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FOUR KILLED, AS ISRAELIS DEBATE LEGALITY OF 'GET TOUGH' POLICY

By Gil Sedan

JERUSALEM, Jan. 22 (TA) -- Four Palestinians were killed and scores wounded or arrested over the weekend, as the new leeway given soldiers to fire on rioters was hotly debated in the Cabinet and by Knesset members.

The orders issued by Defense Minister Yitzhak Rabin permit soldiers to open fire on rock-throwers or other rioters fleeing the scene of a clash.

Moreover, non-commissioned officers are now authorized to fire the often lethal plastic bullets. Until recently, their use was restricted to commissioned officers.

Some in the Cabinet and Knesset maintain those measures are illegal.

There is also dissent within the defense establishment. Rabin was warned by senior officers and others Friday that rapidly mounting Arab casualties only escalate the Palestinian uprising and tarnish Israel's image abroad.

But Rabin is standing fast and seems to have the legal authorities and a majority of the Cabinet behind him.

The objections were summed up by Amnon Rubinstein of the opposition Center-Shinui Movement, who warned in a letter to Rabin that "killing as a punitive measure, or as a deterrent, is illegal, and therefore the new guidelines are illegal and must not be obeyed."

The same view was expressed by one of Rabin's fellow Laborites, Energy Minister Moshe Shahal, at the weekly Cabinet meeting Sunday. Shahal, like Rubinstein, is a respected lawyer.

But other ministers disagreed, and Attorney General Yosef Harish ruled that the new shooting orders were perfectly legal.

Harish said he was not making a snap judgment, because all military orders are reviewed for possible illegalities before they are issued to the troops.

Rabin Presents Four-Point Plan

Meanwhile, the Palestinian uprising, which the Arabs call the intifada, is well into its 14th violent month.

According to Israel Defense Force figures, some 285 Arabs have been killed by the IDF from the start of the uprising on December 9, 1987, up to the end of last week.

Of that number 190 fatalities were recorded in the West Bank and 95 in the Gaza Strip. Another 50 Arabs have been killed either by Jewish settlers or by Arabs punishing them for alleged collaboration with the Israelis.

Arab sources estimate that at least 400 Palestinians have died at the hands of the IDF or Jewish settlers, and that 4,325 have been wounded. Two-thirds of the casualties occurred in the West Bank, these sources say.

The official number of Jewish fatalities since the intifada began is 10 soldiers and civilians.

About 815 soldiers have been wounded, most of them slightly. The number of Jewish civilians wounded was put at 450.

Rabin, while defending his "get tough" measures, has been floating a plan for an armistice in the intifada, to be followed by free elections in the West Bank and Gaza Strip.

His four-stage plan would call for a three- to six-month suspension of the intifada. Residents of the territories would then go to the polls to elect their representatives.

These representatives would then negotiate with the Israeli authorities for an interim settlement, based on the Camp David autonomy formula.

The final settlement, according to Rabin's plan, envisages an autonomous Palestinian body, though not an independent state, which would federate either with Israel or Jordan.

Rabin said on Israel Television over the weekend that he would give "favorable consideration" to a proposal to release imprisoned Palestinian leaders immediately if they agreed to participate in the elections.

He seemed to be referring, among others, to Faisal Husseini, 48, who is due to be released next weekend, after 6 months under administrative arrest.

But Rabin's plan appears to be going nowhere. It has been flatly rejected by the Palestine Liberation Organization and the Arab states.

Meanwhile, the West Bank and Gaza Strip were paralyzed by another general strike Sunday. This time it was called by Hamas, the Moslem fundamentalist movement opposed to the PLO. It was almost 100 percent effective.

EGYPT HALTS TABA TALKS, DEMANDING ISRAELI TIMETABLE FOR WITHDRAWAL

By Hugh Orgel

TEL AVIV, Jan. 22 (JTA) -- Talks aimed at wrapping up the Taba dispute ran into a snag Friday, when the Egyptians suddenly refused further discussion until Israel submits a specific, binding timetable for its withdrawal from the tiny enclave on the Gulf of Eilat.

The demand was voiced, reportedly in angry tones, by the head of the Egyptian delegation, Nabil el-Arabi.

It was backed up in Cairo Saturday by Egyptian Foreign Minister Esmat Abdel Meguid, who said Israel must withdraw before the talks can continue.

Taba was awarded to Egypt by international arbitration last year. The bilateral talks that began there on Thursday were called to settle relatively minor issues left unresolved by the arbitration process.

They seemed to be making progress until the abrupt halt Friday. Israel is hoping the two negotiating teams will be able to resume their talks Monday, as scheduled.

Yet to be settled is the exact location of 185 yards of border running from Marker 91 on a sand hill to the edge of the sea. Marker 91 is the last border marker set in place under the arbitration procedure.

Other outstanding matters include access to the Avia Sonesta Hotel and the Rafi Nelson Vacation Village, two resorts built by Israelis in Taba some years ago. The Israelis would like to retain management of the two facilities under Egyptian ownership.

Israel wants its tourists to have free access to Taba, without passports or visas. The Egyptians

may be willing to grant that right only to day-trippers.

In addition, there are questions of policing the region, customs inspection and currency exchange.

Meanwhile, private negotiations are taking place between the Israeli owner and operator of the Sonesta, Eli Paposhado, and prospective Egyptian buyers.

Neither the Israeli nor Egyptian governments exercise any authority over them. Egyptian law requires Egyptian ownership, but it would not prevent Israelis from retaining a 49 percent interest in the hotel, as they hope to do.

ONE OF ISRAEL'S 'GREATEST FRIENDS,' SHAMIR SAYS OF REAGAN IN FAREWELL
By Hugh Orgel

TEL AVIV, Jan. 22 (JTA) -- Prime Minister Yitzhak Shamir sent a "Dear Ron" farewell message to outgoing President Ronald Reagan over the weekend, describing him as "one of the greatest friends" Israel has ever had.

Defense Minister Yitzhak Rabin sent similar cables to two departing members of the Reagan administration, Defense Secretary Frank Carlucci and Secretary of State George Shultz.

The eight-year Reagan administration officially terminated at noon Friday, Eastern Standard Time, when President George Bush was sworn into office.

Shamir's cable to Reagan began:

"Dear Ron,

"I am most grateful to you for your warm words of congratulation to me and my colleagues on the formation of our new government of national unity. This government faces the formidable challenge of external dangers, of economic hardship and the ongoing search for peace with our neighbors, for peace and coexistence with the Palestinian Arabs who live under our rule.

"We shall look for solutions with utmost vigor and pray that we shall be successful."

The prime minister extolled Reagan's "outstanding leadership of the United States of America and the free world."

"The people of Israel will be eternally grateful for your profound understanding of this small nation's history, its travails and triumphs," he said.

He observed that "the relationship between our two countries has never been better than in the period of your leadership of the United States.

"It is no wonder, therefore, that the memorandum of agreement we signed on Israel's 40th anniversary is already known and spoken of as the Reagan agreement," Shamir said.

Messages To Carlucci, Shultz

Noting that "it was possible occasionally to differ without impairing the basic friendship," Shamir reminded Reagan that Israel is "the country with the best voting record at the United Nations at the side of the United States."

The prime minister wound up his message with an invitation to Reagan and his wife, Nancy, to visit Israel "at any early date."

Rabin began his letter to Carlucci, his American counterpart, by praising the American-Israeli defense relationship during the 14 months Carlucci held the office.

"It is a great pleasure for me to state today that our expectations were fulfilled. Indeed, under your leadership, the defense relations and cooperation between the Department of Defense and the Ministry of Defense and between the U.S. forces and the Israel Defense Force have reached a depth unprecedented in the history of our relations," Rabin said.

"On behalf of the government of Israel and myself, please accept our gratitude and esteem for your personal contribution to these achievements."

Rabin told Carlucci, "You will always be a welcome guest in Israel."

To Shultz, Rabin wrote: "I sincerely hope that I express the unanimous feeling of all the people in Israel, and especially of those involved in the defense of Israel, in extending to you our thanks for your personal share in the strengthening of Israel's security.

"We shall not forget the fact that you initiated the U.S.-Israeli strategic cooperation five years ago, and continuously encouraged its progress.

"Your steadfast determination to maintain Israel's security and your immense efforts to promote peace in our region will not be forgotten."

U.S. MEETS AGAIN WITH PLO, URGES 'CONSTRUCTIVE DEEDS'
By Howard Rosenberg

WASHINGTON, Jan. 22 (JTA) -- Prior to leaving office last week, President Reagan asked Egyptian President Hosni Mubarak to impress upon the Palestine Liberation Organization that "it must match moderate words with constructive deeds."

White House spokesman Marlin Fitzwater said Thursday that the request was contained in a "paragraph reference" within a two-and-a-half-page letter to Mubarak.

Fitzwater would not release the letter to reporters, but said it also "expresses pride in the strengthening of the U.S.-Egyptian partnership over the past eight years," and affirms U.S. support for Egyptian economic reform.

Fitzwater denied reports that Reagan had sent a letter to the Palestine Liberation Organization.

But he and State Department spokesman Charles Redman confirmed that U.S. Ambassador to Tunisia Robert Pelletreau met again last week with a PLO official.

Pelletreau, the only authorized U.S. channel to communicate with the group, met Jan. 17 with Hakam Balaoui, the PLO's representative in Tunis, a State Department source said.

Neither Redman nor the source would describe the content of the meeting, although Redman described it as an "informal contact."

Pelletreau had met Balaoui three weeks before, and the State Department source indicated future meetings were possible.

Last week, in the final days of the Reagan administration, the State Department voiced concern about a comment PLO leader Yasir Arafat made on Jan. 1.

Redman said Thursday that a translation of a tape recording of the remarks quoted the PLO chairman as saying: "Whoever thinks of stopping the intifada before it achieves its goals, I will give him 10 bullets in the chest."

Redman said "this threat is inconsistent with Arafat's Dec. 14 renunciation of terrorism." But Arafat has denied that he threatened anyone.

SOVIET DIPLOMAT ATTENDS CEREMONY IN BRUSSELS HONORING WALLENBERG

By Yossi Lempkowicz

BRUSSELS, Jan. 22 (JTA) -- A Soviet diplomat has, for the first time, attended a ceremony honoring Raoul Wallenberg, the Swedish diplomat who rescued Hungarian Jews from the Nazis during World War II and disappeared into the Soviet Gulag.

Piotr Bogdanov, Moscow's ambassador to Belgium, was one of the many dignitaries at the solemn ceremony organized jointly by the Belgian committee for Raoul Wallenberg and Foreign Minister Leo Tindemans.

It was held Thursday night at Egmont Palace, a government house. The royal family lent its imprimatur by the presence of Prince Philippe, son of Crown Prince Albert.

The Soviets have studiously ignored Wallenberg since his arrest early in 1945, when the Red Army entered Budapest.

After first denying any knowledge of him, the Kremlin's official line has been that Wallenberg died of a heart attack in a prison near Moscow in 1947, at the age of 35.

But persistent reports have surfaced over the years that he has been seen alive.

His half brother, Guy von Dardel, told the gathering that "the presence of the Soviet ambassador is a significant gesture that shows that (Soviet leader Mikhail) Gorbachev's glasnost (openness) policy gives us hope for a change of the Soviet attitude toward the Wallenberg case."

Soviets Now Investigating

Tindemans noted that in Vienna, during the recent East-West Conference on Security and Cooperation in Europe, several Western representatives asked for an in-depth investigation of Wallenberg's fate.

"The Soviet ambassador at the conference replied that new inquiries were on their way and that the Soviet authorities would not hesitate to deliver more precise information as soon as it could be obtained," Tindemans said.

At a news conference here earlier, Simone Lucki, a lawyer who chairs the Belgian Wallenberg committee, urged the Soviet authorities to free him and to clear up the mystery of his disappearance.

"The testimony of several people and precise facts collected over the years have shown that Wallenberg is, in all likelihood, alive today at the age of 76," she said.

Wallenberg is credited with saving more than 100,000 Jews from deportation to Nazi death camps by supplying them with Swedish documents and sheltering them at the Swedish legation in Budapest.

HERZOG TO ATTEND HIROHITO'S FUNERAL

By Hugh Orgel

TEL AVIV, Jan. 22 (JTA) -- The Cabinet voted overwhelmingly Sunday to approve President Chaim Herzog's attendance at the funeral of the late Japanese Emperor Hirohito, which is to take place next month in Tokyo.

There were only two dissenters at the weekly Cabinet meeting: Housing Minister David Levy of Likud and Minister of Immigration and Absorption Yitzhak Peretz of the Orthodox Shas party.

They objected on grounds that Japan was an active ally of Hitler and Mussolini during World War II.

Objections to attending Hirohito's funeral have surfaced in a number of other countries, especially Britain, where Jewish war veterans earlier this month joined members of Parliament in protesting Buckingham Palace's plans to send a member of the royal family.

JONATHAN POLLARD PLANS A FAST TO PROTEST WIFE'S TREATMENT

By Susan Birnbaum

NEW YORK, Jan. 22 (JTA) -- Jonathan Pollard, who is serving a life sentence for spying for Israel, is to begin a five-day fast Monday to protest the prison treatment of his wife, Anne Henderson Pollard.

The information was reported by Bernard Henderson, Anne Pollard's father, who is publicist for the Pollard case.

According to Henderson and members of the Pollard family, Anne Pollard was wrested abruptly from beneficial medical treatment at Danbury General Hospital on Saturday, Jan. 14, and taken by prison guards back to the federal prison facility in Rochester, Minn.

She had been a prisoner there until Sept. 1, when she was transferred to Danbury Prison Camp, a minimum security prison. She had been taken from the Danbury prison to the hospital for treatment for dehydration and malnutrition, her family and attorneys reported.

On Sunday, Henderson said Jonathan Pollard, who is a prisoner in solitary confinement at the federal penitentiary in Marion, Ill., would begin a fast to protest the "kidnapping" of his wife from the hospital; the "reckless endangerment of her life" by removing her intravenous tubes; and the "theft of religious articles" at the Rochester prison.

Henderson reported Friday that his daughter's necklace, bearing the Hebrew word "chai" (life), had disappeared.

Jonathan Pollard went on a hunger strike in July to protest treatment of both himself and his wife. Henderson said his son-in-law "passed out" three days later.

Henderson pointed out that this fast would not be a hunger strike, to avoid the prison labeling Pollard "mentally incompetent" and thereby force-feeding him. He will drink water.

Charges Of Kidnapping Raised

Last week, Donald Abrams, a former assistant U.S. attorney who is now acting as one of Anne Pollard's lawyers, asked the U.S. attorney general to investigate possible violations of federal kidnapping, assault and civil rights laws regarding her transfer back to the Minnesota facility.

The family says she is not getting medical care at the Rochester hospital prison.

A spokesman for Attorney General Richard Thornburgh, John Russell, said Thursday he had "no knowledge of the claim by Donald Abrams."

Russell denied any kidnapping, however. He said, "The transfer of prisoners does not constitute kidnapping. We transfer prisoners every day."

Anne Pollard is currently serving two concurrent five-year sentences for being an accessory to the crimes of her husband.

U.S. legal and prison authorities said she was transferred to the Rochester prison because it is a hospital facility.

ISRAELI ENVOY'S RARE AUDIENCE WITH POPE DESCRIBED AS 'POSITIVE'

By Ruth E. Gruber

ROME, Jan. 22 (JTA) -- Israel's ambassador to Italy, Michael Drory, had a rare audience with Pope John Paul II last week.

An Israeli Embassy official who accompanied him to the audience Thursday told the Jewish Telegraphic Agency that although they discussed nothing specific, the event was significant in itself.

The Vatican has no diplomatic relations with Israel and refuses to recognize the Jewish state.

According to Meron Gordon, the embassy official in charge of contacts with the Vatican, it was Drory's second audience with the pope since early 1987, when the envoy first arrived in Rome.

Gordon described the atmosphere as "positive" and termed the papal audience with an ambassador of Israel "unusual," if not entirely without precedent.

It lasted about a half-hour. "The pope made general remarks about his desire for peace in the (Middle East) area and equal rights for all people," Gordon told JTA.

He said the ambassador "explained in detail the Israeli view of the situation and the new and comprehensive peace plan now being prepared in Israel."

Stressing that the meeting was simply "a general exchange of views," Gordon said the embassy would not have asked for the audience if it had not "had good indications" it would be granted.

He explained that "the pope does not invite anyone. He only consents to requests" for an audience.

One of the obstacles to Vatican recognition of Israel is its insistence that Jerusalem should be an international holy city.

The Rome daily Il Messaggero quoted Drory on Friday as saying that "the pope is convinced, as are many in Europe, that the Palestine Liberation Organization represents the Palestinian people and thus must be our interlocutor."

The current Israeli government has formally rejected any talks with the PLO.

ARGENTINE AUTHORITIES PROMISE TO EXTRADITE TWO DUTCH NAZIS

By Henrietta Boas

AMSTERDAM, Jan. 22 (JTA) -- Foreign Minister Hans van den Broek is returning from a visit to Argentina with a promise from officials there that two Dutch fugitives, tried and convicted of war crimes, will be extradited.

Both of them, Jan Olij and Abraham Kipp, found haven in Argentina after World War II and became citizens.

The authorities assured Van den Broek, who was in Buenos Aires Thursday and Friday, that their citizenship will be revoked.

But the extradition proceedings will take some time, because of legal formalities. The extradition treaty between the two countries, which dates from 1893, has no provisions for war criminals.

Olij, 68, had been employed as a policeman in Argentina and worked for an oil company. He was arrested Dec. 7 in a suburb of Buenos Aires. He is presently in the psychiatric ward of a prison hospital in Buenos Aires.

A Dutch court sentenced Olij to 20 years in prison in July 1949. But he managed to escape to Spain, from where he sailed to Argentina.

Kipp, a policeman during the Nazi occupation of Holland, fled before his trial. He was sentenced to death in absentia in 1949 for the murder of at least 20 persons.

But by then he was in Spain, enroute to Argentina, where he was naturalized in 1953. He has since disappeared from Buenos Aires, where his house is listed for sale.

GERMANS RESIST NEO-NAZI MAIL, RETURNING THOUSANDS OF LETTERS

By David Kantor

BONN, Jan. 22 (JTA) -- The West German public is resisting a neo-Nazi junk mail campaign in such volume that the post office is now destroying the rejected mailings, instead of returning them.

Millions of citizens were reported last week to have sent back unopened the propaganda material mailed to them by Gerhard Frey of Munich, leader of the German Peoples Union, the largest neo-Nazi group in West Germany.

Frey sent out 28 million letters -- at a cost of $1.7 million -- urging people to join his party and asking questions about how to deal with "the infiltration of foreigners" into the country.

Recipients in Duesseldorf are returning Frey's mailings by the hundreds each day, the local post office reported Thursday. In Hamburg, the rate of returns is 1,500 a day.

The postal workers union has advised people to return the unwanted mail without a stamp, marked "acceptance refused."

The Bonn Ministry of Posts and Telecommunications insists there is no legal way to stop Frey's junk mail campaign. The ministry said it cannot become a censor and decide which mail should not be delivered.

A VISA AND A TRANSPLANT GIVE SOVIET JEW NEW LEASE ON LIFE

By Tom Tugend

LOS ANGELES, Jan. 22 (JTA) -- Yelena Faynegold has a chance at a healthy new life, thanks to a kidney transplanted from her identical twin sister and a liberalized Soviet emigration policy.

Faynegold and her married sister, Dina Vaisberg, were discharged last week from a local hospital after the successful operation, following a case history of bungled Soviet medical efforts.

According to Faynegold's story, told in Russian, doctors in her hometown of Odessa failed to diagnose her kidney disease. It was only when she wrote about her symptoms in a letter to her sister in Los Angeles that an American doctor, who read the letter, pinpointed the problem.

Faynegold then applied for emigration to join Vaisberg, who had come to America nine years earlier. After a year's wait, Faynegold was given permission to leave.

Her relatives here credit Soviet President Mikhail Gorbachev's policies for the relatively quick granting of an exit visa. She joined her sister at her West Hollywood home five months ago.

The operation at St. Vincent Medical Center was performed, oddly enough, by identical twins, Drs. Rafael and Robert Mendez, who said that Faynegold's outlook for a normal life is excellent. The two sisters are 34 years old.