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**COURT GIVES DEMJANJUK'S FOES  
15 MORE DAYS TO BUILD THEIR CASE**

By Cynthia Mann

JERUSALEM, Aug. 22 (JTA) -- Holocaust survivors and the Jewish groups supporting them are using a further two-week delay in the deportation of John Demjanjuk from Israel to build a legal case for trying the acquitted Nazi war criminal here on new charges.

But experts give them little chance of preventing the Ukrainian native from regaining his freedom, some seven years after he was extradited here from the United States.

In a ruling last Friday, Israel's Supreme Court gave the petitioners 15 days to prepare their arguments for a hearing in front of an expanded judicial bench that would determine whether the retired Cleveland autoworker should be tried for war crimes other than those he was acquitted of last month.

Demjanjuk will remain in the country at least until then, the court ruled.

But in issuing Friday's ruling, Supreme Court President Meir Shamgar emphasized that it did not reflect a predisposition by the court to grant the petitioners' request for a new trial.

Demjanjuk's 1988 conviction and death sentence for war crimes committed at the Treblinka death camp were overturned July 29 by the Supreme Court, which found reasonable doubt that he was the notorious gas chamber operator known as "Ivan the Terrible."

But the court also ruled there was compelling evidence that Demjanjuk had served as an SS guard at the Sobibor death camp and at the Flossenburg and Regensburg concentration camps.

It was on these grounds that the petitioners, including Holocaust survivors, the Simon Wiesenthal Center and the World Jewish Congress called for a new trial.

Their arguments were seriously weakened, however, when the state attorney general, Yosef Harish, recommended against a new trial.

Shamgar's latest ruling came two days after three members of the court rejected petitions calling for the trial of Demjanjuk for alleged war crimes at Sobibor and other concentration camps.

In rejecting the petitions, the court upheld the recommendation of Harish, who argued that a new trial would not be in the interest of the state and that a conviction was uncertain.

**France Bars Demjanjuk Stopover**

Shamgar's latest ruling allowing the petitioners a second hearing before an expanded judicial panel is a "regular" and "routine" procedure, said Mordechai Kremnitzer, dean of the faculty of law at Hebrew University.

But, he cautioned, nothing beyond that should be inferred. "It just gives more time to petitioners to convince the court the grounds exist" for a second hearing.

He emphasized, however, that the petitioners' arguments will be weighed by the court against the attorney general's recommendation.

The Los Angeles-based Wiesenthal Center applauded Shamgar's 15-day extension for the petitioners' arguments.

"It gives the real victims in this case the

opportunity to organize their claims as to why Demjanjuk should be tried" again, Rabbi Marvin Hier, the center's dean, said in a statement.

"We have to remember that the Demjanjuk defense team was granted many such delays during the trial, and it is only fair to give the same opportunity to the Holocaust survivors," he said.

In the meantime, the center is rallying its 380,000 members in the United States to lobby President Clinton and Attorney General Janet Reno to bar Demjanjuk's return there.

The U.S. Justice Department and Jewish groups have been seeking to bar Demjanjuk's return. But on Aug. 3, a three-judge panel of the 6th U.S. Circuit Court of Appeals in Cincinnati ruled that the government could not bar him from re-entering the country.

The U.S. Justice Department has appealed that decision to the full circuit court, asking it for a stay of the three-judge panel's ruling pending the outcome of the appeal.

Before Shamgar's latest ruling, when it appeared that Demjanjuk would be released last week, members of Demjanjuk's family had reportedly made arrangements for him to fly back to the United States, with a stop in Paris.

But on Friday, the French government announced it would not allow Demjanjuk to travel by way of French territory.

This may prove somewhat of a stumbling block to the Demjanjuk family, because most American airlines flying to the United States from Israel make a stopover in Paris.

**JDC EVACUATES 21 MORE JEWS  
FROM BESIEGED BOSNIAN CAPITAL**

By Mark H. Milstein

SARAJEVO, Bosnia-Herzegovina, Aug. 22 (JTA) -- With the cooperation of Serbian, Croatian and Muslim authorities, the American Jewish Joint Distribution Committee has succeeded in evacuating 21 more Jews from the besieged Bosnian capital of Sarajevo.

Amid a sea of crying family members, U.N. officials and machine-gun-toting French soldiers, the group of 21 left Sarajevo over the weekend and arrived safely Sunday in the Croatian resort town of Makarska, after a dangerous journey lasting more than 24 hours.

There the evacuees will be housed by the Joint Distribution Committee while arrangements are made for their relocation. Two of the evacuees will join family members in Britain, others will fly on to Israel and many of the rest will remain in Croatia, according to Ivan Ceresnjes, a leader of the Sarajevo Jewish community.

The weekend operation was the 10th such evacuation mounted by JDC in the 17-month civil war. All told, JDC has managed to evacuate more than 3,000 people -- Jews as well as non-Jews -- from Sarajevo, said Ambassador Milton Wolf, the international humanitarian agency's president.

In a statement, Wolf stressed the non-sectarian nature of JDC's work in Bosnia, pointing out that the team that executed the latest evacuation brought 3 tons of food into Sarajevo, for the benefit of the entire community.

The latest evacuees, 14 women and seven men, were chosen from a much larger list of

nearly 150 Sarajevo Jews slated for evacuation by community leaders and JDC.

"We had originally drawn up a list that included about 150 men, women and children to be taken from Sarajevo," explained Raviv Tuvya, director of the Jewish Agency for Israel in Budapest, who was brought in to help process those planning to continue on to Israel.

"But the Serbs and Bosnians allowed us to only take people over the age of 60 and under 18 years. That left us with who you see on the buses this morning," Tuvya said as the group prepared to depart.

#### No Gas, Electricity Or Food

The convoy of two buses carrying the evacuees was escorted out of Sarajevo by two U.N. armored personnel carriers. At one point during the journey, Croatian forces had to clear mines from a section of highway before the buses could pass, a JDC official reported.

Later, when the convoy reached Serbian lines, the Serbian forces provided an ambulance, highlighting the potential for danger. But in the end, the evacuees arrived safely in Makarska, a town on the Adriatic coast, southeast of Split.

They left behind a city that has been hard-hit by the ethnic fighting among Muslims, Serbs and Croats in Bosnia-Herzegovina. While there is new hope that a peace agreement will soon be signed by the warring factions, those who left over the weekend did not want to take chances.

"The people are afraid of another winter here in Sarajevo," said Jacob Finci, a senior member of the Sarajevo Jewish community.

"A peace agreement is a peace agreement, but under the one that exists here, we have no water, no gas, no electricity and no food. We have the right to save survivors of the Holocaust," he said.

Many Bosnian Muslims watching the evacuees' departure cried tears of joy, with one saying she was happy when anyone could escape "this hell."

Others were less enthusiastic. Said one Bosnian: "Thank God the Chechniks are leaving," a reference to the perceived close ties between the Jewish community and Serbia.

Indeed, as Ceresnjes noted, the community walks a fine line when it prepares and executes such an operation.

"There is a lot of animosity toward us," he explained. "I had to turn away a Muslim woman and her 1-month-old baby from the convoy. If the Bosnian authorities had seen me putting her aboard, there would have been trouble for us in the future. This is what I have to contend with."

#### Decimating An Ancient Community

Ceresnjes said that although this evacuation proved to be more difficult than many in the past, the results were worth the effort.

"Perhaps in two years I'll come back and visit the graves of my friends," said Rifka Levi, a lifelong Sarajevo resident who planned to join her cousin in Israel.

"There is nothing here for me," she said. "On my pension you can't buy anything. I can't walk this city. It is destroyed. I was pregnant during the Nazi occupation. That I survived. I can't do this again."

Soloika Levi, no relation to Rifka, cried as she watched her 14-year-old son, Miljenko, climb aboard the bus on his way to be with family members in Israel. "He's all I have left," she

said. "I want him to grow up in peace, not die in Sarajevo."

"I'm scared for him every day he leaves and goes out to play," she said. "Will he be shot? Will he die from a grenade? This is the best gift he could ever have, his freedom."

This most recent evacuation leaves Sarajevo's once large, bustling Jewish community at a crossroad. With less than 700 members remaining, many openly wonder whether continuing evacuations which decimate a community that has survived war, pogroms and hardship since 1665 is such a wise choice.

"We didn't leave when the Nazis occupied Sarajevo," said one middle-aged community member. "We didn't go when the Austrians governed Bosnia, so why do we go now?"

"This might be good in the short term, but in the long term I think it's a mistake. There are no more young people left. Who will continue our tradition here?"

Tuvya of the Jewish Agency disagreed. "It's great Jews are going. It's a mitzvah," he said. "I am ready to take the rest immediately."

#### **IMMIGRANT'S MURDER IN WEST BANK RAISES QUESTIONS ABOUT EMPLOYMENT**

By Gil Sedan

JERUSALEM, Aug. 22 (JTA) -- The murder of an immigrant worker at a West Bank construction site, possibly by Arab terrorists, has triggered calls for a re-evaluation of how newcomers are employed in the administered territories.

The calls for a reassessment came after the body of Igor Gurgul was discovered Sunday near Ma'aleh Adumim, a West Bank town east of Jerusalem.

Gurgul, 32, a resident of the West Bank settlement of Kiryat Arba, had immigrated from Ukraine three years ago. Last month he began working for a private security company as a guard at a construction site along the road connecting Ma'aleh Adumim and Jerusalem.

Police suspect Gurgul was murdered by Arab terrorists, though they have not ruled out a criminal motive.

Initial investigations have shown he was murdered last Friday. He allegedly was attacked by at least two men at his bungalow on the construction site.

He apparently struggled with his attackers but was overpowered. The assailants took his gun and shot him several times.

The body was discovered Sunday morning by an Arab laborer at the construction site. Several of the laborers at the site were subsequently detained for questioning.

The employment of new immigrants from the former Soviet Union to serve as guards in the territories without proper training was sharply criticized Sunday by the Cabinet and the army.

Immigrant Absorption Minister Yair Tsaban said that no one should have allowed an inexperienced recent immigrant to work as a lone guard anywhere in the territories.

Tsaban challenged the minister of police to re-evaluate the entire system of private security companies in the territories "and shake up that system."

The Israel Defense Force released a statement indicating it had given explicit instructions to the security company that had employed Gurgul to have at least two men on duty at the construction site at all times.

# ISRAEL WARNS SYRIA TO CURB ATTACKS ON IDF BY HEZBOLLAH

By Gil Sedan

JERUSALEM, Aug. 22 (JTA) -- Israel has put Syria on notice that if it does not restrain the Islamic fundamentalist Hezbollah movement from attacking Israeli troops in southern Lebanon, Israel will do so itself.

Prime Minister Yitzhak Rabin told members of his Cabinet during their weekly meeting Sunday that he had conveyed this warning to Damascus during a telephone conversation over the weekend with U.S. Secretary of State Warren Christopher.

Rabin said he had asked the United States to put political pressure on Syria to curb Hezbollah attacks against Israel, which last week claimed the lives of nine soldiers in a single day.

Rabin, who also serves as Israel's defense minister, and senior officers of the Israel Defense Force have come under intense criticism from right-wing opposition parties for the relatively large loss of Israeli lives in the two Hezbollah attacks in southern Lebanon last week.

But a preliminary army investigation indicates that the soldiers' deaths were the result of the particular circumstances of the incidents themselves rather than of any failure to abide by army regulations.

Seven IDF soldiers were killed and two wounded on the morning of Aug. 19 while on patrol in the western sector of the border security zone, when a bomb planted in the road by the pro-Iranian guerrillas was detonated by remote control.

A second attack occurred that evening, when two IDF soldiers were killed and another wounded as the result of bomb blasts in the same area as the first attack, near the village of Shihin.

The Israeli air force retaliated some hours after the first attack with an air raid on four Hezbollah targets in eastern Lebanon's Bekaa Valley. According to reports from Lebanon, two guerrillas were killed in the raid.

But on Sunday, Cabinet ministers said Israel would not be drawn into a full-scale assault in southern Lebanon, although they did not rule out limited strikes in the region.

According to reports from the region, Israel began moving reinforcements and large artillery into southern Lebanon on Sunday.

## Criticism From The Right

In Lebanon, Sheik Mohammed Fadlallah, spiritual leader of Hezbollah, warned over the weekend that if Israel hit civilian targets in Lebanon, Hezbollah would respond with firing Katyusha rockets at northern Israel.

Despite last week's violence and the dire warnings by both sides, the understanding that ended Israel's five-day intensive shelling of targets in southern Lebanon in late July appeared to be holding.

Under that tacit agreement, Hezbollah said it would cease firing rockets at settlements in northern Israel but reserved the right to continue attacking Israeli and allied positions in Lebanon.

That understanding has come under fire from Knesset member Ariel Sharon of the opposition Likud bloc, who as defense minister spearheaded Israel's 1982 invasion of Lebanon.

Sharon charged that the U.S.-brokered deal gives legitimacy to guerrilla attacks on IDF soldiers.

Other opposition leaders, including former

Prime Minister Yitzhak Shamir of Likud and Rafael Eitan, leader of the hawkish Tsomet party, have directed their criticism at the IDF's high command.

Charging that the army had become politicized and inept, they placed the blame for the soldiers' deaths squarely on the shoulders of Lt. Gen. Ehud Barak, the IDF chief of staff, and on senior IDF officers.

While opposition attacks on government leaders are far from unusual, open criticism of the army or its commanders is relatively rare. But Barak has emerged as something of a protege of Rabin, which in turn has made him in some eyes a fair political target.

Shamir, in an Israel Radio interview over the weekend, charged army leaders with failing to protect Israeli lives.

"Instead of doing this, the army commanders are unfortunately dedicating themselves to politics, and they follow like blind men after those who head us and lead us to a national disaster," the former prime minister said.

"The chief of staff must resolve security problems and find solutions to terrorism, rather than to praise Assad," Shamir added, referring to a recent statement by Barak in which he spoke favorably of the Syrian President Hafez Assad.

## President Criticizes Politicians

President Ezer Weizman appeared on radio and television, asking the politicians "not to involve the army in public controversies."

Weizman directed the bulk of his criticisms at "army veterans-turned-politicians," noting that they should make their comments at the "appropriate forums."

The attacks on the army were also countered Sunday by strong comments during the weekly Cabinet session.

Rabin criticized the opposition for having "dragged the IDF into the political controversy."

Agriculture Minister Ya'acov Tsur said that the opposition's real concern was that the government was close to making achievements in the peace process.

And Environment Minister Yossi Sarid said Shamir sounded last a deposed African ruler who wanted the army to return him to power.

But Shamir himself seemed unimpressed by the criticism. "Judging by the reactions," he told reporters, "I understand that I hit the target. I hope my comments will contribute to improving the situation."

The army's preliminary investigation into the soldiers' deaths indicated that standard procedures for patrols in the security zone had been followed.

Much of the criticism of the first Hezbollah attack focused on why so many soldiers had died as a result of two explosions.

But the investigation showed that because the men were on patrol before dawn, they had to proceed in close file in order to remain within sight of one another.

The explosive charge that killed the seven men in the first incident was from a Claymore-type mine, a device that sprays shrapnel in a wide arc.

The mines were hidden by Hezbollah guerrillas a day or so before the IDF patrol. Their placement of the charges was based on intelligence about the habits of IDF patrols in the area.

(Contributing to this report was JTA correspondent Hugh Orgel in Tel Aviv.)

**COURT POSTPONES HEARING ON DERI,  
AVERTING COALITION CRISIS FOR NOW**  
By Cynthia Mann

JERUSALEM, Aug. 22 (JTA) -- In a move that appears to put off a potential crisis in Israel's governing coalition, the country's Supreme Court has postponed until Aug. 30 its hearing of a petition calling for the removal from office of Interior Minister Aryeh Deri.

Deri, who heads the fervently Orthodox Shas party, a junior partner in the Labor-led coalition, faces charges of bribery and misappropriation in connection with his personal financial affairs.

The spiritual leader of Shas, former Sephardic Chief Rabbi Ovadia Yosef, has warned that the party will quit the governing coalition if Deri is dismissed.

While a Shas defection would not automatically bring down the government, it would severely limit Prime Minister Yitzhak Rabin's ability to govern, since he would then have a Knesset plurality, rather than an absolute majority.

In announcing the postponement, Supreme Court President Meir Shamgar said the rescheduled hearing would be held before an expanded judicial panel of five judges.

He cited the gravity and complexity of the legal concerns presented in the petition brought by the Movement for Quality Government in Israel, a public advocacy group calling for Deri's ouster.

The petition seeks to establish norms of public behavior for Cabinet ministers and deputy ministers, and questions whether officials should be permitted to remain in office while facing serious criminal charges.

The court's ruling in the Deri case could well serve as a precedent for a similar case currently pending against another Shas politician, Deputy Religious Affairs Minister Raphael Pinhasi.

Pinhasi has been under investigation on fraud charges -- including alleged campaign-finance offenses -- in connection with his position as party treasurer.

A five-judge bench is scheduled to hold a final hearing Sept. 2 on petitions calling for Pinhasi's dismissal.

Attorney General Yosef Harish has characterized the charges against Deri as extremely serious and has said it violates principles of good government for someone suspected of such crimes to serve as a minister.

Harish has also asked the Supreme Court to honor the petitions calling for Pinhasi's dismissal, citing the gravity of the charges against him.

Both Deri and Pinhasi are currently protected by parliamentary immunity, which prevents their cases from being tried in the courts.

**INDIA CRITICIZED FOR TREATMENT  
OF JERUSALEM SYMPHONY ORCHESTRA**

NEW YORK (JTA) -- The Anti-Defamation League has expressed indignation at the treatment of the Jerusalem Symphony Orchestra by the government of India.

The Indian government informed the orchestra that unless the word "Jerusalem" was omitted from its official title, it would not sponsor the orchestra's performances in Bombay and New Delhi.

The symphony has since decided to cancel the planned tour, which was to be the first by an Israeli orchestra in India.

India, a largely Hindu country with a sizable Muslim minority, only established formal diplomatic ties with Israel last year.

An ADL leader wrote to Indian Prime Minister Narasimha Rao, noting that India's action was especially distressing in view of its formation of ties with Israel and its embarkation on various joint ventures between the two nations.

"Indeed," said ADL National Chairman Melvin Salberg in his letter, "over the last 18 months, trade between the two countries has expanded while political contacts have become more frequent."

"Surely India can understand the importance of normalizing political friendships through open cultural exchanges," wrote Salberg. He urged Rao to further consider the government's decision.

**GERMAN STATE'S PRIME MINISTER  
APOLOGIZES FOR NEO-NAZI RALLY**  
By David Kantor

BONN, Aug. 22 (JTA) -- A recent march by neo-Nazis in a parade honoring Rudolf Hess, Adolf Hitler's deputy, has led to a public apology by the leader of the state in which the demonstration took place.

The parade, which took place Aug. 14 in the central German town of Fulda, occurred after police in the states of Thuringia, Bavaria and Saxony had banned similar neo-Nazi demonstrations scheduled to mark the death of Hess six years ago.

A week after the parade, Prime Minister Hans Eichel of the state of Hesse publicly apologized to the Jewish community in Germany for not preventing the neo-Nazi demonstration in Fulda.

But the Social Democratic politician rejected calls from Jewish and other officials for the resignation of his interior minister, who is widely considered responsible for the scandal.

Some 500 neo-Nazis participated in the march through the streets of Fulda. According to the chairman of the Jewish community in Germany, Ignatz Babis, the right-wing extremists all but enjoyed police protection, while leftists demonstrating against the parade were pushed back.

Initially, the Hesse authorities said they had been taken by surprise and were not ready to deal with the demonstration.

But they later changed their position and admitted that they had been informed in advance of the demonstration.

Bundestag member Wolfgang Thierse of the Social Democrats said that police in Germany are poorly prepared to deal with neo-Nazis and are preoccupied with stopping left-wing radicals.

**OFIRA NAVON DEAD AT 57**

JERUSALEM, Aug. 22 -- Ofira Navon, wife of the fifth Israeli president, Yitzhak Navon, died Sunday at Hadassah Hospital. She was 57.

Navon developed breast cancer 14 years ago and led a national campaign to educate women about alternatives to mastectomies.

She won two battles with breast cancer but recently developed leukemia and then a severe lung infection.

Trained as a child psychologist, Navon spearheaded education and welfare projects and was lifelong president of the Association of Handicapped Children.