



# Daily News Bulletin

Vol. 77, No. 163

Monday, August 30, 1999

82<sup>nd</sup> Year

## TOP NEWS IN BRIEF

### Wall funds could be blocked

A \$500,000 Israeli governmental allocation to improve the Western Wall prayer plaza in Jerusalem could be blocked until an area for Reform and Conservative services is officially designated.

The issue was slated to be discussed Monday at a meeting of Israel's parliamentary finance committee. Conservative and Reform leaders are supporting attempts to block the financing, even though Rabbi Ehud Bandel, president of the Conservative movement in Israel, has praised the Israeli government's "sincere attempts" to solve the problem.

### Sabbath turbine crisis resolved

Fervently Orthodox political parties in Israel withdrew their threats to pull out of the government over the transfer of turbine parts on Shabbat. But these parties are demanding a government policy to prevent future Shabbat violations. [Page 4]

### Talks on Wye reach 11th hour

Israeli and Palestinian negotiators appeared to move closer toward an agreement on implementing the Wye accord before U.S. Secretary of State Madeleine Albright arrives in the Middle East on Wednesday.

If the negotiations, which are focused on the number and type of Palestinian prisoners who will be released, are successful, there could be a signing ceremony of a "memorandum of understanding" in Egypt later this week.

### Iran 13 move closer to trial

The case of the 13 Iranian Jews being held by Iran for spying was turned over to the country's judiciary for trial, according to the Tehran Times.

The 13, arrested in March, are being charged with spying for Israel and the United States.

### Judge reinstates voucher plan

A judge in Ohio reversed himself on a school voucher program, allowing most students to use the vouchers to attend private or parochial schools this year. U.S. District Judge Solomon Oliver Jr. said the Cleveland-area students who participated in the program last year could receive the grants of up to \$2,500 to attend the schools of their choice until a final settlement is reached.

## BEHIND THE HEADLINES

### Burger King is put in a pickle as U.S. Arab groups show muscle

By Julia Goldman

NEW YORK (JTA) — Have it whose way? Burger King Corp. claims to have pulled its name from an Israeli franchise in the West Bank town of Ma'aleh Adumim for breach of contract.

But some Jewish leaders — as well as Arab American and Muslim American groups — believe the Miami-based burger chain made the decision under heat from a threatened worldwide boycott.

The conflict may foreshadow an era in which Arab and Muslim groups in America represent a significant lobbying force on the Middle East.

Burger King argues that its move was based on a "technical reason," said Malcolm Hoenlein, the executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, an umbrella group.

But, he said, "That's not how it will be perceived."

The decision to pull the Burger King brand from the West Bank franchise came two days after the Arab League announced it would vote next month on whether to declare a boycott against the fast food company.

The Israeli-born franchise owner, meanwhile, has said he'll continue to sell trademarked Burger King menu items and has vowed to keep the restaurant open.

For its part, Burger King said in a statement that it canceled the right of its independent Israeli franchisee to use the company brand in Ma'aleh Adumim because Rikamor Ltd. had falsely said the outlet would be located in a food court in Israel.

"It had been clearly understood between the two companies that Burger King would not approve Rikamor opening restaurants in the West Bank at this sensitive time in the peace process," the statement says.

According to Burger King, Rikamor's major shareholder twice said that he would close the counter, but did not follow through. Burger King said the food counter could remain open, but it could no longer involve the Burger King brand "at this time."

The controversy also points to the developing political savvy and organization of Arab American and Muslim American groups.

A coalition of Muslim groups — led by the five-month-old American Muslims for Jerusalem and joined by the American Muslim Council and the Arab American Institute, among a dozen others — waged a public relations campaign against Burger King, using e-mail as well as the traditional street demonstration.

The nondenominational American Friends Service Committee independently launched a two-day e-mail campaign, which it says reached 20,000 people.

Last year, Arab American groups, as well as groups such as the Chicago-based American Friends Committee and the Israeli group Gush Shalom, protested against an American ice cream company because its Israeli franchise had purchased mineral water from an Israeli supplier in the Golan Heights.

The Israeli licensee canceled its contract with the water company, Mei Eden.

Faced with criticism by American Jewish groups, however, Ben & Jerry's denied that it was acquiescing to groups who were calling for a boycott of the Israeli product.

In the Burger King flame-up, the coalition of Muslim groups held an Aug. 5 news conference at which they called for a global boycott. The announcement was covered in the major Arab-language media and led to e-mail campaigns and a one-day demonstration at restaurants in the United States. On Aug. 24, the Arab League

## MIDEAST FOCUS

### Rabin's assassin gets more time

Israel's Supreme Court added to the prison sentences of Yitzhak Rabin's assassin and his brother.

The court Sunday added three years to Yigal Amir's five-year term and four years to his brother Hagai's 12-year term on conspiracy charges.

The charges are separate from Yigal Amir's life imprisonment for shooting Rabin in November 1995.

### Minister vows to alter prejudices

The Jewish state has "a lot of work to do" in overcoming negative stereotypes about Palestinians, said Israel's minister of education.

"This is my first task: to try and change the stereotypes. It's not very easy," Yossi Sarid was quoted as saying in the Aug. 30 international edition of *Newsweek*. Sarid also said he'll work closely with Palestinian educators to combat anti-Israeli prejudice in their classrooms.

### Peace Now tour sparks clashes

Jewish settlers and peace activists verbally clashed during a Peace Now tour of settlements in the West Bank last week.

Settler leaders have vowed to oppose such tours, which are periodically carried out by Peace Now, saying they were organized to provoke confrontation.

### Soldiers' bodies in wrong graves

The Israeli Army recently confirmed that the remains of two naval commandos killed in a military operation in Lebanon nearly two years ago had been buried in the wrong graves.

Forensic testing showed that the foot of Israeli naval commando Guy Golan had been buried in the grave of Raz Tebi.

Earlier testing had showed that part of Tebi's body was interred in Golan's grave. The Israeli Army apologized for the error and established a committee to investigate how it occurred.

announced that it would take up the issue of the Israeli franchise in the West Bank at its conference in Cairo on Sept. 12 and 13.

"No single Arab country accepts this because it violates international law," Arab League Secretary-General Esmat Abdel Meguid told reporters after the agenda was set for the meeting of ministers from 21 countries and the Palestine Liberation Organization.

In addition to 46 outlets in Israel, Burger King has restaurants in several countries with Arab and Muslim majorities, including Saudi Arabia, Kuwait, United Arab Emirates and Malaysia. For weeks, Arab and Muslim groups in the United States protested the opening of a Western company's franchise in the town of 25,000 just east of Jerusalem because they say it tacitly supports Israeli occupation.

"Settlement activity is a human rights violation as far as we're concerned," said Hussein Ibish, the communication director for the Washington-based Arab American Anti-Discrimination Committee, one of the American groups that contacted the Arab League about the situation.

Burger King is a unit of a British-based food and drinks group, Diageo, whose other brands include Pillsbury, Haagen-Dazs and several liquor companies.

In its statement, Burger King said it "made this decision purely on a commercial basis and in the best interests of thousands of people who depend on the Burger King reputation for their livelihood." The statement goes on to say that "Burger King has no interest in taking sides in the Arab-Israeli peace process, except to welcome its early and mutually acceptable outcome."

Abraham Foxman, the national director of the Anti-Defamation League, said that because Burger King's decision comes after the Arab League's talk of a boycott, it represents a "submission to the boycott."

Companies have cited "commercial reasons" for not doing business with Israel for 50 years, Foxman said — that is, during the Arab boycott of Israel. That action, initiated by the Arab League in 1945 to prohibit its members from having relations with pre-state Palestine and Israel or doing business with companies that did business with Israel, was eased in 1994 after the signing of the Oslo peace accord.

In a statement, Hoenlein and the Presidents Conference chairman, Ronald Lauder, said that an attempt by "certain Arab and Muslim groups" to "reassert an economic boycott" at a time when the peace process is moving forward "neither serves the cause of peace nor the interest" of Palestinians or Israelis.

"There is no justification for this kind of blackmail, particularly as we are asked to encourage investments" in all parts of the region, they said.

The statement says Ma'aleh Adumim is part of Greater Jerusalem and its industrial park employs 1,000 Palestinians.

At least one long-time observer of the Middle East, however, cautioned against drawing comparisons to the Arab ban on Israeli industry.

"We should keep in mind that this is a boycott of a business on the West Bank, not in Israel itself," said M.J. Rosenberg, director of policy at the Israel Policy Forum, a group founded to support the Oslo peace process.

"So therefore, it's absurd to liken this to the Arab boycott of pre-1994, which was directed against Tel Aviv, Jerusalem and Israel itself — rather than beyond the Green Line. We know Arabs and Arab Americans oppose the occupation of the West Bank; there's nothing new in that. That's what this is about."

The Arab-American Anti-Discrimination Committee's press release states that "settlement activity in occupied territories, including the establishment of businesses" is prohibited under the Fourth Geneva Convention, an international treaty signed in the aftermath of World War II. The treaty governs the treatment of civilians during wartime.

The Arab group's statement goes on to compare the Burger King franchise in Ma'aleh Adumim to "apartheid South Africa or Jim Crow Mississippi."

In an interview, Ibish said that while Palestinian Arabs were free to patronize the Ma'aleh Adumim fast food counter, "I wouldn't categorize it as integrated." The whole situation in the territories, he said, "is one of segregation and separation."

Calling such comparisons "outrageous," Hoenlein of the Presidents Conference said that the restaurant was open to Jews and Arabs alike. He also said the franchise's location had no bearing on the outcome of final-status talks between Israel and the Palestinians.

"Burger Kings do not confer sovereignty," he told JTA. □



## Daily News Bulletin

Shoshana S. Cardin, *President*

Mark J. Jaffe, *Executive Editor and Publisher*

Lisa Hostein, *Editor*

Howard Levy, *Managing Editor*

Lenore A. Silverstein, *Business Manager*

JTA DAILY NEWS BULLETIN is published five days a week, except holidays, by the Jewish Telegraphic Agency Inc., 330 Seventh Ave., New York, N.Y. 10001-5010. For information about how to subscribe by e-mail, fax or regular mail, call (212) 643-1890, or visit our Web site at [www.jta.org](http://www.jta.org).  
© JTA Reproduction only by previous arrangement.

## JEWISH WORLD

### California cracks down on guns

California Gov. Gray Davis signed three bills last Friday that ban the production of potentially unsafe handguns, require the sale of trigger locks with all guns and place tighter controls on gun shows.

The bills, which take effect Jan. 1, follow recent shooting and arson attacks on Jewish targets.

### A future for South African Jews?

More than 60 percent of South Africa's 100,000 Jews do not see a long-term future for the Jewish community there, according to a new report.

But 54 percent of the 1,000 South African Jews polled by the London-based Institute of Jewish Policy Review and the Kaplan Center for Jewish Studies at the University of Cape Town said they are committed to post-apartheid South Africa.

### German product boycott possible

A failure to reach agreement on a compensation fund for slave laborers could lead to a boycott on German products in the United States, according to Germany's chief negotiator in talks designed to create such a fund.

Otto Lambsdorff made his comments after last week's round of talks failed to come up with an agreement on the fund because of differences between German companies and Jewish representatives over the size of the fund.

The next round of talks is scheduled to begin Oct. 6 in Washington.

### Russian TV station violates law

A Russian governmental committee warned a television station in St. Petersburg that it is violating a law that prohibits the mass media there from inciting ethnic, religious and racial strife, the St. Petersburg Times reported.

The move by the State Mass Media Committee came after the channel's popular talk show hosted a leader of an anti-Semitic organization who delivered his group's call for "ethnic purges" on the air.

The show also conducted a series of call-in polls asking viewers whether "ethnic purges should be carried out in St. Petersburg" and whether "in the event of pogroms in St. Petersburg" viewers would take part in them or defend the victims.

### Sites open doors across Europe

Close to 100 Jewish sites opened across Europe on Sunday to mark the first internationally organized "Day of Open Doors."

The sites opened to the public in France, Italy, Spain, Switzerland and Germany included synagogues and former synagogues, cemeteries and museums.

## ACLU lawsuit claims schools favor Judaism by closing on High Holidays

By Daniel Kurtzman

WASHINGTON (JTA) — Jewish groups are criticizing a lawsuit filed by the American Civil Liberties Union that seeks to block a suburban Cincinnati school district from canceling classes on the High Holidays.

The ACLU said the Sycamore Community School District's decision to close on Yom Kippur violates the constitutional prohibition against establishing one religion above others.

The school district said it instituted the policy as a practical matter in light of the high number of absences on those days in the past. As a result, its 6,200 students will be given a day off on Yom Kippur, which falls on Sept. 20 this year.

The district is located northeast of Cincinnati in a community with a growing Jewish population.

Numerous school districts around the country with large Jewish populations close on the High Holidays. Although court action has been brought challenging school closures on other religious holidays, the ACLU lawsuit is believed to be the first involving Jewish holidays.

The lawsuit, filed by the ACLU on Aug. 25 on behalf of Muslim and Hindu families who oppose the policy, seeks a permanent injunction against the district policy adopted last year of closing for Rosh Hashanah and Yom Kippur. Rosh Hashanah falls on a Saturday this year.

Members of the Muslim and Hindu communities asked the ACLU to file a lawsuit after the district refused to close its schools in observance of their own holidays.

Bruce Armstrong, superintendent of Sycamore's schools, said the policy was adopted because it found on average about 15 percent of the student population in seven schools was absent on Rosh Hashanah and Yom Kippur. By comparison, about 5 percent are absent on Muslim and Hindu holidays.

"What we found is that it affected the quality of the educational day," he said of the absences on the High Holidays.

"Teachers and kids who were left behind were basically just treading water," he said, adding, "To my way of thinking, it was just not a good situation."

The constitutionality of school closures on religious holidays depends on the motivation behind them, according to Marc Stern, co-director of the American Jewish Congress' legal department.

"If it's motivated by a desire to observe or mark respect for a [religious] holiday, then it's unconstitutional," he said. "If it's motivated by the fact that so many people are going to be gone, then it's fine."

Armstrong, for his part, said the decision came down to "a simple matter of numbers," adding, "I am confident that I made my recommendation for the right reasons."

However, Raymond Vasvari, legal director for the ACLU of Ohio, said the school district is "expressly favoring" Judaism.

He said the decision contradicts a "religion-neutral" district policy adopted in 1995 stating that schools would close only when absences were anticipated to exceed 21.5 percent of the student population, according to Vasvari.

That, he said, "suggests to us that there isn't a secular purpose here but it's closing out of respect or deference for the holiday."

Nathan Diamant, director of the Orthodox Union's Institute for Public Affairs called the lawsuit "clearly misguided," and said the district's decision appeared to be an "appropriate accommodation of the students' religious needs."

The district's policy "cannot properly be interpreted as promoting or endorsing religion," added Joel Ratner, regional director of the Anti-Defamation League's Ohio office.

"Like many school districts across the country, the Sycamore district has rightfully determined that closing schools on these days makes administrative sense in light of the substantial number of students who will be absent." □

## Transport crisis is resolved, but turbine issue still churns

By Naomi Segal

JERUSALEM (JTA) — Fervently Orthodox political parties have withdrawn their threats to pull out of the government over the transfer of power plant parts on the Jewish Sabbath, but have demanded a clear government policy to prevent future violations of Shabbat.

The second of four massive parts of a power plant made the trip from Ramat Hasharon to Ashkelon on Friday night after the United Torah Judaism and Shas parties accepted a compromise that included loading the parts before Shabbat, unloading them after Shabbat and using non-Jewish drivers behind the wheels of the trailers. The plan was initiated by Michael Melchior, Israel's minister for Diaspora relations and social affairs.

Melchior said Sunday that he prefers to find another solution.

United Torah Judaism Knesset member Moshe Gafni accused anti-religious elements in government of propelling the controversy. "In the past, in previous governments, we went quietly, without a fuss and raised our objections, and hundreds of transfers were made during the middle of the week," Gafni said on Israel Radio.

For his part, Yosef "Tommy" Lapid, the head of the secularist Shinui Party, was pleased. "I'm happy that the rule of law has beaten out the rule of the rabbis," he said.

Commentators have suggested that the controversy derived from internal power struggles within Shas — and that it was also an attempt by Shas, which now controls the Labor Ministry, to flex its political muscle.

The third religious political party in the coalition, the National Religious Party, has distanced itself from the turbine controversy.

"All they have succeeded is further stirring up anti-religious sentiment. We now have people applauding the turbine on overpasses," Deputy Minister of Education Shaul Yahalom said on Israel Radio.

"For me, the turbine is not the issue. I am disturbed by the huge shopping centers which are open on the Sabbath, where people are engaging in commerce. This is what is important." □

## Time for Israel to open up at U.N., new ambassador says

By Naomi Segal

JERUSALEM (JTA) — Israel should stop being so defensive at the United Nations, according to the country's new ambassador to the world body.

"I think the defensive approach was derived primarily from Israel's standing in the region," Yehuda Lankri told Israel Radio on Sunday. "But for more than two decades, we have been on the threshold of the peace process — and we have to exploit this new status to try to move from a defensive approach to one of more openness towards the family of nations."

On Sunday, the Cabinet approved the appointment of Lankri, a former Knesset member and ambassador to France. The Moroccan-born Lankri, 51, is considered close to Foreign Minister David Levy and has served in the Knesset as a member of his Geshet

movement. Lankri's remarks came as Israel readies for possible diplomatic confrontations at the upcoming U.N. General Assembly, during which the Palestinians hope to see a number of anti-Israel resolutions approved.

Levy has directed Israel's missions abroad to try to thwart these efforts.

At Sunday's Cabinet meeting, he protested that the Palestinians negotiate with Israel on the one hand and try to put pressure on Israel and turn international opinion against it on the other.

Lankri said Israel should try to get beyond stamping out diplomatic brush fires in the United Nations.

"We must focus our energies and creative efforts on advancing central issues and not get bogged down in marginal ones," he said.

He added that he believes Israel could be more involved in U.N. activities, especially in the area of humanitarian work. □

## Eichmann aide, still hiding in Syria, may face trial for crimes in France

By Douglas Davis

LONDON (JTA) — French prosecutors are expected this week to indict Alois Brunner, who played a key logistical role in the Holocaust, on charges of crimes against humanity.

Brunner, 87, was private secretary to Adolf Eichmann, chief engineer of the Holocaust, who was tried and executed in Israel in 1961.

Brunner, whose trial is expected to begin next year, is considered to have been responsible for deporting some 130,000 European Jews to their deaths in Nazi concentration camps during World War II.

The French government is exerting intense pressure on the Syrian government to extradite Brunner from his safe haven in suburban Damascus, where he lives under the pseudonym Georg Fisher.

Brunner is said to be easily identifiable because he lost an eye and several fingers in letter bombs allegedly sent to him in Syria by Israel's intelligence services.

Previous attempts to persuade Syria to release Brunner failed. Germany applied for his extradition in 1987, and in 1991 the European Parliament voted to condemn Syria for continuing to harbor the alleged war criminal.

French sources say that even if Syrian President Hafez Assad rejects the personal appeal of French President Jacques Chirac for Brunner's extradition, the trial will go ahead in his absence.

The central charges against Brunner will focus on two specific incidents:

- The deportation of 250 French Jewish children to Auschwitz on July 31, 1944.

- An incident on Aug. 17, 1944, when 51 hostages, including French aircraft manufacturer Serge Dassault, were forced to accompany Brunner on the last deportation train from Paris to Germany. After cutting their way out of a cattle wagon, 27 escaped. Some of the others were gassed or died in medical experiments.

The decision by the state prosecutor comes 13 years after Nazi-hunting French lawyer Serge Klarsfeld launched a private prosecution against Brunner, who was responsible for the deportation and death of Klarsfeld's father. □