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85th Year

TOP NEWS IN BRIEF

Couple killed in W. Bank ambush

An Israeli husband and wife were killed and their toddler son wounded in a Palestinian ambush Sunday night.

Avi Volanski, 29, and his pregnant wife, Avital, 27, were killed when gunmen opened fire on their car as they were traveling on a West Bank road to their home in the settlement of Eli.

The couple's 3-year-old son was moderately wounded.

Their 8-month-old son, who was also in the car, was unharmed. Including the Volanskis, 13 people were killed in a series of Palestinian terror attacks Sunday.

Israel targets Gaza City

Israeli helicopters fired Monday on terrorist targets in Gaza City.

A factory used to create missiles and ammunition was among the targets, Israeli military sources said.

One killed in car explosion

One person was killed and another injured when a car exploded Monday near the Israeli Arab city of Umm el-Fahm.

The passenger was wearing an explosive belt that exploded prematurely, police said.

The driver, who was seriously wounded, had stopped to give the bomber a ride, the Israeli daily Ha'aretz reported.

Sept. 11 hero buried in Israel

A hero of the Sept. 11 attack on the World Trade Center was buried in Israel.

Abraham Zelmanowitz, 55, had refused to leave his 27th-floor office after planes struck the Twin Towers last Sept. 11, preferring to remain with a paraplegic coworker who was unable to descend the stairs. Both died when the south tower collapsed.

Zelmanowitz, whose remains were identified last week, was laid to rest Monday on Jerusalem's Mount of Olives.

Because JTA is moving its headquarters, the JTA DAILY NEWS BULLETIN will not be published Friday, Aug. 9.

BEHIND THE HEADLINES

Fighting new wave of terror, officers face charges from Israeli peace group

By Gil Sedan

JERUSALEM (JTA) — As yet another wave of Palestinian terrorism broke out this week, Israelis faced a painful internal debate: How far can they go in fighting terrorism without compromising their moral and legal principles?

The debate focused primarily on the revelation that the radical, left-wing Israeli organization Gush Shalom was collecting information on the actions of Israel Defense Force officers that might be submitted as part of war crimes charges to the new International Criminal Court in The Hague.

Gush Shalom — Hebrew for Peace Bloc — is an organization led by journalist and former legislator Uri Avnery, who believes Israel must evacuate the West Bank and Gaza Strip and retreat to the borders it had before the 1967 Six-Day War.

In recent years the organization has taken several controversial actions, including an international call to boycott Israeli goods produced beyond the Green Line, as the pre-1967 border is known.

Never before, however, has Gush Shalom stirred such public controversy as with the letters it sent in recent months to 15 Israeli officers serving in the territories, claiming that they are guilty of offenses tantamount to war crimes.

The letters warn the officers that Gush Shalom is monitoring their actions and intends to compile information against them for submission to the International Criminal Court.

Gush Shalom spokesman Adam Keller told JTA that the first letters were sent several months ago, but someone else — whom he did not name — saw fit to publicize them only now, in the midst of a wave of Palestinian terror.

Despite the latest terror attacks — which he said he also considers war crimes — Keller said Gush Shalom will continue monitoring IDF officers to ensure they do not violate international law.

The government swung into action as soon as the news hit the press. Cabinet Ministers Limor Livnat and Dan Naveh called on the government to take legal steps against the Gush Shalom activists.

"It is inconceivable that something like this can happen here," agreed Prime Minister Ariel Sharon, who instructed Attorney General Elyakim Rubinstein to check possible legal measures against the group.

Rubinstein said his office had been looking into the case for several months but had not yet reached a conclusion.

Gush Shalom, for its part, said it would not be deterred by Sharon's "threats."

"By collating information on violations of international law by IDF troops in the occupied territories, we have committed no crime," the group said in a statement.

Keller says Gush Shalom consulted with lawyers and were told there was nothing illegal in warning others not to engage in illegal activities.

Moreover, Gush Shalom so far has not approached the international court, but merely has warned officers that it may do so, and that they are in the spotlight.

Still, the controversy is an indication of the growing moral and legal dilemmas the Israeli army faces as it tries to combat a seemingly endless supply of Palestinian terrorists.

The more intensive terrorist acts become, the greater the inclination in the Israeli military — and the general population — to take tougher measures. Among them is a plan to demolish the houses of Palestinian suicide bombers. Israel's High Court of

MIDEAST FOCUS

606 Israelis killed in intifada

Since September 2000, 606 Israelis have been killed in terrorist attacks. More than 4,000 have been wounded during the ongoing conflict with the Palestinians.

Most of the casualties were sustained in suicide bomb attacks, Israel Radio reported.

Israel bars Palestinian travel

Israel announced a ban on Palestinian travel in much of the West Bank.

Israel also sealed off a large portion of the southern Gaza Strip on Monday.

Israeli tanks cut off the southern town of Rafah, often a flashpoint of violence, and an adjacent refugee camp from the rest of Gaza.

Hamas commander arrested

Israeli soldiers captured the Hamas commander who allegedly dispatched the suicide bomber who carried out Sunday's deadly bus bombing in northern Israel.

Mazan Fukha was apprehended in the West Bank town of Tubas along with two of his deputies, according to the Israeli daily Ha'aretz. Last month, the army received information that Fukha was planning to carry out a large-scale terror attack. Soldiers had tried capturing him, but he remained underground until Sunday's attack.

Saudis accused of Hamas support

Sen. Joseph Lieberman (D-Conn.) listed Saudi Arabia among a group of nations funneling support to Hamas terrorists.

"We ought to be doing everything we can to cut off the flow of support to Hamas and other Palestinian terrorist groups that's coming from Iran, Iraq, Syria, and, I fear, Saudi Arabia," Lieberman said Sunday on NBC's "Meet the Press."



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Justice was expected to rule Tuesday on an appeal by relatives of Palestinian terrorists against the planned demolition of some 40 homes in the West Bank and Gaza Strip.

Israeli officials hope the policy will decrease suicide bombers' motivation by showing them how their families will suffer for their actions.

It very quickly proved its efficacy: Several would-be bombers confessed that they had called off their attacks for fear that their families would suffer the consequences.

To some Israelis, the demolition orders raise the delicate question of collective punishment.

Others wondered how effectively Israel could fight a war against a ruthless enemy when its own citizens were threatening to lead the prosecution of Israeli officers.

Gush Shalom's letters, sent to officers with ranks ranging from lieutenant to brigadier general, were signed by "Gush Shalom's team for the collection of evidence against war criminals." They were sent following specific complaints by Palestinian residents against the officers.

"As citizens concerned about the status and image of the state of Israel and the IDF," the letters declare, "we cannot quietly condone such acts. We warn you that evidence about these acts has been compiled, and put in a file that we are preparing."

The letter warns that the file is likely to be submitted as evidence in an Israeli court or to an international war crimes tribunal.

The letter ends with a veiled threat: "We hope that from this time forth you will be careful, and refrain from carrying out or taking operational responsibility for more acts that represent violations of international law."

Keller said the group preferred to take the issue to an Israeli court, but feared that Gush Shalom "or some international body" would have to turn to the International Criminal Court.

Israel declined to ratify the treaty establishing the court, fearing that Israeli officials, soldiers or settlers would be prosecuted in politically motivated trials.

What may not have occurred to them was the possibility that such a trial would be instigated by a group of Israeli citizens themselves.

Ha'aretz this week quoted a senior officer who called the letters "an attempt to harm the morale" of soldiers.

"This is an exercise in incitement and sedition," the officer said. "They're trying to foster a sense of personal threat" among officers,

But he added, "I'm happy to say that the letters haven't harmed these officers' performance."

Despite the army's conviction that its actions in the territories are lawful, staffers in the Military Prosecutor's Office have discussed at length issues of legality and the possible involvement of the War Crimes Tribunal.

"The concern is less with the fear that officers may violate international law, but more with concern that reserve officers may think twice before serving in the territories lest they expose themselves to possible international indictments," said reserve Col. Shalom Harari, who has served in the territories in the past.

Gush Shalom's action triggered criticism from the left as well. Legislators Avshalom Vilan and Mossi Raz from the Meretz Party deplored the letters, saying they make "all IDF officers potential suspects."

The soldiers should be well trained in what actions are permissible in the territories, Vilan and Raz said, but the public debate over their behavior should be conducted in Israel and not carried overseas.

Former Justice Minister Yossi Beilin echoed the criticism, saying that IDF soldiers should be forewarned not to engage in illegal action. If they do violate the law they should be tried in a military court, but it is not the duty of Israelis to report on fellow citizens to foreign elements, Beilin said.

Keller, however, insisted that the letter-writing campaign already has yielded positive results.

"It is very important that IDF officers know that there is a limit to what they can do in the areas under their control," he said. He rejected the argument that his complaints should be directed at the policy-makers rather than at the soldiers in the field.

"Officers are not the G.I.'s at the gate," he said. "They have a lot of consideration they can exercise." □

JEWISH WORLD

Jews mixed on voucher ruling

Jewish groups gave a mixed reaction to a decision that ruled school vouchers unconstitutional in Florida.

The American Jewish Committee and the Anti-Defamation League hailed the ruling, in which a trial court judge ruled Monday that the Florida voucher program violated the state's constitution, which says no state money can be used, even indirectly, to aid sectarian institutions.

But the Orthodox Union, which supports vouchers, said the ruling was not unexpected as many states have "anti-religious" provisions in their constitutions, and voucher supporters are working to eliminate those amendments. The ADL and the AJCommittee said the ruling shows the limits of a June decision by the Supreme Court, which said vouchers do not violate the separation of church and state under the U.S. Constitution. The two groups said state constitutions can be more restrictive of government funding of private and parochial schools.

Solidarity groups visit Israel

U.S. Jews are taking part in solidarity missions this week. A 35-member mission sponsored by UJA-Federation of New York was due in Israel as part of the federation's campaign, Standing with Israel: The Israel Emergency Fund. It is the third UJA-Federation-sponsored mission in the past year, which together have brought some 300 supporters to Israel.

The American Friends of Hebrew University and Hadassah also sent a leadership mission to Israel this week to show support for the university following last week's deadly terror attack there.

Argentine judges to hear claims

Argentine judges have reportedly agreed to hear testimony of a former Iranian intelligence officer regarding two terror attacks on Jewish sites in Buenos Aires.

Abolghasem Mesbahi has claimed that former Argentine President Carlos Menem took bribes from Iran to hide evidence of Iranian involvement in the March 1992 car bombing of the Israeli Embassy and the July 1994 bombing of the AMIA community center. Menem has dismissed the accusations as politically motivated.

Alleged Hamas front closed

German officials shut down a charity that allegedly was collecting donations for Hamas. Investigators seized \$296,000 from accounts of the Al-Aksa organization in the western cities of Aachen and Cologne, Interior Minister Otto Schily told reporters Monday.

Among its activities, the group sought donations to support "martyr families," Schily added.

BEHIND THE HEADLINES

With Washington on vacation, U.S. reaction to bombing is muted

By Matthew E. Berger

WASHINGTON (JTA) — In other contexts, the deaths of five Americans overseas might have lasting political repercussions.

But last week's terror bombing at Hebrew University in Jerusalem has not galvanized Congress or the White House — primarily because it's August and much of the Washington political community is not around.

Jewish leaders said they hope the attack at an institute of higher learning, and the possible targeting of Americans studying there, would change the mind-set of both political leaders and the general American public to offer stronger support for Israel and Israeli anti-terror operations.

"My sense is that this was one of those instances that touched people," said Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations. "It had a singular impact."

Traditionally, however, little happens in Washington in August. Lawmakers mostly have returned to their districts to campaign for re-election, and the president departs this week for a monthlong vacation in Texas.

Given such quirks of the calendar, the recent upsurge of Palestinian violence is expected to have far less impact than it would during the other 11 months of the year.

The Hebrew University attack did garner a strong rhetorical reaction from the White House.

Speaking with Jordan's King Abdullah on Aug. 1, a day after the bombing, Bush said he was "just as angry as Israel is right now" and said the United States would work to track down the Americans' killers.

Bush also said Israel "must defend herself," which some interpreted as a green light for a strong Israeli reprisal. That in itself could be a change in attitude for a Bush administration that late last month called an Israeli airstrike on Hamas' military leader "heavy-handed."

In a significant development, the White House announced that FBI officials would go to Israel to assist in the investigation, a first since the Palestinian intifada began in Sept. 2000. The FBI team arrived in Israel on Monday, according to Israeli media.

Some analysts say the FBI investigation could signal a concern within the Bush administration that Hamas and other terrorist groups are targeting Americans, which Hamas has denied. If a terrorist group is found to be specifically targeting Americans, analysts say, U.S. policy in the Middle East could change significantly.

But little else has been done here to address the Americans' deaths — which doesn't surprise some pro-Israel activists who accuse the United States of downplaying the murder of Americans in Israel so as not to jeopardize halting moves to revive the peace process, such as reforming the institutions of the Palestinian Authority.

The only Jewish organization actively using the attack as a platform for policy change is the hawkish Zionist Organization of America, which has been seeking broader support for a bill stepping up efforts to find those who kill American citizens in Israel, the West Bank and Gaza Strip.

The Koby Mandell Act, named after a 13-year-old boy originally from Maryland who was murdered last year in the West Bank, would create an office within the Department of Justice to investigate and prosecute those responsible for killing Americans overseas.

The ZOA, which has sought additional action against killers of Americans through the State Department's "Rewards for Justice" program, believes the new office is necessary to combat what it calls State Department apathy.

Mandell's mother, Sherri, wrote in Monday's New York Post that the State Department has been uninterested in seeking her son's killers.

"In Israel, the West Bank and Gaza, there are no Rewards for Justice ads on billboards, matchbooks or newspapers, as is done in other countries," Mandell wrote in a guest column. "No, instead the State Department's notice is buried as deeply as the body of my son." □

AROUND THE JEWISH WORLD**With land restitution on agenda,
Russian Jews not sure about gain**

By Lev Krichevsky

MOSCOW (JTA) — Jews and other minority religions may benefit from a Russian lawmaker's controversial initiative to return land confiscated from the Russian Orthodox Church 80 years ago.

According to a plan proposed by Ivan Starikov, a member of the Federation Council, the upper house of the Russian Parliament, the Russian Orthodox Church could receive up to 3 million hectares of farmland and other land that was confiscated under the 1918 Bolshevik decree that nationalized church property.

But the Orthodox Church will not be the only beneficiary of the initiative if it ever becomes law.

Starikov, who chairs the chamber's agrarian committee, said other established religions should be also given their share of property lost in the communist nationalization. Russia's religions law explicitly lists Orthodox Christianity, Islam, Buddhism and Judaism as faiths with a long history in Russia that therefore have a privileged status.

Russian Orthodox Patriarch Alexei II welcomed the initiative during a recent meeting with top members of the Federation Council. The initiative resulted from lobbying efforts on behalf of Russia's largest faith.

Before the 1917 Russian Revolution, the Orthodox Church was among Russia's biggest landowners. The church already has regained ownership of hundreds of churches, monasteries and other properties since the fall of communism.

But the proposed bill would not mean full restitution of land once owned by the Orthodox Church and other faiths, according to Starikov. Rather, it is designed to fill in a blank spot in a new land law that comes into force on January 2003.

That law, signed by President Vladimir Putin late last month as part of a push to liberalize the economy, allows the sale of farmland for the first time since the czarist era.

In addition, the new law says religious groups can rent or buy land they currently use. In contrast, current law allows religious groups to use land occupied by religious buildings for free or for a nominal rent, but does not allow them to own land.

The new land law will mean that all religious organizations will begin to pay for the land they currently use, including the plots where churches, mosques and synagogues are located, said Zinovy Kogan, executive director of the Congress of Religious Communities and Organizations and a member of the government's Interfaith Council, a consultative body.

Leaders of minority religions, including Muslims, Catholics and Jews, say they are more concerned about the fate of the land occupied by their temples rather than the possibility to acquire farmland. Responding to these concerns, the Interfaith Council is now preparing amendments to the new land law that would allow religions to retain the status quo without paying for the land where houses of worship and other religious facilities stand.

If the amendments are not approved, many congregations, especially smaller ones, will go bankrupt, Kogan said.

Lawmakers will start to work on Starikov's bill in the fall so that it can be passed by the end of this year.

The fate of the bill is hard to predict.

Positive relations between Putin, a practicing Orthodox

Christian, and Alexei led commentators to assume that Starikov's motion would not have appeared without Putin's preliminary approval. But one top government official already has criticized the proposed legislation.

Alexey Volin, the Cabinet's deputy chief of staff, noted that "Russia is a secular state, and the church cannot have any special economic privileges."

The sponsors of Starikov's bill say the land given to religious groups can be used by religious organizations for farming purposes or rented out by churches. At the same time, the bill will ensure that religious groups won't lose their nonprofit status if they use the land to make money.

The initiative generated front-page articles in most major national dailies, many of which were skeptical of the bill.

The Jewish community appears bewildered by the proposed bill, and some express doubts if synagogues would actually benefit from it.

Unlike churches and mosques, Russian synagogues "never in their history owned land," said Alexander Lokshin, a leading historian of Russian Jewry.

The only kinds of land that the Jewish communities could own were cemeteries and plots under synagogues, and Jewish religious institutions were not involved in agricultural production, Lokshin said.

Adolph Shayevich, one of Russia's two chief rabbis, said synagogues could benefit if Starikov's bill allows congregations to use land rent-free. He said this would give a boost to new synagogue construction and ensure financial stability of existing congregations.

Kogan, of the Congress of Religious Communities and Organizations, said that although synagogues were not landowners before Soviet rule, Jews should receive land as compensation for lost property if other faiths do.

If that happens, "Jewish religious organizations for the first time in Russian history will own land that can be used to grow grapes to make kosher wine or to raise cattle to produce kosher meat," Kogan said.

Unlike some former Soviet bloc countries that have begun to settle accounts with organizations and individuals whose property was seized under communism, Russia has yet to enact meaningful, wide-scale restitution laws. The return of former houses of worship to their original owners is the only form of property restitution in Russia, and many congregations have encountered significant difficulties when trying to regain ownership of their former synagogues.

In fact, some Jewish leaders fear that large-scale restitution might have unfavorable consequences for the Jewish community.

Yevgeny Satanovsky, president of the Russian Jewish Congress, warned against such efforts.

"What is possible in Central Europe and the Baltic states is not possible, not justified and not needed in Russia," he said.

Communism lasted at least three decades less in those parts of Europe than in Russia, Satanovsky said, a significant difference that poses a major obstacle for successful restitution process.

One solution that might satisfy the Jewish community would be for the synagogues to receive the plots of land they currently occupy, he said.

"If we push any harder it could lead to a social explosion, even to the growth of anti-Semitism," he warned. "This is an extremely dangerous issue, and we have to be very cautious here." □