



**PANEL MEMBER SAYS PROCEEDINGS
 COULD BE BROUGHT AGAINST WALDHEIM**
 By David Landau

JERUSALEM, Feb. 9 (JTA) -- The report of an international commission of historians that investigated the wartime activities of Kurt Waldheim contains sufficient information to bring criminal proceedings against the Austrian president, according to Professor Yehuda Wallach, a Tel Aviv University military historian who served on the panel.

Wallach, who returned from Vienna, where the report was submitted to Chancellor Franz Vranitzky Monday night, defended it against charges of whitewash.

He said the commission's findings had been "falsified" in some media headlines that claimed that Waldheim received what was tantamount to exoneration from charges of his involvement in war crimes while serving as an officer in the German army occupying the Balkans during World War II.

"I believe there are enough details to warrant, even to require, the launching of a juridical process" against Waldheim, Wallach said.

"Our report provides a full and truthful picture," he told an army radio interviewer. "True, we say that Waldheim was a lieutenant, a staff officer, and thus could not give direct orders. But we determined categorically that he was close to the (illegal) activities, that he was a participant in the activities, that he contributed to illegal acts. . . He was close to war crimes."

Waldheim was charged with knowledge of and complicity in the deportation of Greek Jews and Yugoslavian civilians and atrocities against civilians and partisan fighters in Yugoslavia. But the commission's report found "no proof" that he committed war crimes.

Wallach said the commission's findings were that "he was part of a system, passing on orders and never trying to prevent the execution of illegal orders -- as did other officers in similar circumstances."

"Waldheim knew of such instances, and he knew nothing happened to these officers" who protected and tried to prevent the execution of illegal orders, he said.

Wallach acknowledged that the panel attributed a somewhat vague "degree of responsibility" to Waldheim. But the Israeli historian noted that it was for the Austrian people, not scholars, to decide whether he should remain in office.

He noted that the Austrian president "for years hid his past and recognized it only when he was forced to confront the facts."

In Vienna, Waldheim appeared on Austrian television late Monday night and reiterated his intention not to resign. Insisting that the panel had found him innocent of direct involvement in war crimes, the Austrian president, who served two terms as United Nations secretary general, stressed that he wants to continue to serve his country.

He insisted that his awareness that war crimes were taking place does not disqualify him. "Everybody knew something, one person more, the other less," he said. The historians said in their report that he had been a very well-informed

staff officer in the Balkans.

The Austrian news media was sharply divided along party lines with respect to the nature of the panel's report. The nationalist tabloid *Neue Kronenzeitung* headlined the fact that the historians found no personal guilt. But the Socialist daily *Arbeitszeitung* said the panel found Waldheim was "an accomplice."

(Vienna correspondent Reinhard Engel contributed to this report.)

**SOFTENING OF WALDHEIM REPORT
 ANGERS JEWISH LEADERSHIP**
 By Susan Birnbaum

NEW YORK, Feb. 9 (JTA) -- American Jewish leaders registered strong expressions of dismay upon learning that an international panel's report on the World War II activities of Kurt Waldheim had been revised at the last moment to exclude references to the Austrian president's "moral guilt" for war crimes he knew about but did nothing to prevent.

The 200-page report, issued in Vienna late Monday by an international commission of historians, found "no proof" that Waldheim was personally involved in the deportation of Jews from Greece, reprisals against Yugoslav partisans or other atrocities perpetrated by the German army unit he served with in the Balkans.

But the panel did say that Waldheim concealed and "even lied" about his Nazi past. And, according to Austrian press reports, the original version of the report said that the Austrian president must bear some "moral guilt" for violating his "human duty to stand up to injustice."

That passage, however, was apparently deleted from the final version of the commission's document, reportedly at the insistence of the Austrian Foreign Ministry. As word of this revision spread, Jewish leaders reacted strongly to the apparent attempt at censorship.

Immediately upon release of the report late Monday night, the president of the American Jewish Committee, Theodore Ellenoff, issued a statement saying his group "regrets that members of the Austrian government have decided to repress the findings" of the commission report.

"Rather than resolve any of the issues that have bedeviled Austria's standing in the international community, this decision to withhold the report will only serve to intensify suspicions and to sharpen controversy about the moral dimensions of Waldheim's presidency," Ellenoff stated.

"Waldheim may not be legally implicated as a Nazi war criminal who personally murdered innocent civilians," the AJCommittee leader said. "But his 'moral guilt' for denying his involvement and his lying for more than 40 years about his knowledge of war crimes in Greece and Yugoslavia is unarguable."

He said it is "now for the conscience of the Austrian people" to determine whether Waldheim "remains fit to represent as president the traditions and democratic values of the Austrian Second Republic."

But he said that for American Jews, "Waldheim must remain a moral anathema." He stressed, though, that "to us Waldheim is not Austria, and

Austria is not Waldheim." He urged a strengthening of ties with Austria.

The AJCommittee reaction was gracious compared to the searing statement made by Rabbi Arthur Hertzberg, professor of religion at Dartmouth and Columbia Colleges and a past president of the American Jewish Congress.

Hertzberg saw little saving grace in the Austrian people themselves, who he said contributed the largest proportion by far of all peoples to the population of SS officers and Nazi party members during World War II and who, for countless numbers of Jews, serve as the epitome of anti-Semites.

"My own reaction," he said, "is that the fight around Waldheim has become not a fight about Nazis who ran concentration camps, but about people who looked away, who walked away from the principle 'Thou shall not stand by the blood of your brother.'

"Contrary to a number of people who have said 'the issue is not Austria, it's Waldheim,' I see the opposite. He has campaigned in Austria on the proposition that he is just like the rest of the people."

Emphasizing that "there has never been a process of denazification and soul-cleansing in Austria," Hertzberg said he was interested in "the much more intricate moral question of what is the guilt of those who stood by when atrocities took place. Waldheim didn't only look away, he signed a few orders to get transports."

'Soul-Searching' Needed

Even if Waldheim stepped down from office, that act would not wipe the Austrian slate clean, the religion professor went on to say. "What is needed, rather, is a very substantial soul-searching in Austria and a real wrestling with its own home-grown anti-Semitism, and its own very powerful neo-Nazi party," he said.

This sentiment was echoed by the World Jewish Congress, the body that was instrumental in bringing to light Waldheim's Nazi past. Even before it had been made public that the report had been revised, WJC President Edgar Bronfman said, "This is a profound moral indictment of Waldheim and brings to the fore Austria's role in World War II in which it played a more than willing part in Nazism."

Seymour Reich, international president of B'nai B'rith, Monday night called on Waldheim to resign, even as the Austrian president and former two-term secretary general of the United Nations refused to do so.

Reich said the report "unmistakably showed the Austrian president to be a liar. He lied about his knowledge of crimes that had been committed and he lied about where he was during the killing or shipping of Jews and other civilians and partisans from Greece and Yugoslavia to concentration camps.

"Kurt Waldheim is a liability to the Austrian people. As president, he is supposed to be a good-will ambassador for his country," said Reich. "He would do Austria and the world a service if he resigned."

Abraham Foxman, national director of the Anti-Defamation League of B'nai B'rith, said Tuesday, "The world didn't need a blue-ribbon panel to confirm that Kurt Waldheim is a liar."

Objecting to the commission's last-minute move to soften the report's language, the ADL leader called the panel's findings "a sham and a farce."

ISRAELI GOVERNMENT SPLIT ON U.S. PEACE PROPOSALS

By Gil Sedan

JERUSALEM, Feb. 9 (JTA) -- The unity coalition government appeared divided Tuesday over a new American peace plan that U.S. Assistant Secretary of State Richard Murphy is expected to present to Israeli leaders after he arrives here Tuesday evening.

Foreign Minister Shimon Peres, leader of the Labor Party, said the American plan was "still uncrystallized," but he would support the new initiative, even though he did not agree with every idea included in it.

Sources close to Premier Yitzhak Shamir, leader of the Likud bloc, said Shamir would inform Murphy that he is opposed to any acceleration of the autonomy process in the West Bank and Gaza Strip. That reportedly is one of the key elements of the American plan, intended to come to grips with unrest in the territories.

Peres told the Knesset Foreign Affairs and Defense Committee on Tuesday that Shamir has rejected his proposal that they sit down together with Murphy to discuss the new American peace initiative. There was no immediate comment from the Prime Minister's Office.

Haaretz reported Tuesday that the American plan includes an appeal to United Nations Secretary General Javier Perez de Cuellar to convene the five permanent members of the Security Council and the parties involved in the Middle East conflict, for an international opening in Geneva, to be followed by direct talks for an interim agreement and eventually a final peace settlement.

Haaretz said that this was part of an agreement reached at a meeting Peres had with King Hussein of Jordan in London last April. The newspaper, quoting Jordanian sources, said Hussein insists that part of the agreement be carried out.

The international opening would take place within the year, according to Haaretz. If Murphy's talks with the various parties go well, the leaders of the two superpowers, President Reagan and Mikhail Gorbachev, will use the occasion of their next summit meeting in Moscow to call on all involved in the conflict to open peace talks.

Diplomats believe the key to success of the American move is the amount of pressure the Reagan administration exerts on Shamir when he visits Washington next month, the paper said.

Syrian Role Urged

In the aftermath of the Arab summit meeting hosted by Hussein in Amman last fall, the Jordanian ruler has demanded that negotiations with Israel must include Syria and Lebanon. Murphy has proposed that Syria participate in the peace initiative.

This may be why Murphy, the administration's top troubleshooter in the Middle East, visited Syria as well as Saudi Arabia on his current mission to the region. He is coming to Israel directly from Damascus.

Murphy's plans to visit Syria raised questions in Washington when his itinerary was announced last week. State Department policy had been to avoid high-level contacts with the government of Syrian President Hafez Assad because of its hard line toward Israel, its close relations with the Soviet Union and its complicity in international terrorism.

The United States has not officially dis-

closed its latest ideas for peace in the region. But some of the proposals were leaked over the weekend by high-level American sources, apparently members of Murphy's entourage, since the information came from the Persian Gulf region, where Murphy was visiting at the time.

According to those sources, the Americans want the Israel Defense Force to withdraw from the main population centers of the West Bank and Gaza Strip this spring. Palestinian elections would follow early in the summer.

This would amount to a rapid acceleration of the autonomy process that originated with the 1978 Camp David accords. The Camp David agreement called for a five-year transition period, after which negotiations would determine the permanent status of the territories.

But according to the American plan, now emerging, an international forum would be convened in December -- right after the November general elections in the United States and Israel -- to launch negotiations on the future of the territories. The participants would be Israel, Jordan and the Palestinians.

ISRAEL PROBES TWO ARAB DEATHS; SCATTERED VIOLENCE CONTINUES

By Gil Sedan

JERUSALEM, Feb. 9 (JTA) -- Sporadic violence continued Tuesday in the West Bank, East Jerusalem and the Gaza Strip as police investigated the deaths of two Arab youths whose bodies were found in the West Bank during the past 24 hours.

The circumstances of death were unclear in both cases. Palestinian sources claimed that Nabil Lateef Mahmoud Abu Khalil was shot to death by Israel Defense Force soldiers in Attil village near Tulkarm.

Jewish settlers are suspected in the fatal shooting of teenager Iyad Mohammed Aqel in Kadum village Monday. The settlers, from Kedumim in the Samaria district, reportedly claimed they were driving to Kadum to pick up Arab workers when, confronted by rock-throwers, they shot in self-defense.

Another Palestinian youth, Khader Tarazi from Gaza, died at Soroka Hospital in Beersheba on Tuesday of injuries believed to be the result of a beating by IDF soldiers.

Although news of his death triggered outbursts in the Gaza Strip and West Bank, the territories were relatively quiet Tuesday. Curfews remained in force in Nablus and Kalkilya and at several refugee camps.

The main trouble spot was East Jerusalem, where police arrested 21 Arab youths on suspicion of rock-throwing. A Jewish home in the Moslem Quarter of the Old City was pelted with rocks Tuesday. It is near the flat recently purchased by Minister of Commerce and Industry Ariel Sharon.

In addition, a tourist bus was hit by rocks near the Dung Gate entrance to the Old City. There were no injuries.

A curfew at Kalkilya, an Arab city near the old "green line," not far from the Israeli town of Kfar Saba, was imposed after riots broke out Monday night. Thousands of residents poured into the streets after unidentified men announced over a mosque's public address system that Jewish settlers had invaded the town. Troops used tear gas and rubber bullets to disperse the crowd.

Kalkilya was the scene of a rampage by Jewish settlers last April after a settler's car was

fire-bombed on a nearby road, killing Ofra Moses and her 5-year-old son Tal.

Warnings that settlers were coming also brought thousands of residents of Halhoul, near Hebron, into the streets Monday night. The rumor apparently began after a stone-throwing match between Arab youths and settlers whose bus had been stopped outside the town.

Security sources believe warnings of an invasion by settlers is a new tactic used by Palestinian activists to stir riots in Arab population centers. Two cases of Jewish vigilantism have been confirmed -- one in the town of Anabta two weeks ago and the other in Hebron last weekend, where 50 Arab-owned cars were vandalized.

A curfew remained in force Tuesday in the Arab village of Anat, which lies within the Jerusalem municipality. Residents were allowed out of their homes for several hours to buy food. Twelve Molotov cocktails were reportedly found in the town Monday and two residents were arrested.

RABIN SAYS ISRAEL WILL BAR SHIP OF DEPORTEES FROM ITS WATERS

JTA Staff Report

JERUSALEM, Feb. 9 (JTA) -- Israel is expected to act within its rights under international law to bar from its territorial waters a ship that may be carrying several hundred Palestinian deportees and their sympathizers.

The vessel is scheduled to sail Wednesday from Piraeus, the port of Athens, and to reach Israeli waters over the weekend, according to the Palestine Liberation Organization, the voyage sponsor.

Defense Minister Yitzhak Rabin said Tuesday that the ship would not be allowed to enter Israeli waters, but he refused to say what would be done should the vessel attempt to enter.

Israelis are sharply divided over how to counteract what appears to be a clever, well-timed international propaganda ploy by the PLO. Whatever transpires with the ship, it is feared here that the Palestinians will gain worldwide sympathy at a time when the Israel Defense Force is engaged in almost daily violent confrontations with Palestinians in the West Bank and Gaza Strip.

Premier Yitzhak Shamir denounced the planned voyage as an "insulting affront... a hostile and dangerous act which endangered Israel." But there has been little support for a proposal by one of Shamir's closest aides, media adviser Avi Pazner, to meet the PLO ship at sea with an Israeli ship carrying the families of victims of Palestinian terrorist attacks.

The newspaper Haaretz warned that this would be "to play the PLO's game, with no chance of beating them at it." The Foreign Ministry also opposes the plan.

But it is not certain the ship will sail. PLO representatives, at a hastily called news conference at their office in Athens, were long on rhetoric but short on details. Apart from announcing that the ship will be named "The Return," they refused to say which nation's flag it would fly or its registered name.

The PLO claimed in Athens last week that it had chartered the 8,000-ton Greek car ferry Silver Paloma. The Greek government informed Israel that since the vessel met all safety and other requirements, nothing could be done to prevent its sailing.

But the owner of the Silver Paloma, the

Afroessa Line, which operates a regular service between Piraeus and Haifa, said the charter had not been signed and the voyage was cancelled. There were no reports that the PLO obtained another ship.

Denial Of Entry Called Legal

Meanwhile, Professor Yehuda. Blum, an authority on international law, said Tuesday that if Israel announced officially it would deny the ship access to its territorial waters, the ship's master should take that as a warning and act accordingly.

Blum, a former Israeli ambassador to the United Nations and a member of the Hebrew University law faculty, told Israel Radio that a ship which seeks to enter a nation's territorial water in less than good faith can legally be prevented from doing.

"In this particular case, the passage would not be innocent because it is prejudicial to the good order of the coastal state and is an act of propaganda aimed at affecting the security of the coastal state," Blum said.

(JTA correspondents David Landau in Jerusalem, Jean Cohen in Athens and Hugh Orgel in Tel Aviv contributed to this story.)

STRONG ROBERTSON SHOWING IN IOWA MAY BRING RELIGION INTO CAMPAIGN

By David Friedman

WASHINGTON, Feb. 9 (JTA) -- The surprise second-place finish by the Rev. Pat Robertson in the Iowa Republican caucus Monday is expected to arouse concern in the Jewish community that the drive for school prayer and other efforts aimed at the erosion of the constitutional separation of church and state will become a major issue in the 1988 presidential campaign.

While Senate Minority Leader Robert Dole (R-Kan.) won a major victory in Iowa with 37 percent of the vote, Robertson was assured of being a major factor in the Republican campaign when he received 25 percent of the vote, compared to only 19 percent for Vice President George Bush.

In addition to Bush, Robertson's showing also hurt Rep. Jack Kemp (R-N.Y.), who finished fourth with 11 percent of the vote.

As the campaign now moves on to the New Hampshire primary next Tuesday, Dole and Bush are still expected to be the leading contenders for the Republican nomination.

But the two will be seeking to win the support of the thousands of evangelical Christians Robertson is bringing into the Republican party, as will the other Republican contenders: Kemp, former Delaware Gov. Pierre du Pont IV and former Secretary of State Alexander Haig Jr.

This should become increasingly apparent when the campaign moves toward Super Tuesday, on March 8, when primaries or caucuses will be held in 20 states, half of them in the South.

Bush and Dole have supported voluntary prayer in the public schools, while Kemp has been in favor of silent prayer. But some observers believe that while the rhetoric will increase, Bush and Dole, especially, are not as ideologically committed to these social issues as is President Reagan. And it is noted that Reagan has been unable to get any of these measures approved in seven years.

Ironically, Robertson is expected to tone down his rhetoric as he becomes a larger factor

in the race. Since entering the campaign, he has played down his career as a television evangelist and has instead called himself a businessman.

"I'm going to reach out to all Americans," he stressed Monday night. "I don't want to be a candidate of some narrow sphere of interest."

Orthodox Jewish Vote

In a speech to the National Press Club last year, Robertson said that he expected to win support in the Jewish community, especially among Orthodox Jews, who he said share the same concern he does about moral issues.

Jewish organizations are not expected to take any public stand in the campaign. But there is concern that as Dole, Bush and Kemp seek to win over Robertson's evangelical voters, the rhetoric will heat up, causing fear in the Jewish community.

This could be a replay of the 1984 election, when many Jews, traditionally Democrats, were considering deserting the party because of the influence of the Rev. Jesse Jackson, until the Republican nominee, President Reagan, made several speeches attacking those who oppose prayer in schools as anti-religion.

Jackson, incidently, did well in the Iowa Democratic caucus, finishing fourth with 8.7 percent of the vote, more than four times the share he received in 1984, in a state that is less than 2 percent black.

This time around, the Democratic winner, by a narrow margin, was Rep. Richard Gephardt (D-Mo.), who captured 31.3 percent of the vote, trailed by Sen. Paul Simon (D-Ill.), with 26.5 percent, and Massachusetts Gov. Michael Dukakis, with 22.3 percent.

Jackson, like Robertson, is also counting on Super Tuesday to make his candidacy more viable.

Opposite Extremes On Israel

While all candidates have stressed their support of Israel, the two ministers take the opposite extremes on the Jewish state. Jackson has sought to improve his image in the Jewish community and has toned down his rhetoric on Israel.

However, he is still the most critical of any of the candidates and is the only candidate on record in favor of a Palestinian state.

At the same time, when the Des Moines Sunday Register asked all candidates about their views about a homeland the day before the Iowa caucus, Jackson, while saying he supports a homeland, stressed that "the details should be worked out by the parties themselves."

Robertson, on the other hand, replied that "there is an autonomous homeland already for Palestine and it's called Jordan."

The candidates for the most part have avoided the Middle East, particularly the current unrest in the West Bank and Gaza Strip, except when they have been questioned about it. Most have voiced concern about the methods used by Israel, although they have expressed understanding for Israel's problems.

Mid-east issues should begin to play a more important role in the campaign as the candidates begin to compete for Jewish votes in three Super Tuesday states with large Jewish populations -- Florida, Maryland and Massachusetts -- and in Illinois, whose primary is set for March 15.

The Mideast may even grab center stage with the approach of the New York primary on April 19.