

NEWS AT A GLANCE

- The Hamas movement in Gaza reportedly warned the United States that if it extradited Mousa Mohammed Abu Marzook to Israel, America would become an enemy of "Islamic people everywhere." [Page 4]
- The U.S. State Department joined Israeli diplomats to deny a Syrian claim that Israel promised in 1995 to return all of the Golan Heights. Syrian Ambassador Walid Muallem made the charge in an interview slated for publication later this month in the Journal of Palestine Studies.
- An Iranian official acknowledged for the first time that U.S. sanctions imposed last year on companies seeking to invest in Iran's oil industries are working. "Foreign contractors are not much interested in engaging in petroleum projects in Iran," Moshen Yahyavi, a senior member of the Iranian Parliament's oil commission, reportedly told Iran News.
- Israeli Prime Minister Benjamin Netanyahu plans to meet with President Clinton on Feb. 13 at the White House. Clinton also lined up meetings with other Middle East leaders.
- Israel's Cabinet unanimously approved the appointment of Jerusalem District Judge Elyakim Rubinstein as attorney general. [Page 4]
- Natan Sharansky, a former Soviet dissident who is now Israel's minister of industry and trade, said he wants the Jewish community of Russia to flourish. Sharansky, speaking at a news conference in Moscow, also said that "the more diverse Jewish life" is in various countries, "the better it is" for Israel.
- A 29-year-old Russian nationalist went on trial for the bombing of a Jewish center in Yaroslavl.
- The Swiss government asked prosecutors to hunt for whoever leaked a confidential diplomatic report that resulted in the resignation of the Swiss ambassador to the United States. The report had described the dispute with Jewish groups over wartime bank accounts as a "war that Switzerland must wage."

NEWS ANALYSIS**Jews praise decision on fund as Swiss imbroglio continues***By Daniel Kurtzman*

WASHINGTON (JTA) — Switzerland's decision to establish a fund for Holocaust victims may signal a sea change in the way the embattled nation is confronting its wartime past.

After months of pressure from world Jewish leaders, the Swiss government announced last week that it would work with Swiss banks and insurance companies to set up a fund to begin compensating Holocaust victims and their heirs whose assets vanished into the Swiss banking system half a century ago.

Switzerland's critics welcomed the move, which came six weeks after World Jewish Congress President Edgar Bronfman publicly called on Switzerland to make a "good faith financial gesture" to Holocaust survivors and the world Jewish community.

Jewish officials see the Swiss decision as an important breakthrough — a sign that Switzerland may finally be willing to offer both a financial and moral accounting of its dealings with the Nazis and its handling of Jewish assets.

But just as Switzerland won rare praise from its leading critics, a new controversy erupted this week that threatened to create new strains.

Carlo Jagmetti, Switzerland's ambassador to the United States, resigned Monday after the publication of a confidential diplomatic cable he authored last month calling for a public relations "war" against "adversaries," such as the WJC and Sen. Alfonse D'Amato (R-N.Y.).

Jewish and U.S. government officials lambasted him and called his resignation appropriate.

Over the course of the last year, Switzerland has found itself besieged by international criticism surrounding allegations that it hoarded the wealth of Holocaust victims while helping to finance the Nazi war effort.

Last week's decision to set up a fund "means they're willing to address the two demands the Jewish world has placed before them: the demand for moral restitution and material restitution," said Elan Steinberg, executive director of the WJC.

"By moral, we mean honestly addressing their history so that we may deal with each other in an honest fashion and face each other with dignity," he said. "By material, we mean returning to those victims who were deprived of their possessions the assets that clearly belong to them."

Abraham Foxman, national director of the Anti-Defamation League, characterized the Swiss move as an important "psychological breakthrough."

"Rather than being angry and defensive, they're coming to grips and moving forward," said Foxman, who met with top political and banking officials earlier this month in Switzerland.

'Step in the right direction'

D'Amato, who chairs the Senate Banking Committee, called the Swiss plan a "step in the right direction," as did State Department spokesman Nicholas Burns. The fund, Burns said, constitutes an important move for the Swiss "in the process of coming to terms with the past."

Jewish organizations claim Swiss banks hold up to \$7 billion in assets belonging to Jews killed in the Holocaust. But the Swiss banks say initial searches of their archives have found only \$32 million in unclaimed assets.

Tensions between Switzerland and the country's critics reached their highest level early this year when the country's outgoing president, Jean-Pascal Delamuraz, dismissed Jewish demands for a compensation fund as "extortion and blackmail."

Delamuraz later apologized in the face of an international outcry. But the fallout from his remarks, coupled with the recent discovery by a night security guard that Switzerland's largest bank was shredding archival material, began to "push the world's patience to a limit," as one Jewish official put it.

Trying to gain control of a situation rapidly spinning out of control, Thomas Borer, Switzerland's point man for all issues concerning his country's wartime financial role, announced that the Swiss government would

work with banks to establish a Holocaust memorial fund. "We certainly hope that this" fund "will be understood as a sign of our goodwill," Borer told reporters in Zurich last week.

He said the government and Swiss banks had yet to arrive on a fixed amount for the fund, adding, "it would be premature to bring numbers into play." However, one of Switzerland's top bankers, Credit Suisse Chairman Rainer Gut, last week called for a "well-endowed" Holocaust memorial fund in excess of \$70 million.

The WJC declined to specify an amount it would deem appropriate, saying only that "it should be sufficient to cover the immediate needs" of Holocaust survivors.

A \$250 million figure surfaced in a discussion late last year between Bronfman and Borer, but those negotiations — which were supposed to have remained confidential — later became a source of considerable rancor between Swiss and Jewish officials.

WJC officials, for their part, said they would be in close contact with Swiss officials in coming weeks as they work out the specifics concerning the fund.

The WJC has campaigned over the past year to recover missing Jewish wealth and to disclose the truth about Switzerland's role as a financial center during World War II.

Researchers for the WJC, along with researchers on D'Amato's staff, have combed through thousands of documents in the archives of the United States and European countries, releasing historical findings each week in a way that has consistently kept Switzerland in the news.

When asked whether WJC's strategy will now change after Switzerland's "goodwill gesture," Steinberg indicated that his organization might turn down the heat a bit on Switzerland.

"Our activities have involved a political struggle, and a political struggle requires a strategy or tactics that change with circumstances," Steinberg said.

"If all parties are working in a cooperative manner for the benefit of Holocaust survivors, by definition, the situation will change."

But the WJC still intends to make documents available, and more embarrassing revelations about Switzerland may be in the offing as the Clinton administration prepares to release a report on Switzerland's wartime transactions.

Public relations nightmares

Swiss officials appear determined to avoid more of the public relations nightmares that have dogged them in recent weeks. This week got off to a bad start, however, when Switzerland had to quickly defuse the controversy stemming from publication of the Swiss ambassador's private strategy paper.

"This is a war that Switzerland must wage and win on the foreign and domestic front," Jagmetti was quoted as saying in the Dec. 19 document, which was leaked to the media. "You cannot trust most of the adversaries."

Swiss Jewish leaders immediately called for the ouster of Jagmetti, who was set to retire in July. The Swiss Cabinet accepted his resignation Monday, in which he contended that the published excerpts were taken out of context and expressed regret for having caused any offense.

Switzerland's critics see encouraging signs in the way Switzerland has begun to show accountability and exercise damage control.

But officials caution that a long road lies ahead.

As Foxman of the ADL said, the Swiss are still in need of making a "quantum leap to moral accountability."

While falling short of any such quantum leap, Switzerland's critics agree that the country has now at least taken a few running steps in the right direction. □

German official's remarks mar Holocaust Day events

By Daniel Dagan

BONN (JTA) — Dozens of commemoration ceremonies took place across Germany to mark the second national observance of Holocaust Day.

Last year, President Roman Herzog called for the annual observance memorializing Holocaust victims to fall on Jan. 27, the date of the liberation of the Auschwitz death camp 52 years ago.

Monday's commemorations included a main ceremony, attended by Herzog, held here before a joint session of both houses of Parliament.

Marring the commemorations was a statement issued by the president of the state Parliament of Berlin, Herwig Haase, who said those to be commemorated should include "victims who were formerly perpetrators, or who became perpetrators afterward."

Commenting on the statement, Ignatz Bubis, chairman of the Jewish community in Germany, said, "I do not wish to commemorate today the murderer of my father — even though he may have become the victim of an air raid."

Haase said through a spokesman that he would explain his statement to a parliamentary committee, adding that he was misunderstood.

Among the speakers at Monday's various ceremonies was Jan Karski, a Polish resistance fighter who provided the Allies in 1942 with an eyewitness account of the Nazi crimes then being carried out.

"I was in the Warsaw Ghetto," Karski, now 82, told a large audience at Berlin's Jewish Cultural Center. "I learned about the killings elsewhere and reported back to the governments in London and in Washington. Yet no one wanted to hear. At that time, the big powers had no interest in the Jewish problem. They probably had other, more urgent problems to deal with." □

Americans persecuted by Nazis have just weeks to file claims

NEW YORK (JTA) — Less than a month remains for U.S. survivors of Nazi persecution to file a claim for reparations from the German government under the Foreign Claims Settlement Commission.

Last week in Washington, U.S. Attorney General Janet Reno announced the Feb. 23 deadline.

The commission stems from an agreement, reached by Germany and the United States in September 1995, under which Germany is to pay reparations to survivors of Nazi concentration camps or "comparable conditions" who at the time were American citizens. About 250 claims have already been submitted, but it is not known how many of those people are eligible for the reparations.

The 1995 agreement, which excludes reparations for those subjected only to forced labor, also required Germany to pay more than \$2 million to about 10 other previously identified Americans.

One of these Americans was Hugo Princz, an Auschwitz and Dachau survivor who fought a 40-year battle for reparations through the U.S. courts and Congress. He had been denied reparations because he was neither a German citizen nor refugee during his three years of internment.

The Foreign Claims Settlement Commission is an independent quasi-judicial agency in the U.S. Justice Department that works to resolve claims against foreign nations. Claim forms are available by writing to Foreign Claims Settlement Commission, Washington, D.C. 20579, or by calling (202) 616-6975. □

NEWS ANALYSIS**U.S. warning to Israel-bound echoes beyond diplomatic arena***By Debra Nussbaum Cohen*

NEW YORK (JTA) — The U.S. State Department's unprecedented decision to issue a formal warning to travelers about rabbinic authority in Israel is reverberating far beyond the diplomatic realm.

The warning says the Israeli government may not permit American citizens involved in a contentious divorce to leave the Jewish state until they grant their spouse a religious divorce.

The U.S. government issued the alert in a consular information sheet, in which the State Department details for American travelers a range of local concerns in foreign countries. The alert raises questions — as yet unanswered — about the extent of Israeli jurisdiction over American citizens.

The development is rooted in the stories of two American Orthodox Jewish men who have withheld a religious divorce, called a get, from their wives and then gone to visit Israel. Jews who live according to halachah, or Jewish law, require a get to annul their marriage. Only a man can give a get.

The two women involved in these cases have turned to the Israeli rabbinical establishment to pressure their husbands into giving them the divorces that they need to move on with their lives. Israeli rabbinical courts, which have police powers, can prohibit men from leaving the country when they are withholding the Jewish divorces that their wives require or the money that they have been ordered to pay in child support and alimony.

Seymour "Shimon" Klagsbrun and Uziel Frankel are not Israeli citizens, but the Israeli government reportedly had confiscated their passports to prevent them from leaving the country. Further complicating matters, however, are reports that Klagsbrun somehow managed to leave the country this week despite Israeli attempts to detain him. Elu Klagsbrun, Shimon's son, said his father's attorney in Israel had told him of this development.

No one, however, seems to know where he currently is. Frankel is still believed to be in Israel.

Chained to dead marriages

Their stories also reflect a growing social and religious reality in the Orthodox community: Orthodox rabbis are able to wield little authority over intransigent individuals who refuse to grant a get, or over the renegade rabbis who aid them. In some instances, men have refused to issue the get in order to extract concessions or to punish their wives. The women, who are chained to dead marriages, are known as agunot.

Yet a small but apparently growing number of men have sought a way around not being able to remarry by claiming that they have rabbinic permission to date — and in some cases remarry — without divorcing their first wives.

Shimon Klagsbrun of Spring Valley, N.Y., has apparently done just that. In May, a dozen years after separating from his first wife, he married Judith Oshry.

After a marriage of 28 years, Shulamith Klagsbrun left her husband, when, in front of their children at the Shabbat dinner table, he threatened to kill her, according to their eldest son, Elu.

A number of Orthodox rabbinic authorities have said the rabbinic permission to remarry, called a heter, is a forgery.

But at least one, Rabbi Menashe Klein of the Borough Park section of Brooklyn, N.Y., wrote in a letter in July to another Orthodox rabbi that the heter is valid

because Shulamith Klagsbrun went to secular court seeking a divorce, and so deserves punishment.

It is not clear who officiated at Klagsbrun's second marriage, which Elu and Shulamith Klagsbrun strongly believe was conducted in Israel.

The rabbis of Spring Valley, where he and his new wife live, prohibited him from worshiping at any area synagogue, which is the strongest sanction they can levy.

Klagsbrun traveled to Israel in the autumn of 1996, hoping to find a more welcoming atmosphere, his son said.

Despite the fact that her husband is possibly a bigamist according to both Jewish and secular law, rabbinic authorities cannot find a way within Jewish law to release Shulamith Klagsbrun from her shackles.

"A woman biblically cannot have two husbands but a man biblically can have two wives," according to Rabbi J. David Bleich, director of The Institute for Post Graduate Study of Family Law and Jurisprudence at Yeshiva University. Although rabbinic authorities outlawed polygamy centuries ago, they instituted certain loopholes for men under certain conditions.

Shulamith Klagsbrun turned to the Israelis out of desperation, she said. Once Israel's rabbinical courts were informed of his case, they narrowly stopped Klagsbrun from leaving the country. He and his new wife were on the Tarmac at Ben-Gurion Airport, ready to board a SwissAir flight to Zurich, when the police reached him, according to Shulamith and Elu Klagsbrun.

He was held in a Jerusalem prison overnight and his passport was confiscated the next day, his son said.

Shimon Klagsbrun quickly appealed to the U.S. Consulate in Jerusalem for help, according to several sources familiar with the case.

U.S. officials have been pressing Klagsbrun's case both in Israel's high rabbinical court and in its secular Supreme Court, says Ronald Greenwald, a New York Orthodox rabbi and businessman. Greenwald, who has a history of involvement in matters of international diplomacy, including the deal that freed Natan Sharansky from the former Soviet Union, said he flew to Israel to intercede with U.S. officials there on Shulamith Klagsbrun's behalf.

U.S. officials are apparently challenging Israeli jurisdiction over the cases.

They are framing the issue as a matter of "protecting Americans visiting Israel," Greenwald said. "I thought maybe if the representatives of our good government knew the facts they wouldn't go so wild."

'An American issue'

Sources in both the State Department and at the Israeli Embassy in Washington confirmed that there had been contacts between the governments on this issue, but neither would reveal the level or content of the discussions.

"This is an American issue," said embassy spokesman Gadi Baltiansky. "American Jews are always welcome in Israel both to visit and to live. There is a public system of laws there and it is always helpful to know the laws of the country."

For their part, U.S. officials believe they are doing the right thing. "We simply feel an obligation to remind the American traveling public as well as American citizens living in Israel, particularly those who are of the Jewish faith, that this situation exists and that they may fall under the jurisdiction or the claim of jurisdiction of these courts," State Department spokesman Nicholas Burns said.

With Klagsbrun's apparent departure from Israel, Shulamith Klagsbrun has lawyers in Israel and the United States trying to find out where her husband is, according to her son. □

(JTA correspondent Matthew Dorf in Washington contributed to this report.)

Israel to pursue extradition as Hamas issues threat to U.S.

By Cynthia Mann

NEW YORK (JTA) — Israeli officials said they intend to pursue the extradition of a Hamas leader from the United States after he withdrew his appeal of the initiative.

Mousa Mohammed Abu Marzook could be sent back to Israel within 60 days to stand trial, despite warnings that it would provoke Hamas violence.

"Israel still insists on its request," according to Gideon Mark, spokesman for the Israeli Consulate in New York.

"We believe he is responsible for many Hamas activities and think he should be brought to court" in Israel.

Marzook's lawyers announced Wednesday that their client had dropped his challenge to the Israeli request because he claims he is a political prisoner who could not get a fair trial here.

They said he had lost his faith in the U.S. justice system after being imprisoned for 18 months and not being charged with a crime.

The Hamas movement in Gaza reportedly warned the United States the same day that if it extradited Marzook, America would become an enemy of "Islamic people everywhere."

"We warn the USA that it will bear the whole responsibility of the status of unrest which will emerge as a result of handing Dr. Marzook to Israel," a Hamas leader was quoted as saying in Gaza City.

A State Department spokesman said Wednesday that there were currently no plans to intervene and halt the extradition out of fear that it would damage the Israeli-Palestinian peace process.

He said the matter is now in the hands of the Justice Department.

U.S. officials arrested Marzook, the head of the political arm of Hamas, in July 1995 at a New York airport.

At that time, he tried to re-enter the United States, where he had been living for many years.

'More than sufficient evidence'

Israel requested his extradition, charging that Marzook was engaged in a conspiracy to commit murder and other crimes against Israelis and raised money for the military wing of Hamas.

Last May, a federal judge ordered the extradition, saying that there was "more than sufficient evidence" to support the charges.

He ruled that Marzook should be held in a New York federal prison until he was turned over to Israeli authorities.

Marzook argued that his activities were political and therefore were not an extraditable offense.

But the judge refused to allow a hearing on his argument.

The decision was upheld by another judge in October.

Marzook appealed the rulings.

At a news conference Wednesday, lawyers played a tape of Marzook's comments.

"It is clear that a Palestinian and Muslim cannot expect the same American quality of justice as others when Israeli interests are involved," he said.

"Ultimately, I may stand a better chance before Israeli judges than before New York judges."

Marzook also said, "The Israelis think, and apparently, the U.S. agrees, that any member of Hamas is a criminal." □

Elyakim Rubinstein approved as Israel's new attorney general

By Naomi Segal

JERUSALEM (JTA) — The Israeli Cabinet has unanimously approved the appointment of Jerusalem District Judge Elyakim Rubinstein as the country's next attorney general.

The appointment of Rubinstein, a widely respected jurist, peace negotiator and civil servant in both Labor and Likud governments, encountered one stumbling block.

The Cabinet deliberations Wednesday were halted at one point when it was discovered that Rubinstein was refusing on principle to take a polygraph test.

The lie detector test is not formally required for the appointment, and the government was able to get around the issue by agreeing to create a committee to examine whether civil servants should be subjected to such tests.

Prime Minister Benjamin Netanyahu and other Cabinet members will sit on the committee.

Rubinstein, meanwhile, was expected to take up his new post by mid-February.

Rubinstein, 50, was made district judge two years ago.

Prior to that, he was a member of the Israeli delegation in the peace talks with Egypt, and he led the Israeli negotiating team in peace talks with Jordan. He has also served as Cabinet secretary.

In a separate development, a former justice minister in the Netanyahu government pleaded innocent Wednesday to charges of perjury and obstruction of justice.

Appearing at the opening of his trial in the Tel Aviv Magistrates Court, Ya'acov Ne'eman denied that he had tried to persuade a prosecution witness in Shas Knesset member Aryeh Deri's trial to change his testimony and not to cooperate with police.

Ne'eman resigned in August, two months after his appointment, when then-Attorney General Michael Ben-Yair ordered an investigation into the allegations.

Ne'eman's defense attorney acknowledged that there were some mistakes in his client's affidavit regarding his relationship with Deri and the witness, Martin Brown.

However, he attributed it to Ne'eman's being under a pressured schedule during the time Netanyahu was putting together his government. □

Ministers support subsidies for 84 West Bank settlements

By Naomi Segal

JERUSALEM (JTA) — A ministerial committee has recommended giving subsidies and tax breaks to an additional 84 West Bank settlements.

The government is expected to vote on the proposal soon, according to the Israeli daily Ha'aretz.

In December, the Cabinet granted level "A" status to 39 Jewish settlements, the same status accorded development towns and border communities in Israel.

The status provides settlements with a series of financial benefits, including subsidies for housing, education and investments. Such subsidies had been discontinued by the previous Labor government.

The Cabinet's decision drew criticism not only from the Palestinian leadership, but also from the United States and the European Union, which said Israel's government was adding more friction to already tense Israeli-Palestinian relations.

The list drawn up by the committee this week would make the various benefits available to a total of 123 settlements. The list includes the Jewish community in Hebron, where some 500 settlers live. □