

# Rivlin: Army, not public, must decide Azaria's fate, because those are the rules

Gili Cohen

As the trial of soldier Elor Azaria continues, President Reuven Rivlin has expressed concern about its effect on the army, coming down firmly in support of the military authorities.

Azaria, a corporal in the Israel Defense Forces, is being tried in Jaffa Military Court for shooting a wounded Palestinian assailant to death in Hebron earlier this year. The case has divided the nation between those who support Azaria's being charged with manslaughter and those who think he should not have been prosecuted.

Responding to a question about the trial on Twitter, Rivlin said, "This trial could confront us with a yawning chasm and not just a slippery slope."

"My grandchildren, who are soldiers in the army, ask me, 'Grandpa, who should we listen to? To our commanders or to the voice of the masses?'" Rivlin wrote. "We have an excellent army, we have the best commanders, we have an exceptional chief of staff, and you must listen to them and accept their decisions, because those are the rules of the game," the president concluded.

Prime Minister Benjamin Netanyahu, meanwhile, apologized yesterday for telling Channel 2 over the weekend that he had called Azaria's parents after the shooting the same way he calls parents who have lost a child in combat.

"I apologize if my remarks were misunderstood," the prime minister wrote on his

Facebook page. "I did not intend in any way to compare the suffering of bereaved families, a suffering I am very familiar with, to the situation of other parents in distress. There is no comparison and can be no comparison."

At the military court yesterday, a soldier who was wounded by Abdul Fatah al-Sharif, the terrorist who was shot by Azaria, told the court that he had feared the attacker was carrying a bomb or wearing an explosive belt. The main dangers at the position he was stationed at in Hebron, the soldier said, "is stabbing and the threat of explosive devices." He did not witness Azaria's subsequent shooting of the attacker.

"There is no separation between us and the Palestinians at the position," he noted. Asked by the defense whether he thought the terrorists who attacked the IDF post that day posed a threat to his life, the soldier answered in the affirmative.

Describing the attack itself, he said that he suspected something was wrong when the two Palestinians refused to pass through a metal detector and were ordered to halt by the commander of the position. One of the assailants attacked the post commander and stabbed him three or four times.

The soldier said he attempted to fire at the attacker but his rifle jammed. He was looking around for the second Palestinian, thinking he might be planting an explosive device, when he felt himself being stabbed in the back.

"I fired three bullets at him as I was falling backwards," the soldier said.



Elor Azaria during a break outside his trial in Jaffa Military Court yesterday.

"The terrorist began to run away, but I was of the opinion that he still posed a danger or had some sort of explosive device on him."

The soldier described how he began to run after his attacker, who turned, looked at him and then began running toward him. At that point, he heard firing and saw the Palestinian fall. The post commander, who had fired the shots, approached him.

"I tried to confirm that he was completely neutralized. He couldn't get up, but if he had a device perhaps he would succeed in ex-

ploding it," the soldier said. "I again tried to fire at him but couldn't. Then I realized that he was dead."

At that point, the soldier said that he realized that he was bleeding and others at the scene began to give him first aid. He described how, lying on a stretcher, he felt exposed because other soldiers were shouting that the assailant might have explosives.

He testified that, while being carried to the ambulance, he saw the Palestinian move his head and possibly his hands. He neither saw nor

heard Azaria fire.

In his cross-examination, the prosecutor, Maj. Nadav Weissman, pointed out to the soldier that in his original testimony right after the incident he made no mention of the possibility that one of the assailants was carrying an explosive device.

The soldier acknowledged that he had omitted mention of explosives in his initial testimony, explaining that he had been stabbed, had just shot two people, was on painkillers and was "not at my best." But he insisted that had been his concern.

Also testifying yesterday was Eli Bin, the head of Magen David Adom, who told the court that, "So long as any danger of a device or explosives has not been removed, we don't approach the terrorist. Those were the instructions in force at the time and for two or three weeks after."

Following subsequent discussions with Central Command commander Maj. Gen. Roni Numa, Bin said, it was decided that the concern about explosives would remain until the terrorist's outer clothing had been removed.

# Nature authority mulls calling for ban on Israeli ivory sales

Zafir Rinat and The Associated Press

The Israel Nature and Parks Authority is demanding that auction houses in Israel stop offering ivory items for sale if they don't have documentation proving that the items originated before global restrictions on ivory commerce applied. The authority is considering proposing legislation that would completely ban the sale of such items.

Over the past few weeks, Tiroche Auction House in Herzliya offered dozens of ivory items, including figurines. After members of the public contacted the INPA, the authority demanded that Tiroche refrain from publicizing the ivory items until it delivered documentation that they were permitted for sale.

According to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (known as CITES), commerce in ivory was banned in 1990.

Older items are still being bought and sold, and a number of auction houses in Israel offer ivory objects.

The purpose of the ban is to stop the hunting of elephants for their tusks, which has placed the African elephant in grave danger of extinction. The number of Africa's Savanna elephants dropped by about 30 percent between 2007 and 2014 (to 352,000) due to poaching, according to a recent study.

Elephant populations in Tanzania and Mozambique were among the hardest hit.

INPA Deputy Director General Roni Malka confirmed that the authority had asked Tiroche to produce the necessary

documentation and was examining the possibility of promoting a total ban on the sale of ivory items in Israel.

According to Tiroche Director Dov Hazan, "Out of a desire to act according to the law, Tiroche decided to offer ivory items for sale subject to Israel Nature and Parks Authority approval. The items will be offered for auction to determine their price. After the sale, Tiroche will work to obtain permits from the INPA. If the permits are obtained, the items will be delivered to the purchasers. If the permits are not obtained, the sale will be voided."

The annual conference of countries that are signatories to CITES took place in Johannesburg, South Africa, this week. Ahead of the conference, a number of African countries submitted proposals for a total ban on the sale of ivory. However, Namibia, Zimbabwe and South Africa favor the sale of their ivory stockpiles, saying the money can be funneled back into conservation.

Poaching syndicates were able to move large shipments of African elephant ivory last year, despite global calls to dismantle trafficking networks that often collude with corrupt government officials, conservationists said at the conference yesterday.

The illegal ivory trade "has remained fairly constant at unacceptably high levels" since 2010, and a "continuing upward trend" in the seizure of shipments of more than 100 kilograms (220 pounds) in 2015 indicates the key role of organized crime in poaching, according to a document released by conference organizers.

# Joseph Sitruk, France's longtime chief rabbi, dies at 72

Yair Ettinger

Rabbi Joseph Sitruk, France's chief rabbi for 21 years when harassment of Jews escalated around the country, died yesterday. He was 72.

Sitruk led the community, the world's third largest after Israel's and America's, for three seven-year terms until 2008. During that period French Jews increasingly fell victim to harassment.

In 2003, during the second intifada, he advised French Jewish men to walk around in hats rather than skullcaps to lower the chances of being harassed or attacked in the streets. But he opposed government moves to restrict the use of religious symbols, whether Jewish, Muslim or of any other faith.

In 2003, when President Jacques Chirac leaned toward prohibiting Muslim women from wearing hijabs

in public places, Sitruk told Le Figaro that "true secularism is expressed by the state's neutrality toward religious pluralism. No religion should dominate another, and the role of the state is to ensure peaceful and respectful coexistence among all religions."

He added that "often secularism is applied narrowly, such as when a Jewish student fails after not showing up for an exam on the Sabbath."

Around a year before stepping down, Sitruk won the French Legion of Honor.

Sitruk, who was married with nine children, was chief rabbi of Strasbourg and Marseilles before being chosen France's chief rabbi in 1987. He was born in Tunis before moving to France with his family.

In a statement, Israel's ultra-Orthodox Shas movement celebrated the late rabbi. It said Sitruk "raised the stature of French Jews, en-

riching the path bequeathed from one generation to another. His conduct was gentle and graceful, trying to get people to love God. He was widely connected to the authorities in his attempts to serve the needs of Jewish communities in France."

Shas said Sitruk had been close to the late Shas spiritual leader, Rabbi Ovadia Yosef, "whom he consulted on many issues, bringing God's word to all corners of France."



Contraband ivory being displayed in Togo.

AP



ISRAEL TAX AUTHORITY

Public tender no. 1/2016 for the planning and construction of a site on the Jordan River Crossing for the production, supply and installation of a system for screening the containers and the subsystems and for maintenance of the system for screening the containers and the subsystems for a period of up to 10 years after the one-year warranty, using the TKP (turn-key project) method

The Tax Authority hereby announces changes in the tender documents, as explained below:

- To the purchase agreement (Appendix A1 - to the service and maintenance agreement) we are adding par. 7.8, to the effect that "the amount of responsibility of the supplier regarding par. 7.2. and par. 7.4 above is limited to a total of 200,000,000 shekels - responsibility for bodily harm and a total of 100,000,000 shekels - responsibility for damage to property."
- To the agreement for service and maintenance (Appendix A1 to the purchase agreement), we are adding par. 12.3, to the effect that "the responsibility of the supplier regarding pars. 12.2 and 12.3 above is limited to a total of 200,000,000 shekels - responsibility for bodily harm and a total of 100,000,000 shekels - responsibility for damage to property."
- In par. 1.5.8 of the notice and in par. 6 of the general preconditions (threshold conditions), "The warranty will be valid until December 7, 2016" will be replaced by "The warranty will be valid until May 1, 2017."
- The text of par. 4.5 of Chapter 7, general conditions will be replaced by "4.5 The bidder's bid will be valid for half a year from the final date for submitting the bids according to this tender - in other words, until May 1, 2017."
- The other tender documents remain unchanged.

In light of the above changes, the Israel Tax Authority announced a change in the dates for the abovementioned tender as follows:

Activity	Date
Date of receiving the tender documents	From September 25, 2016 until October 5, 2016, Sunday-Thursday from 8 am - 2:30 pm
Date of suppliers' tour	October 5, 2016 at 10 am.
Final date for clarification questions	October 26, 2016 at 3 pm
Final date for response to clarification questions	November 10, 2016
Final date for submitting bids to the tenders box	December 1, 2016 at 12 noon

The tour will take place at the Jordan River Crossing next to Kibbutz Maoz Haim - the customs briefing room (Kobi Room).

To remove all doubt it should be clarified that participation in the suppliers' tour is mandatory. If a bidder and/or his agent in Israel does not participate in the suppliers' tour, his bid will be summarily rejected. However, a bidder who participated in one of the two previous suppliers' tours on the subject is not required to participate in the abovementioned suppliers' tour. Also, in order to remove all doubt, it should be clarified that only a bidder who participated in one of the suppliers' tours conducted for the abovementioned tender is permitted to send clarification questions until the date mentioned in the above table.

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This Day in Jewish History September 26, 1841

# South African Jews meet for first Kol Nidre prayer

David B. Green

On September 26, 1841, southern Africa's first Jewish community, the Cape Town Hebrew Congregation, met for the first time, for the Kol Nidre prayers of Yom Kippur Eve. Over 175 years later, this Orthodox synagogue is still in existence, and meets in the structure known as the Gardens Synagogue, situated in the Cape Town Botanical Gardens.

The first significant numbers of Jews arrived in the Cape early in the 19th century, generally from Germany or the Netherlands. The impetus was that the Dutch East India Company, which sponsored much of the settlement, changed its policy to officially allow Jews to settle in the colony and conduct their religious lives publicly, in 1804. These were often commercial entrepreneurs, who in many cases, followed the Boer colonists inland, offering them the trading services and supplies they required.

One of the key figures in the initial Jewish community was Benjamin Norden (1789-1876), who arrived in the colony in 1820, and moved from Grahamstown to Cape Town in 1839. Norden, who prospered as a merchant and land speculator, offered his home, Helmsley Place, at the corner of Weltevreden and Hof Streets, for that first Yom Kippur service in 1841, to which 14 men, three boys, and an indeterminate number of women showed up. According to Solly Berger,

the congregation's chairman, who wrote about its history in 2005, the group convened for a second time on October 3, 1841, one of the intermediate days of Sukkot, this time at the home of Simeon Marcus. It was then that formally established what they initially called the Jewish Community of Cape Town, Cape of Good Hope. From that date on, regular services took place, rotating through the homes of members.

**The first Jews were often entrepreneurs who followed the Boer colonists inland.**

Even before the community began planning for a building of its own, its members requested piece of land from the municipal government for cemetery. Apparently, it was the practice of the town to allocate land to churches for that purpose at no expense, but in the case of the Jews, city hall requested payment of £10. Not only that, but the parcel designated was adjacent to a slave cemetery. Both of these facts were perceived as an insult to the Hebrew Congregation, and its member withdrew their request for public assistance.

Instead, the members, with the help of a donation from Benjamin Norden, bought a piece of land out-

right in the suburb of Woodstock, where they established a Jewish cemetery, where bodies could be ritually prepared for burial. According to Berger, the first burial there was of Abraham Horn, who died in 1844, at age 41. The following year, the congregation registered its first birth - that of Charles Horn, son of Abraham, born to him posthumously.

The shul's first wedding took place in June 1844, and was unusual in that, due to lack of a Jewish clergyman with legal authority to perform the ceremony, the officiating clergyman was the senior colonial chaplain of Cape Town's St. George's Cathedral, the Rev. George Hough, who graciously agreed to create a non-denominational service that didn't make mention of the Holy Trinity. That service was then followed by a halakic Jewish service.

In 1847, the synagogue hired its first fulltime rabbi, and in 1849, constructed its first purpose-built home. With two big influxes of Jews to South Africa, in the 1860s and 1870s, after the discovery of diamonds and gold, respectively, and following 1881, in response to the persecution in the Polish and Lithuanian territories of the Russian Empire, two subsequent homes were built, in 1863 and in 1905. The latter, the Great Synagogue, which has room for 1,400 prayer-goers, remains its home today. Adjacent to it is the South Africa Jewish Museum.