist government agencies seeking to locate and prosecute Nazi war criminals by providing new legal documentation and new evidence, the Yad Vashem researchers found.

Despite the findings which indicate the immense historical value of the archive, its 40,000 files on suspected Nazi war criminals and witnesses remain closed to the public, press and historians because of the UN Secretary General's reluctance to amend the access rules set down four decades ago.

Legal And Moral Questions Raised

The archive first came to the attention of most Jewish organizations and the Israeli government after the World Jewish Congress (WJC) revealed last year that one of the files charged then Austrian Presidential candidate Kurt Waldheim, the former UN Secretary General, with war crimes.

Since this discovery, legal and moral questions about barring public access have been raised while others have puzzled over how this vital source of war crimes evidence escaped notice for so many years.

In spite of demands by the Israeli government and Jewish groups to open up the archive, the UN Secretariat and legal advisors have decided to maintain limited access for UN member governments only. The regulations keep the files effectively closed to researchers, journalists and historians, locked away in a Manhattan basement that houses the UN Archives.

Origins Of Confidentiality Explained

The Swedish UN Chief Archivist, Alf Erlandsson, who has been caretaker of the UN Archives since 1971, explained the origins of the confidentiality over the war crimes files.

About 80 percent of the material in the UNWCC archive has never been secret and is available to the public, Erlandsson said. The unrestricted part includes the memos, minutes and general descriptions of the commission's work from 1943 to 1948.

The other 20 percent of the archive holds some 40,000 charge files on individuals, 25,000 of whom the commission accused of war crimes and recommended be prosecuted. It is this slice of the

pie which became the subject of controversy in the spring of 1986.

Before disclosure of the Waldheim file, Erlandsson said, there was a minute amount of interest in the archive or rules governing it. But that changed with the publicity over Waldheim.

When the UN became custodian of the archive in 1949, the then Secretary General Trygve Lie and his legal advisors decided that the sensitive charge files should be available for "UN purposes only," which came to be interpreted as for UN member governments only. Access for private persons or groups was strictly prohibited.

No Time Frame For Declassification

Unlike most UN material which became declassified after 20 years, the UNWCC charge files have remained secret for 38 years. Erlandsson explained that because the commission did not set a time frame for declassification when it deposited the material, it remained classified indefinitely.

The Israeli government has asked the current UN Secretary General, Javier Perez de Cuellar, to grant public access.

"Whom does this confidentiality protect?" asked Eyal Arad, a spokesman for Israel's UN Mission. "The worst criminals in history. There was an international consensus that these people should be prosecuted."

UN legal advisors and international law experts agreed that the Secretary General has the authority to alter the access rules. It was, after all, his predecessor, Lie, who laid down those rules in 1949.

UN Senior Legal Advisor Alexander Borg Olivier said, "The Secretary General definitely has the power and authority to change the rules . . . But he has to consider the political consequences and respect the views of those most interested."

Reasons For Confidentiality Still Valid

Oscar Schachter, professor emeritus in international law at Columbia University and a former UN legal counsel, concurred. "It is certainly within the UN's authority to meet unforeseen conditions in general keeping with its objective to make the (UNWCC) materials available to people and bodies they are relevant to," Schachter said.

There is some reluctance because, according to Olivier, the reasons for confidentiality cited in 1949 are still valid. One reason, Olivier said, is that the majority of the persons accused in the charge files have never been brought to trial nor undergone a judicial review. Most do not even know of the charges against them.

Olivier added that the commission returned the bulk of evidence used in its evaluations to the member governments that provided it. For these reasons, "It would be most unfair to make the information public," he said.

But UN legal advisors also considered the public interest in the archive. They reasoned that enough time had passed to declassify the materials, Olivier said.

Also, a master list of names of persons in the charge files and their UNWCC rating (war crimes suspect, accused, witness) is publicly available in the U.S. And finally, Olivier said, "Why restrict access to the public if governments already have it?"

Faced with Israel's request, de Cuellar called a meeting of the 17 countries represented origin-

ally in the UNWCC although many of the governments involved are radically different from the governments that made up the commission some 40 years ago. Regardless of this historical gap, the 17 representatives met last October 28 at the United Nations in New York to discuss a possible revision. The vote, according to Olivier, was 15 against, one for moderate revision, and only one, Australia, in support of Israel's request to abandon the confidentiality.

Last week, the United States, Holland and Yugoslavia reversed their positions and are now supporting Israel's request, according to Israel's UN Mission.

"The governments cannot understand why there is this demand to open it," Olivier said. "There is a consensus that it would do more damage than good. After all this time it's more important to protect the innocent than uncover matters that have not come up before. The information is available to governments."

The Real Question

But for many, the real question is how and why this vital source of information on Nazi war crimes went unnoticed for four decades.

Erlandsson pointed the finger at the governments who knew about the files and the existence of the archive, the same governments that sent representatives and evidence to the UNWCC.

"The War Crimes Commission was not involved in prosecuting," Erlandsson said. "Especially the requests from Czechoslovakia and Poland to extradite people went unanswered because the cold war had already started and the West was reluctant to send anyone over to the East," he said.

Both Arad and Olivier agreed there was a significant loss of interest in prosecuting war criminals on the part of the international community, and thus the archive escaped the attention it merited.

Although the Waldheim case has brought the attention of the Western world back to the Nazi era, it may be too late for justice in many of the cases. Israel has requested 2,000 additional charge files. Erlandsson, who prepared the 300 files for Israel, said he estimated that about 80 percent of the people named in the charge files have died.

"It's a bit of a tragedy that only now the archive is being discovered," Erlandsson said. "Twenty years ago, it would have been of considerably more value."

AWARD-WINNING ISRAELI-BORN ARCHITECT HONORED BY MONTREAL JEWISH COMMUNITY By Michael Solomon

MONTREAL, May 11 (JTA) -- Moshe Safdie, an award-winning Israeli-born, Canadian-trained architect, was honored by the Jewish community here Sunday night and praised by visiting Mayor Teddy Kollek of Jerusalem for his work in modernizing Israel's capital.

A gathering of more than 500 persons at Shaar Hashomayim Synagogue raised over \$1.3 million (Canadian) to establish a chair in urban studies at the Hebrew University in Jerusalem in memory of Safdie's father, Leon.

Safdie, a McGill University graduate, has just completed the new National Gallery in Ottawa and is working on the Museum of Civilization in Quebec City. Kollek hailed his accomplishments in Jerusalem, for which he has received the Hebrew University's Scopus Award for exceptional

service to the city of Jerusalem and the State of Israel.

Kollek stressed the importance of Safdie's concept of linking the old sections of Jerusalem to the new by commercial malls. He spoke specifically of the transformation of the old Maamillah Road into a modern mall.

A Challenge To The Young Generation

Safdie responded that the solution of urban problems presents a challenge to the young generation. The main challenge, he said, is "to make Israel more attractive and competitive for talented people afraid to settle there because of relatively modest opportunities."

He said that his Jewish upbringing and the influence of his native Haifa's architectural style inspired his new forms and shapes for human habitation.

Twenty years ago, at "Expo-67" in Montreal, Safdie was honored for his innovative architectural housing design known as Habitat. Safdie, who once presided over Harvard's urban design program, is now about to change the face of New York City as the architect in charge of the \$1 billion redevelopment of the Coliseum site at Columbus Circle.

KOLLEK RUNS -- BUT NOT FOR OFFICE

MONTREAL, May 11 (JTA) -- Jerusalem Mayor Teddy Kollek joined some 22,500 Montrealers Sunday in the annual "March to Jerusalem," a 15-mile run to raise money for Israel.

Kollek and the runners passed through downtown Montreal stopping at rest points named for Israeli sites including Tel Aviv, Jerusalem, Haifa, Safed and Masada. The run ended at the Allied Jewish Community Services headquarters.

The oldest runner was Max Coblentz, an 80-year-old Montreal lawyer. Sponsors donated more than \$150,000 in this year's march, according to Manny Spinner, the coordinator.

DEBATE OVER COMPENSATION TO WARTIME VICTIMS OF PERSECUTION

AMSTERDAM, May 11 (JTA) -- A conference attended by 60 psychiatrists and medical internists in Utrecht last week unanimously rejected a recent report by two of their colleagues who would deny material benefits to wartime victims of persecution unless they could prove their current medical problems stemmed directly from their treatment at the hands of the Nazis.

The report was written by two psychiatrists of Erasmus University in Rotterdam, Willem Schudel and Louis Peppinkhuizen. They maintained that medical complaints 40 years after World War II should not automatically be linked to suffering under the Nazis or Germany's wartime ally, Japan. Unless there is "overwhelming evidence to the contrary," persons with such complaints are not entitled to government compensation for war victims, they said.

TEL AVIV (JTA) -- An explosive charge detonated in a trash bin in Kfar Saba Sunday morning causing no injuries or damage. Several Arabs were detained for questioning. Kfar Saba is adjacent to the Arab town of Kalkilya just across the demarcation line in the West Bank, where tensions have run high lately between Jewish settlers and the Arab populace.