

IN THE NEWS

Justices rule for Nazi art victim

The U.S. Supreme Court ruled that a California woman can sue Austria to recoup art stolen by the Nazis.

The court ruled 6-3 on Monday that Americans can sue foreign countries over actions taken before U.S. laws restricting such lawsuits by Americans were passed.

Maria Altmann, who fled Austria, sued the country to retrieve six paintings Austria had displayed in the Austrian Gallery after they were looted by the Nazis, including two paintings depicting her aunt.

Monday's ruling also could allow Holocaust survivors to sue European countries for their actions during that era.

White House welcomes Israeli vote

The White House praised Israel's passage of the Gaza Strip withdrawal plan.

"As we have said, we view the prime minister's plan to withdraw all settlements in Gaza and certain settlements in the West Bank as a courageous and historic step," White House press secretary Scott McClellan said Sunday. "We urge that practical preparatory work to implement the plan now proceed as rapidly as possible in Israel."

The White House also called on the international community to work with Israel and the Palestinians to prepare for withdrawal.

Israel retaliates with Lebanon strikes

Israel bombed suspected terrorist bases in Lebanon.

Israel's action came Monday after rockets were fired from southern Lebanon at Israeli naval vessels in northern Israel.

"The State of Israel is determined not to allow terrorist actions against Israel from Lebanese territories and demands that the Lebanese and Syrian governments take responsibility," an Israeli army spokesman said.

WORLD REPORT

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Cabinet approves Sharon plan, yet hurdles remain for Gaza pullout

By DAN BARON

JERUSALEM (JTA) — Ariel Sharon's Gaza withdrawal plan overcame a key hurdle with its passage in the Israeli Cabinet this week, but more obstacles lay ahead.

The version of the plan the Cabinet approved by a 14-7 vote Sunday was a withdrawal in principle, but the Cabinet did not vote on actually dismantling any Jewish settlements in the Gaza Strip or West Bank.

"Israel is taking its future in its own hands," the Israeli prime minister said after the vote. "Israel has no intention of waiting any longer for the Palestinians to rein in terror and incitement."

Coincidentally, the vote came on the anniversary of two landmark Middle East events in which Sharon played a pivotal role: the beginning of the ground campaign in the 1967 Six-Day War, and Israel's 1982 invasion of Lebanon.

Immediately after the vote, Cabinet minister Ehud Olmert said he would order the Israel Lands Authority to freeze any new requests for settlement construction in the Gaza Strip. He also said Monday that Israel would have to give up some Arab neighborhoods in Jerusalem — where Olmert formerly served as mayor — to secure peace and maintain Israel's demographic balance, according to the Web site of Israel's Ma'ariv newspaper.

After Sunday's vote, the White House urged that Israel focus on preparing for withdrawal.

"We view the prime minister's plan to withdraw all settlements in Gaza and certain

settlements in the West Bank as a courageous and historic step," White House spokesman Scott McClellan said in a statement Sunday. "We urge that practical preparatory work to implement the plan now proceed as rapidly as possible in Israel."

But even the compromise plan that was approved Sunday, worked out in recent days after a more comprehensive plan appeared likely to lose a vote, was difficult to achieve. The measure passed only after days of wrangling and a drawn-out Cabinet meeting.

Last Friday, Sharon fired two Cabinet members who strongly opposed the plan, Tourism Minister Benny Elon and Transportation Minister Avigdor Lieberman, both from the National Union Party. Their dismissals helped ensure that the plan had majority support in the Cabinet.

Opposition also had come from members of Sharon's own Likud Party, especially Finance Minister Benjamin Netanyahu, Foreign Minister Silvan Shalom and Education Minister Limor Livnat.

To mollify these "rebel ministers," Sharon diluted the plan, eventually limiting the vote to the principle that Israel should disengage from the Palestinians. No actual vote was taken on whether Israel should evacuate the 21 settlements in Gaza and four in the West Bank that Sharon had specified in his original plan.

Sharon also had to include a last-minute compromise regarding a letter of understanding he had exchanged with President Bush on the disengagement plan. The approved plan referred to the letters, but they weren't appended to the plan itself, as Sha-

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GAZA PULLOUT PLAN

■ Cabinet approves Sharon plan, but hurdles remain for Gaza pullout

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Sharon originally had wanted.

Sharon had hoped to clinch support for the plan after Bush endorsed it in April. At the time, Bush said Israel had the right to retain some West Bank land in a future peace deal with the Palestinians and that Palestinian refugees from Israel's 1948 War of Independence should not be granted the right to return to their former homes inside Israel.

But Sharon's plan ran into trouble in early May when the Likud membership rejected it in a party referendum.

After this week's Cabinet vote, Sharon's coalition ran into new trouble when the pro-Sephardi Shas Party, the liberal Yahad bloc and Israeli Arab parties urged the Knesset on Monday to vote no-confidence in the government over a funding crisis in Israeli municipalities.

But the Labor Party, whose support is necessary for the motions to pass, said it would abstain from such a vote to give Sharon a chance to plan the details of his pullout plan. On Sunday, Labor Party leader Shimon Peres denied there were talks under way for Labor to join the gov-

ernment if the National Religious Party bolts over the disengagement plan.

"We have not been invited to join the government, and we are not about to invite ourselves," Peres told party members.

Despite the difficulties, Sharon was optimistic after the Cabinet vote, which came as opinion polls showed that a majority of Israelis support the pullout plan.

"Most people understand that this decision ensures Israel's future," Sharon said. "Today's decision gives hope to everyone." ■

Supreme Court: Austria can be sued over Nazi-looted art

By TOM TUGEND

LOS ANGELES (JTA) — A U.S. Supreme Court ruling that Holocaust victims' families can sue Austria to recover Nazi-looted paintings could have repercussions for other cases against European governments.

The court ruled Monday that Americans can sue foreign governments in U.S. courts over looted art, stolen property and war crimes dating back to the Holocaust.

The decision is an important legal milestone and a personal triumph for Maria Altmann, 88, a Los Angeles resident who is seeking the return from Austria of paintings the Nazis confiscated in 1938.

Involved are six paintings by Austrian artist Gustav Klimt, now valued at \$150 million, including a stunning portrait of

Adele Bloch-Bauer, Altmann's aunt.

Austria has been fighting the return of the paintings, now hanging in its national gallery, arguing that sovereign states are immune to lawsuits filed in American courts.

However, a 6-3 majority of the U.S. Supreme Court upheld Altmann's contention that there were exceptions to the immunity, in this case for property seized in violation of international law.

Austrian Consul General Peter Launsky-Tiefenthal said in Los Angeles that he had not yet received any reaction from his government.

The court decision likely will have major international ramifications, said Michael Bazylar of California's Whittier Law School, who analyzed the Altmann case in his book "Holocaust Justice: The Battle for Restitution in American Courts."

The most immediate impact will be on pending actions against the French and Polish governments, which also have claimed immunity against lawsuits in U.S. courts.

Holocaust survivors and their heirs are suing the French railroad system for transporting them to concentration camps. Other suits are pending against Poland for the return of seized property, Bazylar said.

Germany also may be open to new property claims, said law professor Burt Neuborne of New York University, who was the lead counsel in suits to recover Holocaust-era deposits in Swiss banks.

Other beneficiaries could be Korean women who were forced to be sex slaves for Japanese soldiers in World War II.

The decision will not affect a number of class-action suits against European insurance companies or slave-labor suits against foreign factories and mines, since

such suits are against private companies, not governments, Bazylar and Neuborne agreed.

The Supreme Court decision leaves an opening for the U.S. State Department to intervene on behalf of

Austria, though a recent U.S.-Austrian treaty is ambiguous on that point.

In any case, the Jewish community should press the State Department to stay out of the follow-up on the Altmann case, said Marc Stern, general counsel for the American Jewish Congress, which filed an amicus brief in the case.

The case now goes back to the U.S. District Court in Los Angeles, where a trial will determine the original question of whether the paintings belong to Altmann or to the Austrian national gallery.

The case was a milestone not just for Altmann, who came to the United States as a refugee from Austria, but for her attorney, E. Randol Schoenberg. Schoenberg is a descendant of a prominent Austrian-Jewish family; his grandfather was the composer Arnold Schoenberg.

Schoenberg, who single-handedly argued the case against lawyers for the Austrian and American governments in his first Supreme Court appearance, termed his victory "a dream come true." ■

Korean sex slaves of wartime Japanese soldiers could benefit.

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CIA's Tenet was viewed as bold peace broker

By MATTHEW E. BERGER

WASHINGTON (JTA) — George Tenet broke with protocol and lent the once-vaunted credibility of the CIA to the pursuit of Middle East peace.

But to many Jews, Tenet's legacy will be quashing a plan to release Israeli spy Jonathan Pollard from prison.

When the Clinton administration brokered Israeli-Palestinian negotiations in 1998, Tenet, the director of the CIA, emerged as a key conduit, using the agency's reputation as a stronghold of security to win cooperation from both parties.

"There was no way I could be credible on issues of security," said Edward Walker, who served as the U.S. ambassador to Israel at the time. "We needed a guy like George to bring the parties around to the point that they could even talk to each other."

Tenet, who served as director of the CIA since 1997, resigned his post June 2, citing personal reasons. President Bush then praised Tenet for his work.

Tenet and his agency have been under fire in recent months for intelligence used to justify last year's invasion of Iraq that suggested Saddam Hussein possessed weapons of mass destruction. The resignation was bound to be seen as an acknowledgment by the administration that the CIA had peddled wrong information.

Jewish and Israeli officials praised Tenet's tenure at the CIA and the unprecedented role the agency played in the Arab-Israeli conflict. Tenet oversaw security cooperation during the quiet times, and worked to broker a cease-fire amid violence in 2001.

The "Tenet Plan," introduced in June 2001, outlined confidence-building mea-

sures to bring the sides back to the table.

The plan made plenty of old CIA hands nervous. Spies gathered intelligence and made recommendations, went the conventional wisdom; policy — the high profile it engendered and the resentments it stoked — was best left to politicians.

Others credited Tenet for taking the risks, even though they bore little fruit.

Aaron Miller, a former adviser on Arab-Israeli affairs for six U.S. secretaries of state, called Tenet's involvement bold for a person overseeing a department known for secrecy and clandestine activities.

Tenet was able to gain support not just from Americans and Israelis, Miller said, but from Palestinian leaders who were skeptical of U.S. intentions.

"What made George's role unique was his relationship with the Palestinians," said Miller, now the president of Seeds of Peace. "He inspired an enormous degree of confidence and what he said carried an enormous amount of weight."

Daniel Ayalon, Israel's ambassador to the United States, said Tenet was an effective intermediary there because he had a "flair and a style with personal charm."

"Security issues were the crux of the matter," Ayalon told JTA. "So by definition, it was his input that was necessary to improve the security problem and the threat of terror."

Tenet's focus shifted dramatically to fighting terrorism targeting the United States after Sept. 11, 2001.

A Greek American, Tenet displayed a deep understanding for the plight of minority communities. Abraham Foxman, national director of the Anti-Defamation League, said Tenet was helpful in 1999,

when a Jewish lawyer at the CIA claimed his security clearance was revoked because of his ties to the Jewish community. Tenet provided as much detail about hiring and other procedures as could be declassified.

The incident sparked a friendship between the two, as well as a new program that allowed the ADL to give sensitivity training to CIA employees.

Tenet was also committed to Israeli security, and encouraged better ties between American and Israeli intelligence services.

But Tenet's role in the Pollard affair was more controversial.

President Clinton had agreed to release Pollard, a former U.S. Navy intelligence analyst who spied for Israel, as part of a peace framework. But Tenet said he would not be able to face the intelligence community if Pollard was freed, and according to some reports, threatened to resign immediately. Clinton then took releasing Pollard off the table.

"We were really shocked at the vehemence he showed," said one former Israeli official of Tenet's sentiments. Tenet denied he made the threat, and called Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, practically in tears the day the story broke.

"He truly was very emotional and very upset about it," Hoenlein said.

The incident frustrated Jews who had sought Pollard's freedom, but many still supported Tenet.

"George Tenet had an important role in the community," Foxman said. "He expressed the reality of what was going on in the Arab-Israeli conflict." ■

JDC helps returned property become a windfall

By MAGNUS BENNETT

PRAGUE (JTA) — Jewish communities in Central and Eastern Europe are getting a hand at becoming self-sufficient thanks to a real estate loan program.

The idea behind the Strategic European Loan Fund, or SELF, is to help communities maximize revenues from restituted property and then pump the money back into projects that benefit local Jewry. The American Jewish Joint Distribution Committee, which introduced SELF, is now looking to develop the interest-free loan program all over the continent to provide community representatives with real estate know-how.

Jerry Spitzer, a JDC board member and property management consultant, said many communities face difficulties in deciding what to do with real estate that has been returned to the Jewish community recently, decades after their seizure by the Nazis during World War II.

"The fact that you have gotten a building can be a liability," Spitzer said. "Unless you can turn it into an income-producing property, it is a drain because you have to insure it, maintain it."

Through SELF, JDC provides both the financial assistance and technical knowledge to maximize revenues, which the JDC wants to see go to social service improvement projects for the Jewish community. ■

NEWS IN BRIEF

MIDDLE EAST

Labor helps Sharon's Likud

Israel's Labor Party is abstaining from no-confidence votes against the Sharon government.

The pro-Sephardi Shas Party, the liberal Yahad bloc and the Israeli Arab parties urged the Knesset on Monday to vote no-confidence in the government over a funding crisis in Israeli municipalities, but the motions were unlikely to pass without Labor support. Though it heads the Israeli opposition, Labor said it would abstain from the vote in order to give Prime Minister Ariel Sharon a chance to plan the details of the pullout plan, which won Cabinet backing Sunday.

Two Palestinians killed

Israeli forces killed two Palestinians in the West Bank and Gaza Strip. Troops confronting rock-throwers near the West Bank city of Tulkarm shot dead a 19-year-old Palestinian on Monday.

The army said its forces in the Gaza Strip also killed a Palestinian overnight after he was spotted approaching Neveh Dekalim in what appeared to be an attempt to infiltrate the settlement.

Egypt invests in Gaza

Egypt pledged to help prevent a power vacuum after Israel withdraws from the Gaza Strip.

Egyptian intelligence chief Omar Suleiman reached a security agreement with visiting Israeli Foreign Minister Silvan Shalom on Monday. Cairo is to send dozens of security consultants to Gaza later this month to bolster Palestinian Authority forces against Islamist terrorist groups that threaten to take over after any Israeli withdrawal.

But according to political sources, Egyptian President Hosni Mubarak, who was to meet Shalom later Monday, wants an Israeli commitment to withdraw from all of the West Bank as well, and to provide Palestinians with safe passage between the two territories.

NRP — in or out?

The National Religious Party debated whether to quit Israel's government.

The NRP's Knesset faction convened Monday after its two ministers failed to vote down Prime Minister Ariel Sharon's plan to withdraw Israeli troops and settlers from the Gaza Strip and some of the West Bank.

NRP chief Effi Eitam favors quitting the government, a move that would leave Sharon with control of 55 of 120 Knesset seats and likely would force him to bring the opposition Labor Party into the government. NRP's influential welfare minister, Zevulun Orlev, argued against Eitam.

Barghouti militia vows revenge

A Palestinian militia vowed to avenge the jailing of its leader by kidnapping and murdering Israelis.

"We urge all our fighters to kidnap Zionists — children, women and soldiers — and sentence them to death," the Al-Aksa Brigade said in a statement. "Strike the Zionist enemy wherever it is in our land." Marwan Barghouti, a West Bank leader of Palestinian Authority President Yasser Arafat's Fatah movement, was jailed Sunday for 165 years by an Israeli court after he was found guilty of planning gun ambushes that killed five people.

Israel cracks down on soccer racism

Six Israeli soccer fans were charged with incitement to racism for shouting anti-Arab slogans at soccer games.

The district attorney for Jerusalem, Eli Abarbanel, said Monday that he has instructed police to crack down on fans who shout

"Death to Arabs" at games of the Beitar Jerusalem soccer club.

Olmert eyes Jerusalem's future

An Israeli Cabinet minister called for Israel to give up some Arab neighborhoods in Jerusalem. "In the future, as part of efforts to improve the demographic balance, the border should be delineated so that Issawiya, Kafr Akab, Zur Baher, Umm-Tuba, Shuafat refugee camp and Anata will all be east or north of the fence, not under Israeli rule," Ehud Olmert told the Web site of the Ma'ariv newspaper on Monday.

NORTH AMERICA

Debt relief to help social causes

The American Jewish World Service is supporting an act that would forgive some of the poorest nations' debts.

The Jubilee Act would cancel the "unjust and unpayable debts to the International Monetary Fund" for the world's 50 poorest nations and allow for spending on education, HIV/AIDS and other health causes, according to an organization news release. The legislation, introduced in the House of Representatives, derives its name and intent from the Bible.

'Passion' still riles

The Anti-Defamation League is upset over Vatican plans to beatify a nun whose visions inspired Mel Gibson's "The Passion."

The beatification — the last step before sainthood — of Anne Catherine Emmerich could harm interfaith relations, the ADL said in a statement.

Soup champ feeds terror victims

The woman behind America's best chicken soup fed her winning broth to Israeli victims of terrorism.

Rosely Himmelstein of New York, who this spring won the National Jewish Outreach Program's first Chicken Soup Challenge, recently cooked up her winning recipe in Jerusalem for 35 victims of terrorism and their families.

"Jewish chicken soup is the ultimate comfort food, and if anyone is in need of comfort it's the people in Israel who live under the daily strain of terrorism," she said. Himmelstein made her soup at the home of Marc and Chantal Belzberg, who head the One Family Fund for terror victims.

WORLD

Tel Aviv basks in architecture prize

Tel Aviv was honored for its Bauhaus architecture. Israel's metropolis became a UNESCO World Heritage Site on Monday in recognition of its 4,000 buildings in the modernist style popularized in 1920s Germany.

"This is a treasure for all of human culture," Mayor Ron Huldai said at a Tel Aviv ceremony, calling for government subsidies to preserve the Bauhaus buildings, many of which are in a state of disrepair. Interior Minister Avraham Poraz proposed passing a law protecting the buildings from being razed.

Jewish groups help Sudanese victims

A coalition of Jewish groups is collecting money for humanitarian relief in Sudan.

The Sudanese government reportedly has armed Arab Muslims who have killed as many as 100,000 black Muslims in the past several months. The violence comes after a civil war that has pitted Christians against Muslims in Sudan during the past several years.