

DECISION NOT TO TRY DEMJANJUK AGAIN DISMAYS JEWISH GROUPS IN U.S. AND ISRAEL By Cynthia Mann

JERUSALEM, Aug. 11 (JTA) -- Jewish groups have reacted with dismay to the Israeli government's decision not to bring new charges against John Demjanjuk, who was acquitted last month of being the sadistic Nazi guard "Ivan the Terrible."

Attorney General Yosef Harish made the announcement Wednesday and the Israeli Supreme Court said it would weigh the state's position against eight petitions demanding that Demjanjuk be tried for other war crimes.

The court said it would make its decision at the end of the week, at the earliest.

In its July 29 ruling overturning Demjanjuk's conviction as the notorious Treblinka death camp guard, the court said it found convincing evidence that Demjanjuk was in fact trained at the Trawniki camp for SS guards and served at the Sobibor, Flossenburg and Regensburg camps.

Harish said on Wednesday that his decision not to retry Demjanjuk was made with great sadness, but that the government of Israel had been legally crippled and could not move forward.

"I went back and forth without end," Harish wrote to the court. "With a heavy heart I concluded we cannot charge Demjanjuk with an offense in new criminal proceedings. We've no choice but to deport him from Israel," he wrote.

But amid a flurry of legal activity both here and in the United States, the question remained this week: Should the high court decide against a new trial, where would Demjanjuk go?

A three-judge panel of the 6th U.S. Circuit Court of Appeals in Cincinnati has ruled that he can return to the United States, which is his stated preference.

But the U.S. Justice Department is fighting that decision on the grounds that Demjanjuk still committed other war crimes and lied to immigration officials in entering and becoming a citizen of the United States.

Prosecutors have appealed to the full court to review the decision and to issue a stay pending the outcome of that review.

Court Unlikely To Override Harish

On Wednesday, hours after Harish announced his decision, the Justice Department asked the Cincinnati court to act as expeditiously as possible in deciding on a stay.

Without that stay, said 6th Circuit spokeswoman Debra Nagle, "Demjanjuk could come back to this country and the Justice Department could do nothing."

The recommendation of the Israeli attorney general is not binding, but the Israeli Supreme Court traditionally defers to the state's authority unless its position is deemed "highly" or "extremely" unreasonable, said Kenneth Mann, a law professor at Tel Aviv University.

"The court would have to find exceedingly special circumstances in which to override the attorney general's view," Mann said.

In explaining his decision, Attorney General Harish said that a new trial on crimes allegedly committed by Demjanjuk at the Sobibor and other death camps would constitute double jeopardy --

trying a person on the same charges twice. This is prohibited under both U.S. and Israeli law.

The other obstacle Harish cited was the fact that Demjanjuk had been extradited from the United States for being Ivan the Terrible, and not for crimes he committed at Sobibor.

Finally, a new trial, said the state, would be unreasonable and not in the public interest.

Avi Beker, director of the World Jewish Congress in Israel, one of the petitioners for a retrial, said he found the state's reasoning shocking. He said it amounted to a "rewriting (of) the history of the State of Israel and Jewish history."

"On the part of the Jewish Diaspora," he said, "there is a major interest in the case and, more than that, a feeling that the decision of the court to let Ivan Demjanjuk be a free person and return to the United States would be a major violation of the concept of Nazi crimes and crimes against humanity."

Beker said he did not want to address the technicalities of the state's reasoning, but said that international law treats Nazi crimes as "special and different" from regular crimes.

'A Crime Against History'

Harish's decision not to retry provoked similar outrage among Jewish leaders in the United States.

This "constitutes a crime against history and an assault on memory," said Elan Steinberg, executive director of the World Jewish Congress in New York.

The Israeli Supreme Court did find that "Demjanjuk was part of the extermination process of the Nazis," he added. "This decision is not good for those of us who would like to see Demjanjuk not come back to the U.S."

Benjamin Meed, president of the American Gathering of Jewish Holocaust Survivors, called Harish's decision "shocking."

"It is a tremendous blow to Jewish memory. Survivors were let down," he said.

"Miraculously, some victims survived to tell the story (of the Holocaust). This is enough," Meed added. "Israel has a murderer in its hands and is going to just let him go."

Abraham Foxman, national director of the Anti-Defamation League and a survivor himself, spoke of his own contradictory reactions.

"From the perspective of a survivor, I want to see this man imprisoned for the rest of his life. As far as judicial process is concerned, I understand why Israel's attorney general would feel it's the appropriate thing to do."

Rabbi Marvin Hier, dean of the Los Angeles-based Simon Wiesenthal Center, said, "Israel had a legal obstacle they were concerned about -- double jeopardy."

"But, taking that into consideration, Israel has been much too kind to Demjanjuk, an accomplice to mass murder who probably assisted in killing more Jews than were killed in the Arab-Israeli wars, and is now a free man."

"Every accomplice to mass murder all over the world must be envious of the dream sentence he received," Hier said.

(Contributing to this report were JTA staff writers Debra Nussbaum Cohen and Susan Birnbaum in New York.)

NEWS ANALYSIS:**PEACE TALKS GET NEW LEASE ON LIFE,
BUT MAY DIE WITHOUT QUICK PROGRESS**

By Deborah Kalb

WASHINGTON, Aug. 11 (JTA) -- Secretary of State Warren Christopher's recent trip to the Middle East has reinvigorated the peace process, but the sense here is that more progress needs to be made quickly for the talks to succeed.

Word that the next round of bilateral peace talks may resume here within a few weeks demonstrates that Christopher's journey to the tumultuous region last week met its goal of focusing Middle East leaders' attention on the troubled negotiations.

The recent fighting between Israel and pro-Iranian Hezbollah militia in southern Lebanon, and the well-publicized disagreements among Palestinian leaders in Tunis and the administered territories led some here to believe that the peace process, already on shaky ground, could become completely derailed.

But with the fighting halted and the threatened resignations of leading Palestinian negotiators now withdrawn, observers are hoping the talks will make substantive progress within the next few months.

Reports from the region and from the pro-Israel community here said the bilateral talks Israel is conducting separately with Syria, Lebanon, Jordan and the Palestinians are set to resume in Washington around Aug. 31.

State Department spokesman Mike McCurry said Wednesday that while no date had yet been set, late August or early September was the time frame under discussion.

Christopher and other administration officials have said that if real progress is not forthcoming by the end of 1993 -- now only a few months away -- the United States will lessen its participation in the peace process.

In a breakfast meeting with members of the American Jewish press here Wednesday, Israeli Deputy Foreign Minister Yossi Beilin said progress in the talks should be framed in terms of "months and not years."

If the high-level American shuttles, and the talks here in Washington continue, "we may have solutions in the coming months," Beilin said, striking an optimistic tone.

Syrian Track 'Most Promising'

Observers here are saying that the Israeli-Syrian talks are the ones with the most potential momentum, and that progress on that track could create an impetus for other tracks.

"The focus needs to stay on the Israeli-Syrian track," said Richard Haass, a former Middle East specialist in the Bush administration and now a senior associate at the Carnegie Endowment.

That track is "the most promising," Haass said, "and may help pull along the Palestinian track."

Beilin, for his part, said that while it is "tempting to have separate peace agreements with the others," it is important to reach "some kind of beginning with the Palestinians."

Throughout the last several rounds of talks here, the Israeli-Syrian track has been stalled over definitions of terms.

The Israelis have been waiting for the Syrians to define what they mean by a "full peace" with Israel, and the Syrians are waiting

for the Israelis to define what they mean by "withdrawal" from the Golan Heights.

Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major Jewish Organizations, said Wednesday that for the success of the peace process, "a lot depends on credibility," in particular the credibility of Syria.

"For Israel to give up tangibles for intangibles, they have to have credible partners," he said.

In order to achieve progress in the peace process, the U.S. government must pressure Syrian President Hafez Assad to choose between working with the United States and supporting Iran, one expert said this week.

It's up to the United States to "put real pressure on Assad to ante up," said Daniel Pipes of the Foreign Policy Research Institute in Philadelphia.

One expert suggested this week that the fallout from the recent Israeli action in Lebanon, dubbed "Operation Accountability," could actually pave the way for a new momentum in dealing with the thorny issue of control over southern Lebanon, another question concerning both Israel and Syria.

Operation Accountability made Assad "the accountable address" for actions in southern Lebanon, said Mark Rosenblum, political director for Americans for Peace Now. "A veil has been dropped," he said.

As a result of Syria's role in reining in Hezbollah fighters, southern Lebanon, instead of the Golan Heights, could well become the starting point for progress in the Israeli-Syrian talks, Rosenblum said.

Palestinian Track Looks Bleaker

While there are hopes for progress in the Syrian talks, the picture is bleaker as far as the Palestinians are concerned.

The issue of eastern Jerusalem, which the Palestinians want to discuss at this stage of the talks and the Israelis do not, is still a major roadblock.

And the split between Palestinian negotiators in the territories and the Palestine Liberation Organization leadership in Tunis is creating a sense of uncertainty as to the future of the negotiations between Israel and the Palestinians.

"With the Palestinians, it's just utter chaos at this point," said Pipes.

Many analysts agree that it is only a matter of time before Israel enters direct negotiations with the PLO, and some observers suggest that Israel is sending out feelers to PLO leaders in a testing process.

But some observers are not optimistic that talking directly with the PLO will help matters. They argue the PLO has a poor track record for consistency in its public pronouncements, is riven by factionalism and is having trouble coping with its increasingly radical constituency.

The question of the American role in the talks is also being debated.

The pattern of high-level American shuttle diplomacy in between the rounds of direct talks in Washington is becoming the preferred option here. Some even see the Washington rounds as becoming less relevant.

But others point out that the Israelis view the face-to-face talks as an important component of the peace process, one they do not wish to lose. As Beilin put it, direct talks with the Arabs are "indispensable."

**PLO AND NEGOTIATORS REACH TRUCE,
BUT BIG ISSUES REMAIN UNRESOLVED**
By Gil Sedan

JERUSALEM, Aug. 11 (JTA) -- The crisis within the Palestinian leadership has ended with a tense verbal cease-fire between Palestine Liberation Organization officials in Tunis and Palestinian negotiators in the administered territories.

But the dispute that threatened to derail the Middle East peace talks is not yet over, as PLO leader Yasir Arafat made clear Wednesday, in an interview with an Arab newsletter in Jerusalem.

Although the threatened resignations of three senior Palestinian negotiators were withdrawn after they met with Arafat in Tunis earlier in the week, the PLO leader maintains that serious differences remain and would have to be further discussed by the PLO leadership in Tunis.

Arafat reportedly sharply attacked Faisal Husseini, Hanan Ashrawi and Saeb Erekat for having threatened to resign, warning them that he could easily replace them with other senior Palestinian representatives in the territories.

Much of the debate in Tunis focused on the "Gaza First" idea under which Palestinians would take control over the Gaza Strip prior to any agreement with Israel on the rest of the territories.

Arafat is reported eager to begin taking over leadership responsibilities under the Gaza First proposal.

But the option was flatly rejected Wednesday by Hassan Asfour, secretary of a Palestinian advisory committee on the peace talks. He warned that implementing the idea would lead the Palestinians into "a dark tunnel."

Other Palestinians support the idea, which has become an issue both in the internal Palestinian debates and in the recent negotiations with Secretary of State Warren Christopher.

PLO Easier Than Palestinians?

The PLO is anxious for an early breakthrough in the peace process because it is keenly aware that it is losing influence in the territories, in part due to its dwindling financial resources.

Palestinian leader Faisal Husseini reportedly told Arafat that university teachers and hospital doctors in the territories have not been paid salaries in the past three months. The money for their salaries would come from PLO-sponsored sources.

Several Palestinian newspapers have also been forced to close in recent months as a result of the drying-up of PLO funds.

The Israeli leadership may well prefer to negotiate with the PLO should its stance prove less hard line than that taken by the Palestinian negotiators.

Earlier in the week, Foreign Minister Shimon Peres said Israel should negotiate with whomever is more moderate.

Prime Minister Yitzhak Rabin still opposes direct talks with the PLO. But he confirmed this week that he was informed in advance of a meeting last month in Cairo between a member of his Cabinet, Environment Minister Yossi Sarid, and senior PLO adviser Nabil Sha'ath. Knesset member Dedi Zucker, another member of the dovish Meretz bloc, also took part.

Rabin spokesman Gad Ben-Ari said that while Rabin had given the Meretz representatives permission for the meeting, they went to Cairo on their own and did not represent the government.

**COALITION OF GROUPS LAUNCHES DRIVE
TO 'REDIRECT' MIDEAST PEACE PROCESS**
By Deborah Kalb

WASHINGTON, Aug. 11 (JTA) -- A coalition of American Jewish groups opposed to trading land for peace has embarked on a media campaign aimed at "redirecting" the Middle East peace process.

The peace process, which is backed by the U.S. government and the Labor government of Israeli Prime Minister Yitzhak Rabin, will lead to tragic results, the coalition believes.

The Coalition for Israel has support among a variety of organizations on the right of the American Jewish political spectrum. It held a news conference here Monday to begin its campaign.

"The message we have for the Congress and the administration is, 'Hey, don't count on American Jewish support for the direction of the peace process in its current form,'" said Elliot Jager, a coalition official.

The group is organizing a petition drive among American Jews, to call for a referendum in Israel before the Rabin government agrees to any territorial compromises.

While the majority of American Jews support the peace process and welcome the Clinton administration's approach to the negotiations between Israel and its Arab neighbors, speakers at Monday's event said that they themselves represent an often-ignored segment of American Jewish public opinion.

Speaking to a small audience, Coalition for Israel representatives said they were in favor of "peace for peace," a formula involving water rights, trade, commerce and diplomatic relations, but not land concessions.

"Peace negotiations should really have very little to do with land," said the coalition's president, Howard Weber.

Shouldn't Suffer Like Czechoslovakia

Speaker Dennis Seaman, who serves on the national board of the right-wing Betar movement, compared the current situation in Israel with the late-1930s position of Czechoslovakia, which was carved up and overrun by Nazi Germany.

"I don't want Israel to suffer the same fate as Czechoslovakia," Seaman said.

Coalition leaders said that by sponsoring the petition for an Israeli referendum, they were not telling the government of Israel what to do. Instead, they said, they were calling on the Israeli people to decide on the country's future.

Coalition members met Monday with Dennis Ross, the State Department's peace talks coordinator; the American Israel Public Affairs Committee; and officials at The Washington Post.

The news conference manifested a new trend toward criticism of Israeli policies by American Jewish groups to the right of the mainstream.

During the Likud governments of Menachem Begin and Yitzhak Shamir, it was groups more to the left of the American Jewish mainstream that voiced opposition to Israeli government policies.

The coalition's approach was criticized Monday by Abraham Foxman, national director of the Anti-Defamation League.

Foxman told the Jewish Telegraphic Agency that the coalition is acting to "substitute their judgment for the judgment of the Israeli people."

Such activities, he said, were "not right two or three years ago coming from the left, and are equally wrong now."

ONLY GREEK ORTHODOX ARE TRUSTED, SAYS REPORT BY GREEK GOVERNMENT

By Jean Cohen

ATHENS, Aug. 11 (JTA) -- A few years ago, Jacquelyn Yermiya wanted to become a nursery school teacher in the Greek public school system, but she was rejected because she is Jewish and not Greek Orthodox.

The law at the time said that only Greek Orthodox citizens could become nursery and elementary school teachers in the public school system.

But after a long fight that won support from Greek Catholics, who had also been excluded from teaching, the law was amended.

Most Greeks had thought this discrimination was a matter of the past -- until the daily newspaper Eleftherotypia recently found and published a report prepared by the Greek Central Intelligence Agency.

According to the report, which originally was circulated last January to only a small number of people, only those who belong to the Greek Orthodox Church can be considered "honest Greeks."

The report says that anyone of a different faith is "not an honest Greek since his sense of patriotism is reduced."

The report goes on to suggest measures that should be taken against "non-honest Greeks."

Among these measures was the suggestion that only Greek Orthodox citizens should be allowed to enroll in theological faculties at universities. Another said that construction licenses should not be issued for building non-Greek Orthodox houses of worship.

In addition, a May 22 directive that referred to the original agency report goes so far as to suggest that those who are not Greek Orthodox should be kept under surveillance.

According to the newspaper's account, the documents show that for five months -- without any reaction from government officials -- the Greek CIA set up a mechanism to spy on people who were not Greek Orthodox.

On May 27, after the report and the directive were leaked -- some say to foreign governments -- the Greek government sent a letter to the Greek CIA saying that the report and the directive should be annulled "since its findings are not realistic."

But the newspaper discovered that the annulment order was a forgery. Its only purpose was to satisfy critics; the original agency report was to remain valid and official policy.

'An Embarrassment To All Greeks'

Once the story broke, an embarrassed Greek government made one mistake after another.

First it said that the report was only the private idea of a lowly clerk in the religious department of the security agency.

But this was soon perceived as a lie, because the report was signed by the head of the agency, Panagiotis Bale, a 57-year-old retired air force officer.

Bale, it turns out, also signed the directive meant to cancel the initial report.

Then the government said that the person responsible was suspended. But further investigation showed that not only was this person not suspended but was rewarded with a citation.

Finally, on Aug. 5, a spokesperson for the Greek government said that the original agency

report was "unrealistic and unacceptable" and "therefore it has been canceled."

Ever since the beginning of the century, Greek citizens have been divided on numerous issues, sometimes with painful results.

During the 1920s and until World War II, Greeks were divided into those who were pro-monarchy and those who pro-democracy.

From the postwar period until 1967, the time of the military dictatorship, there were divisions between Communists and nationalists.

With the fall of the dictatorship in 1974, the division was between right-wingers and socialists.

Now, for the first time, the division is between those who are Greek Orthodox and those belonging to other faiths.

Although 97 percent of the Greek population is Greek Orthodox, there are also Greek Catholics, Jews, Jehovah's Witnesses, Presbyterians, Muslims and other religious groups.

Interestingly, although the Greek CIA report mentions 70 different religious and semi-religious organizations here, the Jewish faith is not mentioned at all.

"The report is an embarrassment to all Greeks," said Nissim Mais, president of the Greek Central Jewish Board. "I fail to understand how 50 years after the Second World War, a document like that can be produced in a European country."

JEWISH GROUP COMING TO THE AID OF SARAJEVO'S WOUNDED CHILDREN

NEW YORK, Aug. 11 (JTA) -- As NATO prepared to launch air strikes against Serbian forces choking Sarajevo, an American Jewish relief agency announced this week that it was making emergency funds available to provide medical aid to children in the besieged Bosnian capital.

The American Jewish Joint Distribution Committee said Wednesday that it would allocate \$25,000 in emergency funds to provide medical trauma treatment to children unable to receive it because of the lack of electricity and medical supplies in Sarajevo.

The move came in the wake of the widespread publicity about 5-year-old Irma Hadzimuratovic, who was flown from Sarajevo to London on Monday after being seriously wounded in a shelling attack that killed her mother.

The funds will be made available to all children in the war-torn city, regardless of their religious or ethnic background.

"These children lost their innocence and their childhood in this ongoing war," said Ambassador Milton Wolf, president of the JDC. "The least we can do is to help save their lives by facilitating medical help."

The move came after the hospital in Sarajevo put a call through to JDC's New York headquarters Monday and described the urgent need to assist the growing number of wounded children.

In a separate development, the American Task Force for Bosnia -- a coalition including Jewish, Christian, Muslim and Arab American groups -- held a news conference in Washington last week to mark the one-year anniversary since then-candidate Bill Clinton spoke out against Serbian killings of Bosnian Muslims and others.

Jewish groups, seeing parallels between Serbian policies of "ethnic cleansing" and the Nazi Holocaust, have been involved for months in efforts to push the Clinton administration to take stronger action in the former Yugoslav republic.