

**DEMJANJUK SENTENCED TO DEATH FOR WAR CRIMES AT TREBLINKA**

By David Landau

JERUSALEM, April 25 (JTA) -- John Demjanjuk, the Treblinka death camp guard known as "Ivan the Terrible," was sentenced to death Monday by the three-judge Jerusalem district court.

"One thousand deaths would not atone for your crimes," Judge Zvi Tal said to the guilty man, reading from the unanimous sentence of the bench.

The 68-year-old Demjanjuk was found guilty on April 18 of crimes against the Jewish people, war crimes, crimes against humanity and crimes against a persecuted people.

The court decided on the basis of evidence that the retired automobile worker from Cleveland, Ohio, was the Treblinka guard who operated the gas chambers where some 800,000 Jews perished.

He was convicted under the 1950 Nazi and Nazi Collaborators Law, which carries the death penalty. Under Israeli law, appeal to the Supreme Court is mandatory. If the conviction and sentence are upheld, the sentence will be carried out in about six months, by hanging.

Demjanjuk would be the second war criminal executed under the law. Adolf Eichmann was hanged in Israel on May 31, 1962.

In arguments before sentencing Monday, State Attorney Yonah Blattman maintained that the death penalty was mandatory under the Nazi Collaborators Law. The court preferred not to accept that interpretation. It agreed with Blattman that given the conviction and the nature of the crimes, its imposition of the death penalty was discretionary.

Defense counsel declined to argue for a lesser sentence on grounds that to do so would imply an admission of guilt.

Demjanjuk maintained throughout his 15-month trial that he was a victim of mistaken identity. He continued to insist his innocence at the sentencing.

**Present In Court**

Before sentencing, Demjanjuk again said he had back pains and wished to remain in his cell like last Monday, when the verdict was read. But the court insisted that he be present in court to hear the sentence pronounced.

Addressing the court briefly, Demjanjuk said, "Today you are to pass sentence on 'Ivan the Terrible' but in fact you will not be sentencing 'Ivan the Terrible' because you did not try him." He added, "You tried another man, an innocent man, John Demjanjuk."

But the death sentence was unanimous. The crimes for which Demjanjuk was convicted cannot be forgiven. They have no statute of limitation, presiding Judge Dov Levin said.

"They are timeless . . . as though Treblinka still existed, as though the blood of whole villages of Jewish people were still seething . . . and 'Ivan the Terrible' were still standing, merciless, slashing off breasts, cleaving open stomachs."

When the death penalty was pronounced,

spectators in the courtroom applauded and cheered.

Demjanjuk's son, John Jr., who was at his father's side during most of the trial, reacted bitterly. The judges are the "real criminals" in the trial, he said. The sentence shamed Israeli justice and the six million Holocaust victims, he said.

**REACTIONS TO DEMJANJUK SENTENCE SPEAK OF JUSTICE, NOT VENGEANCE**  
By Susan Birnbaum

NEW YORK, April 25 (JTA) -- Reactions here to the death sentence imposed Monday in Jerusalem district court on John Demjanjuk refrained from any feelings of vengeance, focusing instead on justice being carried out.

Holocaust survivor Abraham Foxman, national director of the Anti-Defamation League of B'nai B'rith, said he thought the death sentence for the man known as "Ivan the Terrible" was "appropriate, considering the evidence, which was overwhelming, and because the crime was genocide. What other penalty would be appropriate?" he asked.

But Brooklyn District Attorney Elizabeth Holtzman, who as a member of Congress authored legislation allowing the United States to denaturalize and deport anyone who had committed Nazi crimes, was less sure.

Although admitting she "was not surprised" by the sentence imposed on Demjanjuk, she demurred from judging a case that now properly and fully belonged in the hands of the Israeli justice system. "I personally have not been in favor of the death penalty, but this is a decision for the Israelis to make," she said.

Holtzman admitted it was difficult to decide how to levy justice in the case of genocide. "Clearly, this man is accused of crimes of such savagery, bestiality and horror that . . . there is no way in which he appropriately can be punished. Nothing that we can do to him can somehow be equal to the brutality that he imposed on his victims."

While against the death penalty in principle, Holtzman conceded that "if the death penalty is ever warranted, these are instances in which it could be considered."

**Justice 'Caught Up With Him'**

In summation, Holtzman said, "I think the most important question to Demjanjuk is that justice finally caught up with him. This is a man who lied, was given every opportunity, and justice finally caught up with him. The due process he received is far more than that which 800,000 Jews slaughtered at Treblinka ever received."

This was echoed by Benjamin Meed, Holocaust survivor and president of the Warsaw Ghetto Resistance Organization. "The man had more opportunity than the millions who perished. None of them had the opportunity to appeal before the court in America."

Meed said he thought "the Jewish people gave him the chance of a fair trial, of giving him legal representation."

Meed said he personally knew some of the witnesses at Demjanjuk's trial, and "I trust them.

I feel that they presented the case in such a way that justice shall be not administered on the basis of vengeance."

In general, he said, he is also opposed to the death penalty. However, "as a Jew, I am asking how justice can at all be paid for the over 800,000 Jews who perished at Treblinka, including members of my own family, without their day in court."

Elan Steinberg, executive director of the World Jewish Congress, said, "Justice finally comes at last to this foul murderer. It is a lesson that even 40 years after the fact, these perpetrators of the worst crimes in man's history cannot escape the bar of justice."

#### **SECURITY COUNCIL PASSES RESOLUTION CONDEMNING ASSASSINATION OF WAZIR** By Yitzhak Rabi

UNITED NATIONS, April 25 (JTA) -- The United States abstained Monday on a Security Council resolution condemning the assassination of Khalil al-Wazir, the Palestine Liberation Organization's No. 2 man. He was gunned down by a hit squad in his villa in suburban Tunis early on the morning of April 16.

The resolution, which was adopted by a vote of 14-0, did not mention Israel in its operative paragraphs condemning the act.

But the preamble referred to Tunisia's April 19 letter to the Security Council flatly accusing Israel of carrying out the assassination.

That arrangement apparently was the result of behind-the-scenes bargaining that continued almost until the moment the vote was taken. It is credited with avoiding a U.S. veto.

The American ambassador, Herbert Okun, who announced before the vote that his country would abstain, explained that the United States deplores all violence and particularly political assassination. He also noted that Tunisia is a close friend of the United States.

But Okun explained that the United States would have to abstain, because the resolution singled out only one act of violence, without mentioning the cycle of violence that preceded it.

The United States was saying in effect that the resolution was one-sided. Israel did not participate in the Security Council's deliberations, which began last Thursday. But Israel denied allegations that it had admitted it was responsible for the death of Wazir, who was popularly known as Abu Jihad (father of holy war).

The operative paragraph of the resolution states: "The Security Council condemns vigorously the aggression perpetrated on 16 April 1988 against the sovereignty and territory of Tunisia in flagrant violation of the Charter of the United Nations, international law and norms of conduct."

The resolution also calls on member states to take measures to prevent similar acts in the future and requests the secretary general "to report urgently to the Security Council any new elements available to him and relating to this aggression."

#### **WOULD-BE INFILTRATORS STOPPED AT SEA** By Hugh Orgel

TEL AVIV, April 25 (JTA) -- An Israel Navy patrol boat killed two suspected terrorists and sank their rubber dinghy early Monday morning, in an encounter at sea off the Lebanon coast.

Rear Admiral Avraham Ben-Shashon, the

navy commander, told Israel Radio that the patrol boat identified the dinghy as the type used by terrorists to infiltrate into Israel by sea. He said the two men aboard were acting in a suspicious manner.

After challenging them, the patrol boat opened fire, killing both of its occupants. Ben-Shashon said the Palestine Liberation Organization and other terrorist groups have lately resumed their attempts to infiltrate Israel by sea, but so far have been foiled.

He said the attacks had been thwarted far from Israel and without any Israeli casualties. Nevertheless, more such attempts can be expected in the future, the admiral said.

#### **UNREST IN TERRITORIES ABATES; SHOPKEEPERS ARRESTED IN JERUSALEM** By Gil Sedan

JERUSALEM, April 25 (JTA) -- Security authorities announced with considerable pride Monday that there have been no fatalities in the West Bank and Gaza Strip for the past 48 hours, a possible indication that the Palestinian uprising may be winding down.

In East Jerusalem, however, police arrested 14 Arab shop-owners who disobeyed orders to remain closed during the hours the underground leadership of the Arab uprising decreed they should be open for business.

The police began the confrontation Sunday in an effort once and for all to break the Arab commercial strike, now in its fifth month. They have ordered the merchants either to keep normal business hours or remain closed altogether.

It is a contest of strength with the Palestinian underground in which legal penalties, not force, are the weapons. Merchants found guilty of violating orders face fines and up to two years in prison.

Throughout the morning, police patrolled barricades in the business district of East Jerusalem near the Damascus Gate. When shop-owners showed up at 2 p.m. and raised their shutters in accordance with instructions from the underground, the police arrested 14 of them and issued 22 closure orders.

There was no violence. But a crowd of onlookers was dispersed with water cannon.

Although the situation seems to have eased in the administered territories, the civil administration issued restraining orders Monday against dozens of Gaza Strip residents suspected of involvement in disturbances.

They are forbidden to use their cars and are required to check in at the Gaza police station twice a day.

Meanwhile, Defense Minister Yitzhak Rabin told the Cabinet at its weekly meeting Sunday that some 165 Palestinians in the administered territories have died since the uprising began Dec. 9. Of that number, 147 were shot by security forces and the others were either killed by fellow Arabs or in accidents.

There are some 4,700 Palestinians under detention, of whom about 1,700 are under administrative arrest, meaning they may be held up to six months without trial.

In another development Sunday, a military court imposed a five-month suspended sentence on Israel Defense Force Cpl. Sagi Harpaz and reduced him to the rank of private. Harpaz was one of several IDF soldiers who kicked and beat two handcuffed Palestinian prisoners.

**LABOR BACKS LAND FOR PEACE;  
LIKUD MAINTAINS HARD LINE**

By David Landau

JERUSALEM, April 25 (JTA) -- Israelis got a preview Monday of what choice they will be offered when they vote to elect a new Knesset later this year.

The Labor Party is pledged to seek peace through territorial compromise, according to its foreign affairs and security platform, which was leaked to the news media Sunday night.

Likud, on the other hand, rejects unconditionally the idea of trading land for peace. Premier Yitzhak Shamir told cheering members of the Herut Central Committee in Tel Aviv on Sunday night that "the Arabs must understand that we will never part from Judea, Samaria and Gaza."

He said the Palestinians would be able to run their own lives under an autonomy plan.

The Labor platform was drawn up by Foreign Minister Shimon Peres, the party chairman, who was assisted by Defense Minister Yitzhak Rabin and Labor Party Secretary-General Uzi Baram.

It was clearly tailored to satisfy both hawks and doves in Labor Party ranks, though it is obviously unacceptable to anyone committed to a "Greater Israel" -- Israel plus the administered territories.

The platform will explicitly endorse the idea of an international conference for Middle East peace, advanced by U.S. Secretary of State George Shultz and supported by Peres and King Hussein of Jordan.

The conference envisioned would serve as a framework for direct Israeli-Arab negotiations, but would have no power to impose solutions or veto agreements.

Likud refuses to accept any sort of international conference. At the Herut Central Committee meeting, Housing Minister David Levy, a serious rival to Shamir for party leadership, accused the prime minister of not articulating with sufficient force Likud's rejection of the Shultz proposals.

According to unofficial reports, the Labor platform will spell out Israel's determination to retain forever the united city of Jerusalem and its environs, as well as other areas necessary for security. It will urge the eventual cession of Arab-populated areas of the West Bank and Gaza Strip and their incorporation into a Jordanian-Palestinian federation.

Political observers pointed out that this is, in essence, the Allon Plan, which was proposed shortly after the 1967 Six-Day War by the late Yigal Allon, the foreign minister and deputy premier in the Labor-led government.

The platform will rule out a Palestinian state. It will propose that existing Jewish settlements remain in place, though without explaining under what precise legal circumstances.

"The basis is that peace is the foundation of security," Laborite Gad Yaacobi, the minister of economic coordination, said Monday, explaining his party's platform. "Peace is vital for maintaining a state with a Jewish majority living in democracy," he added.

The Labor platform will also propose new elections or a national referendum before any agreed settlement is ratified.

Herut, meanwhile, did not vote for a party leader Sunday night. This was considered a tactical victory for Levy, whose supporters want him acknowledged as Herut's No. 2 man before endorsing Shamir.

**KIRKPATRICK SPEAKS OUT AGAINST  
INTERNATIONAL PEACE CONFERENCE**

By Howard Rosenberg

WASHINGTON, April 25 (JTA) -- Jeane Kirkpatrick, former U.S. ambassador to the United Nations, predicted Monday that an international peace conference on the Middle East will never occur and that the Arab-Israeli conflict will continue for the "foreseeable future."

Anyone who believes that forum could lead to resolution of the Arab-Israeli conflict "should be sentenced to spend one full year at the United Nations," Kirkpatrick said in a speech to the National Press Club.

As envisioned in Secretary of State George Shultz's peace initiative, the conference was to have occurred in mid-April, two weeks prior to the start of negotiations on autonomy for Palestinians in the West Bank and Gaza Strip. The conference would be comprised of the five permanent members of the U.N. Security Council and Middle East countries, but could not impose a solution.

"Violence has been endemic for centuries" in the Middle East, Kirkpatrick noted. "I think that it's too bad that the promised land didn't turn out to be on the border between Canada and the United States or off the shores of New Zealand or some such feasible place."

"We may just be stuck with the continuation of relatively low levels of violence for the foreseeable future," she added. Kirkpatrick, who now teaches at Georgetown University and is a national columnist, said it is wrong to fault Israel as the "principal obstacle to a Middle East conference."

For example, she said the United States opposes the Soviet Union's insistence that the conference have the power to impose a solution "on the basis of some majority vote." In addition, the Palestine Liberation Organization wants to have an independent delegation of its own, with Jordan opposed to attending such a conference unless the PLO can attend, she said.

**'Minimal Feasible Force'**

She called for Israel to make changes in its policies, including using the "minimal feasible force" to maintain order and eliminating vestiges of economic discrimination against Palestinians on the West Bank and Gaza Strip. "There are a few such discriminatory regulations," she said, without going into detail.

Kirkpatrick also said Israel should "maximize autonomy" for Palestinians, endorsing Jerusalem Mayor Teddy Kolek's proposal to slice up Jerusalem into Jewish and Moslem boroughs. She said the United States should prod Israel to be "forthcoming" when its neighbors wanted to discuss "secure boundaries and peace for the region and autonomy for the Palestinians. So far none of Israel's neighbors has been willing to do that, except Egypt," she said.

On other matters, Kirkpatrick defended Israel's restrictions on television coverage in the territories, saying that free speech requirements "are adequately met by respect for print journalism."

Kirkpatrick said that if Israeli agents assassinated PLO military chief Khalil al-Wazir, it was done in "self-defense." Because the PLO says it is at war with Israel "and in fact makes war," Kirkpatrick said that "creates a situation in which the right of self-defense is triggered."

**ELLI WOHLGELERNTER JOINS  
JTA STAFF AS MANAGING EDITOR**

NEW YORK, April 25 (JTA) -- Elli Wohlgernter has begun work as managing editor of the Jewish Telegraphic Agency. He replaces Andrew Muchin, who resigned as assistant editor in late March to become editor of The Wisconsin Jewish Chronicle in Milwaukee.

Wohlgernter, 34, will assist JTA Editor Mark Joffe in overseeing editorial operations of the worldwide news agency. He will be responsible for compiling JTA's Community News Reporter and for editing copy for JTA's electronic mail service and Daily News Bulletin.

Wohlgernter, a former reporter for the New York Post, has served as editor of the B'nai B'rith Messenger in Los Angeles and as copy editor for the Long Island Jewish World. He also was a reporter at radio station WGBB on Long Island and assignment editor at both WNEW-TV in New York and KOMO-TV in Seattle.

After attending the Yeshiva High School in Skokie, Ill., Wohlgernter, the son of Moshe Wohlgernter, an Orthodox rabbi, received his bachelor's degree from Columbia University and attended its School of Journalism. An avid sports fan, he covered the 1981 Maccabiah games in Israel for 11 national newspapers and sports magazines.

Commenting on his appointment, Wohlgernter said, "I see this as a great opportunity for me personally. I look forward to working with all our subscribers across the country and around the world. I hope to maintain the quality and excellence in journalism that has become a JTA tradition."

**FRENCH JEWS WARN CANDIDATES AGAINST  
PANDERING FOR FAR RIGHT-WING VOTES**  
By Edwin Eytan

PARIS, April 25 (JTA) -- French Jews urged the two leading presidential candidates Monday not to pander to the far right-wing National Front of Jean-Marie Le Pen, which made an unexpectedly strong showing in the first round of France's presidential elections Sunday.

CRIF, the Representative Council of Major French Jewish Organizations, expressed its "deep concern" over the size of Le Pen's vote. He scored 14.41 percent, surprising most pollsters and political analysts.

CRIF called on incumbent President Francois Mitterrand and his rival for the presidency, Premier Jacques Chirac, to offer no concessions to the National Front or the people who voted for it.

Mitterrand, 71, leader of the Socialist Party, and Chirac, 56, of the center-right neo-Gaullist Rally for the Republic, will face each other in a run-off election on May 8.

Mitterrand won 34.1 percent of the vote Sunday to 19.9 percent for Chirac. CRIF's warning, therefore, was addressed mainly to Chirac, who would need Le Pen's 4.5 million voters if he is to unseat Mitterrand.

Mitterrand can count next month on the votes of the Communists and other leftist parties. Chirac, and the other center-right candidate, Raymond Barre, mustered a combined vote of 36.45 percent Sunday. Chirac, therefore, is mathematically excluded from winning the presidency, unless he can tap the far right.

Chirac until now has refused to negotiate

with Le Pen or even meet him. But many observers believe he may be forced to make some sort of concession to the far right.

Le Pen ran a chauvinist campaign, appealing to xenophobia. His main target was aliens in France, particularly Arabs from North Africa.

He has insisted he is not anti-Semitic. But Jews and liberals recall his Radio Luxembourg interview last September in which he dismissed the Holocaust as a "minor point" in history.

**SOUTH AFRICAN JEWS OUTRAGED  
OVER SYNAGOGUE DESECRATION**

JOHANNESBURG, April 25 (JTA) -- South African Jewry is outraged over the desecration of a community synagogue last week by a squad of men dressed like Hitler's storm troopers.

The incident took place last Wednesday, the eve of Israel's Independence Day and the 99th anniversary of Hitler's birthday.

According to police accounts, six white men in "Nazi-type uniforms" marched up the steps of the Great Synagogue in Essenwood Road, Durban and dumped a pig's head at the door. The forehead was marked with a swastika and a Star of David was stamped on each ear.

Eyewitnesses described the men as wearing white shirts, black ties, black uniforms and swastika-like arm bands. They wore boots, marched in step and executed the Nazi salute.

A similar incident occurred at about the same time at the Jewish Club in Durban.

The South African Jewish Board of Deputies has expressed outrage over the incident, and the president, Michael Katz, said "the board would pursue the matter in collaboration with the authorities." Durban police are hunting for six white men who will be charged with criminal injury.

The South African Jewish community is furious and horrified as the acts, reminiscent of anti-Jewish activities during the '30s and '40s, follows several other neo-Nazi incidents in South Africa within the last two weeks.

President P.W. Botha described the perpetrators as "the dregs of society" in a statement last Friday. "I think the people are sick," he said.

Botha stated in Cape Town two days later that neo-Nazism will not be tolerated in South Africa. He said he had fought against National Socialism all of his life, in South Africa and in World War II.

**PLAY ABOUT CHURCH ROLE IN HOLOCAUST  
AROUSES CONTROVERSIES" IN BAVARIA**  
By David Kantor

BONN, April 25 (JTA) -- Christian-Jewish relations here may have suffered, observers say, because of the performance in Munich on Friday of a highly controversial play critical of the Vatican's role during the Holocaust.

"Der Stellvertreter" (The Deputy), written 25 years ago by German playwright Rolf Hochhuth, got a mixed greeting when it opened at the Prinzregenten Theater in Munich, the Bavarian capital, part of "Jewish Culture Week" sponsored by the municipality.

Dozens of spectators protested with jeers. Other members of the audience shouted down the protesters.

The play attacks Pope Pius XII and the Roman Catholic Church for remaining silent while Jews were being exterminated.