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ANTI-SEMITISM IN EUROPE

HEARING

BEFORE THE

SUBCOMMITTEE ON EUROPEAN AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

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ANTI-SEMITISM IN EUROPE

Thursday, April 8, 2004

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE ON EUROPEAN AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:35 p.m., in Room SD–419, Dirksen Senate Office Building, the Hon. George Allen, chairman of the subcommittee, presiding.

Present: Senators Allen, Voinovich and Sarbanes.

OPENING STATEMENT OF HON. GEORGE ALLEN, U.S. SENATOR FROM VIRGINIA

Senator ALLEN. Good afternoon to everyone. I call this hearing of the European Affairs Subcommittee to order. Today we are holding a follow-up hearing on the subject of anti-Semitism in Europe. In October of last year, this subcommittee examined an issue of great interest and looked at it in great detail and pledged to revisit the issue to see what progress has been made and what steps have been taken. We are going to follow this year after year to see what progress has been made both within the European Union as a whole and also the individual states of Europe.

This is an opportune time to discuss the goals for the upcoming Organization for Security and Cooperation in Europe (OSCE) Conference. They are having a conference in Berlin on the role of government in combating anti-Semitism and will follow that with a Paris meeting on the use of the Internet to propagate anti-Semitic actions and beliefs.

As was discussed during our hearing last year, in recent years there has been documented, clear increases in anti-Semitic incidents throughout Europe. With attacks taking place with greater frequency in Great Britain, France, Belgium, and Germany, and other countries, it is clear that anti-Semitism is on the rise over the last few years. And it is more than just an aberration. The rise in anti-Jewish activity seems to be representing a trend that must be acknowledged and therefore have constructive steps taken to prevent future attacks, as well as prosecute the perpetrators of such criminal acts.

Whether the motivation of anti-Semitic incidents are events in the Middle East or deep-seeded dislike of Jewish people, as I stated in the previous hearing, it is the foremost responsibility of leaders and elected officials to immediately publicly condemn such hate crimes. We are fortunate to have with us many outstanding wit-

nesses today who will help us analyze this situation and how it can be improved.

I think it is essential that the people of our states and our countries understand that such actions of intolerance, because of one's ethnicity or religious beliefs or, for that matter, race will not be tolerated. And conversely, we cannot have the people of our states somehow believe that inaction is appropriate, because that could be construed as condoning such behavior and may lead to further violent activities.

I am pleased that there has been some acknowledgment of the anti-Semitism problem by the European Union and a number of its member countries. The Embassy of France has continued to keep me informed on its government's efforts to combat anti-Semitism in France. I understand France has developed a comprehensive plan for combating anti-Semitism and preventing incidents in the future. I have been informed that the French Government has made a number of judicial changes to punish those convicted of anti-Semitic attacks more severely.

Additionally, new authority has been given to prosecutors to fully prosecute acts of anti-Semitism. France is also in the process of instituting educational and media initiatives to sensitize its citizens on the issue of anti-Semitism and to promote tolerance among its younger generation.

The United Kingdom, Sweden, and Greece are enhancing their responses to the problem in a number of ways. Some are seeking to implement new programs to provide greater flexibility in prosecuting racially or ethnically motivated crimes, while others are attempting to use education and the establishment of holidays to teach the history of the Holocaust, which is also an important aspect of education.

After sending conflicting signals, the European Union appears to be taking some steps to acknowledge the rise of anti-Semitism in its member states. I, like many, viewed the decision not to release a 2002 study on anti-Semitism as counterproductive and symbolic of the reticence to acknowledge the scope of the problem. I am pleased that the European Union met its commitment to release the report this year and provide an institutional account of the prevalence of anti-Semitism in the 15 and soon to be 25 member countries.

I understand that earlier this year the European Commission conveyed a high-level meeting on anti-Semitism in Europe that included global leaders on the issue. I further understand that during this conference the president of the commission called for the formulation of plans to combat an anti-Semitism collectively between the commission and their individual nations.

These are positive statements of purpose and are positive signs that our friends in Europe are ready to take substantive action against anti-Semitic violence. However, it is important that these declarations are followed by concrete actions that actually result in policies and practices that ensure the prosecution of perpetrators and, more importantly, prevent future acts of anti-Semitism.

I am hopeful that the OSCE conference in Berlin will provide a forum for the development of specific plans to stem the increased incidents of anti-Semitism in Europe. In reviewing the agenda for

these April meetings, it appears the overriding theme will be implementing best practices in the areas most important to combating anti-Semitism.

By focusing on government, law enforcement, education, and the media, the United States and Europe have a unique opportunity to further develop a comprehensive strategy for fighting the problem and promoting religious tolerance. I am interested to learn what goals and expectations our Government officials have for these upcoming meetings, as well as those of our European friends. I believe that these conferences are the best forum for highlighting the problems of anti-Semitism and, most important, developing solutions. And I am hopeful that the shared expectations that we have will yield a constructive blueprint for eliminating, or at least reducing, anti-Semitism in the future.

I really do believe, in closing, before we hear from our witnesses and other Senators, that our European allies should, and I do believe that they do, share our commitment to freedom and basic human rights. And I believe that working together with our friends to find and, most importantly, to implement the most effective ways to combat anti-Semitism, if we do that, will further our shared goals of tolerance and strengthen our shared goal of protecting the rights of individuals, particularly their religious freedoms.

And I want to thank again our witnesses for being here with us today. We are going to have a vote. I will tell my colleague, around 2:45. If there is a way that we can keep the hearing going with us passing the gavel of leadership, we will do it. If not, we may have to recess for a moment while I go and vote.

We do have with us the Senator from Ohio, Senator Voinovich, who was at the hearing last year and is one who is a strong advocate of individual rights and certainly who abhors religious intolerance and anti-Semitism. And before we hear from our first witness, who I will introduce, I turn it over to Senator Voinovich for any opening remarks he wishes to make.

Senator Voinovich.

STATEMENT OF HON. GEORGE V. VOINOVICH, U.S. SENATOR FROM OHIO

Senator VOINOVICH. Thank you, Senator Allen. I appreciate your convening this hearing today and continuing an examination of the rise of anti-Semitism in Europe, which this subcommittee began last October. I believe it is important that we continue to highlight this alarming trend and that we move forward with discussion on ways that together we can act to combat this serious problem.

I would like to join in welcoming Assistant Secretary of State Beth Jones—Beth, it is nice to see you again—who has agreed to testify today. And I would also like to welcome Caryl Stern from the Anti-Defamation League; Rabbi Andrew Baker of the American Jewish Committee; Mark Levin of the National Conference on Soviet Jewry; and Dan Mariaschin of the B'nai B'rith. Your organizations have been on the front lines in the fight against anti-Semitism, and I am glad you are able to be with us this afternoon.

Now this is a timely and prudent discussion, as the United States and members of the international community prepare to

gather in Berlin on April 28 and 29 for a conference on anti-Semitism hosting by the Organization for Security and Cooperation in Europe. I am pleased to have an opportunity to represent the United States as a member of the U.S. delegation to this meeting at the invitation of Secretary Powell.

It is my hope that recommendations made today will assist us as we look to institutionalize the fight against anti-Semitism in the OSCE and we begin to put in place an action plan to formalize a process to identify, monitor, and measure efforts to combat anti-Semitism at each of the 55 OSCE countries.

As our witnesses will testify here today, it is an unfortunate reality that anti-Semitism continues in countries around the world. In May 2002, following a disturbing number of anti-Semitic incidents in Europe, I joined with members of the Helsinki Commission in a hearing to examine the rise of anti-Semitic violence in Europe. I was shocked at the reports that I heard.

And now, nearly two years later, the news is not much better. The first three months of 2004 have seen numerous acts of anti-Semitism abroad. For example, in Toulon, France, on March 23, a Jewish synagogue and community center were set on fire. In St. Petersburg, Russia, on February 15, vandals desecrated approximately 50 gravestones in a Jewish cemetery, painting them with swastikas and anti-Semitic graffiti. And it goes on and on.

It is important to note, unfortunately, that we are not exempt here in the United States, and that is something that we should all be very concerned about.

As a member of the Senate, I am committed to doing all I can to move toward the goal of zero tolerance for anti-Semitism in the world today, working with my colleagues in the House and Senate, the State Department, and organizations such as those represented this afternoon. While this hearing is a step in the right direction, I believe we can and should do more.

Mr. Chairman, yesterday I introduced legislation, Senate bill 2292, calling attention the growing problem of anti-Semitism abroad. And the bill, which we call the Global anti-Semitism Review Act of 2004, urges the United States to continue to strongly support efforts to highlight anti-Semitism through bilateral relationships and interaction with the international organizations, such as the OSCE.

We were able to get some words in the foreign operations appropriation and also the State Department authorization bill. Then, of course, those did not go anywhere. So we finally got it in the omnibus appropriating bill. But one of the things, Ms. Jones, that I am concerned about is the language that we finally ended up with; I do not think it really got the job done. I would like the State Department to look at this language that we have put together.

First of all, the bill would require a report to include a description of physical violence against or harassment of Jewish people or community institutions, such as schools, synagogues, or cemeteries, that occur in the country. So measure that.

Second, report on the response of the government of that country to such attacks; third, report on actions by the government of that country to enact and enforce laws relating to the protection of the right to religious freedom with respect to Jewish people; and last,

the efforts by that government to promote anti-bias and tolerance education.

It is the last point that I think is important. If we are truly to be successful, it is imperative that we work to promote tolerance and bring about a change in the hearts and minds of those responsible for acts of anti-Semitism and other hate crimes.

Mr. Chairman, I really appreciate your calling this hearing today. And I look forward to the testimony of the witnesses.

Senator ALLEN. I want to commend you for your bill. Consider me a sponsor of that measure. This subcommittee is focused on Europe; that is why our focus is on European affairs insofar as anti-Semitism. But we know anti-Semitism is not unique to Europe. We have anti-Semitism in this country that needs to be deplored and condemned and actions taken, as well as every continent of the world. So thank you for your leadership on this matter.

What I would like to do, if we could, is if we could switch off back and forth so we keep our witnesses on time. A vote has started. I would like to, before we break for that, at least hear from Secretary Jones. And if you and I could work this out, we can keep the hearing and our second panel relatively on time with the way that the Senate operates.

So let me first introduce our first panel, a panel of one. Secretary Elizabeth Jones, was sworn in as Assistant Secretary for European and Eurasian Affairs in May of 2001. She joined the Foreign Service back in 1970 as an elementary school child. Her overseas assignments have been concentrated in the Middle East, Germany, and South Asia. In Washington, she served as the Lebanon Desk Officer, Deputy Director for Lebanon, Jordan, Syria, and Iraq, and Principal Deputy Assistant Secretary in the Near East Bureau. She also served as Executive Assistant to Secretary Warren Christopher and directed the Office of the Caspian Basin Energy Diplomacy.

We would like to hear from you, Secretary Jones, and your insight into this matter.

STATEMENT OF HON. A. ELIZABETH JONES, ASSISTANT SECRETARY OF STATE, BUREAU OF EUROPEAN AND EURASIAN AFFAIRS, DEPARTMENT OF STATE

Ms. JONES. Thank you very much, Mr. Chairman. I really appreciate your inviting me to appear before you today. I also very much appreciate your leadership on this issue, and yours, Senator Voinovich. We are very grateful for that. It helps us a lot in pursuing this issue, which is a very important one for the United States.

We pursue the work on anti-Semitism using a three-track approach. We work with and through the OSCE, as you have already mentioned. We use the Holocaust Task Force. And we spend a tremendous amount of time with our embassies, our ambassadors, to monitor the situations and the countries to which they are accredited, to speak out about this issue as quickly as possible and whenever necessary, wherever necessary.

In the OSCE, of course the first conference on anti-Semitism was hosted by the Austrians in Vienna just a year ago, in June 2003. At the OSCE Ministerial Council meeting in Maastricht in Decem-

ber, we played a very big role in assuring that the next conference was to take place. And we are very grateful to the German Government for offering to host the conference that will take place at the end of April in Berlin.

Secretary Powell hopes to attend that conference, schedule permitting. He looks forward to that very much to discuss this issue and to go there as a signal of the strong importance, the great importance, he attaches to pursuing anti-Semitism around the world, including in Europe and Eurasia.

The French Government has offered to host a meeting in June on racism, xenophobia, and anti-Semitism propaganda on the Internet, another very important issue for all of us. And the Belgium Government will host a conference in September on racism, xenophobia, and discrimination, also a very important conference and very important that the Government of Belgium has offered to host it.

The Task Force for Holocaust Education, Remembrance and Research is a task force that has grown considerably in the few years that it has been in existence. It now is a 16-member group. There are other countries that have asked to join the group and that are working on joining that group. Its focus is on education and the Holocaust, an area that we certainly think is terribly important. Mr. Chairman, you have mentioned it, and Senator Voinovich has as well, as one of the key areas that all of us use to pursue the anti-Semitism work that we do.

The task force is particularly focused on teacher training, on documentary films, on essay contests for high school students, and really working toward helping to train teachers how to discuss this issue in multiethnic settings, as well, something that is increasingly important in many places in Europe.

The third track is the bilateral track. My colleague, Ambassador Ed O'Donnell, reported to you, Mr. Chairman, in January on the tasking to develop information about Holocaust education programs in each country. Our embassies, our ambassadors, are engaged in a dialogue with senior officials in the countries to which they are accredited, especially those that are experiencing the rise in anti-Semitism that has all of us concerned.

We have also provided the NGOs a further update on the work that our embassies have undertaken in the various countries. And once the information is complete, we will share all of the more updated information with the committee as well.

In more specific terms, we are very engaged in preparations for the Berlin conference. It is a very important conference for us. It is a huge conference this year compared to last year. We are very pleased that former Mayor Koch has agreed to lead the delegation. We are very grateful that Senator Voinovich will participate, as a member of the official delegation, as well the chair of the Helsinki Commission, Representative Chris Smith, and the ranking minority member on the commission, Representative Ben Cardin.

There are five distinguished members of the Jewish community who will participate as part of the official delegation as well: Betty Ehrenberg, Steve Hoffman, Jay Lefkowitz, Jack Rosen, and Fred Zeidman. And we are, in addition, very pleased that the public advisors will participate as well. Some of them are sitting right be-

hind me today and will participate in this hearing later. It should be an excellent delegation. We look forward to a tremendous amount of very good work coming out of it.

The goals that we have coming out of the conference, the priorities that we are focused on, are the roles of states and OSCE institutions in fighting anti-Semitism. The OSCE-participating states, we believe, need to commit themselves to collect and share data on hate crimes and to take measures, including in the areas of education and law enforcement, to fight anti-Semitism. We are looking for action-oriented ideas to implement that kind of thing.

We also would like the OSCE to task its Office for Democratic Institutions and Human Rights, ODIHR, to collect and publicly report statistics on hate crimes, to monitor incidents of anti-Semitism, to assist states with hate crime legislation, and to facilitate sharing of best practices to promote tolerance, particularly in law enforcement and education.

You mentioned the European Union reports. The EU Monitoring Center Report on Manifestations of Anti-Semitism in the European Union certainly illustrates the need for improvement and monitoring and data collection. That report, this year's report, is just out.

The other areas in which we think that—in which we think improvements are needed and areas in which we are working is that we think it is appropriate to push for faster reactions from European governments and political leaders to respond to anti-Semitic incidents. It works well in some places, not as well as we would like in other places.

France and Italy have created ministerial committees to combat racism, anti-Semitism. And as you mentioned, Mr. Chairman, France has heightened security for Jewish properties. It is undertaking better training for judges who try hate crime cases. And there are stiffer penalties for perpetrators of hate crimes. And we look forward to that kind of thing being done in more countries in Europe.

Tolerance education is becoming the norm. It is becoming more the norm in countries in Europe. And we would like to keep working on that. Education is clearly a very important aspect of the work that we do.

As I mentioned earlier, work on education on the Holocaust in multi-cultural settings is particularly important. This is the case in countries in which there are many, many—in which there is a large Muslim minority. We already know that in France there are some Muslim students who have walked out of classes devoted to studying the Holocaust or refuse to take the class. And we need to overcome that kind of resistance to the education that is so necessary to fight anti-Semitism.

We plan to continue to work multilaterally and bilaterally, multilaterally with the OSCE, bilaterally with each of these countries, and with education ministries, with NGOs in these countries, as well as the Congress, to deal as effectively as we can in combating anti-Semitism.

Thank you very much, Mr. Chairman.

Senator ALLEN. Thank you, Secretary Jones. And your full statement will be put into the record here.

Ms. JONES. Yes, thank you.

[The prepared statement of Ms. Jones follows:]

PREPARED STATEMENT OF HON. A. ELIZABETH JONES

Mr. Chairman, Members of the Committee, thank you for the invitation to appear before you today. I would like to take this opportunity if I may, Mr. Chairman, to compliment you on your personal commitment and the leadership you have shown in combating all forms of racism and intolerance, and in particular the scourge of anti-Semitism. Anti-Semitism again has emerged as a serious problem in Europe and elsewhere in the world, including here in the United States. I would also like to underscore our continued commitment to work closely with the Congress to do everything we can to deal effectively with the new threat of anti-Semitism, and to ensure that all citizens in Europe and elsewhere can live their lives in safety and dignity whatever their race, ethnicity or religious beliefs.

Since last October when the Special Envoy for Holocaust Issues Ambassador Edward O'Donnell appeared before you, the Administration and Department of State have continued to make the fight against anti-Semitism one of our highest priorities. Our work runs on three tracks: first, to work closely with our European allies, and in particular within the context of the Organization for Security and Cooperation in Europe (OSCE), to develop concrete, effective ways to address the problem of anti-Semitism; second, to work through the Task Force for International Cooperation on Holocaust Education, Remembrance and Research to educate the current and future generations about the lessons of the Holocaust; and third, bilateral action led by Ambassadors and Embassy staffs to work with host governments against anti-Semitism and hate crimes.

OSCE

Last June in Vienna, the OSCE held a conference devoted exclusively to the problem of anti-Semitism. The United States was instrumental in developing a consensus within the OSCE for this meeting. The conference was highly successful: for the first time anti-Semitism was identified as a specific human rights issue, distinct from religious discrimination or ethnic and racial prejudice. While the conference took no formal decisions, the participants recognized the need to track anti-Semitic incidents in order to build a better understanding of the breadth and depth of the issue.

Six months later at Maastricht, the OSCE Ministerial Council addressed a number of forms of racism, xenophobia and discrimination, including anti-Semitism that special OSCE conferences had addressed during the year. During this meeting, which I attended with Secretary Powell, the Council took a formal decision to follow-up on the Vienna Conference and welcomed the offer of the Federal Republic of Germany to host a second conference on anti-Semitism, on April 28–29, 2004. In addition, the Council approved a meeting on combating hate crimes fueled by racist, xenophobic and anti-Semitic propaganda on the Internet to be held in June in Paris and a conference on racism, xenophobia and discrimination in September in Brussels.

At Maastricht, the Ministers also encouraged participating states to collect information on hate crimes and assigned the task of serving as a collection point for this information to the OSCE's Office of Democratic Institutions and Human Rights (ODIHR). OSCE members also agreed to inform ODIHR about existing legislation on hate crimes and, where appropriate, to seek ODIHR's assistance in the drafting and review of such legislation.

We are now deeply engaged in preparations for this important, even historic conference in Berlin. The President has named a number of leading individuals from the Congress, as well as outstanding NGO members and private citizens active in the fight against anti-Semitism, to represent the United States: former Mayor Edward Koch, a strong and experienced leader for many years in the fight for tolerance and racial justice, will head the U.S. Delegation. Stephan M. Minikes, our Ambassador to the OSCE in Vienna, and Special Envoy for Holocaust Issues Edward O'Donnell will join him. We are pleased that Senator Voinovich, a distinguished member of this committee and internationally recognized as a leader in the fight against anti-Semitism and other forms of intolerance, will also be a member of the United States Delegation. We are honored by Senator Voinovich's participation and appreciate the strong leadership and wise counsel he will provide. Two distinguished members of the House of Representatives will be on the U.S. delegation and play a strong role for the United States in Berlin: Congressman Christopher Smith

of New Jersey, Chairman of the Commission on Security and Cooperation in Europe, and Congressman Benjamin Cardin of Maryland, a leading member of the United States Helsinki Commission. Several prominent NGO leaders and private citizens concerned about intolerance and anti-Semitism in the United States and overseas will complete the U.S. team.

GOALS FOR BERLIN

What are our goals for Berlin?

Mr. Chairman, building on the work of the anti-Semitism meeting in Vienna last June and of that of the Maastricht OSCE Ministerial Council, the United States believes that the objectives of the meeting in Berlin are to condemn all forms of anti-Semitism, and for the 55 member states of the OSCE to reach agreement on a number of specific steps to combat anti-Semitism within the OSCE region. Specifically, we are working intensively to ensure that Berlin will recommend to the OSCE Ministerial Council that member states commit to:

- Ensure that their legal systems foster a safe environment, free from anti-Semitic harassment, violence and discrimination;
- Promote educational programs for combating anti-Semitism;
- Support remembrance of and education about the Holocaust and the importance of respect for all ethnic and religious groups;
- Combat hate crimes, which can be fueled by racist, xenophobic and anti-Semitic propaganda in the media and elsewhere;
- Collect and maintain reliable information and statistics about anti-Semitic incidents and other hate crimes, and periodically report this information to the OSCE/ODIHR in Warsaw;
- Work with the OSCE Parliamentary Assembly to determine appropriate ways to review periodically the problem of anti-Semitism; and, lastly,
- Encourage future informal exchanges among experts on best practices in law enforcement and education.

The role of ODIHR, as noted, will be important to our success in implementing these concrete measures to fight anti-Semitism within the OSCE area. We believe that ODIHR, along with other relevant international institutions and NGOs, should closely track anti-Semitic incidents making full use of all the information available. ODIHR should report its findings to the OSCE Permanent Council and to the OSCE's annual Human Dimension Meeting, and make these findings available to the public. These reports should then be considered in deciding the priorities of the work of the OSCE as a whole.

We see as an additional task for ODIHR collecting and disseminating information throughout the OSCE region on best practices for preventing and responding to anti-Semitism. We believe that ODIHR should actively engage participating States on their efforts to fight anti-Semitism.

Mr. Chairman, at a time when Jews are being harassed and physically attacked in Europe and in Canada, the United States and elsewhere in the world, and when their synagogues, schools and cemeteries are being defaced, desecrated and destroyed, it is a matter of urgency that we succeed in moving in the directions that I have just outlined to combat anti-Semitism.

We are now seeing anti-Semitism in both its old virulent and in new hateful forms. The traditional anti-Semitism of neo-Nazis and other far-right hate groups is now part of a broader template. This includes anti-Semitism masked as anti-globalism, fanned, for example, by a resurgence of the decades old lies of such works as "The Protocols of the Elders of Zion." There is also anti-Semitism in the guise of criticism of the State of Israel that goes well beyond any legitimate criticism of Israel. We must work together to act resolutely to counter these lies. The U.S. Government will speak forcefully against hatred and the hate crimes they produce at the OSCE Berlin Anti-Semitism meeting. We will seek agreement to the proposals I have outlined, and we will work to develop with our European allies and NGO partners further robust measures to fight anti-Semitism.

STRONGER RESPONSE IN EUROPE

Much remains to be done in Europe to tackle anti-Semitism. This includes, as the recent report on "Manifestations of Anti-Semitism in the European Union" from the European Monitoring Centre on Racism and Xenophobia has pointed out, in the field of monitoring and data collection on anti-Semitism. But there have been some encouraging signs as well. European governments and political leaders now react more quickly and forcefully than even a few months ago in response to anti-Semitic

incidents. There is a growing awareness of anti-Semitism in Europe and a broader public debate. The Governments of France and Italy have created inter-ministerial committees to fight racism and anti-Semitism. In France there is heightened security to protect Jewish properties, and better training for judges who try hate crimes combined with new legislation that provides for stiffer penalties. In February, the President of the European Commission held a seminar in Brussels on anti-Semitism. Overall throughout Europe, tolerance education is beginning to become more the norm than the exception.

HOLOCAUST EDUCATION

One of the most important things we can do to defeat anti-Semitism is to educate the younger generation in Europe on the lessons of the Holocaust. Let me highlight the work of the Task Force for Holocaust Education, Remembrance and Research. I know many of you are familiar with this organization, initiated by Swedish Prime Minister Persson in 1998. Since then, the Task Force has grown rapidly from it original nucleus of three members to now 16 members and more countries are in line to join. The Task Force works on the basis of consensus and without a bureaucracy. The modest annual contribution from each country of $25,000 has created a fund used to finance projects throughout Central Europe and in the Baltic countries related to the Holocaust. Teacher-training, sponsoring high school essay contests and producing documentary films about the Holocaust are just of few of the types of projects the Task Force supports. The Task Force continues to be open to new ways of learning about the Holocaust and ideas to ensure that its important lessons are not forgotten.

The United States chaired the Holocaust Task Force this past year before turning over the reins in early March to Italy. One important new step the U.S. initiated during its Task Force Chair was to investigate the question of how best to teach the lessons of the Holocaust in multicultural settings. In France, for example, some Muslim students have refused to participate in classes devoted to studying the Holocaust and even have walked out. There are no easy answers to this predicament, but leading experts in the Task Force have now taken on this difficult question and we anticipate they will make progress in the months ahead.

When Ambassador O'Donnell testified before this committee in October, Mr. Chairman, you asked him about Holocaust education efforts in various countries in Europe. We tasked our Embassies to develop this information and provided it to the Committee in January. Now we have also sent the matrix with this information out to a number of NGOs to supplement from their own sources what we have learned in order to gather as complete a picture as possible. Once we have their responses we will share the updated information with the Committee.

SPEAKING OUT

Secretary Powell has made clear that we must do everything we can to fight anti-Semitism and other forms of intolerance. I have instructed U.S. Ambassadors at our missions throughout Europe and Eurasia to be both vigilant and vocal in denouncing anti-Semitism in the countries where they serve. In Greece recently, a well-known composer used anti-Semitic terms to criticize Israeli policy. While acknowledging the composer's right to his political opinions, our Ambassador quickly and publicly criticized the composer's anti-Semitic terminology. We are similarly vigilant elsewhere in Europe and will continue to speak out against anti-Semitism and to work with our friends and partners to combat it wherever it appears.

Mr. Chairman, with that I will conclude my formal remarks. I would be pleased to take your questions.

Thank you.

Senator ALLEN. The record, by the way, will stay open for other comments. Senators may not get here, but may want to submit questions or comments. And so the record will stay open for Senators and others who may want to comment or share some insight with us.

The Department of State is apparently putting considerable effort into working with international agencies to recognize and combat anti-Semitism. And I do think it is good that you point out those countries to the extent we look at best practices. Senator Voinovich and I were governors, and we would always talk about best practices as to what states in our Union would want to do and

emulate, or other things that you would say, gosh, we never want to do something like that.

But looking at best practices is beneficial. You mentioned France, as I did, improving the prosecution, the education of the prosecutors, the judges, as well as the penalties for those who are found guilty of such acts. And hopefully other countries will emulate that.

What are our top two goals, for the upcoming OSCE conference in Berlin and Madrid? Do you believe that our friends in Europe have similar expectations and goals?

Ms. JONES. The top two goals I would list as getting the OSCE-participating states, the 55 members, to commit themselves to collect and share data on hate crimes and to take measures, including education and law enforcement, to fight anti-Semitism, to come down to very practical measures. And there is quite a lot of work that has been done. And I have every expectation that our OSCE colleagues will certainly agree with that.

The second goal is to task ODIHR, the Office for Democratic Institutions and Human Rights, to collect and publicly report statistics on hate crimes, to monitor incidents of anti-Semitism, to assist states with hate crimes legislation, which is very important, and to facilitate sharing of best practices to promote tolerance, to institutionalize ways of doing each of those things.

Senator ALLEN. Thank you. We just got a message. Time is up on the vote. What we are going to do, I apologize to our witnesses, and I particularly note that one on the second panel—did you want to ask Secretary Jones any questions?

Senator VOINOVICH. I sure do.

Senator ALLEN. Secretary Jones, if you—if everyone could stand down, we will get back as quickly as possible, momentarily recessing.

[Recess.]

Senator VOINOVICH [presiding]. Thank you for your patience. The chairman asked me to convene the hearing so we could move on with some of the questioning.

Ambassador Jones, I want to say I appreciate the attention the State Department has given to this issue. The support of Secretary Powell has been most appreciated. And I would like to say Stephan Minikes has really done an outstanding job. I think he is probably the best person that we have nominated to the OSCE. He really takes the job very seriously. And he is making a real difference.

I am very pleased that Secretary Powell has indicated that he is going to be at the Berlin conference. I know I have talked to him about it. I really think that his presence there sends a very large message that this is a very important priority of the United States. I just wonder, has any effort been made to kind of line up some of the other folks? Because I had a meeting with Prime Minister Rop from Slovenia, and as you know, next year Slovenia is taking over the OSCE. And I drew a blank stare from him when I asked about this upcoming meeting and suggested that, you know, that Dimitrij Rupel, the foreign minister, be there.

Have you made any efforts in that regard to get people there?

Ms. JONES. We will be making an effort. The Secretary has just now, at the end of last week, indicated to Foreign Minister Fisher

that he would be able to go, would like to go, to the conference if he possibly can work in his schedule. We are planning along those lines.

So we will be going out to our various colleagues in the OSCE to make sure they know he will be there, as soon as he authorizes and says that it is more sure than it is right at this moment. But we certainly agree with you that his presence will attract the presence of many others, which we think is very, very important. And we will be working toward that end.

Senator VOINOVICH. It would be really great if somebody could work the phones.

Ms. JONES. Absolutely.

Senator VOINOVICH. Okay.

Ms. JONES. We will depend on our ambassadors to do that in the first instance. And then we can follow up with them long distance.

Senator VOINOVICH. I know a little bit about the OSCE from my involvement in the OSCE Parliamentary Assembly. And I know that ODIHR has X budget. And I am familiar with some of the things that they are doing. Has anybody given any thought to the additional money that ODIHR will need to build the capacity to do what it is that we want them to do? In other words, we go to Berlin. We can accomplish what we have all talked about. But unless the resources are there, we are not going to be able to get the job done. Has anybody thought about how we are going to deal with that?

Ms. JONES. Senator, I have no doubt that various of my colleagues have thought about it, including, I am sure, Ambassador Minikes. And may I just take a minute to say how much I agree with you about the strength of his leadership. I very much appreciate his wisdom as we talk through all of the issues that are involved with the OSCE, but in particular the organization of this conference.

I do not have at my fingertips information about the budget issues involved. You are clearly correct that it will take more money. We have had the good fortune of usually being able to find money for ODIHR to do the very important work it does, whether it is on something like this, elections in Georgia, whatever it is. We have been able to find the resources. I am convinced we will be able to do that this time. But I would like to come back to you with more details that I do not happen to have right this minute.

[The additional information referred to above follows:]

Ms. JONES. We believe that ODHIR has a plan and sufficient funding to meet its new tolerance and anti-Semitism responsibilities this year. ODIHR's Director, Ambassador Christian Strohal, has developed a workplan for implementing the new tolerance mandates given to ODIHR at the December 2003 Maastricht Ministerial and the April 2004 Berlin Conference. The OSCE Permanent Council on June 29 approved ODIHR's request for supplemental funds which, when combined with the almost $625,000 in additional funds already provided to ODIHR for implementing commitments made in Maastricht, should be adequate for ODIHR to meet its objectives for tolerance and anti-Semitism activities in 2004.

The United States is also considering extra-budgetary contributions to ODIHR for specific tolerance projects. These contributions would come from existing U.S. funds provided for support of the OSCE's human dimension activities.

Senator VOINOVICH. What I would like to do is to have somebody really review this, look at the budget, and be ready in Berlin to be

able to say we are going to need X number of dollars, and we are willing to ante up the resources and try to look around the table and see who else is willing to do it. And then understand if it is going to be something worthwhile, it is going to have to be continually funded, not just a one-shot deal.

Ms. JONES. Sir, that is a very good suggestion. And it is ever more important, because we think now that we hopefully will have had a second very successful conference, that we can really focus on actions coming out of the conference for concrete work to be done in each of the countries, rather than just having another conference.

Senator VOINOVICH. My last question deals with the legislation that I introduced yesterday. I did circulate that among many organizations here in the United States. And I would really appreciate the State Department looking at the legislation. I think the passage of that legislation would also send a signal to our comrades in the OSCE that the United States is going to really make this a high priority. And we are going to be getting information on what is happening abroad.

But the fact that we are going to, as part of our religious report, zero in on the issue of anti-Semitism, again, I think, giving it the kind of priority that I think it really needs if we are going to make any progress over there is important.

Ms. JONES. Senator, we will be very happy to look at your legislation. Absolutely. As you mentioned, there already is quite a bit of reporting on each of those issues in the religious freedom report and in the human rights reports that we produce every year. We get a tremendous amount of support from our embassies and the reporting that they do. They are very, very aggressive about making sure that all of the incidents are reported, as well as the actions taken by the governments to which they are accredited, to make sure that these incidents are being dealt with in the appropriate way.

Senator VOINOVICH. The other thing that I am concerned about—and it is not in your bailiwick, but if we are going to be there and urging other people to do some significant things, I think it is really important that we are prepared to talk about what we are doing about anti-Semitism in the United States. I think that is being dealt with in the Justice Department right now.

But I would like to know what programs are in place, what are we doing, how are we following up, and so forth, so that when the question is asked about what are you doing, we can say, here is what we are doing. And I know it is not in your jurisdiction, but it seems to me at this stage of the game we really ought to look at what we are doing in this area to see if there are some other things that we could be doing.

I am really concerned that we have a growing population of various religions in this country. And it seems that, particularly because of the Iraq situation, some walls are starting to be built. And when walls are built and people do not talk to each other, then we have suspicion. And before you know it, lots of thoughts that are not good. And we ought to be really working very, very hard to make sure that those walls are not there. And that means that we

have to do a much better job, I think, of educating and bringing groups together and so forth.

So like I say, it is not in your area of responsibility, but I think it is really something that someone should give some really serious thought to. Because the question will be, you know, you want us to do this, well, how about you?

Ms. JONES. It is a very, very good point. We will do what is necessary, from our perspective, from our side, to make sure that we are ready to answer that question. It is not in my bailiwick, but to one degree it is in the following respect. Our embassies do a tremendous amount of work in the education field, either with ministries of education, with museums, with other non-governmental organizations in the countries. And one of the things that they do is they bring over speakers from the United States who have experience with either combating anti-Semitism or in multiethnic communities, that kind of thing.

And we have had quite a bit of success with some of the speakers programs that we have in demonstrating what does work in the United States and use that to very good effect in Europe.

Senator VOINOVICH. I want to congratulate you, as a final note, on the fact that over the years that I have traveled to some of these countries , and I have noted just how good the State Department has been. I know when we were in Poland, they took us to Majdanik. And there was a lot of publicity that Senators were interested in, you know, what happened. When we were in Romania, there were some things going on in terms of the Romanian Government to fight anti-Semitism. And the State Department and the embassy facilitated our spending some time highlighting that.

When I was in Prague before the expansion of NATO, I spent probably six hours with a Jewish community. And again, the State Department was really good to try and let people know that we are concerned about respect for other religions, and that we are concerned about the Jewish minority in those countries. So thank you very much.

Ms. JONES. Thank you very much for your comments. I am very proud of the work that our embassies do. One of the things, just so you know, that we tell our ambassadors, our new ambassadors, when they are going out and our deputy chiefs of mission, is that there are a variety of issues on which they do not need to wait for Washington instructions. That is one of them. That is one of the top ones. If you see something that needs to be done, go do it. Let us know about it, so we know what good work you are doing, but do not wait for us to tell you what to do.

Senator VOINOVICH. Well, I have to tell you that they were very aggressive in doing their work. And I was pleased. Thank you.

Senator ALLEN [presiding]. Thank you, Senator Voinovich.

Secretary Jones, thank you so much for your testimony and also bearing with the way the Senate operates. We are happy to have you with us today and also you commitment, as we work together to fight anti-Semitism. Obviously, our focus on this subcommittee is Europe, but throughout the world, including the United States. So thank you for your vigor and your devotion to your country, as well as our ideas. Thank you.

Now I would like to call our second panel, if we can go through the shift.

Good afternoon to you all. And thank you for your forbearance with the way the Senate voting system works.

Our second panel of witnesses, I would like to introduce each of them briefly. Ms. Caryl M. Stern is the Chief Operating Officer and Senior Associate, National Director for the Anti-Defamation League, a leader in anti-bias education, training and outreach. She has also served as the league's Director of Education and head of its award-winning World of Difference Institute.

She is the co-author of *Hate Hurts: How Children Learn and Unlearn Prejudice,* and *Future Perfect, A Model for Professional Development.*

We are also joined by Rabbi Andrew Baker, who serves as Director of International Jewish Affairs at the American Jewish Committee (AJC). He joined the AJC staff back in 1979 and previously served as AJC's Washington area director. As AJC's Director of European Affairs, Rabbi Baker coordinated the development of AJC's extensive projects across Europe with special emphasis on Jewish communities in Central and Eastern Europe.

Welcome, Rabbi.

And we have Mark Levin, who is the Executive Director of the National Conference on Soviet Jewry (NCSJ: Advocates on Behalf of Jews in Russia, Ukraine, the Baltic States, and Eurasia). He was appointed to this position in October of 1992 and has been a member of the organization's professional staff since 1980. From 1987 to 1989, Mr. Levin served as the Director of the NCSJ's Washington office. Before coming to NCSJ, he worked for the American-Israel Public Affairs Committee.

Dan Mariaschin serves as the Executive Vice President of B'nai B'rith International. Previously, Mr. Mariaschin served in the Political Affairs Department of the American-Israel Public Affairs Committee and as Director of Middle Eastern Affairs at the Anti-Defamation League.

Thank all of you all for coming. I do understand that Mr. Levin has a limited amount of time to testify and answer questions this afternoon. So with the forbearance of his three colleagues, I am going to allow Mr. Levin to go first. And then we will get back to the order in which I presented the witnesses.

Mr. Levin.

STATEMENT OF MR. MARK LEVIN, EXECUTIVE DIRECTOR, NATIONAL CONFERENCE ON SOVIET JEWRY

Mr. LEVIN. Mr. Chairman, thank you. And let me apologize. It is a previous speaking engagement in Boston that requires me to try to make a plane. So again, thank you for this opportunity to testify on anti-Semitism in the Former Soviet Union.

I want to recognize your leadership and that of Senator Biden, as well as Senator Voinovich, and your predecessor, Senator Gordon Smith. This subcommittee's role has been indispensable in our efforts to fight anti-Semitism and promote tolerance for many years. I ask that my full prepared statement be entered into the record of this hearing.

Senator ALLEN. It is so ordered.

Mr. LEVIN. Let me underscore the fundamental partnership that exists between our organizations and the Executive and Legislative Branches but, in particular, our colleagues in the State Department, as represented at today's hearing by Secretary Jones.

Mr. Chairman, thanks to you and your predecessors, I have had the privilege to appear before this subcommittee on several occasions and to report on the nature and status of popular and political anti-Semitism in the successor states of the Former Soviet Union.

To briefly highlight the most recent incidents, in March 2004, vandals threw rocks into the windows of the only kosher restaurant in St. Petersburg, Russia, and windows were shattered in a synagogue in Odessa, Ukraine. In February 2004, dozens of gravestones were desecrated in St. Petersburg, and Molotov cocktails were thrown at a synagogue in Chelyabinsk, Russia.

In Belarus, we continue to work with the U.S. Government, Belarusian authorities, and other interested parties to resolve the ongoing stadium expansion over an historic Jewish cemetery in Grodno. U.S. Ambassador George Krol and his staff have devoted ongoing attention to this issue and to the dissemination of anti-Semitic literature by the Orthodox Church in Belarus.

I was in Belarus last year. We visited the bookstore where these books were supposed to have been taken out. And when we asked one of the church leaders why the books were still in there, we were told it is impossible, it cannot be. And we asked them to visit the bookstore so they could see themselves that these books were still being sold.

These incidents, while paling in comparison to recent events in Western Europe, reflect a deep current running through post-Soviet society. During the past two years, in no small part as a result of Senate and Congressional initiative, the U.S. Government and the collective European leadership have launched an effort to address and combat anti-Semitism on an unprecedented scale and level of cooperation.

Later this month, my colleagues and I, together with Senator Voinovich and a broad American delegation, will travel to Berlin for the action-oriented conference being sponsored by the OSCE and hosted by the German Government. Our goals for Berlin are ambitious, as you heard from Secretary Jones. But they are ambitious because the situation is critical. Anti-Semitism remains a significant endemic problem throughout the Soviet successor states and across Europe.

While on previous occasions my testimony has addressed the nature of the problem, today I will highlight examples of the steps already being taken across the successor states to combat anti-Semitism and spur the development of more tolerant post-Soviet societies.

Mr. Chairman, if people are interested in learning more about the current situation, I would urge them to visit our website and look at our most recent materials. But I did want to take this opportunity in the few minutes I have to focus on what has happened since the last time that you gave me the opportunity to appear before the subcommittee.

Senator ALLEN. What is your website address, for the record?

Mr. LEVIN. It is *www.ncsj.org*. Thank you.

Even as the OSCE process continues to evolve and show results, other multilateral efforts are underway in the Europe-Eurasia region that merit mention. A series of international conferences in Kazakhstan have generated publicity and joint declarations against terrorism and religious extremism. In Brussels last September, the first Interparliamentary Conference on Human Rights and Religious Freedom included a session entitled, "Anti-Semitism as a National and International Religious Freedom and Legislative Issue."

During the OSCE's annual Human Dimension Implementation Meeting last October in Warsaw, NCSJ organized a side event titled, "Post-Soviet States Respond to Anti-Semitism," with participation by dozens of delegations and NGO representatives, including members of Congress. I will be submitting a separate report on this event for the record.

Let me again devote my few remaining minutes to an overview of efforts in just three of the countries once under the Soviet yoke, Russia, Ukraine, and Lithuania. In Russia, even as popular anti-Semitism continues to ride the surface of public discourse, new efforts are leaving their mark and testing the waters for broader application. Project KOLOT: Women's Voices was organized by NCSJ in partnership with Jewish Women International, Project Kesher, and the Russian Jewish Congress. Initiated with a grant from the U.S. State Department, this 18-month project engaged ethnic and religious communities on domestic violence in Russia and created an advocacy model for religious communities.

Working in Tula and Voronezh, Russia, we brought together police, city officials, the legal community, women's groups, human rights organizations, and academia to address a serious social issue. This collaboration generated a new working relationship between the ethnic and religious communities and the police and other city officials and empowered the Jewish community to work with police and others in fighting anti-Semitism.

Another program called the Climate of Trust Program, an ambitious citizen-level program of the Bay Area Council for Jewish Rescue and Renewal of San Francisco, California, promotes ethnic and religious tolerance through U.S.-Russian exchanges among law enforcement and local officials, community leaders, activists, and educators. Climate of Trust has reached across Russia and has already expanded to Tajikistan. NCSJ has been privileged to work with the Bay Area Council on this initiative.

Just last week, our Ambassador to Russia, Alexander Vershbow addressed a conference in Moscow that was set up to train monitors and collect data on discriminatory practices, establish hotlines and legal clinics, and institute curricula for the justice system and schools.

The Russian Jewish Congress and the Euro-Asian Jewish Congress maintain monitoring networks and are developing new programs to combat anti-Semitism. Ongoing outreach to religious and political movements is helping to build bridges. Last month, according to the Federation of Jewish Communities of Russia, a conference in Volgograd on Russia's controversial Law on Religions included representatives of 17 religious organizations and 6 local administrations within the Volgograd region. The public prosecutor

used the opportunity to acknowledge his inadequate response in the past and declared that combating anti-Semitism is now a priority.

In Ukraine, the government has been actively enforcing the law against incitement of inter-ethnic hatred. According to Ukrainian Chief Rabbi Yakov Bleich, recent legal action against a prominent newspaper publishing virulently anti-Semitic articles has already led other like-minded publications to scale back their appeals to anti-Semitism and extreme nationalism.

When ethnic violence erupted in Crimea last month, top law enforcement officials immediately flew to Crimea to resolve the tensions. Major Ukrainian political parties have signed agreements of cooperation and support with different umbrella organizations for national minorities. The President's Council on National Minorities also serves as an official conduit for input from religious and ethnic minorities.

In Dnepropetrovsk, Ukraine, TKUMA, the National Center for Holocaust History Studies, has organized curriculum development and a series of teacher training seminars. A new Holocaust museum and regional network are in development.

In Lithuania earlier this year, when one of the mainstream newspapers published a series of anti-Semitic articles, the prime minister condemned the articles and asked the prosecutor general to investigate whether the newspaper had violated Lithuania's law against inciting ethnic hatred. The foreign minister summoned the ambassadors for European Union candidates and member states to report on Lithuania's response and reaffirm his government's commitment to zero tolerance of anti-Semitism.

The speaker of the parliament expressed similar sentiments. I hope Lithuania's response in this case can be replicated in other countries.

In closing, Mr. Chairman, I reiterate the singular importance of American leadership in fighting anti-Semitism, in building strong and pluralistic post-Communist societies, and in transmitting our values to a new generation of Europeans, even as the identity and boundaries of Europe are undergoing a fundamental transformation.

While other governments are also sponsoring educational training and awareness programs, history continuously confirms that U.S.-funded programs show the way and set the tone for international efforts and local initiatives. The new bill just introduced by Senator Voinovich mandating the State Department to issue a global country-by-country assessment of anti-Semitism will push other governments to issue their own reports, hold accountable those governments failing to take appropriate measures, and recognize those moving forward.

This is the formula that has allowed our country to lead the world toward effective enforcement of human rights standards and respect for religious freedom.

Thank you for your passionate promotion of this proven strategy in which my colleagues and I are proud to play a part.

[The prepared statement of Mr. Levin follows:]

PREPARED STATEMENT OF MARK B. LEVIN

Mr. Chairman, thank you for this opportunity to testify on anti-Semitism in the former Soviet Union. I want to recognize your leadership and that of Senator Biden, as well as Senator Voinovich and your predecessor Senator Smith. This subcommittee's role has been indispensable in our efforts to fight anti-Semitism and promote tolerance for many years. Your collective dedication to this cause has shaped the policy priorities of successive administrations and impacted on the lives of hundreds of thousands of Jews who—like so many other minorities—look to the United States as a bulwark and a beacon.

I also want to mention my colleagues from NCSJ, who are with me here today. Shai Franklin, NCSJ Director of Governmental Relations, has devoted much of the past few years to working with the United States Congress, the Executive Branch, our partner agencies and governments across Europe and the former Soviet Union, helping to conceive and establish an international mechanism that we were told could not and would not exist—the coordinated fight against anti-Semitism. Lesley Weiss, NCSJ Director of Community Services and Cultural Affairs, has built a cadre of young activists, student leaders and community representatives around the former Soviet Union, who are breaking new ground in relationships with other minority communities, law enforcement and local officials.

NCSJ is an umbrella of nearly 50 national organizations and over 300 local community federations and community councils across the United States. We coordinate and represent the organized American Jewish community on advocacy relating to the former Soviet Union, and our membership includes the American Jewish Committee, American Jewish Congress, Anti-Defamation League, B'nai B'rith International, Conference of Presidents of Major American Jewish Organizations, Hebrew Immigrant Aid Society, Jewish Council for Public Affairs, United Jewish Communities, and many other well-known agencies devoted to promoting tolerance and combating prejudice and anti-Semitism around the world. I am pleased to be joining my colleagues from three of our partner agencies on this afternoon's panel.

Mr. Chairman, thanks to you and your predecessors, including Senator Biden, I have had the privilege to appear before this subcommittee on several occasions, and to report on the nature and status of popular and political anti-Semitism in the successor states of the Former Soviet Union. To briefly highlight several recent incidents since the first of the year, in March 2004 vandals threw rocks into windows at the kosher restaurant in St. Petersburg, Russia. Windows were shattered in a synagogue in Odessa, Ukraine. In Kharkiv, Ukraine, authorities announced the cancellation of a new gas station project, after the Jewish community objected to its erection adjacent to a Holocaust-era mass grave.

In February 2004, some 50 mostly Jewish gravestones were desecrated at a St. Petersburg cemetery, with some overturned and anti-Semitic graffiti on others. Molotov cocktails were thrown at a synagogue in Chelyabinsk, Russia. Regarding the ongoing stadium construction over a Jewish cemetery in Grodno, Belarus, we continue to work with the United States Government, Belarusian authorities and other interested parties toward a satisfactory resolution of this unhappy situation. In addition to his work on Grodno, U.S. Ambassador George Krol and his staff have devoted ongoing attention to the dissemination of anti-Semitic literature by the Orthodox Church in Belarus.

These incidents, while paling in comparison to some of the events in Western Europe, reflect a deep current running through post-Soviet society, and we are working with governmental and non-governmental partners on the ground. During the past two years, in no small part as the result of Senate and Congressional initiative, the United States Government and the collective European leadership have launched an effort to address and combat anti-Semitism on an unprecedented scale and level of coordination. Later this month, my colleagues and I, together with Senator Voinovich and a broad American delegation, will travel to Berlin for the action-oriented conference being sponsored by the Organization for Security and Cooperation in Europe (OSCE) and hosted by the German Government. I should mention two new Web pages in addition to the official OSCE Web site: the NCSJ-sponsored *Berlin2004.org*, providing background, links and updates, and the American Jewish Committee's *ngoforumberlin.org* focusing on the series of non-governmental workshops on April 27.

Our goals for the Berlin conference are ambitious because the situation is critical. To be sure, anti-Semitism remains a significant, endemic problem throughout the successor states and across Europe. Much of the support for advancing this process has come from formerly communist nations, including successor states, who see fighting anti-Semitism as indispensable to their transition from the Soviet shadow. Building on last year's Vienna conference, the first-ever such international forum on

anti-Semitism, Berlin must produce measurable commitments by the 55 OSCE member states and demonstrate actionable programs for governments to support and implement. In my testimony today, therefore, I want to focus on examples of the steps already being taken across the successor states to combat anti-Semitism and spur the development of more tolerant post-Soviet societies.

Some programs are significant because they directly respond to the plague of anti-Semitism, while others exemplify successful delivery systems for reaching law enforcement, educators, politicians, and religious or ethnic groups. The appeal of anti-Semitism should diminish with the rise of a healthy civil society, so ultimately the best guarantee is community of understanding across a broad spectrum of interests and issues.

Beyond the diplomatic level, the United States Government can have a significant impact by funding model programs and transmitting American lessons where useful. Particularly where local funding is unavailable, due to dire economic conditions, such U.S.-funded programs carry additional caché among local officials and the public. Even where such programs do not address anti-Semitism directly, they can generate new channels for outreach to law enforcement, local officials, ethnic minorities, media, educators, and society at large. Addressing anti-Semitism is much easier to achieve where relationships already exist among relevant interest groups, and as civil society sinks deeper and wider roots.

Even as the OSCE process continues to evolve and show results, other multilateral efforts are underway in the Europe/Eurasia region that merit mention. A series of two international conferences in Kazakhstan during the past year have attracted heads of state and other officials, and religious and ethnic leaders from across Europe, Asia, and the Middle East—prominent and credible representatives of Judaism and diverse streams of Christianity and Islam. With the involvement of the Euro-Asian Jewish Congress, these public events have generated publicity as well as joint declarations against terrorism and religious extremism, and in support of tolerance and inter-ethnic understanding and cooperation.

The First Interparliamentary Conference on Human Rights and Religious Freedom, organized in Brussels last September by the Institute on Religion and Public Policy, brought delegates from over two dozen countries, including Belarus, Estonia, Kazakhstan, Russia, Tajikistan, Ukraine, and Uzbekistan. One session was titled "Anti-Semitism as a National and International Religious Freedom and Legislative Issue." While anti-Semitism is not exclusively a religious freedom issue, the multiple manifestations of anti-Semitism can only be adequately addressed across a spectrum of disciplines and constituencies.

During the OSCE's annual Human Dimension Implementation Meeting last October in Warsaw, NCSJ organized a side event titled, "Post-Soviet States Respond to Anti-Semitism." This roundtable discussion was attended by dozens of delegates and NGO representatives from Europe and the former Soviet Union, as well as the United States delegation and Members of Congress. Participants focused on the nature of anti-Semitism in their countries and opportunities for coordinating efforts through OSCE and other channels. I will be submitting a separate report on this event for the record of this hearing.

RUSSIA

In Russia, even as popular anti-Semitism continues to ride the surface of public discourse, new efforts are constantly leaving their mark and testing the waters for broader application. Some examples are funded from overseas, others initiated by the Jewish community, and some sponsored by local authorities.

Project KOLOT: Women's Voices was organized by NCSJ in partnership with Jewish Women International, Project Kesher, and the Russian Jewish Congress. Initiated with a grant from the U.S. State Department, this 18-month project engaged ethnic and religious communities in addressing the issue of domestic violence in Russia, and created an advocacy model for training religious communities to participate in civil society. Working in Tula and Voronezh, we brought together police, city officials, the legal community, women's groups, human rights organization and academia to address a serious social problem. This collaboration generated a new working relationship between the ethnic and religious communities and the police and other city officials, opened police protocols to public oversight, and produced informational leaflets, bilingual training manuals, and a one-day conference with officials and activists that was the first-ever public discussion of a social issue between the local government, the police and the Voronezh Jewish community.

The "Climate of Trust" program, an ambitious "citizen-level" program of the Bay Area Council for Jewish Rescue and Renewal, promotes ethnic and religious tolerance through U.S.-Russian exchanges among law enforcement and local officials,

community leaders, activists, and educators. Components include a tolerance seminar for Russian participants, joint workshops in San Francisco and Russia, and a week-long reunion and review. As a result of this program, Regional Tolerance Centers have been established in three of Russia's seven Federal Districts; media seminar on police-community relations was held in Kazan for Internal Affairs Ministry (MVD) officials from across Russia; hate-crimes manuals are required reading for all police departments in the Republic of Karelia; and related teacher- and police cadet-training programs in several regions.

Just last week, U.S. Ambassador Alexander Vershbow addressed a Moscow conference launching a new anti-discrimination campaign in the Russia Federation. Initiated under the auspices of UCSJ: Union of Councils for Jews in the Former Soviet Union, this program promises to train monitors and collect data on discriminatory practices, establish hotlines and legal clinics, and institute curricula for the justice system and schools.

The Russian Jewish Congress and Euro-Asian Jewish Congress maintain monitoring networks and are developing new programs to combat anti-Semitism. Ongoing outreach to religious and political movements is helping to build bridges. The Moscow Open University, founded by Russian Jewish Congress President Yevgeny Satanovsky, grants degrees in philology, history and a variety of other subjects, and represents one of the first serious attempts to revive Russian intellectual culture.

Last month, according to the Federation of Jewish Communities of Russia (FEOR), the Tambov Regional Administration held a roundtable discussion on extremism and tolerance. Participants in the meeting included numerous regional and local officials, as well as representatives of other ethnic communities and the mass media. The Tambov Governor condemned extremism and called for vigilance by officials at all levels.

FEOR reports that a March 2004 conference in Volgograd, on Russia's controversial Law on Religions, included representatives of 17 religious organizations and six local administrations within the Volgograd region. This conference provided the Director of the Volgograd Jewish Community Center an opportunity to challenge the Public Prosecutor on inadequate response to anti-Semitic and extremist incidents. Acknowledging that previous results have been lacking, the prosecutor declared that preventing anti-Semitism is now a priority for his office.

In February 2004, Ambassador Vershbow joined the Chief Rabbi of Bryansk and the head of the Bryansk Regional Administration for a Jewish community-sponsored conference on xenophobia that included local representatives of the Armenian community and human rights activists. Participants, including the administrator and Ambassador Vershbow, spoke out strongly against recent local cases of anti-Semitic newspaper articles and vandalism which are now under investigation.

Next month, the American Jewish Committee will be hosting Tatiana Sapunova, an extraordinary Russian heroine who was injured in May 2002 when she tried to remove a booby-trapped anti-Semitic sign outside Moscow. This was the first in a wave of similar incidents, involving real or mock explosives. Although the perpetrators have not been found, Russian leaders did speak out strongly, and President Vladimir Putin awarded Ms. Sapunova a medal for her bravery.

UKRAINE

In Ukraine, the wheels are beginning to turn. The government has been actively enforcing a law against incitement of inter-ethnic hatred. Recent legal action against a prominent newspaper publishing virulently anti-Semitic articles has already led other like-minded publications to significantly scale back their appeals to anti-Semitism and extreme nationalism. When ethnic violence erupted in Crimea last month, top law enforcement officials immediately flew down to resolve the tensions. Major political parties have signed agreements of cooperation and support with three different umbrella organizations for national minorities. The President's Council of National Minorities also serves as an official conduit for input from religious and ethnic minorities.

The Institute for Jewish Studies, in Kyiv, promotes a range of programs as well as monitoring and reporting on anti-Semitism in the media and society. The Kyiv office of the Euro-Asian Jewish Congress last year issued a report on "The Basic Tendencies of Anti-Semitism in the CIS States," with substantive submissions from Russia, Ukraine, Belarus, Georgia, and Armenia. Whether or not governments are able to produce such reports on their own, such publications by independent nongovernmental bodies play a vital role in promoting awareness and providing a diversity of views.

The new and independent Association of Churches and Religious Organizations of Ukraine incorporates 18 faiths, including Judaism, Islam, Catholicism, and the Or-

thodox Church. The Association's most recent meeting, in late March, focused on fighting HIV/AIDS, rehabilitating prisoners, and Ukrainian Mufti Sheikh Ahmed Tamim's call for a joint statement condemning terrorism. Rabbi Yakov Bleich, Chief Rabbi of Ukraine, hopes the Association's work can frustrate those seeking religious justification for their terrorist acts. The Association is also identifying common ground on such complicated issues as a new draft religion law and the restitution of communal and religious properties.

One of Rabbi Bleich's partners in these endeavors is His Beatitude Lubomyr Huzar, Patriarch of the Ukrainian Greek Catholic Church. When the Patriarch visited Washington last December, he sought our advice and assistance in fighting anti-Semitism, promoting better awareness of Jewish concerns, and using education to promote tolerance among Ukrainian Greek Catholics and others. "We have to live as real neighbors," he stressed. "This is so important for the Church," he said, because Soviet strategy sought to alienate groups from each other, by planting lies and reinforcing stereotypes. He sees anti-Semitism as part of the same Soviet approach that kept down his own church for so many decades.

Given the onetime Soviet inclination to conflate anti-Israel and anti-Semitic themes, and the contemporary use of Israeli policies to justify or excuse anti-Semitic violence particularly in Western Europe, a new art exhibition has made an important statement about the sanctity of every human life. "Children Against Terror" displays artwork by young victims of the July 2001 Dolphinarium bombing, which killed a large number of emigré youth from the former Soviet Union, and was recently exhibited in Dneprotpetrovsk and Kyiv, with the participation of President Kuchma's wife Liudmila.

In Dnepropetrovsk, Chief Rabbi Shmuel Kaminezki has spearheaded TKUMA, the National Center for Holocaust History Studies, together with the American Jewish Joint Distribution Committee and other partners. TKUMA has organized a series of teacher-training seminars, curriculum development, and a new Holocaust museum and regional network are in development. This new institution already cooperates closely with the Ukrainian Ministry of Education, research centers around the world, and the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. It is having a measurable impact on what students are learning about the legacies of the Holocaust and the costs of intolerance.

LITHUANIA

In Lithuania earlier this year, when one of Lithuania's mainstream newspapers, Respublika, published a three-part series of anti-Semitic articles written by the editor, the Prime Minister condemned the articles and asked the Prosecutor General to investigate whether the newspaper had violated Lithuania's law against inciting ethnic hatred. Lithuania's Foreign Minister summoned the ambassadors from European Union candidates and member states and aspirants to report on Lithuania's response and reaffirm his government's commitment to zero tolerance of anti-Semitism. The Speaker of the Parliament expressed similar sentiments. We continue to follow this situation, but with confidence that Lithuania has the capacity and channels to confront anti-Semitism as lessons learned. I hope Lithuania's response in this case can be replicated in other countries.

A variety of projects in conjunction with the international Holocaust Task Force offer innovative examples of the Holocaust as teaching tool. "Surviving Ostland," a documentary video, tracks the lives of five Holocaust survivors in Lithuania, for use as a teaching resource in Lithuanian schools. A multi-phase writing competition, "My Grandparents' and Great-Grandparents' Jewish Neighbors," challenged students to record the history of the Jewish communities in their local area and published a selection of the submissions, combined with a visit to Auschwitz. In December 2002, Lithuania created a Working Group on Holocaust Education comprised of governmental and non-governmental representatives, to coordinate among elementary and secondary schools, universities, teacher-training and continuing education, textbooks, and pedagogical methods.

In closing, Mr. Chairman, I reiterate the singular importance of American leadership in fighting anti-Semitism, in building strong and pluralistic post-communist societies, and in transmitting our values to a new generation of Europeans—even as the identity and boundaries of "Europe" are undergoing a fundamental transformation. While other governments are also sponsoring educational, training and awareness programs, history continuously confirms that U.S.-funded programs show the way and set the tone for other international efforts and local initiatives, be it creating citizens' groups, running seminars and exchanges, providing a safety net for unfiltered broadcasting, or crystallizing the region-wide consensus to fight anti-Semitism.

The new bill being sponsored by Senator Voinovich, mandating the State Department to issue a global country-by-country assessment of anti-Semitism, will likewise kindle a willingness by other governments to issue their own reports on anti-Semitism. By reporting on both the status of anti-Semitism and government responses to it, it will hold accountable those governments failing to take appropriate measures and recognize those moving forward. This is the formula that has allowed our country to lead the world toward effective enforcement of human rights standards and respect for religious freedom. Thank you for your passionate promotion of this proven strategy, in which my colleagues and I are proud to play a part.

[Additional material submitted by Mr. Levin appears in the Appendix to this hearing.]

Senator ALLEN. Thank you so much, Mr. Levin, for your testimony and for your insight.

This is similar to Senator Voinovich's bill, which I am happy to sponsor. But shining a light on those who are succeeding to hopefully have other countries emulate those good practices, is helpful. And thank you for your dedication.

Mr. LEVIN. Thank you, Mr. Chairman. You know, some of our friends in the different governments and communities of the Former Soviet Union like to say that we only spotlight the problems and do not address solutions. And I hope today that I took a few minutes to highlight some of the solutions that are being put into place.

Mr. Chairman, I can actually, if it is okay, I can stay until 4:20, 4:30. So if there are other questions, I can wait.

Senator ALLEN. Okay. Good enough.

In that case, we are going to move right along. Ms. Stern, we would love to hear from you now.

STATEMENT OF MS. CARYL M. STERN, CHIEF OPERATING OFFICER, ANTI-DEFAMATION LEAGUE

Ms. STERN. Good afternoon. My name is Caryl M. Stern. I am the Senior Associate, National Director of the Anti-Defamation League (ADL), an organization that has worked to expose and counter anti-Semitism and all forms of bigotry for over 90 years. I am honored that ADL has been part of the subcommittee's examination of anti-Semitism in Europe and am grateful that, Chairman Allen, you have convened this follow-up hearing.

ADL's experience working with this subcommittee and the Senate at large on this issue has been all that we could have hoped for. Our requests, our ideas have been welcomed and embraced by each of the Senators on this subcommittee. But allow me to offer a special thanks to Senator Voinovich, whose commitment to this issue and dogged determination to move beyond speech to act, concrete action, has inspired all of us at this table to do other jobs better. And I thank you for that.

Mr. Chairman, I would like to submit my full statement for the record, which provides an overview of developments since the subcommittee examined this issue in a hearing last October.

Senator ALLEN. So ordered.

Ms. STERN. Thank you. And I would like to use my time to highlight key challenges in the fight against anti-Semitism in Europe today. I would also like to highlight some action items for the subcommittee to focus on, which I believe can have a meaningful and sustained impact on the ground.

I come here before you not only as a representative of ADL but also as an educator with over 25 years of teaching experience, a veteran of the anti-bias education field and, equally important, the child of Holocaust survivor, the grandchild of a passenger who boarded the SS St. Louis hoping for freedom and finding none, and as the mom of two Jewish children.

These combined experiences have taught me from a very early age what hate could do, what hate had done, what hate could do again. Relying on these experiences, I want to offer some suggestions on areas where governments, on their own and in combination with NGOs, can enhance, further implement, and promote programs that have already begun to show progress both here in the United States and overseas in Europe.

Senator Allen, you said that it is a problem that we share. We do share this problem with Europe. The ADL annual audit of anti-Semitism just recently released reported 1,500 reported incidents, those that were reported, not those that go unreported, 1,500 alone in the United States this past year.

But before we talk about the solution, we are facing a daunting challenge in Europe's inability to talk honestly about the problem. On my last trip overseas, which was just a few weeks ago, I met with one of the people responsible for the EU report on anti-Semitism that was just released. And I was very disheartened by a comment made to me during that conversation. But I think it indicative of what we are up against.

As we began to discuss what was then the upcoming study, this person said to me, "You must remember that Jews have unhealed scars from what happened last time, very thin skin. And as a result, the prick of a pin might very well feel like a sword to you."

I do not believe we have thin skins. I think we have very thick skins on this issue. And I do not believe that we are overly sensitive to the issue of anti-Semitism, any more than any other minority group in this country that has been accused of being overly sensitive to the discrimination against them is. I believe that in the 1930s and 1940s we heard a drum beat, a drum beat that was soft and got louder and that we put our faith in the government and the civil institutions of the time, organized religion, law enforcement, to protect us. And in many cases, our faith and our fate were misplaced.

But this time we feel strongly that we can put our faith in the U.S. Government and in America herself, because we understand in this country that hate against one of us is hate against all of us. But we will also continue to stand up ourselves as Jews to ensure that our voices are heard.

Of particular concern to us is our ability to get our arms around the problem, to truly understand how big is it, where is it happening, why, what are the trends, are there common issues or different issues country by country? We cannot get our arms around this problem because in Europe today the state of monitoring is atrocious. There is no common language, no common definitions, no agreement on what indeed is anti-Semitism, never mind how widespread it is.

Further, there exists no formal system through which to channel information. If you ask a man or woman on the street to whom

they would report an incident of anti-Semitism, should they be witness to one, you will often hear conflicting answers. There is no door at the EU painted with the word "anti-Semitism, report here." There is a door that says "xenophobia and racism."

If you want to address the problem, we must insist that common definitions be put in place. Further, we applaud Senator Voinovich's initiative to enhance the quality and consistency of our own U.S. reporting to give us all a better picture of the nature of the problem.

Until an unless we discover a vaccine against hate, against anti-Semitism, experience has taught us that education is our best antidote. Research has shown us that by the age of three to five years old, our children are not only familiar with stereotypes, they are already acting on them. By the time they are high school students, this misinformation melds into fact. We can and we must break this cycle.

Programs, such as the one I am most familiar with, ADL's *A World of Difference* Institute, and others that I am sure my colleagues at the table address, do just that. In the United States alone, 450,000 educators have completed an ADL *A World of Difference* Institute anti-bias training, bringing anti-bias education to over 20 million U.S. students.

Based on this success, the program has been exported to countries such as Japan, Argentina, eight EU member states, and the Former Soviet Union. However, the success is only as good as a specific government's commitment and will to implement it and only as good as the funding holds out for it. I have seen firsthand the benefit of these programs, having had the privilege to help to design them. I worked with a group of peer trainers in Crown Heights following the riots. Half of the group identified specifically to be part of the program because they themselves proclaim to be anti-Semites. I watched over several years as these anti-Semites became activists against hate. I have seen these programs work.

Anti-bias education must also include learning from the past. It is imperative that the lessons of the Holocaust not be forgotten. As the survivor population dwindles, making firsthand accounts harder and harder to come by, and giving an open field day to those that deny it even happened, we have joined together with the Shoah Foundation to developed special curriculum materials to be released later this year that build upon Shoah's wide library of video testimony by survivors themselves.

Because the Shoah Foundation has testimony in multiple European languages, these materials could have implication and application for many European countries. And we would hope that Europe would take advantage similarly.

We have also joined with the U.S. Holocaust Museum and the Archdiocese here in Washington, D.C., to create a program called *Bearing Witness* specifically aimed at teaching Catholic school teachers how to teach about the Shoah, to teach about the lessons of the Holocaust. It is a program now being replicated in five states across the United States and a program we have received inquiry about from several countries in Europe.

It is difficult for us here to see the fight against hate through the lenses and the filters employed by non-Americans. In the early

years of exporting a world of difference, we learned firsthand we could export a methodology, but that it had to be implemented by those on the ground. Here we have laws. We have training programs to ensure that the laws are understood, applied, and adhered to. In Europe, this is not the case.

We applaud the Austrian Government in particular, whose Minister of Interior has followed the example of the U.S.'s FBI, CIA, and police departments across our Nation, who have designed and implemented anti-bias training for all officers. In Austria, this includes training in the unique investigative techniques necessary to ensure that anti-bias, excuse me, that bias-motivated crimes are properly identified, properly investigated, and properly addressed.

We ask again that the United States make this type of training a key fixture in the FBI Law Enforcement Training Center in Budapest, as well as similar European training facilities. If we hope to see better European monitoring, this type of training is indispensable.

I have outlined in my written statement ADL's hopes for the upcoming Berlin OSCE Conference on Anti-Semitism. Most importantly, the OSCE Conference must address the twin challenges of identifying the problem honestly and monitoring it for the long haul. The OSCE Conference must end with a declaration that clearly identifies and condemns the new anti-Semitism in the most accurate, honest way possible.

Given the European atmosphere, as I have described it, this is an essential component of success. OSCE must be more proactive in gathering data and encouraging states to institute monitoring mechanisms. OSCE could follow up with states and find ways, perhaps through a publication, to put forward a common data collection model and guidelines for law enforcement.

The last few years of dealing with the new anti-Semitism has posed the painful question: How far have we come? Have we learned the lessons of the Holocaust? The answer is certainly a work in progress. It is being written in hearing rooms like this one and in the hearts and minds of all who have been touched by it.

When reports of ethnic cleansing in Bosnia first emerged, the ADL ran ads with a simple, understated message: Respond as you wish the world had responded. The meaning was clear. We never thought we would be saying the same with respect to anti-Semitism in Europe again. Now we are asking: Respond as you wish the world had responded the last time.

You, the Senate, the United States, have answered that call admirably. And we are finding other allies who share our desire to broaden the coalition against anti-Semitism. Last week I had the privilege of sitting with representatives of a dozen of the United States premier civil rights organizations, convened by Wade Henderson, Director of the Leadership Conference on Civil Rights. They came together to plan their participation in the Berlin OSCE Conference on Anti-Semitism.

One of these groups, Human Rights First, is submitting for the record of today's hearing a statement of their concern and commitment and a preview of an important new report they will be releasing on anti-Semitism. Their action, like yours today and beyond, gives us hope that we are writing a very different chapter in this

century than the last, the hope that we will be united in Berlin and beyond in saying to the world that anti-Semitism is anti all of us.

Thank you very much.

[The prepared statement of Ms. Stern follows:]

PREPARED STATEMENT OF CARYL M. STERN

PROGRAMS TO COUNTERACT ANTI-SEMITISM IN EUROPE

Good afternoon. My name is Caryl M. Stern, I am the Senior Associate National Director of the Anti-Defamation League—ADL. For over ninety years, since 1913, the ADL has worked to expose and counter anti-Semitism, as well as all forms of bigotry. I am honored that ADL has been part of this subcommittee's examination of anti-Semitism in Europe and am pleased to provide an overview of developments and some progress since the subcommittee examined this issue in a hearing last October.

The focus of my statement today is to lay out for you recommendations for how governments can seize on this progress as an opportunity to put in place programs which can have a meaningful, sustained impact on the ground. I will highlight some recent developments, and some of our hopes for the upcoming OSCE Conference on Anti-Semitism in Berlin which I am sure my colleagues on the panel will want to address as well.

First let me say that ADL's experience working with this subcommittee, and the Senate at-large on this issue, has been all that we could have hoped for. Chairman Allen, thank you for convening this follow up hearing and for demonstrating that the committee intends to follow the issue closely and look extensively for measures to stem the growth of this problem. Our requests and ideas have been welcomed and embraced by each of the Senators on this subcommittee. Allow me also to offer a special thanks to Senator Voinovich, whose commitment to this issue and dogged determination to move beyond speeches or other statements of concern to concrete action, has inspired us all to do our jobs even better.

I stand here before you not only as a representative of the ADL, but also as the author of a book entitled *HATE HURTS: How Children Learn & Unlearn Prejudice* (Scholastic, 1999); as a member of the higher education community of the U.S. both as a faculty member at numerous institutions and prior to joining the ADL as Dean of Students at Polytechnic University in New York; as a founding member and the first Director of the largest and most wide-reaching anti-bias education project in the world today—the ADL's award-winning A WORLD OF DIFFERENCE Institute—and, as the child of a Holocaust survivor and the grandchild of a passenger on the tragic SS St. Louis. These combined experiences have taught me both the vigor of hatred and the horrors of what it can bring us to, as well as the significant antidote that can only be found through education. Relying on these experiences I would like to offer suggestions on areas where governments, on their own and in partnership with NGOs, can enhance, further implement and promote programs that have already begun to show progress both here in the U.S. and overseas in parts of Europe.

Mr. Chairman, when we deal with the kind of anti-Semitic images and canards that were used in the 1930's, comparisons to pre-WWII Europe are inevitable. In the 1930s we heard a drumbeat of anti-Semitism that began softly and grew. We, the Jews, as well as others, put our fate and our faith in civil institutions—government, law enforcement, organized religion—to protect us before the drumbeat overwhelmed us. Our faith was misplaced. We learned the ultimate lesson about the danger of complacency. Today we are armed with experience and knowledge—today we recognize the warning signs and the indicators. Today—in a very different Europe and with the vital leadership of the United States, we are seeking out the help of these same institutions and hoping for a dramatically different result.

We have seen progress. In the last few months while anti-Semitic incidents have unfortunately continued, there have been hopeful signs:

- The European Union held a conference on anti-Semitism in February at which Romano Prodi, President of the European commission made an important statement: "I cannot deny, that some criticism of Israel is inspired by what amounts to anti-Semitic sentiments and prejudice. This must be recognized for what it is and properly addressed."
- In France in 2002, violent anti-Semitic incidents were reported everyday. Members of the community publicly announced that they were unsure whether there was a future for Jews in France. The chief Rabbi advised the community to

avoid wearing kipot or other visible Jewish garb as a matter of security. Signs of improvement were evident as President Chirac proclaimed in November that "when a Jew is attacked in France . . . It is France as a whole that is under attack," and now a new inter-ministerial working group is taking serious measures to tackle the problem.

- In a few short weeks, in Europe, the leaders of 55 nations of the OSCE will convene a Berlin conference on anti-Semitism.

However, even with this progress two major points must not be forgotten:

- While 55 countries will attend and participate in the Berlin OSCE conference, some governments were, frankly, brought along kicking and screaming and many still hope that after Berlin, they will not be forced to talk about the problem again.
- Unlike the model we are used to here at home in the U.S., countering anti-Semitism in Europe, even monitoring it or condemning it, is still considered controversial.

Appended to my statement you will find a listing of some of the incidents of anti-Semitism that have taken place in the first few months of 2004. It is imperative that we remember that the numbers and statistics that I and others will quote, represent real people, many of them children. Even in France where the overall rate of incidents is not rising, the number of incidents aimed at children is rose in 2003. Each child—each victim, has a name—has a mom or a dad; perhaps a kid brother or sister; possibly a grandparent; all of whom watch and feel the hurt and debasement of being singled out, attacked or harassed for who they are. This common pain—this shared concern for safety and security has led numerous people to pose the age old question of "Should I leave?" or more recently "When should I leave?"

Allow me to highlight a few major challenges we currently face in fighting anti-Semitism, along with a few of the most promising practices that this subcommittee could promote and move forward:

I. The Challenge of Building Political Will

It sounds strange here in Washington DC in the year 2004 to state that talking about anti-Semitism honestly, especially in Europe, requires the courage to buck the trend of political correctness. However, the "new anti-Semitism" today is gaining acceptability in newspapers, on college campuses, at anti-war rallies and at dinner parties. We are finding it in our classrooms, our board rooms, even in some dining rooms. We are no longer talking about the kind of racially based anti-Semitism that we saw in the last century. That kind of racist mythology is the purview of the extreme right, it is not acceptable to the mainstream, it is simply out of vogue. It is considered repulsive even by some we would consider anti-Semites.

The new anti-Semitism is the type that hides behind statements such as "I don't have any problem with Jewish people, but I think Sharon is a Nazi, or Israel is a racist or human rights pariah." It also shows up in political cartoons that depict age old canards of anti-Semitism in their criticism or Israel. You see some examples of what I'm referring to in just one of our recent reports on anti-Semitism in the Egyptian media appended to my statement.

In today's parlance, evil equals racist, or apartheid or terrorist. And while singling out the Jew as a demon or as racially inferior would not be embraced, the disproportionate denigration, and demonization of Israel as apartheid, colonialist, racist, fascist, or even as a successor to Nazi Germany is downright popular. This is a pernicious form of critique because it cloaks itself in the credibility of the moral voice of the intellectual elites and the anti-racism or human rights movements.

I am not saying that any criticism of Israel is anti-Semitic. Not at all—in fact I invite you to read any of the Israeli newspapers on-line in English and you will find more open debate and criticism per capita in Israel than almost anywhere else in the world. But there are clear criteria and guidelines for criticism of any sovereign state.

Perhaps former Soviet dissident and current Israeli Minister Natan Sharansky's description of viewing the problem through "3-D glasses" best describes what I am talking about. His three D's? Demonization, Double Standards, & Deligitimization. Demonization—blowing Israeli actions so out of proportion as to paint Israel as the embodiment of evil. Double Standard—selectively criticizing Israel or failing to put the same focus on similar policies or actions of other states. And, Deligitimization—a denial of Israel's right to exist or the right of the Jewish people to aspire to live securely in a homeland.

When the Eurobaromter, an European Commission periodic poll, had Europeans rating Israel as the major threat to world peace—ahead of North Korea, Iraq, and everyone else—we see the clear effect that demonization and double standards can have. When European criticism of Israel is so one-sided and so filled with exaggeration and hyperbole, it reflects a broader bias. While it may not always equal anti-Semitism, it certainly feeds anti-Semitism. It is no accident that the places where Jews feel the most threatened are media markets where the coverage of the Middle East is filled with sensationalized images that are food for incitement.

While most Europeans would not want to admit to harboring bigotry against a Jewish individual, we have reached a point where it seems as if "anything goes" when you are bashing Israel. Two months ago, the British Political Cartoonist annual competition for 2003 awarded first prize for a hideous caricature of Prime Minister Sharon devouring the flesh of a Palestinian baby. Such a cartoon would have been right at home in a 1930 German newspaper. Against this backdrop, politicians and law enforcement officials "understand" that a synagogue arson or violence against elementary school students is "natural" given frustration among Muslim youth over the Middle East conflict. When this happens, it is open season against Jews.

After two years fraught with denial of this problem, we welcomed the beginnings of awareness about the role that this type of anti-Israel activity plays in increasing anti-Semitism. We concur and applaud Romano Prodi's statement that "This must be recognized for what it is and properly addressed." The U.S. can and must continue to play a leadership role in insuring that others follow suit:

- The U.S. must continue to address the nature and source of the problem squarely. There has been progress but the problem will grow until European leaders do more to speak out and to counter Middle Eastern sources of anti-Semitism flowing into Europe. U.S. diplomacy has been the vital tool for promoting and rewarding morally responsible action and to call governments on their shortcomings. This continues to be an uphill battle and continued U.S. leadership is essential.
- The U.S. must work to secure condemnation of the new anti-Semitism in forums like the OSCE, UN, and EU. Explicit recognition and condemnation is still lacking. Bucking this trend will require U.S. diplomatic muscle. Our EU allies should be much more supportive of U.S. efforts in the UN to pass a resolution condemning anti-Semitism.

II. The Need for Greater Monitoring

Considering the challenge of building political will, it is no surprise that there is a lack of appropriate monitoring. It is critical that governments come together to create a common language and process for data collection, as well as appropriate training of those empowered to collect the data. Without this we cannot comprehensively describe the problem nor find mechanisms for correcting it.

The value of monitoring has many layers. The very process of data collection is a powerful mechanism to confront violent bigotry. Increased public awareness of data collection, promotes reporting. Studies have repeatedly shown that victims of hate crimes are more likely to report the crime if they know that a special reporting system is in place. Moreover, the more crimes reported, the better informed the public becomes of the extent of the problem and thus the more demand for a solution and/or a willingness to be part of the solution.

In this particular area, the U.S. has great expertise to lend. The U.S. truly leads in hate crime data collection, as well as in the training of those responsible for it. Far more than mere statistics, the U.S. Hate Crime Statistics Act has increased public awareness of the problem and sparked meaningful improvements in the local response of the criminal justice system to hate violence. Police officials have come to appreciate the law enforcement and community benefits of tracking hate crime and responding to it in a priority fashion. Law enforcement officials can advance police-community relations by demonstrating a commitment to be both tough on hate crime perpetrators and sensitive to the special needs of hate crime victims. By compiling statistics and charting the geographic distribution of these crimes, police officials may be in a position to discern patterns and anticipate an increase in racial tensions in a given jurisdiction.

The violence of the last two years has underscored the need for stronger monitoring as well as highlighting some of the failures of existing mechanisms. The EUMC just released a new report this past week which we welcomed. But it comes a year after another report was held up because of concerns that the results of the survey would anger local immigrant populations who were identified as the perpetrators. Even following the international furor around this controversy, the

EUMC felt pressure to sanitize their findings in the new report. The report contained many of the elements we hoped to see but the EUMC press release down played the critical element of the anti-Semitism in Europe, and led with the conclusion that ". . . the largest group of the perpetrators of anti-Semitic activities appears to be young, disaffected white Europeans." It called the young Muslims from North Africa "a further source." And their press office succeeded. Indeed, the resulting headlines in newspapers across the world were that anti-Semitism had increased, and that disaffected white Europeans were responsible. The "new" nature of anti-Semitism, and the changing profile of the perpetrator from exclusively extreme right white males to Muslim immigrant youths was missing.

The U.S. should promote/strongly urge the following:

- Nations should adopt comprehensive hate crime data collection laws and provide training to appropriate law enforcement professionals in how to identify, report, and respond to hate crimes.
- Governments should fund national assessments of hate violence, its causes, the prevalence of the problem in state schools, the characteristics of the offenders and victims, and successful intervention and diversion strategies for juveniles. There is a direct connection between identifying the nature of the problem and identifying appropriate educational initiatives to address the problem.
- OSCE Monitoring. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has been tasked by OSCE ministers with serving as a "collection point" for data on anti-Semitic incidents and other hate crimes. Since so many OSCE participating states have no data collection laws or mechanisms, it is vital that OSCE take a much more proactive approach to encourage states to institute these mechanisms. OSCE could follow up with states and find ways—perhaps through a publication—to put forward a common data collection model and guidelines for law enforcement.
- Enhance U.S. Reporting. The efforts of the U.S. to raise international awareness about this problem have been singular in their importance and effectiveness. U.S. reporting on anti-Semitism as a human rights and religious freedom issue is an indispensable tool in spotlighting the problem as well as a tool for diplomacy. As with any reporting which originates in embassies around the world, it varies from place to place. In order to bolster the quality and consistency of reporting on anti-Semitism, Congress should ask the State Department to require explicit reporting on the nature of the problem and assess government responses to it.

III. Hopes for Success at the OSCE Berlin Conference

Against this backdrop of challenges, we have high hopes that the upcoming OSCE conference in Berlin will be a success. While we are encouraged by the attention and focus of the U.S. and the Secretary of State, we hope Secretary Powell's schedule will allow him to attend to convey the importance we already know he attaches to this issue—an ingredient we feel will help to insure success. We would define success as having the following components:

- The meeting must condemn the "new" anti-Semitism in the most accurate, honest way possible. Given the European atmosphere as I've described it, this is an essential component of success.
- The meeting must result in concrete action. We are pleased that the suggestions on format and substance of workshops advanced by the NGOs at this table, as well as by Senator Voinovich, have been incorporated into the conference program. We hope the meeting will end with a concrete program of action by OSCE as an institution and individual participating states.
- Out of the meeting must come a defined framework for follow up. While perpetual meetings are not an answer in and of themselves, long term follow up is vital as long as the problem persists. Berlin must be the launch of a follow up mechanism within OSCE. In addition to ensuring that anti-Semitism is on the OSCE annual Human Dimension Implementation Meeting agenda, we hope it will spark follow up cooperation among officials with responsibility for key areas such as Interior Ministers, and Education Ministers. By establishing Ministerial work-groups and by defining their challenges and responsibilities, the framework for follow up will exist.

IV. Promising Practices

In the spirit of the action-oriented tone of this discussion today, I would like to use my time today to focus on a few of the programs which experience has shown hold out great hope for success in Europe today. I would be pleased to discuss them

in more detail if you have questions, and have attached a checklist of ADL programs that have been identified as "promising practices" by governments and NGOs in the fight against racism and xenophobia, as an appendix to this statement. These run the gambit of programs implemented in Germany in response to hate crimes against Turkish Muslim immigrants in the early 1990s to others that address interfaith issues and Holocaust education. The appendix also notes formal evaluation information where available.

Programmatic responses and/or proactive practices must include:

- Anti-Bias Education. This is an essential building block of combating hatred. History has shown that, when people of conscience are given tools and skills to recognize and combat bigotry, prejudice and discrimination, they will do so. We know that people are not born to hate—they learn to hate. And, if we learn it, so might we "un-learn it" or prevent the initial learning from taking place to begin with. Senators should urge parliaments to use schools as a staging ground for Anti-Bias Education. Governments must act now to provide on-going Teacher Training in the use of Anti-Bias Education curricula and methodologies as well as providing opportunities to empower students through Peer Training programs. Research has shown that from the age of 3–5 years-old when children begin to recognize differences and form attitudes based on their perceptions of differences, to the college and university level where intergroup understanding is critical to fostering a successful learning environment, anti-bias education is necessary to equip students with the skills and confidence which enable them to confront prejudice, to become activists against bigotry and to serve as agents for change. Validated by the University of Pennsylvania's Graduate School of Education, the ADL A World of Difference Institute has delivered programs to over 450,000 U.S. teachers, training them in how to confront their own biases as well as how to use specially designed curricular materials. Further, this program has been exported to eight European countries, as well as to Argentina, Japan, states of the Former Soviet Union and Israel. The Institute's Peer Training program is currently in use across the U.S. as well as in Austria, Belgium (in French & in Flemish), France, Germany, Greece, Italy, Luxembourg, The Netherlands, Portugal, Spain and The United Kingdom.
- Government Sponsored Showcases of "Promising Practices." As the populations of European countries become more diverse through immigration, the need to promote tolerance, respect and understanding becomes greater, especially for young people. Governments should host "showcases of Best Practices" of school-based anti-bias education programs, including peer leadership programs, as well as non-school based programs. These will allow for maximum exposure of working methods as well as for exploration of how member countries might adapt these to their specific country culture.
- Holocaust Education. As we have all repeatedly acknowledged, crimes against humanity such as the Holocaust, serve as grim reminders of where intolerance can lead if permitted to flourish and of the absolute necessity that it be stopped. Congress should continue to support the work of the International Task Force on Holocaust Education. Parliamentarians should seek to implement Holocaust curricula in public schools to draw upon the lessons of this tragic period to illuminate the importance of moral decision.
- Working with Religious Institutions. In the U.S., ADL's Bearing Witness Program for Religious Educators helps teachers examine anti-Semitism and the Holocaust as a starting point for addressing issues of diversity in contemporary society. Its goal is to successfully implement Holocaust education in religious schools. In order to do this effectively, teachers work to confront and to acknowledge the history of the Holocaust including the role of Churches and other religious institutions. This program is a collaborative effort between ADL, the Archdiocese, and the U.S. Holocaust Memorial Museum. Initially offered only in Washington, DC, the program has now expanded and will be offered in five U.S. cities this summer.
- Law Enforcement Training. As so many of countries grapple with their changing demographics, tensions amongst and between various ethnic, racial and religious groups are only further exacerbated by law enforcement professionals who lack strong intergroup skills, cultural understanding, familiarity with the concept of a hate crime, and the skills with which to investigate and/or report on a crime of hate. Beyond training in hate crimes response and investigation, anti-bias education for law enforcement professionals helps develop cross cultural skills and communication in order to enhance officer effectiveness and safety by building cooperation and trust with diverse communities. Institutions

like the OSCE's Law Enforcement Training arm, EU Law Enforcement Training Centers and the U.S. FBI training academy in Budapest provide opportunities for such training programs. The FBI Law Enforcement Training Academy in Budapest should institute an anti-bias training component as well as hate crime identification, investigation and monitoring training programs. An institution like the OSCE law enforcement arm is well poised to issue publications describing the nature of anti-Semitism today with the goal of helping governments and law enforcement agencies know it when they see it. In Austria, ADL has been contracted to provide such training ultimately to every law enforcement professional in the entire country. Relying on a turn-key model, under the direction of the minister of the Interior, training has been implemented already for 8% of all law enforcement professionals throughout Austria. In Russia, ADL has provided training as part of the "Climate of Trust" hate crime training program for law enforcement.

- Responding to Racism and Hate Crimes in the Armed Forces. Ministries of Defense should provide anti-bias and prejudice awareness training for all recruits and military personnel, improve procedures for screening out racist recruits, and clarify and publicize existing prohibitions against active duty participation in hate group activity.
- Replicate Similar Action in Other Parliaments. So many important initiatives against anti-Semitism have originated in hearings like this and are advanced by Members of Congress moved by their convictions to take action. The challenge is how to replicate this activity abroad. Let other parliaments do as Congress has done, convene hearings like this one, pass resolutions against anti-Semitism, set up caucuses like the Helsinki Commission or the Congressional Task Force Against Anti-Semitism in the House and develop national action plans to combat it.

Conclusion

The last few years of dealing with the new anti-Semitism has posed the painful question, how far have we come, have we learned the lessons of the Holocaust? The answer is certainly a work in progress. It is being written in hearing rooms like this, and in the hearts and minds of all who were touched by it.

When reports of ethnic cleansing in Bosnia first emerged ADL ran ads with a simple understated message—respond as you wish the world had responded . . . the meaning was clear. We never thought we would be saying the same with respect to anti-Semitism in Europe. Now we are asking, respond as you wish the world had responded the last time. You, the Senate, the U.S., have answered the call admirably.

We hope that your work, your commitment, and initiatives like those I've outlined will command the day. We hope the answer will be dramatically different than it was the last century.

[Additional material submitted by Ms. Stern is located in the Appendix to this hearing.]

Senator ALLEN. Ms. Stern, thank you so much for your compelling testimony. The Holocaust Museum is an example of teaching history, but also the lesson I have received from it and why I am focusing on this is that whenever anti-Semitism, church burnings, racism appears, it is incumbent upon elected leaders to condemn it, so that the population, the people who we serve, recognize that it is not to be tolerated. I think I speak for all the members who are present here. So thank you for your testimony.

We would now like to hear from Rabbi Baker.

Rabbi, thank you for being with us this afternoon.

STATEMENT OF RABBI ANDREW BAKER, DIRECTOR OF INTERNATIONAL JEWISH AFFAIRS, AMERICAN JEWISH COMMITTEE

Rabbi BAKER. Senator Allen, Senator Voinovich, Senator Sarbanes, thank you for this opportunity to be here to speak again to this subcommittee on an issue that you have addressed and taken

up again, itself a recognition of the seriousness and importance that it deserves.

I would, if I may, like to submit my full written testimony for the record and here provide a more abbreviated version of it.

Senator ALLEN. It is so ordered. Thank you.

Rabbi BAKER. Let me suggest what may be a conceptual framework with which to look at the problem today and then speak of how European leaders and European institutions are responding to it. In essence, I think we have observed in these recent years an increase in anti-Semitism in Europe. And one can see it generated from three general sources.

The first is drawn from those traditional elements on the right of the political spectrum. These include the activities of neo-Nazis, skinheads and other xenophobic and nationalist groups, which have a persistent, but limited, danger to Jews and other minorities in Europe. This is the hate that most governments know. They are aware of them. They have been roundly condemned. Police and law enforcement agencies have had experience in dealing with them.

Many Western European countries with legislation against racial and anti-Semitic incitement have the tools to combat them, or at least to keep them in check. Jews are not alone in being targeted and are often not the primary focus of such groups. Of parallel concern is, will these elements achieve a degree of political cohesion? Will they manifest themselves in the electoral arena?

Most notably, we have witnessed over the years the staying power of certain right-wing parties, such as the National Front in France and the Freedom Party in Austria, whose racist and xenophobic appeals regularly flirt with anti-Semitism as well.

Admittedly, their political obituaries have been written over the years and have been proven premature. But at the same time, their reach and their influence does seem to be limited. Mainstream political parties in Western Europe have either ostracized them or kept them at arm's length. The same, however, cannot yet be said for Central and Eastern European leaders.

The second source of attention has been the violent anti-Semitic attacks that have originated primarily from Arab and Muslim populations in certain European countries. Almost absent before September 2000, they have paralleled the breakdown of the peace process in the Middle East and events of the "second Intifada" in Israel and the Palestinian territories. In some countries, notably France, Belgium, and the United Kingdom, Arab and Muslim youth have been identified as the major source of physical attacks. Usually governments are reluctant to acknowledge the specific anti-Semitic nature of these events.

There are two reasons why a clear and candid recognition of the problem was delayed. In the first instance, the European establishment viewed these incidents not as anti-Semitism, but as some unfortunate outburst of the Middle East conflict on European soil. However, European leaders were late in recognizing that not only anti-Israeli, but an anti-Semitic ideology, has taken hold of a growing number of Arab and Muslim residents in Europe.

There are not only graphic images of Israeli soldiers attacking Palestinians broadcast on satellite television from the Arab world, but there is also a steady flow of traditional anti-Semitic rhetoric,

a recycling of Nazi-like propaganda that is available to Arab viewers in Europe.

Along with this you find in neighborhood mosques and madrasas sermons and lectures, in which Jews, not Israelis, are painted as the enemy. The Middle East conflict may well have fueled this new outbreak of anti-Semitism, but it cannot be blamed for it altogether.

Additionally, the Arab and Muslim attacks on Jewish targets reveal a much deeper problem. In fact, they have posed a challenge to the basic assumptions of immigrant absorption and the acculturation in much of Europe. In France, it has meant a potential rupture in its strong secular tradition that eschews ethnic and religious separatism. In Great Britain, it has brought into question the tradition of tolerance that has offered protection to minorities and security to their communities.

In Germany, it has derailed efforts at immigration reform, a particular concern of three million Turkish residents. To be sure, this would be a daunting challenge for the European Union, whose Arab and Muslim population now numbers between 15 and 20 million, even if it could ignore altogether its anti-Semitic component.

The third element that defines this problem is, in effect, one which European leaders have had the most difficulty acknowledging. It is a new anti-Semitism in which Jews and the State of Israel have become a special target, a target of an untraditional array of groups, who may see themselves as "forces for good" battling globalization, racism, and American domination in the world today.

The U.N. conference in Durban, South Africa, three years ago was perhaps the most notable example of how a gathering intended to fight racism could give rise to some of the worst anti-Semitic invective. Those expressions of hostility in which Israel is labeled a racist state, in which Jews everywhere are held accountable for its crimes, have been regularly repeated on the European continent from mass demonstrations to parlor room gatherings.

Well beyond the bounds of legitimate criticism, the Jewish state is vilified and demonized. For those Europeans opposed to the American-led war in Iraq, and you know there are many, Israel and the Jewish lobby in Washington are sometimes painted as the sinister manipulators of U.S. policy. In such fashion are anti-Americanism and anti-Semitism routinely linked.

Because of the politically charged nature of the debate over the Iraq war, because of the distaste that many Europeans have for Israeli Prime Minister Ariel Sharon, it is quite often difficult to show that a line has been crossed and legitimate criticism, however sharp and vigorous, has given way and become another manifestation of anti-Semitism.

Now it has not been an easy task to convince European leaders that they confront a serious problem, but there has bee progress. In June of last year, in Vienna, as has been noted, the OSCE held the first conference in its history devoted exclusively to the problem of anti-Semitism. Had it not been for the U.S. Government, and more particularly to pressure from members of Congress on an initially ambivalent administration, that conference would not have taken place.

Many Europeans, although they appeared to acknowledge that anti-Semitism had become a problem in transatlantic relations, were still hesitant to admit that it was a real problem in and of itself. The success of the Vienna Conference was an agreement to hold a second follow-up conference in Berlin at the end of this month.

We have witnessed over these past months some clear improvement, some clear progress, in this problem. It has already been cited that the Government of France, initially reluctant to even admit to a problem, has taken very strong steps. A policy of zero tolerance espoused by its interior minister has dramatically reduced the number of anti-Semitic incidents. We have seen public solidarity expressed for the Jewish community by the President of France and by other national leaders, the creation of a special commission, efforts to quell the anxiety that many French Jews have experienced, while also responding to critics from abroad.

We have also heard remarks from European Union leaders, such as Javier Solana and Romano Prodi, that have sought to address and at least acknowledge the seriousness of the problem. It has been referenced already that the European Union Monitoring Center had commissioned its first report on anti-Semitism in 2002 and then chose not to release it. In doing so, they announced they would undertake a new report, which has just been released to the public a week ago in Strasbourg.

In that report, it clearly documents the increase in the intensity of the anti-Semitic incidents in five countries in Europe: Belgium, France, Germany, the Netherlands, and the United Kingdom. However, it notes the extreme difficulty in finding reliable data in a majority of European Union countries. In fact, several have no provisions at all for the collection of any form of hate crime information.

The EU Monitoring Center also published a report based on personal interviews with Jewish leaders and Jewish representatives in eight countries of Europe. These impressionistic and subjective views of the problem record in essence what Jewish antennae pick up today, not only the empirical data of incidents, but also a sense of the public mood and the political discourse, and they are never far removed from the historical context of the Holocaust and postwar reconstruction.

They describe a more troubling situation, where considerations of emigration and questions about the future of Jewish communal life are part of the daily conversations. Thus, in summation, that report states, "Probably no other historical community of our continent has been subject to such a large scale of vexatious practices, symbolical aggressions, and violent attacks, which affect the moral and physical integrity of its members, the normal exercise of their citizenship, the security of its community buildings and institutions, its image, its beliefs, its history, and its solidarity structures, as is the case for the Jews."

Now to its credit, the Monitoring Center has not shied away from asserting that anti-Zionist and anti-Israeli expressions can also constitute a form of anti-Semitism. In particular, the report asserts that when traditional anti-Semitic stereotypes are applied to the State of Israel, such is the case. Thus, depictions of Israel as a de-

ceitful force, as a conveyor of international conspiracies, as acting for base or crooked motives, would, by this description, constitute manifestations of anti-Semitism. It may not be as complete a definition as some of us would wish, but it is an important step forward, particularly considering how many people wish to avoid the subject altogether.

Now, Senator Voinovich, I know you will be going to Berlin as part of the official delegation to the OSCE conference. Others of us will be there as well. It will be important at that occasion for the U.S. Government to address European leaders directly and to press for clear and tangible steps to combat anti-Semitism.

I believe these should include establishment of a comprehensive and ongoing process to monitor and collect data on anti-Semitic and other hate crimes. Recognition that some of the most virulent expressions of anti-Semitism today emanate from the Arab world and their dissemination within Europe must be curtailed. Acknowledgment that anti-Israeli expressions, including the demonization and vilification of the Jewish State, constitute a new form of anti-Semitism. And development of an operative definition of anti-Semitism, in consultation with experts in Europe, in Israel, and the United States, that can be employed by governments and intergovernmental institutions, such as the OSCE and the EU, in the areas of monitoring, law enforcement, and education.

Most of the attention given to the subject of anti-Semitism in Europe today and the main focus of my presentation has been on developments in Western Europe. It is true that some of the most troubling manifestations have by and large not materialized in Central and Eastern Europe. But it would be a mistake to conclude that anti-Semitism does not pose any problem for these countries.

I have discussed that matter in my written report. And I am prepared also to address the subject, if and when there is an opportunity for questions and discussion.

In conclusion, we are witness to contradictory developments. Some are deeply troubling while others provide us with reasons to be hopeful. On a continent which witnessed the destruction of two-thirds of its Jewish population 60 years ago and which today is still home to tens of thousands of Holocaust survivors, any resurgence of anti-Semitism is shocking. We had thought there was a permanent inoculation to this virus, but we were mistaken. A taboo has been lifted.

At the same time, European leaders, who have successfully reconciled their own national conflicts, realize that the current challenge is to battle the forces of racism, xenophobia, and anti-Semitism that lie within their borders. The active involvement of the American Government is not only a means of prodding them into action, sometimes necessary, but seldom appreciated, it is also a tangible expression of a shared commitment that we have to common values and common goals.

Thank you very much.

Senator ALLEN. Thank you so much, Rabbi Baker, for your strong testimony.

[The prepared statement of Rabbi Baker follows:]

PREPARED STATEMENT OF RABBI ANDREW BAKER

I would like to thank the members of the subcommittee for the opportunity to offer testimony today. This is not the first hearing this subcommittee has held on the subject, nor my first occasion to sit before you. The ongoing interest and concern that is reflected in your actions are also a reflection of the seriousness of the problem. In my presentation, I shall focus primarily on the discernable trends in the manifestations of anti-Semitism today in Western Europe as well as on the responses of European leaders and institutions.

During these past several years we have observed an increase in anti-Semitism in Europe that is generated from three general sources.

TRADITIONAL SOURCES OF ANTI-SEMITISM

The first is drawn from the traditional elements on the right of the political spectrum. These include the activities of neo-Nazis and skinheads and other xenophobic and nationalist groups, which have been a persistent but limited danger to Jews and other minorities in Europe. Their activities range from shouting epithets at football games to the desecration of cemeteries and synagogues to physical attacks on persons. Governments are aware of them; political and social forces roundly condemn their activities; and police and law enforcement agencies have had experience in dealing with them. Many Western European countries, with legislation against racial and anti-Semitic incitement, have the tools to combat them or, at least, keep them in check. Jews are not alone in being targeted and are often not the primary focus of such groups, whose anger is generated by the pace of modernity in Europe, the growing number of immigrants and the diminution of nationalist identities within the European Union.

Of parallel concern is where these elements achieve a degree of political cohesion and manifest themselves in the electoral arena. Most notably we have witnessed the staying power of certain right wing parties, such as the National Front in France and the Freedom Party in Austria, whose racist and xenophobic appeals regularly flirt with anti-Semitism, as well. Their political obituaries that have been written over the years have been proven premature, but at the same time their reach and influence seems to be limited. Mainstream political parties in Western Europe have either ostracized them or kept them at arm's length. The same cannot (yet) be said for Central and Eastern Europe.

ARAB AND MUSLIM PROPONENTS OF ANTI-JEWISH HOSTILITY

The second area of attention has been the violent anti-Semitic attacks that have originated primarily from the Arab and Muslim populations in certain European countries. Almost absent before September 2000, they have paralleled the breakdown of the peace process in the Middle East and the events of the second Intifadah in Israel and the Palestinian territories. In some countries—notably France, Belgium and the United Kingdom—Arab and Muslim youth have been identified as the major source of physical attacks against Jews and Jewish sites. Initially, governments were reluctant to acknowledge the specific, anti-Semitic nature of these events. The former Socialist government of France even maintained that synagogues and Jewish schools were not a special target of what was otherwise deemed youthful vandalism.

There were two reasons why a clear and candid recognition of the true nature of the problem was delayed. In the first instance, the European establishment viewed these incidents not as anti-Semitism, but as unfortunate outbursts of the Middle East conflict on European soil. In the past, European synagogues had been targets of Palestinian terrorists, and Jews had been the occasional victims of anti-Israel demonstrators. However, European leaders were late in recognizing that not only an anti-Israeli, but an anti-Semitic ideology has taken hold of a growing number of Arab and Muslim residents in Europe. There are not only graphic images of Israeli soldiers attacking Palestinians broadcast on satellite television from the Arab world. But there is also a steady flow of traditional anti-Semitic rhetoric and a recycling of Nazi-like propaganda available to Arab viewers in Europe. Neighborhood mosques and madrassas often feature sermons and lectures in which Jews, not Israelis, are painted as the enemy. The Middle East conflict may well have fueled the new outbreak of anti-Semitism, but it cannot not be blamed for it altogether.

Additionally, the Arab and Muslim attacks on Jewish targets revealed a much deeper problem that European leaders did not want to confront. In fact, they have posed a challenge to the basic assumptions of immigrant absorption and acculturation. In France this has meant a potential rupture in its strong secular tradition that eschews ethnic and religious separatism. In Great Britain it has brought into

question the tradition of tolerance that has offered protection and security to minorities. In Germany, it has derailed efforts at immigration reform, a particular concern of the three million Turkish residents. To be sure, this would be a daunting challenge for the European Union, whose Arab and Muslim population now numbers between 15 and 20 million, even if it could ignore its anti-Semitic component.

A "NEW" ANTI-SEMITISM

The third element that defines the problem of anti-Semitism in Europe today is certainly the one which European leaders have had the most difficulty acknowledging. It is a "new" anti-Semitism in which Jews and the State of Israel have become a special target of an untraditional array of groups, who seem themselves as "forces for good" battling globalization, racism, and American domination in the world today. The UN Conference in Durban, South Africa three years ago was perhaps the most notable example of how a gathering intended to fight racism could give rise to some of the worst anti-Semitic invective. Those expressions of hostility, in which Israel is labeled a "racist" state and Jews everywhere are held accountable for its "crimes," have been regularly repeated on the European continent from mass demonstrations to parlor room gatherings. Well beyond the bounds of legitimate criticism, the Jewish State is vilified and demonized.

For those Europeans opposed to the American-led war in Iraq (and there are many), Israel and the "Jewish lobby" in Washington are sometimes painted as the sinister manipulators of U.S. policy. One Berlin newspaper, which published an article that focused primarily on the Jewish background of key figures such as Richard Perle, Paul Wolfowitz and Elliot Abrams, saw fit to illustrate it with a photo of President Bush meeting in the Oval Office with a group of bearded, black-robed Orthodox rabbis. In such fashion are anti-Americanism and anti-Semitism routinely linked. Because of the politically charged nature of the debate over the Iraq war and the Middle East conflict, and the distaste that many Europeans have for Israeli Prime Minister Ariel Sharon, it is often quite difficult to show that a line has been crossed and legitimate criticism—however sharp and vigorous—has become another manifestation of anti-Semitism.

RECOGNITION OF THE PROBLEM BY EUROPEAN LEADERSHIP

It has not been an easy task to convince European leaders that they confront a serious problem of anti-Semitism, let alone to press them to take the necessary measures to combat it. But, there has been progress. The problem, at least to a limited degree, is now acknowledged, and governments are beginning to act.

In June of last year in Vienna the Organization on Security and Cooperation in Europe (OSCE) organized the first conference in its history devoted exclusively to the problem of anti-Semitism. Until that time the subject, if it was addressed at all, was usually subsumed under the more general category of "racism, xenophobia, intolerance, etc." In fact, it was rarely mentioned, but left to be inferred from the catchall "et cetera" at the end. Had it not been for the U.S. Government (and, more particularly, for the pressure of Congress on an initially ambivalent administration) that conference would have not have taken place. Many Europeans, although they were prepared to acknowledge that anti-Semitism was a problem in transatlantic relations, were still hesitant to admit that it was a real problem in and of itself. The "success" of the Vienna conference was an agreement, requiring consensus of the 55 member nations of the OSCE, to hold a second, follow-up conference, which will take place at the end of this month in Berlin. In the intervening months, we have witnessed a growing recognition that the problem is real.

Much attention, for obvious reasons, has focused on France. It has the largest Jewish community in Europe (estimated at 600,000) and it has witnessed the greatest number of attacks on Jewish targets. Increased security and a "zero tolerance" policy espoused by a tough interior minister have dramatically reduced these numbers. Public expressions of solidarity with the Jewish community by the French President and other national leaders and the creation of a special commission on anti-Semitism have sought to quell the anxiety that many French Jews have experienced while also responding to critics from abroad.

In recent months, several prominent EU leaders, including High Commissioner for Foreign and Security Policy Javier Solana and Commission President Romano Prodi have spoken publicly in Brussels about the seriousness of the problem and seemed to have distanced themselves—at least in tone—from earlier pronouncements to the contrary.

EUROPEAN UNION MONITORING CENTRE REPORTS

In 2002 the European Union Monitoring Centre on Racism and Xenophobia (EUMC) commissioned its first report on anti-Semitism, which was conducted by researchers at the Center for Research on Anti-Semitism in Berlin. The EUMC board, citing flaws in its "methodology," decided not to release the study. Since the report identified both European media coverage of the Middle East conflict and Arab and Muslim community agitation as sources for the resurgence in anti-Semitic violence, it was widely presumed that political considerations were the real reason for its suppression. The EUMC Director used the occasion of the Vienna Conference last June to announce that the Centre would undertake a new, comprehensive survey of anti-Semitism in the EU, using its own resources and reporters.

That report (*Manifestations of Anti-Semitism in the EU 2002–2003*) was issued last week. It is thorough and detailed and, wherever available, draws on collected data for the years 2002 and 2003. In particular, it identifies an increase in the intensity of anti-Semitic incidents in five countries—Belgium, France, Germany, the Netherlands, and the UK. In several other countries—Ireland, Luxembourg, Portugal and Finland—it reports little evidence of any increase. However, the collection of reliable data is a serious problem in a majority of EU countries. Several have no provisions for the collection of any hate crime information in general, let alone singling out anti-Semitic incidents. In a number of cases, the EUMC has relied solely on asking Jewish community leaders for their recollections of past events.

The EUMC has also published a summary report (*Preceptions of Anti-Semitism in the European Union*) based on personal interviews with 35 Jewish leaders and observers in eight countries. These impressionistic and subjective views of the problem record what Jewish antennae pick up today—not only the empirical data of incidents, but also a sense of the public mood and political discourse—and are never far removed from the historical context of the Holocaust and post-war reconstruction. They describe a more troubling situation, where considerations of emigration and questions about the future of Jewish communal life are part of the daily conversation. Thus, in summation the report states:

> Probably no other historical community of our continent has been subject to such a large scale of vexatious practices, symbolical aggressions and violent attacks, which affect the moral and physical integrity of its members, the normal exercise of their citizenship, the security of its community buildings and institutions, its image, its beliefs, its history and its solidarity structures as is the case for the Jews.

To its credit, the EUMC has not shied away from asserting that anti-Zionist and anti-Israeli expressions can also constitute a form of anti-Semitism. In particular, the report asserts that, when traditional anti-Semitic stereotypes are applied to the State of Israel, such is the case. Thus, depictions of Israel as a deceitful force, as a conveyor of international conspiracies, as acting for base or crooked motives, would by this description constitute manifestations of anti-Semitism. It may not be as complete a definition as some would wish, but it is an important step forward, particularly considering how many people wish to avoid the subject altogether.

In undertaking its study, the EUMC made use of its network of national focal points in each of the fifteen member countries. It is disconcerting to note that six of them do not even have an explicit definition of anti-Semitism; and of the nine which do, there is no single definition held in common.

RECOMMENDATIONS FOR AMERICAN ACTION

In three weeks time the U.S. Government will have the opportunity to address European leaders directly at the OSCE Conference in Berlin. On that occasion it will be important to press for clear and tangible steps to combat anti-Semitism. These should include:

- Establishment of a comprehensive and ongoing process to monitor and collect data on anti-Semitic and other hate crimes;
- Recognition that some of the most virulent expressions of anti-Semitism today emanate from the Arab world and their dissemination within Europe must be curtailed;
- Acknowledgement that anti-Israeli expressions, including the demonization and vilification of the Jewish State, constitute a new form of anti-Semitism; and
- Development of an operative definition of anti-Semitism—in consultation with experts in Europe, the United States and Israel—that can be employed by governments and intergovernmental institutions such as the OSCE and the EU in the areas of monitoring, law enforcement and education.

FACING PROBLEMS IN CENTRAL AND EASTERN EUROPE

Most of the attention given to the subject of anti-Semitism in Europe today—and the main focus of this presentation—has been on developments in Western Europe. It is true that some of the most troubling manifestations have by and large not materialized in Central and Eastern Europe. But, it would be a mistake to conclude that anti-Semitism does not pose any problem for these countries. Jewish communities in this region are small in number. (There are more Jews today in metropolitan Washington than in the territory between Paris and Kiev.) They are still in the process of reestablishing themselves after the Holocaust and the fall of Communism, but it is not easy. Those experiences have made many Jews reluctant even today to admit their Jewish identity. Efforts to reclaim Jewish communal property that had been seized by the Nazis and nationalized by the Communists have met with limited success in most of these countries, but rarely without igniting the criticism of populist candidates, who see political gain through anti-Semitism.

There can be little doubt that the process of NATO enlargement and the close involvement of the United States with the evolution of the new member states provided a unique opportunity to press for concrete steps in the fight against anti-Semitism and the revival of Jewish communal life. By way of example, only within the last year we have witnessed the Government of Slovakia paying compensation for Jewish assets looted by the wartime Slovak state, the President of Romania establishing an international historical commission to examine the heretofore taboo subject of the Holocaust in that country, and the Prime Minister of Lithuania speaking out and his public prosecutor bringing charges against a newspaper publisher for printing anti-Semitic articles. Such developments are still not commonplace, but they are positive and important signals to small Jewish communities.

CLOSING COMMENTS

In conclusion, we are witness to contradictory developments—some are deeply troubling, while others provide us with reasons to be hopeful. On a continent which witnessed the destruction of ⅔ of its Jewish population sixty years ago and which is today still home to tens of thousands of Holocaust survivors, any resurgence of anti-Semitism is shocking. We had thought there was a permanent inoculation to this virus, but we were mistaken. A taboo has been lifted.

At the same time, European leaders, who have successfully reconciled their own national conflicts, realize that the current challenge is to battle the forces of racism, xenophobia and anti-Semitism that lie within their borders. The active involvement of the American Government is not only a means of prodding them into action—sometimes necessary but seldom appreciated—it is also the tangible expression of a shared commitment to common values and goals.

Thank you.

Senator ALLEN. We are now joined by Senator Sarbanes of Maryland, who does have another pressing matter that he needs to get to. So I would like to recognize you, Senator Sarbanes, for any comments or insights you would want to share.

Senator SARBANES. Well, Mr. Chairman, thank you very much. I did hear both Ms. Stern and Rabbi Baker. But regrettably, I have another conflicting engagement, as is wont to happen around here. I just wanted to say, first to commend you very strongly, Mr. Chairman, for scheduling this important hearing, in a way at a particularly appropriate time. This, after all, is the week of Passover, which marks the escape of the Jewish people from bondage in Egypt. The State of Israel very shortly will mark its 56th anniversary of its founding, its independence. And next week we observe Holocaust Remembrance Day.

I share very deeply the concern that, Mr. Chairman, you and Senator Voinovich and others have expressed about the resurgence of anti-Semitism. It is very deeply troubling to read, for instance, in Maariv after they looked at two recent EU monitoring committee reports that 60 years after the Holocaust it is once again difficult for Jews to live in Europe.

We obviously need to be resolute and united in our determination to get to the root of this ugly and destructive phenomenon, which as Stephen Byers observed in an article in The Guardian, "Anti-Semitism is like a virus and it mutates."

I just want to make this observation: To be sure, anti-Semitism is an emergent threat Jewish communities, to Jewish families, to Jewish life wherever it appears. But it is also a threat to us all. Nathan Sharansky, Israel's Minister of the Diaspora and Jerusalem Affairs, made this point simply but eloquently not long ago when he said, "History has proved that anti-Semitism always starts with the Jews but never ends with them. When anti-Semitism persists, the well-being of all our people is at risk."

I very much appreciate the witnesses coming to be with us today. I want to assure them this is a matter of very deep concern to members of this committee. And again, Mr. Chairman, I thank you for the leadership you have shown in convening these sessions and in closely monitoring and following this important issue. Thank you very much.

Senator ALLEN. Thank you, Senator Sarbanes, for your great leadership and concern and insight on this over the years. When we were on the floor, he said, "Gosh, will that hearing still be going on?" I said, "Yes. We would love to hear from you." Thank you again for your leadership and your concern.

Now, the final witness, Mr. Mariaschin.

STATEMENT OF MR. DAN MARIASCHIN, EXECUTIVE VICE PRESIDENT, B'NAI B'RITH INTERNATIONAL

Mr. MARIASCHIN. Mr. Chairman, I would like to thank you for convening this meeting and for the privilege of addressing this committee on behalf of B'nai B'rith International and its more than 110,000 members and supporters. I ask that the full text of my remarks be entered into the record.

Senator ALLEN. So ordered.

Mr. MARIASCHIN. As Executive Vice President of B'nai B'rith, an American-based organization with members in more than 50 countries around the world, I have viewed the resurgence of anti-Semitism in Europe the past three and a half years with anguish and alarm.

In my 16 years at B'nai B'rith, dating back to the period prior to the fall of the Berlin Wall, I have visited Europe regularly to help protect the rights of Jewish communities on that continent. While anti-Jewish sentiment was still apparent in the half century that followed World War II, today Europe is experiencing a degree of anti-Semitism I have not seen in my adult lifetime. And the reemergence of this ugly historical phenomenon has left European Jewry feeling more vulnerable and disillusioned than at any point since the Holocaust.

Mr. Chairman, the past three and half years has witnessed hundreds of aggressive, often violent, acts targeting Jewish individuals and institutions in Europe. These manifestations of Jew hatred are rooted in a historical anti-Semitism that has plagued Europe for 2,000 years. The long-standing accusation by the church that Jews were guilty of deicide fueled anti-Semitism for centuries. This theologically based anti-Semitism then gave way to the ethnocentric

nationalism of the 19th and 20th centuries, which held that Jews were racially inferior and, regardless of their efforts to integrate, inherently disloyal to the state because of their ethnic distinctiveness.

The by-now familiar anti-Semitism of Europe's elite has been given new life by negative public attitudes toward the Middle East conflict and by the struggle for Holocaust restitution as well. These problematic issues have provided anti-Semites with the intellectual fodder to rationalize and legitimate their views to their own satisfaction.

Against this backdrop of traditional anti-Semitism, the pronounced growth of Europe's Arab and Muslim population is notably occurring. It is an increase in numbers, perhaps 20 million residing in the 15 states of the European Union, and in ideological radicalization. In Europe, these communities have immediate and regular access to Arabic language cable TV networks like Al Jazeera, print publications, and Internet sites, all of which offer predictably one-sided inflammatory coverage of the Arab-Israeli conflict.

These outlets employ primitive Jewish stereotypes in services of their anti-Zionist message, often borrowing symbols and motifs from Nazi propaganda so as to evoke the virulent anti-Semitism of Der Sturmer. Thus, one sees images of Jews as ghoulish, even Satanic caricatures with misshapen noses, and of Israelis bearing swastikas or drinking the blood of children, Meanwhile, Arabic editions of Mein Kampf sell briskly in London and other European capitals.

The radicalization of some Europeans Arabs and Muslims has dovetailed with the rise of the far right, whose standard-bearers, such as France's Jean-Marie Le Pen and Austria's Joerg Haider, are generally anti-immigrant and anti-Muslim. Their nationalist rhetoric has often features what many consider to be anti-Semitism, however. And their message of opposition to European enlargement and integration is threatening to Jews, who, like other ethnic and religious minorities, are considerably discomfited by the parochialism and xenophobia of these right-wing movements.

Even as right-wing extremism inspires fear among European Jews, the far left is creating further apprehension with the intensification of its anti-Israel vitriol. Many on that side of the spectrum, politicians and journalists, have joined labor unions, non-governmental organizations, and human rights activists, in polemical assaults on Israel that exceed the sort of legitimate policy critiques normally expected in democratic societies.

The decision by European Commission President Romano Prodi to cosponsor a seminar on anti-Semitism in Brussels in February was welcomed by those of us who look to European officials to demonstrate leadership on this issue. Still, much more, much more, remains to be done. The fact that a draft resolution on racism recently introduced at the United Nations Human Rights Commission in Geneva just last week omitted any reference to anti-Semitism as a form of discrimination is one reminder of the problem to be overcome.

Sadly, many officials in Europe persist in viewing anti-Semitism as purely a political phenomenon. Once the Middle East conflict is

resolved or at least subsides, violence against European Jewry will also diminish, they reason. They have refused to accept the severity of the problem and fail to speak out against anti-Semitism with an intensity and a conviction that the current situation demands.

Former Swedish Deputy Prime Minister Per Ahlmark is one leader who has recognized the importance of combating anti-Semitism and condemning it forcefully. Unfortunately, now that the problem is more acute than it has been in decades, few major officials in Europe—German Foreign Minister Joschka Fischer and France's former Interior Minister and newly appointed Finance Minister, Nicolas Sarkozy, are two notable exceptions—have been able to replicate the level of commitment that Ahlmark has demonstrated during his years of public service.

A conference convened by the Organization of Security and Cooperation in Europe in Vienna last summer represented a welcome attempt by European officials, in cooperation with their American counterparts, to address the growing problem of anti-Semitism. The follow-up conference in Berlin later this month will be a further positive step.

We hope that the Berlin gathering will result in ongoing mechanisms to combat anti-Semitism. For example, interior, justice, and education ministers might begin to cooperate regularly on issues, such as law enforcement and tolerance training. Furthermore, the OSCE's Office for Democratic Institutions and Human Rights, ODIHR, which has been referenced several times before in this hearing, should institute a process for collecting data on anti-Semitic acts and should issue an annual report on its findings.

Much to his credit, Senator Voinovich yesterday introduced legislation that would require the State Department to document anti-Semitic acts around the world. We thank the Senator for his strong leadership on this issue and hope that European officials will follow his timely example, especially now, just a couple of weeks in advance of the Berlin meeting.

A report released just last week by the European Monitoring Center on Racism and Xenophobia, also mentioned before, has reaffirmed the sense of Jewish groups that European officials have not fully committed and confronted, rather, the sources of anti-Semitism. After the EUMC provoked intense criticism last year by suppressing a previous report identifying Muslim radicals and left-wing pro-Palestinian supporters as the main sources of the new anti-Semitism, the new study makes scant reference to those antagonists, focusing instead of the role of right-wing groups.

The failure of the report to speak honestly about the actual instigators and the current onslaught of anti-Semitism prompted one prominent European Jewish leader to ask, "How can we effectively fight anti-Semitism when we refuse to identify the true perpetrators?"

At a roundtable discussion following the presentation of the EU report, German legislator Ilke Schroeder stressed the Israel-related dimension of European anti-Semitism, which the study also minimized. According to Schroeder, who represents Germany in the European Parliament, the growth of anti-Semitism can be attributed in part to the "EU policy against Israel" and "anti-Zionist propaganda in the European public."

Schroeder's remarks point to a truth that is too often ignored in Europe, that while criticism of any government's policy should always be expected in the democratic world, Israel is subjected to a double standard under which criticism of the Jewish state far oversteps the parameters invoked for all other governments, both democratic and autocratic, whose policies might come under international scrutiny.

Indeed, the relentless stream of anti-Israel invective that often originates in the Middle East, but consistently finds it way into European society, goes considerably beyond legitimate policy debate. Such polemical attacks employ overheated, hateful rhetoric and, all too often, classic anti-Semitic images and stereotypes.

Mr. Chairman, there can be little doubt that one-sided and unremittingly hostile attacks on Israel have contributed to a climate, much as we have witnessed at the World Conference Against Racism in Durban in 2001, in which the Jewish state is demonized and presented as a pariah among the nations. A sense of balance and historical accuracy must be restored. A poll released by the European Commission last fall underscored the severity of the problem, as the survey found that nearly 60 percent of Europeans believe that Israel is a greater threat to world peace than North Korea, Iran, or Syria.

And since many European leaders still cannot accept the gravity of present circumstances, they need to hear often and emphatically from U.S. officials, in the administration and in Congress, that anti-Semitism is again a serious problem in Europe, one that they must address. The United States has a great deal of positive influence at its disposal and must be encouraged to use it.

The most recent round of NATO enlargement, formalized at a White House ceremony last week, has provided an example of the constructive role the U.S. can play with regard to this matter. Thanks to America's determined insistence over the past decade, governments in Central and Eastern Europe came to understand that they needed to begin properly addressing problems related to their Holocaust-era past before they could take their place under the NATO umbrella.

For example, several of the new NATO members have taken positive steps in the area of Holocaust education and commemoration, and have either joined or applied to join the Task Force for International Cooperation and Holocaust Education, Remembrance, and Research. As the ten Central and Eastern European countries that have undergone the NATO admission process take their place among the democratic family of nations and as NATO continues to expand, the U.S. and the governments of these countries must remain vigilant and guard against the possibility that progress on Holocaust-related issues will stall. America should work with those governments to vigorously combat anti-Semitism and to encourage their efforts at Holocaust restitution and memory, which are still ongoing.

At the same time, the European Union should hold EU-aspirant countries to the highest possible standard as that structure prepares to enlarge at the beginning of next month. Germany, the host country for the upcoming OSCE conference and the country with the greatest awareness of the Holocaust and the dangers of anti-

Semitism, could have a special responsibility in this regard. And through its membership in NATO and the OSCE, its seat at the table of multi-lateral organizations centered in Europe, the U.S. should urge all EU member states to make the problem of anti-Semitism a top priority.

As we celebrate the 350th anniversary of the American Jewish community this year, we would do well to remember and take great pride in the words of George Washington, who wrote to the Hebrew Congregation of Newport, Rhode Island in 1790. President Washington unequivocally declared, "The government of the United States gives to bigotry no sanction, to persecution no assistance." He continued, "May the Children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the good will of the other inhabitants, while everyone shall sit in safety under his own vine and fig tree, and there shall be none to make him afraid."

Washington's message of tolerance has been a glowing inspiration to American Jews for more than 200 years. As we have drawn steady comfort from the knowledge that our government, in the earliest years of our country's history, took a clear stand against anti-Semitism and warmly offered our community a level of support and protection that, sadly, our European counterparts have never enjoyed.

Mr. Chairman, the history of European Jewry in the past century is a tragic one. With anti-Semitism now at its greatest peak since the most tragic of all human episodes, the Holocaust, let us be mindful of this history. Let us speak out. Let us use our influence. And let us act now. History demands nothing less.

Thank you.

Senator ALLEN. Thank you.

[The prepared statement of Mr. Mariaschin follows:]

PREPARED STATEMENT OF DANIEL S. MARIASCHIN

Mr. Chairman, I would like to thank you for the privilege of addressing this committee on behalf of B'nai B'rith International and its more than 110,000 members and supporters.

As Executive Vice President of B'nai B'rith, an American-based organization with members in more than 50 countries around the world, I have viewed the resurgence of anti-Semitism in Europe the past three and a half years with anguish and alarm.

In my 16 years at B'nai B'rith, dating back to the period prior to the fall of the Berlin Wall, I have visited Europe regularly to help protect the rights of Jewish communities on that continent. While anti-Jewish sentiment was still apparent in the half century that followed World War II, today Europe is experiencing a degree of anti-Semitism I have not seen in my adult lifetime, and the reemergence of this ugly historical phenomenon has left European Jewry feeling more vulnerable and disillusioned than at any point since the Holocaust.

Mr. Chairman, the past three and a half years has witnessed hundreds of aggressive, often violent, acts targeting Jewish individuals and institutions in Europe.

In Switzerland earlier this year, Arab students attacked a Jewish researcher in a campus elevator at the University of Geneva.

In Hungary 16 months ago, more than 100 skinheads interrupted a Chanukah candle-lighting ceremony in downtown Budapest for over an hour with shouts of "Hungary is for Hungarians, and it is better that those who are not Hungarians leave."

In Ukraine, 50 youths marched two miles to attack a synagogue in Kiev, where they beat the principal of the Lubavitch yeshiva and the son of the Chief Rabbi.

In France, where the problem has been particularly acute, scores of synagogues and Jewish day schools have been firebombed and desecrated. The French Jewish Community reported 125 anti-Semitic acts and 463 anti-Semitic threats in 2003 alone.

In Belgium, where politically motivated legal proceedings (now dismissed) were brought against Israeli Prime Minister Ariel Sharon, the Chief Rabbi and a friend were assaulted and spit upon by a gang as they left a restaurant.

In Denmark, a widely circulated newspaper called Jutland Posten ran an advertisement featuring a radical Islamic group's offer of a $35,000 reward for the murder of a prominent Danish Jew.

In Germany, morbid reminders of the Holocaust have appeared in the form of slogans like "Six million is not enough," which was scrawled on the walls of synagogues in both Berlin and Herford, while Jewish memorials in Berlin have been defaced with swastikas. Last fall parliamentarian Martin Hohmann delivered an appalling anti-Semitic rant to his constituents, in which he referred to Jews as a "race of perpetrators."

In Greece and Spain, newspapers have inundated their readers with anti-Semitic editorials and cartoons comparing Israeli military operations to the Holocaust and likening Prime Minister Sharon to Adolph Hitler. Such polemics have reached a fevered pitch, characterized by the Greek Jewish Community as "hysteria and anti-Semitism" masquerading as mere criticism of Israeli Government policy.

These manifestations of Jew-hatred are rooted in a historical anti-Semitism that has plagued Europe for two thousand years. The long-standing accusation by the Church that Jews were "Christ-killers" fueled anti-Semitism for centuries. This theologically-based anti-Semitism gave way to the ethno-centric nationalism of the 19th and 20th centuries, which held that Jews were racially inferior and, regardless of their efforts to integrate, inherently disloyal to the state because of their ethnic distinctness.

The by-now familiar anti-Semitism of Europe's elite has been given new life by negative public attitudes toward the Middle East conflict, and by the struggle for Holocaust restitution, as well. These problematic issues have provided anti-Semites with the intellectual fodder to rationalize and legitimate their views to their own satisfaction. Comments such as the reference by a former French ambassador to Britain, who used a shocking expletive to describe Israel at a London cocktail party, or the criticism by a Swiss politician of "international Judaism" in the wake of negotiations with Swiss banks over Holocaust-era assets and accounts, could be seen as examples of this trend. Or the words of a Liberal member of Britain's House of Lords: "Well, the Jews have been asking for it and now, thank God, we can say what we think at last."

Against this backdrop of traditional anti-Semitism, the pronounced growth of Europe's Arab and Muslim population is notably occurring. It is an increase in numbers—perhaps 20 million people residing in the 15 states of the European Union—and in ideological radicalization. France alone has six million inhabitants with roots in the Maghreb region of North Africa; much of the rampant anti-Jewish violence in France has been committed by individuals who count themselves among this population.

In Europe, these communities have immediate and regular access to Arabic-language cable TV networks like *Al Jazeera;* print publications; and Internet sites, all of which offer predictably one-sided, inflammatory coverage of the Arab-Israeli conflict. These outlets employ primitive Jewish stereotypes in service of their anti-Zionist message, often borrowing symbols and motifs from Nazi propaganda so as to evoke the virulent anti-Semitism of Der Sturmer. Thus, one sees images of Jews as ghoulish, even satanic, caricatures with misshapen noses, and of Israelis bearing swastikas or drinking the blood of children. Meanwhile, Arabic editions of *Mein Kampf* sell briskly in London and other European capitals.

The radicalization of some of Europe's Arabs and Muslims has dovetailed with the rise of the far right, whose standard-bearers—such as France's Jean Marie Le Pen and Austria's Joerg Haider—are generally anti-immigrant and anti-Muslim. Their nationalist rhetoric has also often featured anti-Semitism, however, and their message of opposition to European enlargement and integration is threatening to Jews, who, like other ethnic and religious minorities, are considerably discomfited by the parochialism and xenophobia of these right-wing movements.

Even as right-wing extremism inspires fear among European Jews, the far left is creating further apprehension with the intensification of its own anti-Israel vitriol. Left-wing politicians and journalists have joined labor unions, non-governmental organizations, and human rights activists in polemical assaults on Israel that exceed the sort of legitimate policy critiques normally expected in democratic societies. Their dogma, reflexively accepted in much of Europe, begins with the premise that in the Middle East conflict the Palestinians are the victims and Israel their brutal persecutor. This view has led the Norwegian Confederation of Trade Unions, for example, to call for a national boycott of Israeli products, as well as a ban on official contacts between union members and Israeli representatives. Meanwhile, a similar

anti-Israel and anti-Jewish fervor caused the ironically-named World Conference Against Racism in Durban, South Africa in 2001 to degenerate from a high-minded, principled gathering into an ugly, anti-Semitic hate-fest.

The decision by European Commission President Romano Prodi to co-sponsor a seminar on anti-Semitism in Brussels last month was welcomed by those of us who look to European officials to demonstrate leadership on this issue. Still, much more remains to be done. The fact that a draft resolution on racism recently introduced at the United Nations Human Rights Commission in Geneva omitted any reference to anti-Semitism as a form of discrimination is one reminder of the problem to be overcome.

Sadly, many officials in Europe persist in viewing anti-Semitism as purely a political phenomenon; once the Middle East conflict is resolved or at least subsides, violence against European Jewry will also diminish, they reason. They have refused to accept the severity of the problem, and failed to speak out against anti-Semitism with an intensity and a conviction that the current situation demands. Former Swedish Deputy Prime Minister Per Ahlmark is one leader who has recognized the importance of combating anti-Semitism and condemning it forcefully. Unfortunately, now that the problem is more acute than it has been in decades, few current officials in Europe—German Foreign Minister Joschka Fischer and France's former Interior Minister and newly-appointed Finance Minister, Nicolas Sarkozy, are two notable exceptions—have been able to replicate the level of commitment that Ahlmark has demonstrated during his public service.

A conference convened by the Organization for Security and Cooperation in Europe in Vienna last summer represented a welcome attempt by European officials, in cooperation with their American counterparts, to address the growing problem of anti-Semitism; the follow-up conference in Berlin later this month will be a further positive step. We hope that the Berlin gathering will result in ongoing mechanisms to combat anti-Semitism. For example, interior, justice, and education ministers might begin to cooperate regularly on issues such as law enforcement and tolerance training. Furthermore, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) should institute a process for collecting data on anti-Semitic acts and should issue an annual report on its findings. Much to his credit, Senator Voinovich today introduced legislation that would require the State Department to document anti-Semitic acts around the world. We thank the Senator for his strong leadership on this issue and hope that European officials will follow his timely example.

A report released just last week by the European Monitoring Center on Racism and Xenophobia, however, has affirmed the sense of Jewish groups that European officials have not fully confronted the sources of anti-Semitism. After the EUMC provoked intense criticism last year by suppressing a previous report identifying Muslim radicals and left-wing pro-Palestinian supporters as the main sources of the "new anti-Semitism," the new study makes scant reference to Muslim antagonists, focusing instead on the role of right-wing groups. The failure of the report to speak honestly about the actual instigators in the current onslaught of anti-Semitism prompted one prominent European Jewish leader to ask, "How can we effectively fight anti-Semitism when we refuse to identify the true perpetrators?"

At a roundtable discussion following the presentation of the EU report, German legislator Ilke Schroeder stressed the Israel-related dimension of European anti-Semitism, which the study also minimized. According to Schroeder, who represents Germany in the European Parliament, the growth of anti-Semitism can be attributed in part to the "EU policy against Israel" and "anti-Zionist propaganda in the European public."

Schroeder's remarks point to a truth that is too often ignored in Europe: That while criticism of any government's policies should always be expected in the democratic world, Israel is subjected to a double-standard, under which criticism of the Jewish state far oversteps the parameters invoked for all other governments—both democratic and autocratic—whose policies might come under international scrutiny. Indeed, the relentless stream of anti-Israel invective that often originates in the Middle East but consistently finds its way into European society goes considerably beyond legitimate policy debate. Such polemical attacks employ overheated, hateful rhetoric and, all too often, classic anti-Semitic images and stereotypes. One astounding example of such vitriol aired on Gaza Palestine Satellite TV less than a month ago, when a prominent Palestinian cleric said of the Israeli-Palestinian conflict, "Here are the Jews today taking revenge for their grandfathers and ancestors, the sons of apes and pigs. Here are the extremist Jews demanding their rights . . . This is the extremist tendency of Jews. They are extremists and terrorists who deserve death, while we deserve life, since we have a just cause."

Mr. Chairman, there can be little doubt that one-sided and unremittingly hostile attacks on Israel have contributed to a climate—much as we witnessed at the World Conference Against Racism in Durban in 2001—in which the Jewish state is demonized and presented as a pariah among the nations. A sense of balance and historical accuracy must be restored. A poll released by the European Commission last fall underscored the severity of the problem, as the survey found that nearly 60 percent of Europeans believe that Israel is a greater threat to world peace than North Korea, Iran, or Syria.

And since many European leaders still cannot accept the gravity of present circumstances, they need to hear often and emphatically from U.S. officials, in the administration and in Congress, that anti-Semitism is again a serious problem in Europe, one that they must address. The United States has a great deal of positive influence at its disposal, and must be encouraged to use it.

The most recent round of NATO enlargement, formalized at a White House ceremony last week, has provided an example of the constructive role that the U.S. can play with regard to this matter. Thanks to America's determined insistence over the past decade, governments in Central and Eastern Europe came to understand that they needed to begin properly addressing problems related to their Holocaust-era past before they could take their place under the NATO umbrella. For example, several of the new NATO members have taken positive steps in the areas of Holocaust education and commemoration, and have either joined or applied to join the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

As the 10 Central and Eastern European countries that have undergone the NATO admission process take their place among the democratic family of nations, and as NATO continues to expand, the U.S. and the governments of those countries must remain vigilant and guard against the possibility that progress on Holocaust-related issues will stall. America should work with those governments to vigorously combat anti-Semitism and encourage their efforts at Holocaust restitution and memory.

At the same time, the European Union should hold EU-aspirant countries to the highest possible standard as that structure prepares to enlarge at the end of this month. Germany, the host country for the upcoming OSCE conference and the country with the greatest awareness of the Holocaust and of the dangers of anti-Semitism, could have a special responsibility in this regard. And through its membership in NATO and the OSCE—its "seat at the table" of multilateral organizations centered in Europe—the U.S. should urge all EU member-states to make the problem of anti-Semitism a top priority.

As we celebrate the 350th anniversary of the American Jewish community this year, we would do well to remember and take great pride in the words of George Washington, who wrote to the Hebrew Congregation of Newport, Rhode Island in 1790. President Washington unequivocally declared, "The government of the United States . . . gives to bigotry no sanction, to persecution no assistance." He continued, "May the Children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the good will of the other inhabitants, while everyone shall sit in safety under his own vine and fig tree, and there shall be none to make him afraid." Washington's message of tolerance has been a glowing inspiration to American Jews for more than 200 years, as we have drawn steady comfort from the knowledge that our government, in the earliest years of our country's history, took a clear stand against anti-Semitism and warmly offered our community a level of support and protection that, sadly, our European counterparts have never enjoyed.

Mr. Chairman, the history of European Jewry in the past century is a tragic one. With anti-Semitism now at its greatest peak since the most tragic of all human episodes, the Holocaust, let us be mindful of this history. Let us speak out; let us use our influence; and let us act now. History demands nothing less from us.

Thank you.

Senator ALLEN. Being a Jefferson scholar and since Jefferson was the author of the statute of religious freedom, the first freedom, I always like hearing from good Virginians. And I may adopt and view that George Washington quote. That is good.

I know Senator Voinovich only has a few minutes. So I am going to turn it over to Senator Voinovich for questions that he may wish to pose to you all.

Mr. Levin, can you stay with us for five minutes?

Mr. LEVIN. Yes.

Senator ALLEN. You both have about the same amount of time.

Senator VOINOVICH. We are on the same schedule.

Senator ALLEN. Proceed, Senator Voinovich.

Senator VOINOVICH. Just a general comment is that underlying everything that has been said here, Mr. Mariaschin, about your observations, underscores how important this conference coming up in Berlin is going to be in terms of all of the concerns that you have expressed here today. And we have to make sure that when we leave there, it fulfills our expectations, and we really get something done.

In that regard, I have been very impressed with words about programs such as Climate of Trust. And I would really appreciate if I could have a list of all the various programs that are being executed around the world and their receptivity and their success. Because one of the really neat things that we can do when we go over to Berlin is to highlight the programs that are really making a difference and use them as benchmarks.

I will say that our effort is making some real inroads. Mr. Levitte, who is the French ambassador, came to see me a couple of weeks ago to talk to me directly about what France is trying to do in terms of stepping up to the table and realizing they have a problem and something needs to be done. I notice that Abe Foxman did have something nice to say, although he said there is anti-Semitism that is of crisis proportion in France, so that there is no time to relax.

I think that is really it. I think that we have this wonderful opportunity to make a difference, and we should certainly take advantage of it. I am also interested in working with all of you on the whole issue of what we are doing here in the United States. I think, as I mentioned to Beth Jones, that it is much easier for us to come to others and ask others to do things that we are doing right here in the United States of America. I hope this legislation I introduced passes, and that this is the kind of thing that is instituted in those respective countries.

Mr. Chairman, I want to thank you, and I want to thank the witnesses for coming here today. I look forward to seeing you, many of you, in Berlin.

Senator ALLEN. Thank you, Senator Voinovich. And thank goodness you are going to be one of the key leaders from our country, advocating our principles in Berlin. There is no doubt that this is a great opportunity. There is a great deal of meaning to that if one thinks of all that has transpired in that city from the days of the Nazis to the days of it being divided between freedom and the Communist world with the Berlin Wall. The Germans are to be commended for hosting the conference there. It is not easy for them to remember, but they do and should, as we all should.

And so, I know you have to leave, Senator Voinovich.

Senator VOINOVICH. Thank you, Mr. Chairman.

Senator ALLEN. Mr. Levin, I know you have to catch your flight.

Mr. LEVIN. Thank you, Mr. Chairman, for the opportunity again.

Senator ALLEN. Thank you.

Let me just conclude with these few observations and maybe finish with a question to you all. There are certain threads that always come through hearings. The value of a hearing like this is to

have everyone recognize that your testimony, your insight, your perspectives, and that of the United States Senate, on this issue is one that is of concern to the people of the United States.

This bolsters the cause of the delegation, which really will be carrying on those Jeffersonian principles of individual freedom to Berlin as we share with our friends and allies the ways that we are going to be trying to measure and improve and make sure that this virus that we call anti-Semitism, if it is afflicting someone, that it is cured quickly and does not spread. It may be a virus that is never cured, but you can contain it as best you can and say that it is not acceptable.

When you are talking about going on a practical level, and I always think what gets measured gets better, number one, you have to deplore things—the words, the rhetoric, all of that is important to speak from one's heart. That motivates and inspires people. But then one needs to also measure. Otherwise all you do get is rhetoric.

Many of you all mentioned how the monitoring, the common definitions, the approaches. A lot of what people like to do is say, all right, where are the incidents? And the incidents and the anti-Semitic actions do not come from just one group. This virus afflicts people from all sorts of backgrounds, all sorts of religions, or no religion.

We had a hearing in this subcommittee just recently, I guess it was last week. And it had to do with the aftermath of the terrorist bombings in Madrid, Spain, and what was that impact on the war on terrorism and what were the Europeans doing as far as their own counterterrorism efforts and how we do need to work with our European friends to intercept the finances of terrorists, how we have to share information of where they are going and so forth.

But even in something as deadly as terrorism there is not uniformity. They are French, they are German, they are Danes, they are—well, maybe not Danes in it. But regardless, they are different countries. They are all different languages. Sure, the Swiss speak three different ones, but the point is this sort of effort for law enforcement, even in counterterrorism, the Europeans are not there yet. They have different justice systems. They are trying to maybe harmonize it. They do have the sharing of some criminal information. That is not consistent with law enforcement in each one of the countries.

I am not saying this as an excuse, but it is something that, as one examines things, you learn and realize that as we try to get this monitoring and a common definition and a common or an accepted crime reporting system, it is a challenge for the whole European Union and one that, as that goes forward, I think will actually help in the measurement of progress.

But once you have accurate reporting, then you can then determine, all right, what was the punishment, what were the sanctions. That is assuming that someone was caught. But if a crime was committed, how many were solved, and then what was the punishment.

So I thank you all for bringing this up. I think we are actually taking steps in the right direction in this country. And I think for the most part, not in every single case, but for the most part, in

Europe they are taking the right steps. It is not there yet, but in the right direction.

But which ones, what measurements or what sort of specific ideas do you think would be achievable to result in measurable reductions in the incidents of anti-Semitism? Let us start with you, Rabbi.

Rabbi BAKER. Senator, I think you have identified one of the clear challenges, or clear problems, that is faced, even within the European Union and its current 15 members. As we have seen in this Monitoring Center report, not only is there no common definition of anti-Semitism, in the center's own fifteen focal points in each of these countries, six of them have no operative definition of anti-Semitism whatsoever. Of the nine that do, they themselves report that there is not a single definition that is held in common.

Now at the end of this month, we will see ten new members joining the European Union. One can be certain they are not out there recording these data and incidents. And when we approach the subject in Berlin as full members of the OSCE, I think we can also recognize the OSCE does not even have an office that until now has accepted the mandate that it should be dealing with these issues.

Presumably, ODIHR will now do this. This was the result of the Maastricht decision at the end of the last calendar year. But surely, not much will happen unless it is really pushed. This is so critical, I think, because there is a circular problem. We have said, going back several years now, to European leaders, there is a problem of anti-Semitism in Europe. Their first response to us was, "Well, we don't see it." Well, one of the reasons they did not see it was there was no mechanism for recording it.

Add to this the additional problem that many Jews in European countries have good historical reason for being suspect of the ability of their own governments and their own governmental institutions to really look after their needs and their concerns. So this is yet again something that needs to be overcome.

I think that we can, throughout the process of the OSCE and taking advantage of the conference in Berlin, demand that other countries join together to provide also the same kind of reporting and data collection that we are doing, that some European Union countries are doing, that its Monitoring Center is asking all of them to do, and that should now be broadened to encompass these 55 nations and to put real teeth into what ODIHR itself is being asked to do, as an ongoing institution to monitor, collect, and analyze the incidents of anti-Semitism and other manifestations of hate crimes in these countries.

Perhaps one way to try and ensure that it is clearly defined and focused would be to ask for a special rapporteur to deal with the issue of anti-Semitism, or at least some clear, responsible individual or office within that structure that will, as Ms. Stern mentioned, address anti-Semitism in Europe.

We have noted that in most of the international declarations, declarations of intergovernmental groups such as the OSCE, they speak of condemning intolerance, racism, xenophobia, *et cetera, et cetera.* All too often, we have recognized anti-Semitism is simply

the term left in the *et cetera.* It is time to really make it front and center the recognized problem we know it to be.

Senator ALLEN. Good. Just adding the phrase "anti-Semitism," I can imagine how you could debate endlessly and just say, well, that is certainly included in there, along with hatred. Good point. If you can actually get that agreed upon, that would be a significant success.

You know, in this country, if there was an anti-Semitic action, if somebody desecrated a Jewish synagogue or a cemetery—and this has happened in Virginia—who are people going to call? One of you posed this rhetorical question. In this country, I think they would call, if it happened in Richmond or Henrico County, they would call the local police. I guarantee you they would not be calling some federal agency.

It may be eventually that the local sheriff's office or police office would get with the state police. And then to the extent you would maybe want to, you would get the FBI involved. But I think the reality of it, as you get into some of these practical matters, that is going to have to get figured out in a lot of areas for crimes and crime reporting in Europe. You have hit on something that I think will be measurable. If anti-Semitism is added to that list of deplorable actions, that will say a lot. Then whatever the laws are and the justice systems, whether they are under English common law or Code Napoleon, what they do about it obviously will be for their sovereign rights.

Ms. Stern, what do you think is the number one thing that we could get done? We actually have about five minutes, and then we have to clear out.

Ms. STERN. Short answer.

Senator ALLEN. Yes.

Ms. STERN. I will echo what Andy said, as I think part of number one. And then, the second part is to make sure that when this conference ends there is a plan for further action. That there be, you know, again, one perspective, that we create ministerial working groups at, say, a high enough level that the issue does not go back to the bottom of the pile, and that we recognize monitoring is the first step, not the last step. And monitoring without education will not change the problem.

And that we have to look at in this country, when we first instituted hate crimes statistic collection, we recognized early on that if we did not train those responsible for that data collection, we were not going to get accurate data collection. And that has been a multi-year process, probably best exemplified by the higher education environment, in terms of the reluctance to acknowledge incidents for fear that it would hurt them in the open marketplace, and yet there is the need for us to be cognizant of those events.

We need to create systems in Europe where people will understand what it is that they are monitoring in order to effectively investigate and legislate those rules.

Senator ALLEN. Got it. We do have to have a follow-up. That is why I want follow-up hearings. Count me as one who will continue to follow up.

You are right on education, as well. And the best way to measure it in education, I have found, as a former governor, when we put

in our standards of learning in Virginia for English, math, science, and history, we put in the Holocaust as one of those parts of history that our students needed to learn. And if you have a standard and you have testing to make sure students are learning it, it will be taught.

So, you are right on education for the young people, and, also, for the teachers. The teacher education and sensitivity is very important, as well.

Mr. MARIASCHIN. Senator, I think my colleagues referenced something earlier, and Ms. Stern referenced it specifically, something as simple as a definition to come out of this OSCE conference, a definition of anti-Semitism. It is incomprehensible to me that between the end of World War II in 1945 and until February of this year, when the EU under Prodi's chairmanship held this one-day seminar, there has been no Europe-wide definition by any of the various European groups over these years of what anti-Semitism is, no definition at all.

Senator ALLEN. Which country has a definition? I just want to interrupt. Which country or countries has a definition which you would find to be an acceptable or desirable definition?

Mr. MARIASCHIN. Well, we have been working on various models for this. There have been various proposals in the last several months that have come out. And we have been working with the State Department and others in advance of the OSCE meeting to get a full definition. And a full definition to me would include reference to this demonization of Israel and the use of anti-Semitic symbols and language that relate to Israel because then it would take away the cover.

So much of this anti-Semitism lies under the cover of, well, it is criticism of Israel, and I think that European leaders oftentimes have been willing to accept that because it is the easier path. It does not get to the anti-Semitism, which is inherent in it.

So I think this need for a definition is extremely important. And then, of course, the monitoring and all these other things that have been suggested. But if we have gone nearly 60 years without an accepted definition, then there is really something wrong in Europe.

Senator ALLEN. But no country presently—and we have heard commentary, positive commentary, about what several countries, France and others, have done. Do they end up—say a desecration of a Jewish facility, say a synagogue or if there is an assault and battery on someone on account of his or her religion, then they just have that as an enhanced punishment, or do they have a definition? Does France have a definition?

Mr. MARIASCHIN. I do not know if there are. I think that generally speaking—

Senator ALLEN. I was just thinking that—the reason I say that is that if you actually have one country within the European Union that has come up with one, just like states of the Union who have different, you know, definitions of certain crimes. And you say, well, that is a good one. We like what they are doing in North Carolina. Let us adopt that one. Or you say, gosh, look at this goofy law they have in some state; we certainly do not want to have that kind of law in our state. But—

Rabbi BAKER. Senator, the German Government does have a pretty extensive operative definition used by its Office for the Protection of the Constitution, which is the body that monitors and records racist, xenophobic, and anti-Semitic incidents and attacks. In fact, in the context of working together with Ambassador Minikes, we have sought to, at least in the first instance, take some of that language to present it as the possible language of a draft declaration.

It has not met with universal acclaim, I must say, and one of the reasons is, parenthetically, as Dan Mariaschin has noted, that it does state that anti-Zionist and anti-Israeli expressions can also be a form of anti-Semitism. This has been one of the political hot potatoes, if you will, that many governments want to avoid, if possible.

Senator ALLEN. But Germany has that definition that even includes Israel or anti-Israel statements?

Rabbi BAKER. In this government agency's most recent report, it does provide this form of a definition. Yes.

Senator ALLEN. It seems like a first draft, so to speak. At least it is something established by a European country. I think the fact that Germany has it makes it all the more strong and should be more accepted by others. That is just my horseback reaction.

Rabbi BAKER. We think so, too. I wish it were so.

Senator ALLEN. We have not solved this virus or developed a cure for this virus of hatred at this hearing, but we certainly very much appreciate your testimony, your insight, and also the plan of action. I also like having hearings and saying: All right. What are we going to do? Need measurement, which means this is just kind of functionary type issues of process without a measurement. And that measurement, which I have number three, but the measurement is you ought to have a relatively common or consistent definition of anti-Semitism and make sure that definition of crimes or hate crimes includes anti-Semitism, as well as making sure and measuring in the education curriculum or standards, however they may use that phraseology in European countries, make sure education is involved, as far as the Holocaust, hatred, intolerance.

Because, my friends, what we are fighting in this war on terrorism, it may be a hundred years war that we are facing, is one of hatred. People who are not tolerant of other people who have different views or religious views, in particular. Some of it is religious. Some of it is dictatorial. But it is terrorism.

For those of us who think all people are endowed by their Creator with certain inalienable rights of life, liberty, and pursuit of happiness, so to speak, but more important freedom of expression, so long as you are not harming someone else, and certainly what we call in Virginia the first freedom, and that is the freedom of one's religious beliefs.

One's rights should not be enhanced nor diminished on account of their religious beliefs. That is the first freedom, as far as I am concerned. It is one that must be protected if we are going to have freedom flourish throughout the world. I thank you all for your attention, your dedication, and your love of liberty.

We are adjourned.

[Whereupon, at 4:50 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED BY CARYL M. STERN, NATIONAL DIRECTOR OF THE ANTI-DEFAMATION LEAGUE

GLOBAL ANTI-SEMITISM: SELECTED INCIDENTS AROUND THE WORLD IN 2004

Australia

January 5, 2004—Hobart—Vandals used poison to create anti-Semitic slogans on the lawns of Tasmania's Parliament House. The words "Kill the Jews" and several swastikas were burned into the lawns.

Austria

January 18, 2004—Hinterbruehl—A Holocaust memorial was desecrated, with the word "lie" spray painted over a historical plaque. The memorial near Vienna is at the site of a former concentration camp.

Canada

March 19–21—Toronto—A weekend-long rash of anti-Semitic vandalism was perpetrated on a Jewish cemetery, a Jewish school and a number of area synagogues. Twenty-two gravestones were overturned in the cemetery and other structures, such as benches and plaques, were destroyed. Swastikas were painted on the walls and on outside signs of the synagogues, along with slogans calling for death to Jews, and a number of windows were broken. The previous weekend, swastikas and anti-Semitic messages were sprayed on doors, cars and garages of over a dozen homes in a predominantly Jewish neighborhood not far from the cemetery and synagogues.

France

March 23, 2004—Toulon—A Jewish synagogue and community center was set on fire. According to media reports, the arsonist broke a window and threw a Molotov cocktail into the building. There was minor damage and no injuries.

January 23, 2004—Villiers-au-Bois—Two gravestones marked with Stars of David were damaged in the World War I cemetery of Villiers-au-Bois near the English Channel coast.

January 20, 2004—Strasbourg—A parked minibus used to transport children to a Jewish school in the eastern French city of Strasbourg was burned. Police are investigating the attack as an arson.

January 20, 2004—Strasbourg—Police reported that a group of assailants hurled stones at the door of a Strasbourg synagogue.

January 20, 2004—Paris—A Jewish teenager was injured in an attack by Muslim youths at an ice-skating rink. The youths shouted anti-Semitic insults at the 15-year old boy before kicking him in the head and jaw with ice skates.

Russia

March 29, 2004—St. Petersburg—The city's only kosher restaurant had its windows broken by vandals.

February 15, 2004—St. Petersburg—Vandals desecrated about 50 graves in a Jewish cemetery, painting swastikas and anti-Semitic graffiti on headstones. Police are investigating.

January 27, 2004—Derbent—An explosion shattered several windows in a synagogue in Derbent in the southern region of Dagestan.

Ukraine

March 23–24—Odessa—Vandals broke several windows of the Osipova Street Synagogue. No one was injured.

ANTI-DEFAMATION LEAGUE "A WORLD OF DIFFERENCE" INTERNATIONAL PROGRAMS

The world is getting smaller. As people around the globe are embracing the richness of diversity, they are also facing its challenges. Unfortunately, social exclusion, anti-immigrant bias, racism, anti-Semitism and other forms of prejudice persist and are on the rise. Responding to this need, the ADL's *A World of Difference* Institute, working with a diverse array of private and public partners, has successfully adapted a number of its anti-bias education programs and curricular resources for an international audience of educators, students, law enforcement officials and community and government leaders. ADL's education collaborations around the globe include:

A World of Difference Institute's First European Partner—Germany:

"We have adapted the program in German schools and implemented it across the country with great success. ADL is one of our closest and most outstanding collaboration partners . . . (and) we have been able to get a detailed impression of their outstanding work and highly recommend it."—BERTELSMANN FOUNDATION, GERMANY

Through the generosity of the Bertelsmann Foundation, and in coordination with the Bertelsmann Group on Policy Research at the Center for Advanced Policy Research, University of Munich, the *A Classroom of Difference* program has been instituted in Teacher Training Institutes of eleven German Laender. This partnership, first begun in 1995, has now reached more than 15,000 students.

This relationship led to multi-year participation by ADL in the Bertelsmann International Network on Education for Democracy, Human Rights, and Tolerance. This network identifies best practice models from programs that foster education, democracy, human rights and tolerance around the world. The *A World of Difference* Institute's programs were profiled in the Network's book, Tolerance Matters, published in 2003, and The Power of Language, published in 2001.

The *A World of Difference* Institute, known as *Eine Welt der Vielfalt* in Germany, maintains a broad network of trained trainers throughout the country, implementing not only teacher training programs, but also Peer Training for youth. This effort is coordinated in collaboration with ADL's other primary education partner, Centre Europeen Juif d'Information (CEJI) European Peer Training Organization (EPTO) and the Deutsche Kinder und Jugendstiftung.

The long history of success and support of the program in Germany has resulted in the adaptation and translation of numerous ADL resource materials and curricula, including the ADL's Anti-Bias Elementary Study Guide, Trainers Manual, and a Peer Training Manual.

Evaluation:

"There is now a more sensitive behavior in the classroom and less name-calling."—GERMAN EDUCATOR

"During the program I spent a lot of time thinking about myself and my behavior. I became aware of a lot of things which were completely different for me before and which I've always taken for granted. I'm grateful for that change of perspective."—GERMAN STUDENT

In 2002, a formal evaluation of the *A World of Difference* Institute program in Germany was conducted. Findings indicate high levels of acceptance of the training materials provided by educators and students, indicating that lessons and resources are being regularly incorporated within classes by participating teachers. Students report a broadened knowledge about prejudice and its consequences as a result of participating in the program; as well as greater confidence to voice their opinion in situations of conflict. Finally, the study found that ⅔ of the students reported that their fellow students' behavior was more considerate and responsible after completing the program, and also improved and increased the positive relationships students had with their teachers.

In Partnership with the Centre Europeen Juif D'Information (CEJI): Providing Programs Throughout Western Europe

"The guiding principles and core activities of the Institute's program have proven to have academic credibility and practical relevance in the numerous national contexts within Europe. (The program) has a pedagogically solid core structure which is highly adaptable to the various needs of different cultures, communities and contexts."—CENTRE EUROPEEN JUIF D'INFORMATION

Working with our partner, the Centre Europeen Juif d'Information (CEJI), and with the support of the European Commission's COMENIUS Programme, the Institute's *A Classroom of Difference* was launched in Belgium, France, Italy, and the Netherlands in 1997. CEJI, through a network of highly trained country coordinators, provides teacher training programs throughout these countries. Further, through the creation of the European Peer Training Organization (EPTO), CEJI adapted and now delivers ADL' s comprehensive Peer Training Program throughout Europe. Specific country highlights include:

Belgium: With support from the Evens and Bernhheim Foundations, teacher training and Peer training programs are implemented in French and Flemish schools. The Anti-Bias Study Guide and all training materials have been translated into French and Flemish with careful adaptations to the Belgian context.

Italy: With initial funding from the Sao Paolo Foundation, the model for training in Italy has been two-tiered, with simultaneous 12-hour teacher training and Peer Training workshops. In addition to training materials translated into Italian, efforts are underway to translate the Anti-Bias Study Guide as well.

France: In conjunction with CEJI and the French Catholic School Network (UNAPEC), the Teacher and Peer Training programs have recently been launched in France. Support from the Charles Leopold Mayer Foundation has assisted in increasing activity in France, with a focus on outreach to French Catholic schools.

Netherlands: Peer Training has been provided since 1996 and with recent support from the Dutch Insurers Association, this effort continues to grow and expand to include Teacher Training as well. The Institute's Anti-Bias Study Guide and training materials have all been translated in Dutch.

Additional Peer Training Programs: In addition to the above mentioned countries, EPTO provides Peer Training throughout Europe in the following countries, including, Spain, Greece, Luxembourg, Portugal, Germany and the United Kingdom. In conjunction with CEJI, Peer Training programs have also recently begun in Austria, Hungary, Poland, Ireland and the Czech Republic.

Evaluation:

In 2002, the Department of Development and Evaluation of Training Programs (SEDEP) of the University of Liege completed an independent evaluation of the European *A Classroom of Difference* program managed by CEJI. The study found that more than 75% of educators reported the program to be useful and effective, providing a context, approach and exercise that could be used directly in the classroom. The study recommended greater emphasis on the theoretical underpinnings of the program in the training programs, as well as increased curricular resources for teachers to use directly with their students. These recommendations have been incorporated into adaptations to the Train-the-Trainer program and on-going professional development for European trainers, as well as a focus on enhanced curricula translations and adaptations.

Austria: Expanding the Reach

"I like how emotionally difficult topics were treated and it is an education that fosters communicative and social competence"—LAW ENFORCEMENT OFFICER, SALZBURG

"A program that is applicable to both the professional and private daily life"—VOCATIONAL TRAINING INSTITUTE

Begun in 2001, with funding from the Ministry of Interior, and the Ministry of Foreign Affairs, the *A World of Difference* Institute staff in Austria launched anti-bias education programs for law enforcement and other professionals throughout Austria. Extensive adaptation of ADL's Training manual, law enforcement training materials and elementary study guide has taken place, and a network of more than 40, half of whom are law enforcement professionals, has been developed.

Funded by the Ministry of Education and working in conjunction with CEJI, and the Boltzmann Institute, the Peer Training program is now also available to Aus-

trian youth. As part of this initiative, the Manual for School-Based Coordinators of the Peer Training Program has been adapted for Austria.

Japan

"We have been feeling keenly the need of the diversity education in the Japanese society. As a result of the Institute's program, we are glad to say that the effectiveness of the diversity education has been recognized by Japanese people little by little, and more people are interested in these programs for schools and community"—OSAKA DIVERSITY EDUCATION NETWORK

In collaboration with the Osaka Diversity Education Network twenty-five elementary and secondary educators have formed a network of trainers that deliver the *A Classroom of Difference* workshop for other educators, parents and students. The Trainers' manual and the elementary study guide have been translated into Japanese.

Argentina

Funded and organized through the Fundacion Banco De La Provincia Buenos Aires the ADL *Workplace* program is being implemented in the areas of public administration, in the province of Buenos Aires. The Trainers Manual has been translated into Spanish.

Israel

Since 1994 the *A World of Difference* program has provided education institutions, governmental ministries and independent organizations with training. In collaboration with the Youth Division of Ministry of Education Teacher and Peer Training programs exist in four different schools and in after school programs, and Peer Training and the elementary study guide materials are in Hebrew and Arabic. Workshops are continually provided to commanders of the Border Patrol through the Israel Defense Forces.

Russia

In conjunction with the Bay Area Council for Jewish Rescue and Renewal, the San Francisco Police Department and San Francisco District Attorney, ADL participates in the Climate of Trust Russian Hate Crime Training for Law Enforcement professionals

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ANTI-SEMITISM IN THE EGYPTIAN MEDIA

CONSPIRACY THEORIES

". . . this stage used the Jewish crematoria in order to link and to call attention to this term (anti-Semitism) and to encourage the feelings of the sin complex against the Jews, especially in the Arab countries. All of the Zionist economic and media forces that control the world, were subjugated to stand behind this purpose, so that it would succeed in spreading this terroristic manner of speaking to the western decision makers, in addition to Christian churches, writers, thinkers and politicians . . ."

Al-Ahram, "Anti-Semitism: Zionist Creation of the Semantic Terror" by Dr. Fathi al-Baradi'i, February 19, 2004.

". . . Israel tries, brilliantly, to create a mix between what can be considered as anti-Semitic feelings or hostile feelings towards foreigners in general, and the phenomenon of criticism, objection and attack against its policy in Palestine . . . It is natural that Tel Aviv uses the bombing of the two synagogues in Istanbul as typical. (Tel Aviv) also raised it's voice in order to complain about the rising hostile feelings towards the Jews in Europe . . . There are dozens of similar minor events, which Israel is inflating with reason or without so that the sword of anti-Semitism will stay on the Europeans' necks."

Al-Ahram, "Anti-Semitism" by Salama Ahmad Salama, November 23, 2003.

". . . We condemn this suspected attack (on the attacks on two synagogues in Istanbul). However, we do not see it unlikely that someone did it or that it was a Zionist plan, from greediness to attract the worldly sympathy towards the Jews . . . Moreover, we do not see it unlikely that that these two attacks in Istanbul were planned and done in the manner of what Israel aimed in the

Lavon affair . . . Again—we do not see it unlikely that the aim of these two attacks was to improve the image of the Jew and the image of Israel . . ."

Al-Wafd, "Egyptian Concerns" by 'Abas al-Tarabili, November 20, 2003.

". . . Why don't we interpret this event as an attempt to improve the ugly image of Israel within the European world's mind? . . . Do we see it unlikely that the Jewish terror organizations committed this criminal crime? . . . If we want to look for those who committed this crime, we will only find those secret associations and anonymous organizations where the fingers of the international Zionism mingle in order to distort the image of the Arabs and Muslims, having this take the place of the terror image of America and Israel in the minds of the European world."

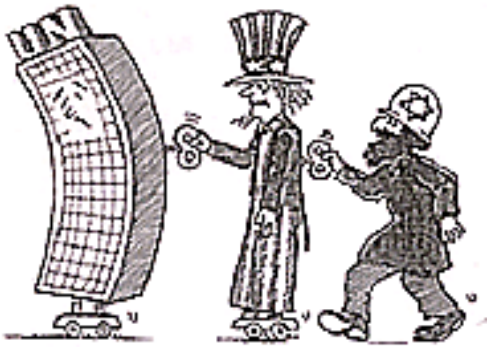
Al-Wafd, "Turkey's Jews" by Jamal Badawi, November 18, 2003.

". . . As opposed to the expectations, the book 'The Jewish Danger—the Protocols of the Elders of Zion', which was added to the show-window of the Semite books near the Torah, so that the visitors from all of the world's nationalities who arrive to the museum . . . *Al-Usbu'* met with Dr. Yusuf Zeidan, the Director of the Museum of Manuscripts, and the one who decided to present the book. He said: 'When my eyes fell upon this rare copy of this dangerous book, I immediately decided to put it near the Torah of all things, although it is not a divine book. However, it became one of the Jews' sacred things, their first constitution, their Halacha (literally: their religious law) and their way of life. In other words, it is not only an ideological or theoretical book. The book of the Protocols of the Elders of Zion may be more important than the Torah amongst the Zionist Jews in the world, who manage through it their Zionist life'."

Al-Usbu', "The Protocols of the Elders of Zion in the front of the Museum of Manuscripts" by Jihan Hussein, November 17, 2003.

". . . Not only the USA surrendered to the Jewish robbery—it was preceded by Germany since Israel, strongly supported by the USA, imposed in the 60's payment of 70 million dollars per year for a period of twelve years as compensation to Israel for what the Nazi regime did to Jews during the famous crematoria and the Holocaust, which became deemed the holiest events to the Jews, who manage to collect a huge (amount of) money, and is used as a basis to international prevention and robbery . . ."

Al-Ahram, "Anti-Semitism or Victory to the Truth?" by As-Sayyid Yasin, November 6, 2003.



Karikatir, November 2003

Al-Ahram, The cartoon's headline: "The American Parliament Imposes Sanctions Over Syria," October 19, 2003.

". . . The Jews' properties and activities definitely provide them with influential power in the American society, and this provides Israel the automatic American support!"

Al-Ahram, "The Jewish Lobby . . . and the Modern American Era," by Mursi 'Atallha, September 4, 2003.

"The Israeli presence in Baghdad became the Iraqi talk of the day. Prayer leaders and preachers of mosques warned the Iraqi citizens and forbade them from selling or renting their properties to Jews who are filtering in under false names and identities. Rumors spread in Baghdad about the efforts of a persistent Israeli to buy important institutions and real estate properties in sensitive areas in the capital Baghdad for a higher price than its real value, which in turn raised the real estate prices in general. The Iraqis are interpreting the intention of some Jews to buy real estate in Baghdad as an organized intention to penetrate into the Iraqi economic life in order to control it in the future. They said that this phenomenon reminds us of what happened to the Palestinians in 1948 and the similar ways that were used in order to steal their land."

Al-Ahram, "Did Israel Get What It Wanted from the Iraqi War?" by Yusri Ahmad 'Azbawi, August 22, 2003.

"It is clear that Israel is striving to build something like the Jewish settlements in north Iraq, which will be a starting point for its control over north Iraq's oil and economy. Israel will not stop at sending many delegations . . . The beginning may be insignificant and sometimes we will not pay attention to it, and even minimize it, but Israel, as usual, starts like that and then expands and invests what it has in order to reach their goal at the end. The Arabs have to be careful to follow seriously all of these steps in order to confront it before it gets out of control and becomes a cancer of difficult treatment.

Al-Ahram, "Arab Affairs: Israel in Iraq" by Abed al-Mu'ti Ahmad, July 7, 2003.

COMPARISONS WITH NAZISM/RACISM

". . . Israel entered the era of racism against Semitism—worse than what happened in Nazi Germany. (Israel) needs centuries to repair what Sharon ruined".

Al-Ahram, "Attitudes" by Anis Mansur, December 15, 2003.

October, the cartoon is portraying PM Sharon and Hitler as lovers, December 6, 2003.

". . . If we want to understand the truth of Zionism, we would find that Zionism is the lower kind of racism. Moreover, through its ugliness it excelled the other racist groups of its kind . . . though they did not commit the crimes that the Zionist entity committed to humanity . . ."

Al-Ahram, "The Shame in the Zionist Nature" by Dr. Jamal Salama 'Ali, November 15, 2003.

The writer claims that the Zionist movement, which he calls "racist imperialist nationalism", is based "on the alliance between the conservative forces and even more racist ones, as long as it serves its interests, as it was expressed through the applause of Zionist leaders and thinkers of Hitler when he rose to the government, since they shared with him the belief in race superiority and the objection to the assimilation of the Jews with the Arian race . . ."

Al-Ahram, "Our Claimed Hostility towards Semitism or their Hostility towards Humanity?" by Salah Salem, November 4, 2003.

"The experience of Europe after World War II exists always and ever in spite of the fact that there were circumstances that pushed the Germans to wave the flags of Nazism, which intersect the Sharonic terror we witness in the occupied territories . . . Actually it (Hamas) is a victim of the reality of the occupation which carries out daily terror, which we saw only in Fascist regimes . . ."

Al-Ahram, "Banning the Hamas: The European Support of the Israeli Terror" by Dr. 'Amr ash-Shobaki, September 16, 2003.

"In spite of the crimes made by Israel, this era's Hitlerism and the Zionist Nazism—it cannot be said that the Judaism commands support it . . ."

Al-Ahram, "This is not Theory" by Dr. Layla Takla, July 8, 2003.

"The Palestinian people were subject to the ugliest kinds of torture, suffering, pain, death and all the other crimes that Israel commits against the Palestinians. (Israel) brought back to (peoples') minds the Nazi actions, and proved that there is a connection between Nazism and Zionism!!!"

Al-Ahram, "The Last Chance" by Sa'id 'Abed al-Khaleq, July 5, 2003.

DEMONIZING JEWS/ISRAELIS

Al-Ahram, The cartoon's headline: "The Sharonic Cake," November 22, 2003.

Al-Ahram, The "Israeli *negotiator*" on the right is saying: "Sit and let's negotiate. Why do you stand?" November 1, 2003.

Al-Ahram, In Arabic: "No comments," October 13, 2003.

". . . The Egyptians are Considering Suing the Jews for Gold the Israelites Took from Egypt According to the Egyptian weekly, *Al-Ahram al-'Arabi,* Nabil Hilmi, faculty of law dean at the University of Al-Zaqziq, "is planning a law suit in a Swiss court in order to take back the stolen Egyptian gold from the Pharaohnic era which was stolen by the Jews when they went out of Egypt thousands years ago". Hilmi said that in light of the fact the Jews have been saying recently that they created the Egyptian culture and that they are asking from Switzerland for the property of Jews who died during World War II, a lawsuit will be submitted to the Swiss court. Hilmi said that "the stealing of gold is understandable. It is a clear theft of resources and treasures of a hosting country, which goes together with the Jews' morals and nature."

Al-Ahram al-'Arabi, "The Gold War between the Egyptians and the Jews" by Sharl Fu'ad al-Masri, August 9, 2003.

ANTI-SEMITISM IN EGYPTIAN SOCIETY: THE CAIRO BOOK FAIR

In January 2004, Egypt hosted its annual book fair in Cairo, the largest literary event in the Arab and Muslim world which attracts many people and includes books from all over the Arab world. The following is a selection of books displayed at the book fair, which contain anti-Semitic text, Holocaust denial and conspiracy theories about Jews:

Dr. Sina 'Abed al-Latif Sabri, *The Features of the Jewish Personality and its Nature as it Seems from their Humor,* Damascus: 1999.

Muhammad Jarbu'a, *Exempting Hitler from the Holocaust Accusation,* Lebanon: An-Nida, 2002.

FROM THE BACK COVER: "Hitler started his annihilation of the Jews for their being a morally debased nation. Thus, he treated them as guilty for their crimes—which demands their death . . ."

Muhammad Sa'id Mursi, *Everything about the Jews."*

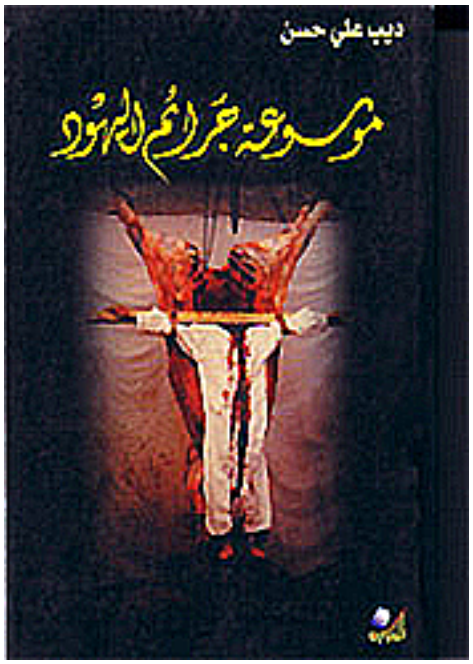
The following list appears on the front cover (above): Belief, History, Prophets, Semitism, Killings, Assassinations, Conspiracies, Personalities, Leaders, Rabbis, Palestine and the Intifada.

Muhammad 'Isa Da'ud, *The Bomb: Jews whom God transformed into Monkeys and Pigs,* Madbuli as-Saghir, 2003.

'Ali Hasan Tah, *The Zionist-Jewish Racism and the Ideological-Religious Dimension—A Research of the Religious and Historical Background of the Racist Activities of the Zionist Entity in Palestine, Lebanon and Others,* Beirut: Dar al-Hadi, 2002.

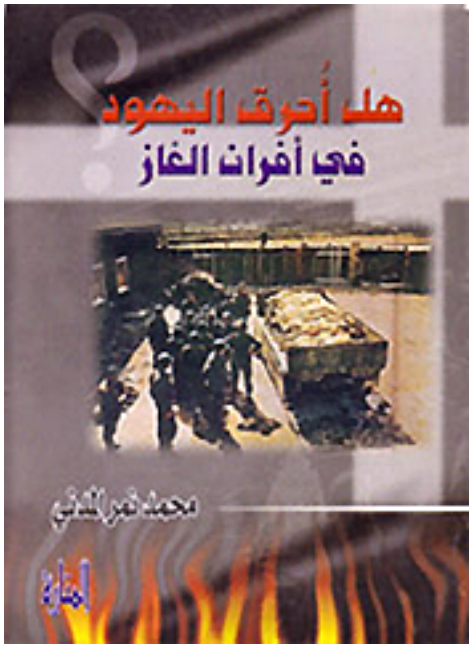
THE BOOK'S INDEX:

1. Zionism and the three religions
   - The integration between the religions and the sectarianism
   - The sources of the religious Zionist thought
   - The Torah and the Talmudic texts and the racist and inhuman operations of the Jewish Zionist state
   - Legal opinions and preaching of Rabbis
2. The Christian Zionism and the American attitude
   - The European Zionist Christianity
   - The American Zionist Christianity
3. Al-Quds is ours



Dib 'Ali Hasan, *Encyclopedia of the Jews' Crimes,* Damascus: Al-Takwin, 2004.

FROM THE BACK COVER: "This document is dated to more than 212 years. It warns of the dangerous danger of the Jews in America. The original copy of this document exists in the Franklin Institute, Philadelphia. . . . All of the chaos and the troubles in the USA today are made by the Jews". EDITOR'S NOTE: The Franklin "Prophecy" is a classic anti-Semitic canard that falsely claims that American statesman Benjamin Franklin made anti-Jewish statements during the Constitutional Convention of 1787. It has found widening acceptance in the Muslim and Arab media, where it has been used to criticize Israel and Jews in news articles and statements.



Muhammad Nimr al-Madani, *Were the Jews Burned in the Ovens?,* Beirut: Al-Manara, 2001.

The book is "dedicated to every Arab reader, so that the book will turn him from being a supporter to someone who opposes the lie of annihilation".

Mazen an-Naqib, *The Murder—from the Jewish Scriptures and the Protocols of the Elders of Zion unto Knightless Horse,* Damascus: Al-Aawael, 2004.

FROM THE BOOK'S INDEX:

The third part: from the Knightless Horse to the Jewish Scriptures and the Protocols of the Elders of Zion

- The world conspiracy
- The secrecy of the goals and personalities
- The Elders of Zion

A stop in front of the Protocols of the Elders of Zion

- The Jews' holy scriptures
- The Talmud and the Kabala
- Who wrote the Protocols?

What do the Protocols of the Elders of Zion claim?

PREPARED STATEMENT AND ADDITIONAL MATERIAL SUBMITTED BY MICHAEL H. POSNER, EXECUTIVE DIRECTOR, HUMAN RIGHTS FIRST

PREPARED STATEMENT

Chairman Allen and members of the Subcommittee, thank you for convening this important and timely hearing on anti-Semitism, and for providing us the opportunity to submit the views of Human Rights First, formerly the Lawyers Committee for Human Rights.

Human Rights First's mission to protect and promote human rights is rooted in the premise that the world's security and stability depend on long-term efforts to advance justice, human dignity, and respect for the rule of law in every part of the world. Since we began our work in 1978, we have worked both in the United States and abroad to support human rights activists who fight for basic freedoms and peaceful change at the local level; to protect refugees in flight from persecution and repression; to help build strong national and international systems of justice and accountability; and to make sure human rights laws and principles are enforced.

Anti-Semitism—which we define as hatred or hostility toward or discrimination against Jews as a religious, ethnic or racial group—is racism. We believe that anti-Semitic acts need to be confronted more forcefully and treated as serious violations of international human rights. Moreover, anti-Semitism is a challenge requiring the concerted action of governments and everyone concerned with putting human rights first. Unfortunately, it is all too often only organizations directly representing the "victimized" community—in this case, Jewish organizations—which make concerted efforts to publicize and combat threats and violence directed against a particular religious, ethnic, or racial group. While the work of groups like the Anti-Defamation League and American Jewish Committee, from whom you are hearing at today's hearing, is critically important and to be applauded, it is important to note that their involvement does not relieve governments, the United Nations and its regional organizations, or private human rights groups of their obligations to address anti-Semitism as an integral part of their work.

Human Rights First has been working to combat anti-Semitism and other forms of discrimination for many years, through advocacy for improved monitoring, reporting, and remedial action to combat anti-Semitism, participation in national and international fora, and, more recently the publication of findings and recommendations concerning the phenomenon in Europe. In August 2002, we published *Fire and Broken Glass: The Rise of Anti-Semitism in Europe,* which documented the alarming rise in anti-Semitic violence in Europe. A copy of that report is attached to this testimony, and we would be grateful to have it included in the hearing record.

In that report, we noted that with a few exceptions national governments, intergovernmental organizations, and nongovernmental organizations had not responded adequately to the growing scourge of anti-Semitism. We detailed in particular the inadequate efforts of European governments and institutions to monitor and report on anti-Semitic violence, and to develop effective measures to combat it. Our emphasis on the hate crimes information deficit responds to the failure of many European governments to provide even basic reporting on the crimes that force many in Europe's Jewish communities to live in fear. Our premise is that timely, accurate, and public information on racist violence is an essential starting point for effective action to suppress it.

This hearing is being held at a time when anti-Jewish bombings, arson, and personal assaults in Europe are proliferating in an environment of incitement to violence. Yet despite a continued high rate of anti-Semitic threats and attacks in large parts of Europe, only a handful of the fifteen governments of the European Union systematically monitor and report on these and other manifestations of racist violence. An even smaller proportion of the Organization for Security and Cooperation in Europe's 55 member states do so.

Addressing the Continuing Problem

Threats and attacks on Jews and Jewish institutions have continued at a high level since mid-2002, when *Fire and Broken Glass* was first published. The list of attacks on synagogues, desecrations of Jewish cemeteries, and vandalism of Holocaust memorials—among the visible manifestations of anti-Semitic violence—is now long. Hundreds of other attacks on individuals, because they are Jewish or thought to be Jewish, are no less chilling to the Jewish communities of Europe, though less likely to make the headlines.

The November 15, 2003 bombings of two synagogues in Turkey, a member of the Council of Europe, shocked the world and shook that country's small Jewish commu-

nity. The blasts killed 24 people and wounded at least 300.[1] In France, there were at least two arson attacks on synagogues in 2003[2] and more recently, on the night of March 22, 2004, a Molotov cocktail was thrown at a Jewish community center in Toulon that houses a synagogue.[3]

Other potential atrocities were stopped through effective police action. On June 6, 2003, a man tried to blow up a car, packed with canisters of gas, in front of a synagogue on rue de la Boucheterre in Charleroi, Belgium; the blast was averted and the man arrested.[4] A year earlier, on April 22, 2002, up to eighteen gunshots were fired at another synagogue in Charleroi.[5]

In Germany in September 2003 police made arrests in a reported plot to explode a bomb on November 9, the anniversary of the 1938 pogrom known as Kristallnacht, the terrible "Night of Broken Glass." The target was the cornerstone-laying ceremony for a new synagogue in central Munich which hundreds of senior political leaders and members of the Jewish community were expected to attend. At least twelve members of extreme right-wing groups were arrested in connection with the plot. German President Johannes Rau attended the ceremony, held as planned.[6]

Both perpetrators and victims are often young people. In Berlin, a group of youths attacked a 19-year-old Orthodox Jew visiting from the U.S. as he left the subway on May 14, 2003. They threw fruit at him and asked if he was Jewish; when the young man didn't answer, they beat him. Also in Berlin, a 14-year-old girl, who was wearing a Star of David necklace, was attacked by a group of teen-aged girls on a bus on June 27, 2003. After taunting her about her religion, the group of girls hit and kicked her, causing minor injuries.[7] Scores of similar incidents, involving groups of young people attacking visibly Jewish individuals, often while using public transport, were also reported in France.[8]

Organizations in several countries have noted an alarming level of both verbal and physical abuse against Jewish students in and around schools in both 2002 and 2003. On April 10, 2002, attackers threw stones at a school bus of the Lubavitch Gan Menahem Jewish school in Paris as students were boarding; one student was injured. On May 16, 2003, a Jewish schoolgirl from the Longehamp School in Marseille was attacked and verbally abused by a group of ten girls from a nearby school.[9]

Jewish schools have also been targeted. In the Jewish community in Uccle, Belgium, the Gan Hai day-care center was ransacked, on July 9, 2003, with excrement thrown against windows and posters in Hebrew.[10] A pre-dawn arson attack on the Merkaz HaTorah Jewish school in Gagny, a suburb of Paris, on Saturday, November 15, 2003, destroyed a large part of the building. (President Jacques Chirac responded to the attack with a ringing pronouncement that "When a Jew is attacked in France, it is an attack on the whole of France."[11]

Jews and Jewish sites were also under attack in Russia and elsewhere in the former Soviet Union. A grenade was thrown at a synagogue in Derbent on January 25, 2004, and three molotov cocktails were reportedly thrown at a synagogue in

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[1] "Turkey probes synagogue bombing," BBC News, November 17, 2003, http://news.bbc.co (accessed March 1, 2004).

[2] Stephen Roth Institute, "Anti-Semitism Worldwide 2002–2003", http://www.tau.ac.il (accessed March 10, 2003.

[3] "Jewish center in southern French city set afire in arson attack," from AFP and Reuters reports, *International Herald Tribune,* March 24, 2004.

[4] "Belgian police thwart attack on synagogue in south of country," *Jerusalem Post,* June 14, 2003, http://209.157.64.200/focus/.

[5] Anti-Defamation League, "Global Anti-Semitism: Selected Incidents Around the World in 2002," July 25, 2002, http://www.adl.org (accessed August 8, 2002).

[6] "Home to Germany's second-largest Jewish community, Bavaria's capital begins construction of a synagogue and cultural center that organizers hope will help the city's reestablished Jewish population flourish and grow," *Deutsche Welle,* November 11, 2003, http://www.dw-welle.de (accessed March 25, 2004). *See also* William Boston, "On the March Again? A Plot to Bomb the Site of a New Synagogue Raises Fears that German neo-Nazis are Turning to Terror,? *Time* (Europe), September 29, 2003.

[7] Anti-Defamation League, "Global Anti-Semitism: Selected Incidents Around the World in 2003," http://www.adl.org (accessed March 5, 2004).

[8] *See,* for example, the chronologies of anti-Semitic incidents presented by the Representative Council of Jewish Institutions of France (http://www.crif.org), the Anti-Defamation League (http://www.adl.org), and the Stephen Roth Institute of Tel'Aviv University (http://www.tau.ac.il).

[9] Stephen Roth Institute, Anti-Semitism Worldwide 2002/3, http://www.tau.ac.il (accessed March 10, 2003).

[10] EUCM, "Manifestations of anti-Semitism," p. 44, citing BESC.

[11] "France vows to fight hate crime," BBC News, November 17, 2003, http://www.bbc.co.uk (accessed March 12, 2004).

Chelyabinsko on February 4, 2004.[12] Arsonists attempted to set fire to a synagogue in Minsk, Belarus, on August 27, 2003 by dousing the doorway with kerosene. The facade of the building was damaged in this, the fifth arson attempt in two years.[13]

The Road to Berlin

With *Fire and Broken Glass,* Human Rights First underscored its commitment to remain actively engaged in the effort to identify anti-Semitic activities and improve the means for investigating, reporting, and more effectively combating them. Our recommendations there are intended as a starting point for a much larger discussion about how anti-Semitism and other forms of racism can better be addressed as a more central element of the global human rights debate.

In June 2003, Human Rights First republished Fire and Broken Glass in a French-language edition, as part of the organization's participation in an extraordinary meeting on anti-Semitism convened in Vienna that month by the Organization for Security and Cooperation in Europe (OSCE). This first meeting of its kind concluded with a proposal by Germany to hold a follow up meeting of the OSCE on anti-Semitism, now to take place on April 28–29, 2004 in Berlin. We and many partner organizations will be there to take part.

Since the Vienna OSCE conference, human rights, civil liberties, and Jewish community groups have increasingly worked together. Preparation for the conference to be held in Berlin at the end of this month has helped cement this collaborative relationship. Human Rights First is working closely with the Anti-Defamation League, the Jacob Blaustein Institute, and the Leadership Conference on Civil Rights, in particular, in developing a strong message for the Berlin conference. Working together has enormously strengthened our capacity to raise international awareness of the threat posed by anti-Semitism—and to work with European governments for change.

The United States' commitment to meetings like the Berlin conference is an important factor in our relations with European governments in the fight against anti-Semitism. To this end, we have been pressing the Bush Administration to demonstrate leadership by ensuring that the official U.S. delegation includes Secretary of State Colin Powell, or another very senior official if the Secretary cannot attend. Arid we have been preparing a follow-up report to *Fire and Broken Glass,* to be issued in time for the Berlin meetings, which will analyze what has happened in the period since the issuance of that earlier report.

Our new report will document continuing anti-Semitic violence across Europe since August 2002, including attacks on Jewish individuals and institutions in recent weeks. The overall level of violence remains intolerably high. From synagogue bombings to the vandalism of religious schools and the desecration of cemeteries, to attacks—both physical and verbal—on Jewish individuals, anti-Semitic violence remains an all too common problem throughout the European continent.

We do recognize that over the past two years, some national governments and international institutions, as well as the media, have begun to devote more attention to anti-Semitism. The OSCE itself deserves credit for placing the issue higher on its agenda, including by convening an historic conference last June in Vienna and now in the leadup to the Berlin conference. And just last week, on March 31, the European Commission's European Monitoring Centre on Racism and Xenophobia (EUMC) issued a 345-page report on anti-Semitism in the fifteen member states of the European Union.

These and other efforts suggest that leading European officials and institutions finally are acknowledging anti-Semitism as a critical problem warranting attention at the highest levels of government and society.

Even so, however, there has been very little progress made in improving mechanisms for monitoring and reporting at the national level on anti-Semitism—a critical step in the process of developing means for more effective redress. We cite disparities, for example, in the collection and reporting of data by governmental institutions in countries like Belgium in comparison with what leading nongovernmental organizations have tracked and disseminated. The OSCE's 2004 report notes starkly that a majority of E.U. nations conduct no systematic monitoring of anti-Semitic incidents.

The upcoming OSCE Berlin conference provides an opportunity to address these remaining shortcomings—if the participants can agree on a plan of action that includes establishing specific mechanisms for monitoring both (1) incidents of anti-Semitism in OSCE member countries, and (2) how national governments are re-

[12] Jewish Agency for Israel, available at http://www.jafl.org.il (accessed March 2004).

[13] Anti-Defamation League, "Global Anti-Semitism: Selected Incidents Around the World in 2003," http://www.adl.org (accessed March 5, 2004).

sponding. As noted above, Human Rights First has been actively engaged with U.S. Government officials, other leading nongovernmental human rights organizations, and Jewish community organizations in preparing for the Berlin conference. I look forward to participating there, and in carrying our message to government officials and other nongovernmental groups from Europe—and in helping maximize the likelihood that the conference will produce concrete results.

Viewing Anti-Semitism Through the Human Rights Lens

But whatever the results from Berlin, in beginning to address what we have termed the continuing "information deficit" with respect to anti-Semitism, better documentation alone will accomplish little if governmental authorities do not come to grips with their obligations under international human rights law to combat anti-Semitic violence within their borders.

Indeed, international human rights law and practice provide the framework for establishing that national governments do have the legal responsibility to take proactive measures to both deter and prosecute actions taken with anti-Jewish animus. The time for politically-motivated excuses for inaction is long past; European governments need to move to adopt stronger legal measures to address anti-Semitic violence.

Mr. Chairman, today's hearing reflects the interest in, and concern of, this Subcommittee with respect to anti-Semitism both in this country and abroad, including in Europe. Human Rights First looks forward to working with you and other Members of Congress, including those who will be attending the OSCE conference in Berlin in three weeks' time, to ensure that the fight against all forms of anti-Semitism remains a high priority in the months and years to come. While anti-Semitism in the United States fortunately has not reached the levels, nor presented the dangers, that it has in some countries in Europe, the United States Government must remain vigilant—even as it encourages our friends in Europe and other members of the OSCE to improve their own monitoring, reporting, and enforcement.

We look forward to working with you, as well as human rights officials at the Department of State and elsewhere in the government, to ensure that the response to anti-Semitism is as effective as possible, and that the victims of threats and violence know that governments and nongovernmental organizations alike are doing whatever they can to combat the climate of fear that again exists for many Jews in Europe and beyond.

Thank you again for the opportunity to share our perspectives with the Subcommittee.

FIRE AND BROKEN GLASS: THE RISE OF ANTI-SEMITISM IN EUROPE (PREPARED BY LAWYERS COMMITTEE FOR HUMAN RIGHTS[1] IN 2002)

FOREWORD

A year ago the United Nations convened the third World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, in Durban, South Africa. The conference was intended to highlight particularly serious patterns of racism and racial discrimination around the world and to shape appropriate global responses. The meeting succeeded in raising public attention with respect to some particularly egregious situations—not least the plight of 250 million victims of caste discrimination (among them the Dalits of India—the so-called "broken people," or "untouchables").

Further, the conference provided a long overdue acknowledgment of the criminal nature of slavery ("that slavery and the slave trade are a crime against humanity and should always have been") and recommendations for the repair of its lasting consequences for people of African descent around the globe.

The conference also made clear that racism and racial discrimination need to be placed more squarely on the international human rights agenda. But what was positive in the conference process was seriously undermined when the World Conference itself became the setting for a series of anti-Semitic attacks. Directed primarily against representatives of Jewish groups, these attacks were fueled by the heated debates at the meeting concerning Israeli practices in the West Bank and Gaza

[1] *Lawyers Committee for Human Rights* is now known as *Human Rights First*. This report, *Fire and Broken Glass: The Rise of Anti-Semitism in Europe,* was updated in 2004 and released as *Anti-Semitism in Europe: Challenging Official Indifference,* and is available on the internet at [http://www.humanrightsfirst.org].

Strip. But the racist anti-Jewish animus displayed represented considerably more than criticism of Israeli policies and practices.

Most of the offensive behavior occurred during meetings of nongovernmental organizations (NGOs) and individual participants in a forum that paralleled the intergovernmental conference. Throughout the five-day NGO forum, anti-Semitic cartoons and materials were distributed widely and on display, tolerated by the forum's nongovernmental organizers. Representatives from Jewish organizations were denied access to some meetings—either physically excluded or shouted down and attacked when they were present and tried to speak. Efforts to put anti-Semitism on the nongovernmental agenda were roundly defeated by an assembly of representatives and individual participants in procedures that were neither democratic nor principled.

Rather than serving as a forum for correcting racial and religious intolerance and hate, the public meetings and exhibition halls of the Durban conference became a place where pernicious racism was practiced and tolerated. Important recommendations adopted by the conference despite this environment, with a real potential to advance the fight against anti-Semitism—and other forms of racism—have as a consequence received inadequate attention. Some of these recommendations, concerning government monitoring and reporting on racist violence, are discussed here.

The outbursts at Durban reflect a growing trend toward anti-Semitic expression and violence in many parts of the world. As this report makes clear, there is an alarming rise in anti-Semitic violence in Europe: but it is on the rise in other parts of the world as well. Unfortunately, with the notable exception of Jewish organizations and a number of other human rights and antiracist groups and institutions, the world community—governments, intergovernmental organizations , and nongovernmental organizations alike—has not responded adequately to this growing problem. Anti-Semitism is racism. Anti-Semitic acts need to be confronted more forcefully and treated as serious violations of international human rights.

This report highlights the inadequacy of efforts by European governments to systematically monitor and report on anti-Semitic threats and violence—and to develop effective measures to stop it. We define anti-Semitism as hatred or hostility toward or discrimination against Jews as a religious, ethnic or racial group. Governments and inter-governmental organizations need to routinely incorporate facts about anti-Semitic assaults, arson, vandalism, desecration of cemeteries, and the proliferation of anti-Semitic materials on the internet into a wide range of existing human rights reporting mechanisms. Though some Jewish organizations, like the Anti-Defamation League and the American Jewish Committee, are doing excellent reporting on these issues, their involvement does not relieve governments, the United Nations and its regional organizations, or private human rights groups of their obligations to address anti-Semitism as an integral part of their work.

In the pages that follow, we outline the scope of anti-Semitism in Europe and examine some of the efforts by European governments and institutions to monitor and confront the problem. In our view these efforts are insufficient. Too often European leaders have downplayed anti-Semitic acts as inevitable side-effects of the current crisis in the Middle East. We reject this reasoning as an abdication of responsibility. Criticism of Israeli policies and practices is not inherently anti-Semitic. But when such criticisms and related actions take the form of broadside attacks against "Jews" or the "Jewish State," they become racist.

In this report we make a series of recommendations as to how these abuses can better be investigated and reported in the future. These recommendations are intended as a starting point for a much larger discussion about how anti-Semitism and other forms of racism can better be addressed as a more central element of the global human rights debate. At the end of last year's Durban meeting, we wrote that "[t]he subjects of this conference are the human rights issues of the 21st century. Racism, racial discrimination, xenophobia and intolerance affect each of us in our own communities. All of us—governments, the UN, NGOs—must find constructive way to discuss and combat these problems."

Events of the last year only underscore the continuing importance of meeting that challenge, and, with regards to anti-Semitism, history emphasizes the urgency of doing so with force and with vigor.

MICHAEL POSNER,
Executive Director, August 2002

On July 12, the online wire of the Associated Press included a story out of the Welsh city of Swansea, where a synagogue had been vandalized the night before. According to the story, which was not picked up by any major American newspaper, a group of youths broke into the synagogue, destroyed one of the temple's Torah scrolls, drew a swastika on the wall, and attempted to burn the building down before fleeing.[1]

The Swansea break-in, the second such vandalism of a British synagogue in three months, is being investigated by local authorities as a hate crime—a crime driven by anti-Jewish animus.[2] This desecration of synagogues occurred within a broader pattern of anti-Jewish attacks in Britain—and across Europe. In April 2002 alone the Jewish community in Britain reported fifty-one incidents nationwide, most of them assaults on individuals.[3]

Elsewhere in Europe firebombs and gunfire were directed at Jewish targets. At around midnight on March 31, two firebombs were thrown into a synagogue in the Anderlecht district of Brussels, Belgium's capital and the seat of the European Union. The interior of the synagogue was badly damaged.[4] In the previous month, a rash of graffiti had appeared on Jewish owned shops in Brussels declaring "Death to the Jews." On April 22, up to eighteen gunshots were fired at another synagogue, this one in Charleroi.[5]

As gasoline bombs were thrown in Brussels late on Sunday night, March 31, fires still smoldered from a series of attacks across France that weekend. In Strasbourg, the seat of the Council of Europe, the doors to a synagogue were set alight that Saturday; while in Lyon, an estimated fifteen attackers wearing hoods crashed two cars through the main gate of a synagogue earlier the same day and set fires there.

On March 31 alone, a pregnant Jewish woman and her husband were attacked in a Lyon suburb, requiring her hospitalization; a Jewish school in a Paris suburb was badly damaged by vandals; and in Toulouse, shots were fired into a kosher butcher shop. That night, a synagogue in Nice was attacked with a firebomb, and in Marseille attackers set alight and burned to the ground the Or Aviv synagogue. Despite the deployment of police to centers of the Jewish community, the violence in Marseille continued.[6] A week after the synagogue attack, the Gan-Pardess school was set on fire, its windows broken with stones, and its walls daubed with anti-Jewish graffiti.[7]

Anti-Jewish attacks have continued at a high level in France since late 2000, when attacks were reported on forty-three synagogues and three Jewish cemeteries in the last three months of the year alone. A synagogue in the Paris suburb Trappes was burned to the ground, while synagogues were damaged by fire in Villepinte, Clichy, Creil, Les Lilas, and the synagogue in Les Ulis was attacked on three occasions. Then, as now, officials down-played the racist, anti-Semitic nature of the attacks, suggesting they were an inevitable side-effect of the crisis in the Middle East, where protests and violence had broken out in what became known as the second intifada.

A surge of anti-Jewish violence in Russia was also a part of the mosaic of racist violence across Europe in 2002. In the incident most widely reported in Western news media, Tatyana Sapunova was badly injured on May 27 by a rigged explosive charge, when attempting to take down a roadside sign near Moscow that declared "Death to Jews." Other booby-trapped signs bearing similar messages were reported elsewhere in the country. In a welcome and unprecedented gesture, Russian presi-

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[1] "British Synagogue Damaged by Vandals," *AP Online,* July 12, 2002, reprinted in 2002 WL 23896197 (2002). The story did run in Canada. *See,* "Vandalism Attack Heavily Damages Another Synagogue in Britain," *Canadian Press,* July 12, 2002, reprinted in 2002 WL 23891437 (2002).

[2] Vandals attacked a synagogue in London's Finsbury Park on April 27, smashing windows and furniture, daubing a swastika on the rabbi's lectern, and strewing religious articles around the premises—although nothing was reported stolen. Stephen Moss, "Desecrated," *Guardian* (London), May 2, 2002.

[3] *Ibid.*, citing the Community Security Trust.

[4] *See,* for example, Joelle Mesken and Olivier Van Vaerenbergh, "Les synagogues, proies du feu et de la haine ordinaire, Le Soir, April 2, 2002; and Frederick Delepierre and Benedicte Vaes, "Comment enrayer la spirale de la violence?," *Le Soir* (Brussels), April 3, 2002.

[5] Anti-Defamation League, "Global Anti-Semitism: Selected Incidents Around the World in 2002," July 25, 2002, http://www.adl.org (accessed August 8, 2002).

[6] *Ibid.*

[7] The incidents were reported in the French and Belgian media, and summarized in "French, Belgian synagogues burned," April 1, 2002, http://www.CNN.com.

dent Vladimir Putin honored Tatyana Sapunova for her civic courage in a July 11 ceremony—and condemned racial and religious intolerance.[8]

The incidents in Swansea, Brussels, Strasbourg, Marseille, Moscow, and other European towns and cities earlier this year occurred as a number of organizations worldwide—most prominently the Anti-Defamation League (ADL) in the United States—have drawn increasing attention, both here and abroad, to the rise of anti-Semitism in Europe, a problem that appears to be intensifying.[9]

Hate Crimes—The Information Deficit

The emphasis of this report is on the proliferation of violence against persons and property in Europe that is driven by anti-Jewish animus—and the failure of governments to accurately report and effectively engage in concerted action to combat this racist violence. In both east and west, European governments have done too little to monitor, report, and act on the many levels required. The failure of some governments in Western Europe to do even basic reporting on hate crimes targeting the Jewish community (and other minorities) is a principal focus of this report. Yet timely, accurate, and public information on racist violence is essential for effective action to suppress such violence.

By addressing only the information deficit that clouds the real scope and nature of anti-Semitic violence in Europe, the Lawyers Committee for Human Rights does not want to understate the broader issues arising in the fight against anti-Semitism and other racist intolerance. Yet the educational and other programs required to address anti-Semitism in the long term can be effective only if accompanied by immediate action to acknowledge and to combat violent criminal acts motivated by anti-Jewish hatred.

Similarly, while this report is about anti-Jewish violence in Europe, its recommendations apply to the broader plague of racist violence that affects many of Europe's minority communities. Racist violence against minorities such as the Roma, and in particular against Europeans and immigrants of North African, Middle Eastern, and South Asian origin, also requires urgent attention by European governments, nongovernmental organizations, and the international community. Accessible disaggregated data is required in order to report accurately on racist violence, to identify particularly vulnerable groups, and to generate effective antiracism measures. The fight against racism should not itself be balkanized, as if in a competition between advocates for each of the groups bloodied by racism. Nor should particularly egregious forms of racism be overlooked.

Europe's extreme nationalist groups show a frightening fervor and consistency—and a disturbing unity—in their promotion of violent anti-Semitism. The same racist extremists who attack synagogues may also attack Turkish immigrants in Berlin, French citizens of North African origin in Paris, or South Asians in Britain's towns and cities. A similar unity is required of the antiracist effort in Europe to combat this. The rise in violence against Jewish communities across Europe is part of a broader pattern of racist violence—but the severity, pan-European scope, and historical roots of this violence requires particularly urgent attention as a part of this larger effort to combat racism. In view of the calamitous record of anti-Semitism in Europe, every effort must be made to ensure that this scourge is not permitted to gather momentum again.

The increasing incidence of racially-motivated attacks against Jews and Jewish institutions across Europe has been well-documented by nongovernmental bodies, most notably the ADL, along with the American Jewish Committee (AJC), the Simon Wiesenthal Center (SWC), and the Stephen Roth Institute for the Study of Contemporary Anti-Semitism and Racism at Tel Aviv University.[10] Similarly, the U.S. Government has taken notice, with the Helsinki Commission—the American Government's liaison agency with the Organization for Security and Cooperation in Europe (OSCE)—holding a high-profile hearing on May 22 to address the issue[11]

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[8] Sabrina Tavernise, "Bomb Attack Shows That Russia Hasn't Rooted Out Anti-Semitism," *New York Times,* June 1, 2002; and Steven Lee Myers, "Putin Cautions Russians on Intolerance," *New York Times,* July 26, 2002.

[9] The campaign to draw attention to the attacks in the media appears to be meeting with some success, as evidenced by the *Washington Post*'s June 24 editorial, "Anti-Semitism in Europe." *See,* "Anti-Semitism in Europe," *Washington Post,* June 24, 2002.

[10] *See,* Stephen Roth Institute, "Global Anti-Semitism: Selected Incidents Around the World in 2002," available at http://www.adl.org (accessed July 15, 2002) (describing, country-by-country, hundreds of reported anti-Semitic attacks since the beginning of the calendar year).

[11] For a transcript of the hearing, *see,* http://www.csce.gov (last visited July 15, 2002).

and with both the House of Representatives and the Senate subsequently passing unanimous resolutions echoing the Commission's concerns.[12]

Yet, whereas nongovernmental organizations have released a considerable amount of material on the increasing incidence of attacks, many European governments have been less forthcoming in documenting the upsurge in anti-Semitic violence.[13] The French Government, which, for much of early 2002, made few public statements about the rising tide of anti-Jewish violence,[14] has yet to release official statistics on such incidents in 2002. In a June 2002 statement, a French spokesman acknowledged that "A series of inexcusable assaults—physical, material and symbolic—has been committed in France against Jews over the past 20 months," while suggesting this was simply a spill-over of the Middle East conflict into Europe (most of the incidents were laid to "poorly integrated youths of Muslim origin who would like to bring the Mideast conflict to France").[15] The involvement of extremist nationalist groups in anti-Jewish violence, a longstanding source of anti-Semitism in France and elsewhere in Europe, has found little reflection in these public statements.

Similarly, the Governments of Belgium, Germany, the United Kingdom, and Russia, where a majority of the other attacks have been concentrated, have made public statements condemning the upsurge in violence. But these governments have released little detailed documentation of anti-Jewish violence, and have, according to nongovernmental observers, done too little to abate the rising tide.

Systems for collection, analysis, and reporting information from European capitals differ widely. While most governments release limited information on anti-Semitic acts, what statistical data is available generally allows only the identification of broad trends. Statistics on registered incidents appear to vastly underestimate the extent of the problem—with some exceptions.

The criteria applied in data collection and statistical analysis and reporting by NGOs also vary widely. In some cases, reporting on anti-Semitism—and other manifestations of racism—blur criminal acts of violence with incidents of hate speech, a tendency that is echoed in the news media. This notwithstanding, human rights organizations and the independent media in Western Europe often report on violent anti-Jewish incidents. Their reporting points clearly to a severe and pernicious rise in this violence that cannot be attributed to any one factor.

Governments, despite periodically adhering to multilateral pledges to combat racism and anti-Semitism, and acknowledging treaty obligations to do so, find little tangible pressure to undertake close monitoring and reporting. The reality is that public information is required in order to generate the political will to address the problem and to inform decisions on how best to do so.

A Pattern of Intimidation and Violence

The Swansea incident and others in many parts of Europe are part of a prolonged surge of violent threats and attacks on individuals and community institutions solely because they are Jewish. This racist violence has included physical assaults on individuals —and fire-bombings, gunfire, window smashing, and vandalism of Jewish homes, schools, synagogues and other community institutions. Vandals have desecrated scores of Jewish cemeteries across the region, daubing anti-Jewish slogans, threats, and Nazi symbols on walls and monuments, while toppling and shattering tombstones.

Jews and people presumed to be Jewish have been assaulted in and around centers of the Jewish community, in attacks on Jewish homes, and in more random street violence. Attackers shouting racist slogans have thrown stones at children leaving Hebrew-language schools and worshippers leaving religious services. In street violence attackers shouting racist slogans have severely injured people solely because they were thought to have a Jewish appearance.

How are anti-Jewish, anti-Semitic acts distinguished from random violence in a violent world? Sometimes the nature of the target alone is sufficient reason to conclude that an arson attack, stone throwing, or other violence is motivated by dis-

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[12] *See,* H.R. Con. Res. 393, 107th Cong. (2002); S. Res. 253, 107th Cong. (2002). Both passed unanimously. At the Eleventh Annual Session of the OSCE Parliamentary Assembly, a supplementary "item" on anti-Semitic violence in the OSCE region, proposed by American congressman Chris Smith (R–NJ), passed unanimously. *See,* Tovah Lazaroff, "OSCE Condemns Anti-Semitism," *Jerusalem Post,* July 9, 2002, at 4; 148 CONG. REC. H4380–01 (daily ed. July 9, 2002) (statement of Rep. Smith).

[13] *See,* for example, the website of the Anti-Defamation League.

[14] Including an incident where President Chirac stated that he had seen no evidence of an increase in anti-Semitic violence. *See,* Abraham Cooper, "At Last, France Tackles Anti-Semitism," *Wall Street Journal,* (European Ed.), July 15, 2002.

[15] Francois Bujon de l'Estang, Ambassador of France in the United States, "A Slander on France," *Washington Post,* June 22, 2002.

criminatory animus (a synagogue or a kosher shop, for example, is set alight; a Jewish cemetery is desecrated). In many cases, even when the target of an attack is less clearly singled out because of a real or imputed Jewish identity, the self-identification of the attackers with neo-Nazi extremist groups, assailants' statements at the time of an attack, expressly anti-Jewish graffiti, or other elements give reason to believe them anti-Semitic. Such acts are manifestations of both racist violence and religious intolerance, directed at the Jewish people as a whole.[16]

Hate speech—spoken, broadcast, and published—provides a motor and a backdrop to anti-Jewish violence. In Europe, this is particularly chilling, as hate speech often involves immediate incitement to racist violence while openly harking back to the racist terror of the Holocaust. Extremist political groups openly endorse the past horrors of the Holocaust or implicitly do so by denying its reality, even where European law makes such statements punishable as crimes.

Threatening racist speech often also provides the immediate context of physical acts of violence. Racist speech may provide evidence of motivation by which some acts of vandalism or related violence can be distinguished from random acts. Thugs who both break windows and daub swastikas on walls make their anti-Jewish animus explicit. Public officials and senior political leaders have themselves made racist anti-Jewish statements, disparaging the Jewish religion and members of this faith as a people. Other public officials remain silent concerning attacks on Jews and symbols of the Jewish community, or attribute racist violence and threats to common crime or political protest.

The resulting environment, particularly where anti-Jewish attacks occur with relative impunity, is a climate of fear and encouragement for further hatred and violence.

Even where public security agencies act promptly to halt and punish anti-Jewish violence—and other violent racist attacks on minorities—they may address this violence as just one aspect of a larger pattern of racist violence and xenophobia. Shamefully, anti-Jewish attacks are too often left largely to the Jewish community itself to document and protest.

The Regional Monitoring Bodies

Most European governments publish little official information on anti-Jewish and other racist violence, while monitoring and reporting norms vary significantly from country to country. Across the region, there is a paucity of official information concerning individual attacks on the Jewish minority and there is little meaningful statistical data. With some exceptions, detailed statistical information is either not compiled or is compiled without differentiating between attacks on distinct minorities.

In some cases, monitoring and reporting blurs racist violence and offensive speech into a single category. This practice is not limited to European institutions: the Department of State's annual Country Reports on Human Rights Practices often does the same in reporting on anti-Semitic and other racist "incidents." Considerably more is published by official bodies in the E.U. on racist and intolerant speech, in turn, than on the detail of anti-Semitic attacks on persons and property.

Concern for improved data collection has frequently been expressed as a necessary step toward the identification of discrimination in public policy, in particular as concerns criminal justice and the equitable provision of public services. Such data is also required to identify government failings to fulfill obligations to protect minority groups against discriminatory action, and in particular violence, by private citizens. The posture of the state toward racist violence against a particular group can be put in the spot-light by disaggregated data on the full spectrum of violent crime—showing in some situations that police condone or encourage private violence against minorities. Impunity for attacks on certain minorities, in turn, can be a factor in the generation of further such violence. Data accurately reflecting the reality of racist violence, by public officials or others, provide crucial benchmarks by which to independently assess the need for remedial action.

Several European intergovernmental institutions were created expressly to monitor and combat racism, and are available to assist governments in the region in the implementation of legislative, criminal justice, educational, and other antiracism measures.

The Council of Europe's European Commission on Racial Intolerance, ECRI, provides a range of ambitious programs intended to make European anti-discrimination norms a reality, including express measures to monitor and combat anti-Semitic

[16] The International Convention on the Elimination of All Forms of Racial Discrimination (1966) states that the term "'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin. . . ." (art. 1).

speech and violence. ECRI has one member appointed by each member state, serving in an individual capacity. Its stated aim is "to combat racism, xenophobia, anti-Semitism and intolerance at a pan-European level and from the angle of the protection of human rights," and it is an effective voice to this end.[17] But it cannot alone compensate for the failings of its member governments.

In its annual report covering the calendar year 2001, ECRI identified racial discrimination—including anti-Semitism—as a blight on Europe. Of particular concern was "the problem of racist violence which has erupted on several occasions in a number of countries"—a considerable understatement. ECRI stressed "[a] rise in the spread of anti-Semitic ideas," while deploring a trend in which "[a]cts of violence and intimidation against the members and institutions of the Jewish communities and the dissemination of anti-Semitic material are increasing in a number of countries."[18] ECRI has not, however, issued a general recommendation on anti-Semitism.

ECRI's country by country reporting is based on a procedure in which draft reports are submitted on a confidential basis to member governments for discussion and reviewed in the light of this dialogue.[19] The statistical reflection of racist incidents in the country reports is limited by the systems for data collection and dissemination of each of the member governments—even when generally critical conclusions may be drawn. In its March 2000 report on Belgium, for example, ECRI highlighted the absence of official reporting on incidents and complaints of discrimination, while giving little alternative information on the extent of anti-Semitism—and other forms of racism—resulting in acts of violence in the country:[20]

> The scarce use made of antiracist laws and civil remedies in cases of racial discrimination [is] reflected in the current lack of detailed information on complaints of racist and xenophobic acts, the number of complaints of racial discrimination filed with the courts, the results of the proceedings instituted in these cases and the compensation granted, where appropriate, to the victims of discrimination. ECRI expresses its concern at this situation, since accurate and comprehensive statistics constitute indispensable tools to plan policies and strategies in the fields of combating racism and intolerance and to monitor their effectiveness. It therefore encourages the authorities to develop an adequate system of statistical data to cover the above mentioned areas.

Notwithstanding the noncompliance by Belgian authorities with ECRI's recommendations, unofficial sources reported some 2,000 anti-Semitic incidents in Belgium in the nine months since the September 11 attacks on the United States (the reports did not distinguish violent crimes from other incidents).[21] As a corollary, there was no reference whatsoever to anti-Semitism in the Department of State's report on Belgium.

In addition to the failure of governments to report on anti-Semitic and other racist violence, ECRI has identified the absence of common criteria with which to monitor and report attacks against members of particular minorities as an obstacle to its antiracism work in many parts of the region.

In 1997 the European Union created a new institution, the European Monitoring Centre on Racism and Xenophobia (EUMC), to combat racism, xenophobia and anti-Semitism in Europe. EUMC, like the Council of Europe's ECRI, has pressed for better data collection, transparency, and analysis of incidents of racist violence by European governments. EUMC has also published comparative surveys of anti-discrimination legislation in member states, prepared by independent experts.[22] In its

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[17] For background on ECRI's origins, *see,* ECRI, http://www.coe.int (accessed July 23, 2002).

[18] ECRI, http://www.coe.int (accessed July 23, 2002). Special attention was also given to a rise "in occurrences of xenophobia, discrimination and racist acts against immigrants or people of immigrant origin, refugees and asylum-seekers."

[19] ECRI, http://www.coe.int (accessed July 15, 2002).

[20] ECRI, Second report on Belgium, Adopted on 18 June 1999, made public on 21 March 2000, http://www.coe.int (accessed July 26, 2002).

[21] Ambrose Evans-Pritchard, "Jews Suffer Surge of Hate On Streets of Belgium," *Daily Telegraph* (London), May 30, 2002.

[22] EUMC, Anti-discrimination Legislation in EU Member States: A comparison of national anti-discrimination legislation on the grounds of racial or ethnic origin, religion or belief with the Council Directives. The information for the EUMC study was compiled by a group of independent experts which is part of the project Implementing European Anti-Discrimination Law, a joint initiative of the European Roma Rights Center, Interights, and the Migration Policy Group. The Belgium report, last updated June 19, 2002, is available at http://www.eumc.eu.int (accessed August 8, 2002).

1999 annual report, echoing ECRI, it called for special action in the area of information collection, analysis, and dissemination:

> The various reports in Europe on racism in 1999, whether the subject of the national media, the official authorities or NGOs, reveals that no country of the European Union is immune from it. To gain an accurate and comprehensive picture, however, requires a certain degree of uniformity and/or common definition among the Member States on the subject of racial/ethnic minorities and the methods of data collection. At present this does not exist. The EUMC is still therefore lacking a complete set of tools to monitor racism effectively.
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> Another important area hampering reporting is that criteria used to draw up statistics differ in the EU Member States.[23]

In its 1999 recommendations, EUMC also stressed the importance of "collecting and publishing accurate data on the number and nature of racist and xenophobic incidents or offences, the number of cases prosecuted or the reasons for not prosecuting, and the outcome of prosecutions." In gathering data at the European level, EUMC encouraged governments to draw upon both their own resources and those of nongovernmental organizations, research bodies, and international organizations. "Statistical, documentary or technical information," in turn, was to be collated in a form facilitating effective courses of action.

In its most recent annual report, published on December 18, 2001, EUMC expressed concern at the continuing crisis of racism in Europe and found that little progress had been made toward systems of consistent and comprehensive monitoring and reporting. Systems of recording racially motivated crimes in police statistics still varied widely between member countries, and under-reporting of violence appeared to be the norm.

In commenting on trends in 2000, EUMC's 2002 report observed that "extensive increases in racial violence," including anti-Semitic attacks, were reported in France, Germany, Spain, Sweden and the UK. In contrast, "racist crimes" were simply not identified separately in crime statistics from Belgium, Greece, Ireland and Portugal. Statistics reported, in turn, were "challenged by human rights organizations" in some countries, notably in Italy, Spain, and Germany, where police records "are minimal in comparison with statistics collected by NGOs":

> Italian NGOs recorded 259 racist murders between 1995 and 2000, whereas the Italian police authorities recorded not a single case. For statistics on racist attacks, the Italian NGO records show more than ten times as many crimes as the official figures. In Germany the NGOs recorded five times as many racist murders as the police. Racist propaganda or "incitement to hatred towards ethnic minorities" is well documented by the police authorities in some of the Member States.

As a step to meet the information challenge, EUMC acted to create its own network of monitoring and reporting in member states, with the acronym RAXEN—Reseau européen d'information sur le racisme et la xénophobie (European information network on racism and xenophobia), which began its work in 2000. RAXEN was tasked with defining common criteria for data collection, to be proposed to member governments. But its efforts to this end, and to improve collection, are still at an early stage.

Both ECRI and EUMC, the preeminent European agencies combating racism, have addressed the rise of anti-Semitism intensively since the year 2000, and addressed some of the difficulties of monitoring and combating these and other racist trends in the region. The sister agencies have made extraordinary efforts toward public education to counter racism and to promote effective measures to criminalize and punish racist acts through the justice system. Harmonization of data collection and dissemination concerning racist acts has been central to the recommendations of both organizations.

The reports published by ECRI and EUMC on racism in member states illustrate the disparities of national reporting on racism in general and on anti-Semitic expression and violent crime in particular countries. Reporting by the United States government on human rights practices and on religious intolerance around the world, in turn, echoes these failings, often repeating almost verbatim European reports limited largely to generalities, and tending to emphasize often illusory improvement.

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[23] EUMC, http://eumc.eu.int (accessed July 29, 2002).

Reporting on anti-Semitism and other forms of racism prepared by nongovernmental organizations often provides detailed information on specific acts of violence and instances of racist expression which serve as a check on government failings. This information, however, is often difficult to interpret on a comparative basis, as the criteria applied to reporting on incidents of different kinds are not always clear or consistent.[24]

The annual reports of EUMC since 1999 have included capsule descriptions of racism and xenophobia in member countries, while stressing the inadequacy of the government reporting on which the system depends. In the 1999 report, detailed references to anti-Jewish violence were uneven, closely reflecting the strengths and weaknesses of member governments' reporting regimes.[25] A section on the United Kingdom, for example, made no reference to anti-Semitism. In coverage of Germany, in contrast, EUMC reported the desecration of forty-seven Jewish cemeteries in 1999—while stressing that this was an improvement, a decline from the toll a year before. No other reference to expressly anti-Semitic acts in Germany appeared—as victimized groups were not distinguished clearly in the statistics provided on racist violence.[26]

In its 2002 report, on the year 2000, EUMC provided further detail on anti-Semitic acts in Germany, noting that the system of data collection there "is broader and more detailed than in many other EU Member States." Police reports on violent crimes "with right-wing extremist motives" totaled 939, "out of which 874 were assaults, 48 arson or bomb attacks, 2 were cases of murder and 15 attempted murders." Twenty-nine violent anti-Semitic crimes were recorded, including an arson attack on a synagogue in Efurt, and the desecration of fifty-six graves in Jewish cemeteries.

ECRI addressed anti-Semitism in the United Kingdom only briefly in its second country report, providing no detail apart from an expression of concern at "the occurrence of anti-Semitic incidents and the circulation of anti-Semitic literature."[27] The Department of State's 2002 country report on the United Kingdom, in turn, cited no official sources on anti-Semitism there. It said only that, the Board of Deputies of British Jews, a nongovernmental organization, had reported 310 "anti-Semitic incidents in 2001, in contrast to 405 in 2000," while stressing that public expressions of anti-Semitism "are confined largely to the political or religious fringes." No further detail was provided. (The country report was equally vague about attacks on Muslims in the wake of September 11, referring to "isolated attacks . . . throughout the country.")[28]

France has been the object of particular criticism for its response to anti-Semitism. Some observers have protested that the government responded slowly to the rise of attacks in late 2000, initially advising the Jewish community "to remain quiet and inconspicuous."[29] As noted, anti-Semitic attacks increased dramatically there, particularly in Paris and its suburbs, with a high level of violence sustained throughout 2001 and into 2002.

Although France was last the object of an ECRI country report in June 2000, ECRI's findings on monitoring and reporting there reflect continuing obstacles to effective antiracism action to counter anti-Jewish attacks.[30] The ECRI report, produced in consultation with the French Government, at that time placed anti-Semitism firmly within a larger milieu of racist intolerance propagated by far right political groups, while stressing that reports of anti-Semitic violence and harassment had decreased. Citing the findings of the official human rights commission, however, it found that almost half of the total number of acts of intimidation recorded were of an anti-Semitic character.

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[24] There are exceptions to the rule: *see,* for example, the U.S-based Anti-Defamation League's detailed explanation of the methodology employed in its reporting and analysis of anti-Semitic incidents in the United States. *See,* ADL, "A Note on Evaluating Anti-Semitic Incidents," in 2001 Audit of Anti-Semitic Incidents, http://www.adl.org (accessed July 25, 2002).

[25] EUMC, Annual Report, 1999, http://eumc.eu.int (accessed July 25, 2002).

[26] "Of the 746 acts of violence reported 'with racist/xenophobic motives,' 60 percent concerned 'people of foreign descent,' while of 10,037 criminal offenses considered hate crimes, more than 66 percent 'fell . . . under the category of propaganda offenses.'" *Ibid.*

[27] ECRI, Second report on the United Kingdom, Adopted on 16 June 2000 made public on 21 March 2001.

[28] Department of State, Country Report on Human Rights Practices, 2001, http://www.state.gov (accessed July 25, 2002).

[29] Stephen Roth Institute, Tel Aviv University, Update, Annual Press Release of Stephen Roth Institute, April 8, 2002, available at http://www.tau.ac.il (accessed July 15, 2002).

[30] ECRI, Second Report on France, Adopted on 10 December 1999, made public on 27 June 2000; all country reports are available on ECRI's website.

The ECRI report did not refer expressly to acts of violence in its breakdown of acts of intimidation. But ECRI highlighted the difficulties posed for monitors in France, where government agencies by law do not distinguish between ethnic or racial groups in their records:

> As noted in ECRI's first report, due to the French Republican egalitarian approach, there is officially no categorization of ethnic or racial groups in statistics. The main categories used are therefore "foreigners" and "citizens," while ethnic monitoring is contrary to the Constitution and expressly prohibited by the Criminal Code. ECRI emphasizes that, given the consequent difficulties to the collection of accurate data on the incidence of racial discrimination as well as on social indicators concerning parts of the French population, a reconsideration of this approach would be beneficial.

EUMC's 1999 reporting on France, in turn, cited only broad statistics from the report of the official National Consultative Commission on Human Rights (Commission Nationale Consultative des Droits de l'Homme, CNCDH), on a rise of "racist and anti-Semitic violence," from 27 incidents in 1998 to 36 in 1999. It said four people were "injured as a result of anti-Semitism." In its annual report for 2000, the EUMC continued to highlight the inadequacies of government reporting.[31] The CNCDH's annual report for 2001 provided statistics as well as detail on some individual cases of anti-Semitic violence. The commission noted that its statistical findings are based on Ministry of Interior information, which distinguishes "anti-Semitism from other forms of racism," and that particular attention has been given to anti-Semitism in particular since the dramatic rise in incidents in late 2000.[32] The statistics, however, are clearly based only on a small set of the most extreme cases of violence during the year.

In the most recent annual report of the CNDCH, released in March 2002 and covering 2001, the commission stressed the gravity of anti-Semitic violence in France, while apparently reflecting the weakness of the Ministry of Interior's data collection. The report documents just twenty-nine such incidents—all high profile cases, and most involving dramatics attacks on Jewish schools and synagogues. These included fifteen assaults on synagogues and other places of prayer—most involving firebombs—and arson attacks on four Jewish schools. Three incidents of stone throwing at worshippers leaving synagogues were also registered in the chronology included in the report. Just two incidents cited involved physical assaults on individuals. In contrast, nongovernmental organizations reported hundreds of incidents.

Recent actions of the French Government, particularly the new interior minister, Nicolas Sarkozy, give some cause for hope. Minister Sarkozy, who met in mid-July with Rabbi Abraham Cooper and Dr. Shimon Samuels of the Simon Wiesenthal Center, vowed that he would do everything necessary to stop criminal attacks against the Jewish community in France, adding that these anti-Semitic attacks have all been hate crimes. Sarkozy has also vowed to change the culture of the police and has instructed them to deal with these attacks as hate crimes. As part of these measures, his office has reportedly promised to release monthly statistics on all criminal acts in France.[33]

International Standards and Implementation

The building blocks of international human rights law were shaped in the wreckage of World War II and the searing reality of Europe's death camps and racist ideologies. "[D]isregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind," declaims the preamble of the Universal Declaration of Human Rights (1948), in introducing its common understanding of the rights and freedoms to be enjoyed by all people. The Universal Declaration has as its bedrock principle the equality of all human beings—and the entitlement of all to fundamental rights and freedoms without discrimination of any kind.

From these foundations the international community crafted tools through which to put into practice the principles of equality and non-discrimination, notably the treaties by which governments accept binding obligations. The International Covenant on Civil and Political Rights, ICCPR (1966) transformed the anti-discrimina-

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[31] EUMC, Annual Report 2000, http://eumc.eu.int (accessed July 25, 2002).

[32] Commission Nationale Consultative des Droits de l'Homme, Rapport de la Commission Nationale Consultative des Droits de L'Homme, March 21, 2002, http://www.commission-droits-homme.fr (accessed July 25, 2002).

[33] *See,* Center Officials to Meet With New French Interior Minister to Discuss Anti-Semitism in France, Press Release, July 8, 2002, available at http://www.wiesenthal.com (last visited July 16, 2002).

tion principles of the Universal Declaration into treaty law. Article 2 of the ICCPR requires each state party:

> To respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The treaty, to which 148 states are now party, requires governments to report on the measures adopted to give effect to the rights recognized, and established the Human Rights Committee to review these reports.[34] The committee, known as a treaty body, issues comments and recommendations on government reports and also issues general comments interpreting the provisions of the covenant. The first Optional Protocol to the ICCPR (with 102 states party) recognizes the competence of the committee to receive and consider individual complaints of violations of rights protected by the covenant by states party to the protocol.

A companion treaty to the ICCPR addresses racial discrimination alone. The International Convention on the Elimination of All Forms of Racial Discrimination, CERD (1966), defines racial discrimination broadly—in consonance with modern questioning of the very concept of race. Racial discrimination:

> shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equally footing, of human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life.

The convention, to which 162 states are party, obliges governments "to nullify any law or practice which has the effect of creating or perpetuating racial discrimination." To this end, it obliges governments to condemn and eliminate racial discrimination by both public officials and private individuals, and to oppose discriminatory practices even in the absence of discriminatory intent.

The interpretation and implementation of the convention lie with the Committee on the Elimination of Racial Discrimination, which receives periodic reports from governments on their implementation of the treaty. General recommendations issued by the committee concerning articles of the convention have provided essential interpretive guidance for measures to combat discrimination. Government action as well as inaction can violate obligations under the convention—there is no excuse for complacency or indifference by a government toward either public or private discrimination, particularly when this involves violence.

The provisions of international treaty law barring racial discrimination are further buttressed in Europe by regional human rights instruments, notably the European Convention on Human Rights (1953), and strong European institutions for the protection and promotion of human rights. European commitment to combating discrimination was further reinforced by the adoption of Protocol No. 12 to the European Convention on Human Rights, which was opened for signature on November 4, 2000. There is no lack of a legal foundation for strong governmental measures to halt and deter anti-Jewish violence and violence against Europe's other minorities. European governments and intergovernmental bodies have acknowledged, however, that further national and regional initiatives are required to impel stronger protections in practice.

European nations made a strong commitment to the improvement of national and international efforts to document and respond to patterns of racist violence and expression in the regional conference held in Strasbourg in October 2000 in preparation for the World Conference Against Racism, Xenophobia, and Related Intolerance. The commitments made in the European Conference against Racism highlighted the link between effective measures to combat anti-Semitism—and other forms of racism—and comprehensive monitoring and reporting of racist incidents.

The European Conference, for example, recommended the collection and publication of data on the number and nature of racist, xenophobic, or related incidents or offenses or suspected "bias crimes" as a building block of measures to combat racism. It further called for data to be collected and published on the number of cases prosecuted, and the outcome—or the reasons for not prosecuting. The Strasbourg forum also stressed the need for data to be broken down to include information on the race, ethnicity, or descent (and gender) of the persons reported harmed. The information required, in turn, was to be collected in accordance with human rights

[34] Office of the United Nations High Commissioner for Human Rights, Status of Ratifications of the Principal International Human Rights Treaties as of 10 July 2002, available at http://www.unhchr.ch (accessed August 8, 2002).

principles, and protected against abuse through data protection and privacy guarantees.[35]

The European Conference also highlighted the scourge of anti-Semitism as meriting particular attention, stating in its conclusions:

> The European Conference, convinced that combating anti-Semitism is integral and intrinsic to opposing all forms off racism, stresses the necessity of effective measures to address the issue of anti-Semitism in Europe today in order to counter all manifestations of this phenomenon.[36]

The Council of Europe's Commissioner for Human Rights, Alvaro Gil-Robles, also declared solemnly in the General Report of the European Conference that "racism, xenophobia, anti-Semitism, and intolerance pose a mortal danger to human rights," and singled out the advocates of discrimination as a particular concern. The statement observed that the "very dangerous game" of "seeking out and pinpointing scapegoats," and fueling the "hatred of difference" finds particular expression in anti-Semitism:[37]

> [T]here are those who use anti-Semitic prejudice, whether implicitly or openly, to further their political interests. We are all aware of the destructive effects of anti-Semitism on democracy. We cannot divorce the fight against anti-Semitism from the fight against all forms of racism, for it is one and the same struggle.

Many of the Strasbourg meeting's recommendations were ratified and elaborated upon in the program of action agreed upon at the World Conference in Durban—a slate of useful recommendations that emerged despite the acrimony of the final stage of the conference process. Recommendations for action at the national level to combat racist violence, for example, included: "Enhancing data collection regarding violence motivated by racism, racial discrimination, xenophobia and related intolerance."[38] The means to this end were elaborated at length in a section on "data collection and disaggregation, research and study," in which the conference urged governments:

> To collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels and undertake all other related measures which are necessary to assess regularly the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance; . . .[39]

The full text of this section of the World Conference program of action is included as an appendix to this report.

The Durban action document also reminded governments of their reporting requirements at the international level—as parties to the Convention on the Elimination of All Forms of Racial Discrimination. This included both periodic reporting to the committee, and reporting on progress made to respond to the recommendations of the committee. To this end, governments were encouraged "to consider setting up appropriate national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on [the commission's] observations and recommendations."[40]

The impact of the practical recommendations made in Strasbourg and in the final documents of the World Conference itself has been severely undermined by the backwash of post-Durban recriminations. To a large extent they remain unread outside small circles of relevant technical staff in United Nations and regional antiracism programs. Yet their relevance in the fight against anti-Semitism and other forms of racism may ultimately be shown at the national level, as important contributions to public policy development.

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[35] Council of Europe, General Conclusions of the European Conference Against Racism, Strasbourg, October 16, 2000, "Conclusions and Recommendations of the European Conference Against Racism," para. 12, available at http://www.coe.int (accessed July 25, 2002).

[36] *Ibid.*, para. 29.

[37] Council of Europe, General Report, October 16, 2000, http://www.coe.int (accessed July 25, 2002).

[38] Section 74 (b) (v); section (b) (iii) encourages the creation of working groups of community and law enforcement representatives "to improve coordination, community involvement, training, education and data collection, with the aim of preventing such violent criminal activity." The final report of the World Conference is available on the website of the High Commissioner for Human Rights, http://www.unhchr.ch (accessed July 10, 2002).

[39] *Ibid.*, section 92.

[40] Section 76, *Ibid.*

Addressing the Information Deflect

The Lawyers Committee for Human Rights has identified several important steps to improve the recognition and reporting of anti-Jewish violence, and recommends that governments:

- acknowledge at the highest level the extraordinary dangers posed by anti-Semitic violence in the European context;
- establish clear criteria for registering and reporting crimes motivated by racial animus, sometimes described as bias crimes or hate crimes;
- make public reports of racially motivated crimes through regular and accessible reports;
- distinguish clearly in reporting between acts of violence, threatening behavior, and offensive speech;
- make transparent government norms and procedures for registering and acting upon racially motivated crimes and offenses;
- cooperate fully with Europe's regional inter-governmental organizations charged with combating racism, xenophobia, and anti-Semitism, and with the human rights mechanisms of the United Nations;
- cooperate fully with nongovernmental organizations concerned with monitoring and taking action against racist violence and intimidation.

The Lawyers Committee believes there is an important role for the United States to play in encouraging its European allies of the Council of Europe, the European Union, and the member countries of the Organization for Security and Cooperation in Europe to improve their monitoring and public reporting of anti-Semitic acts and other forms of racist violence.

In pursuing this goal, the United States should also improve its own reporting and action on racist violence world-wide. To this end, the standards of the Department of State's Annual Country Reports on Human Rights Practices, and in particular the Annual Report on Religious Freedom should be raised in order to report more accurately and comprehensively on anti-Semitism in Europe and on government actions and omissions in addressing this scourge. These reports should not simply accept that a lack of official government information on anti-Semitic violence is the whole story; nor should they reflect clearly misleading reporting from official sources without balancing this with reports from nongovernmental organizations.Particular care should be taken not to emphasize only vague improvement when the basis for such an analysis can not be quantified.

To this end, Congress should insist that staffing and resources be reinforced in the Department of State's Bureau of Democracy, Human Rights, and Labor, and that the Bureau's guidelines for preparing these reports require an accurate reflection of the nature and patterns of racist violence and of government actions to combat them.

APPENDIX

From: *Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Program of Action* [41]

DATA COLLECTION AND DISAGGREGATION, RESEARCH AND STUDY

92. Urges States to collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels and undertake all other related measures which are necessary to assess regularly the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance;

(a) Such statistical data should be disaggregated in accordance with national legislation. Any such information shall, as appropriate, be collected with the explicit consent of the victims, based on their self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees. This information must not be misused;

[41] Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Program of Action, chapter III, Measures of Prevention, Education and Protection Aimed at the Eradication of Racism, Racial Discrimination, National, Regional and International Levels, http://www.unhchr.ch (accessed July 10, 2002).

(b) The statistical data and information should be collected with the objective of monitoring the situation of marginalized groups, and the development and evaluation of legislation, policies, practices and other measures aimed at preventing and combating racism, racial discrimination, xenophobia and related intolerance, as well as for the purpose of determining whether any measures have an unintentional disparate impact on victims. To that end, it recommends the development of voluntary, consensual and participatory strategies in the process of collecting, designing and using information;

(c) The information should take into account economic and social indicators, including, where appropriate, health and health status, infant and maternal mortality, life expectancy, literacy, education, employment, housing, land ownership, mental and physical health care, water, sanitation, energy and communications services, poverty and average disposable income, in order to elaborate social and economic development policies with a view to closing the existing gaps in social and economic conditions;

93. Invites States, intergovernmental organizations, non-governmental organizations, academic institutions and the private sector to improve concepts and methods of data collection and analysis; to promote research, exchange experiences and successful practices and develop promotional activities in this area; and to develop indicators of progress and participation of individuals and groups of individuals in society subject to racism, racial discrimination, xenophobia and related intolerance;

94. Recognizes that policies and programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance should be based on quantitative and qualitative research, incorporating a gender perspective. Such policies and programmes should take into account priorities identified by individuals and groups of individuals who are victims of, or subject to, racism, racial discrimination, xenophobia and related intolerance;

95. Urges States to establish regular monitoring of acts of racism, racial discrimination, xenophobia and related intolerance in the public and private sectors, including those committed by law enforcement officials;

96. Invites States to promote and conduct studies and adopt an integral, objective and long-term approach to all phases and aspects of migration which will deal effectively with both its causes and manifestations. These studies and approaches should pay special attention to the root causes of migratory flows, such as lack of full enjoyment of human rights and fundamental freedoms, and the effects of economic globalization on migration trends;

97. Recommends that further studies be conducted on how racism, racial discrimination, xenophobia and related intolerance may be reflected in laws, policies, institutions and practices and how this may have contributed to the victimization and exclusion of migrants, especially women and children;

98. Recommends that States include where applicable in their periodic reports to United Nations human rights treaty bodies, in an appropriate form, statistical information relating to individuals, members of groups and communities within their jurisdiction, including statistical data on participation in political life and on their economic, social and cultural situation. All such information shall be collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees.

PROCEEDINGS OF NCSJ SIDE EVENT:

POST-SOVIET STATES RESPOND TO ANTI-SEMITISM

October 14, 2003, Warsaw Poland

HELD IN CONJUNCTION WITH 2003 HUMAN DIMENSION IMPLEMENTATION MEETING, ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

Moderated by Shai Franklin, NCSJ Director of Governmental Relations

Shai Franklin

I would like to welcome everyone to this side-event organized by NCSJ, formerly known as the National Conference on Soviet Jewry. Due to a fortunate series of events about 15 years ago, we were compelled to change our name. The "National" refers to the United States: we are an American organization. We represent an umbrella of 50 American Jewish organizations and 300 communities across the United States. Some of those organizations are with us here today, and we have not only the United States Government as a partner, but fortunately many, many governments as partners and they are represented here as well.

Our intention today for the next hour, hour-and-a-half, is to allow a more focused conversation on issues relating to anti-Semitism in the former Soviet Union and post-Communist Europe, and what the lessons are from those experiences of combating anti-Semitism that we can apply to the OSCE framework in the next formal session of the [HDIM] meeting next door.

We know that anti-Semitism continues to exist in most of Europe, including in the former Soviet Union, but we have seen that there are steps being taken in many of these countries—in most of these countries—to address anti-Semitism. I hope that some of the lessons shared here today can be applied to other countries, whether it is to the United States or to Western Europe. Some have observed, even, a flow of anti-Semitism from the West to the East during the past several years, so that might be something to address as well.

Let me just convey, in advance, the apologies of our American delegation who are arriving from another meeting and will be joining us shortly. But since we are fortunate enough already to have such a good representation here of interested parties and governments, I would like to begin and turn the microphone over to those who wish to relate their insights as to the nature of anti-Semitism, the importance and success of combating it on the governmental and societal levels, and recommendations for where the OSCE can play a useful role.

I would ask only that you identify yourself and your organization or delegation, and try to keep your initial presentation brief so we can hear from as many people as possible in this short time. We are recording this session so that there will be some record, although this will not become an official record of the OSCE, of course. So, I invite whoever would like to make some observations first: I know we have a delegate from the Russian Federation, several delegates from Ukraine, Azerbaijan, Armenia, the Czech Republic, and the Slovak Republic—and you don't have to be from the former Soviet Union in order to participate in these discussions. You can speak in English or in Russian, as you see we have very qualified translation.

DR. VERA GRACHEVA *Senior Counsellor, Permanent Mission of the Russian Federation to the OSCE*

Thank you very much. My name is Vera Gracheva and I am not alone here in representing the delegation of the Russian Federation—as you can see, there are many of us. First of all, I would like to respond to the commentary made by our chairperson that the organization was required to change its name due to the fortunate events in the beginning of the 1990s. Probably this comment is not very much relevant to the subject matter of this meeting, however, I feel that it would be a simplification to call this event as "fortunate." All of the events which led to the collapse of the USSR were accompanied by a great multitude of other negative phenomena. All those conflicts that took place in the territory of the former Soviet Union would have been unthinkable in the days of the USSR. The collapse of the USSR has been accompanied by very severe social and economic earthquakes, and a very significant reduction in the standards of living of all the people inhabiting the territories of the former Soviet Union. Thus, unfortunately, the social and economic problems and the objective difficulties that we face have led to the exploitation of these difficulties by the political circles who use them to promote their political purposes and to suggest the population seek an external enemy, which is the most primitive, the simplest form of justifying the events.

I am not in the position to talk on behalf of other countries of the former Soviet Union, but I may say that as far as Russia is concerned, the issue of anti-Semitism is a very deeply, historically rooted issue that was already present in the days of tsarist Russia. But in Russia it is not a matter of ethnic or religious issues, it is rather an issue exploited for political purposes. By saying this, I also would like to underline that it has nothing in common with the official policy of the government or the state. By "political" I mean that the anti-Semitic issues are exploited by the nationalistic parties and movements who use anti-Semitism to promote their ideas. Therefore, anti-Semitism in Russia should be regarded in the context of intolerance, of xenophobia, so these are all other accompanying phenomena that usually go hand in hand with social and economic problems.

We believe that the upbringing of the youth is of utmost importance—that is, to bring the youth up in such a manner that they grow resistant to such phenomena as anti-Semitism, xenophobia, and other extreme reactions. Therefore, I do believe that the OSCE as an organization can have a major contribution in the upbringing, including the ODIHR. Thank you very much, and I'm afraid I've taken up quite a lot of time from the other participants.

RUSTEM ABLYATIFOV *Head of International Relations Division, State Committee of Ukraine for Nationalities and Migration*

Good afternoon, my name is Rustem Ablyatifov. I am the representative of the Ukrainian Government. I would like to underline that Ukrainian legislation bans any discrimination on the grounds of race, color of skin, confession and other features, and obviously this also relates to the ban of discrimination against the Jewish population.

The Ukrainian Jewish community is a community of great influence, and it is also a very constructive community that has contributed much to the development of the independent, democratic Ukrainian state. I am proud to mention in this group that, through all these years of the independent Ukraine, we have not noted any anti-Semitic incident or disrespect toward the Jewish population on the part of the Ukrainian Government. Whatever anti-Semitic incidents we have had, those were incidents on the lower level of the general population. The last sad incident that took place in Kyiv was a group of young football fans who threw stones at the principal synagogue in Kyiv, and this incident was promptly dealt with by law enforcement.

The positive actions taken by the Ukrainian Government have been acknowledged by the representatives of the Ukrainian Jewish community, and they have noted that, yes indeed due to the government's activities, there is no place, there is no room whatsoever for anti-Semitism in Ukrainian society.

We believe that the root of all anti-Semitism is ignorance, and the primary tool to deal with anti-Semitism is education. We have to start proper education at the grammar-school level. Together with the association of social and cultural groups, we have conducted a series of lessons on tolerance in Ukrainian schools and we intend to organize such lessons on tolerance in the future as well. Thank you very much for your attention.

SHAI FRANKLIN

Thank you very much. I want to recognize the head of the U.S. delegation, Ambassador Pamela Hyde Smith, who has joined us, and I neglected to mention that we have at least one delegate from Lithuania as well. We just heard from the Russian delegate about the importance of education and from the Ukrainian delegate about the success of law enforcement. I would like to turn briefly to another aspect of combating anti-Semitism, which is the legislative framework. We are honored to have with us two members of the U.S.-Helsinki Commission. They just arrived from the Parliamentary Assembly of the OSCE in Rome, and I would ask Congressman Ben Cardin of Maryland and Congressman Joseph Pitts of Pennsylvania to share some of their reflections on where various countries in the OSCE are succeeding and where the OSCE can play a more useful role.

REPRESENTATIVE BENJAMIN CARDIN *U.S. House of Representatives*(D-Maryland)

Thank you. First, let me thank NCSJ for their convening of this forum, this opportunity for us to talk with each other, and for their longstanding leadership in combating anti-Semitism. We came to Warsaw with four members of the United States Congress because we thought it was very important for us to be here to underscore the work of the OSCE in fighting anti-Semitism. We thank Ambassador Smith, the leader of our delegation, for her incredible service on human rights issues. She gives us great credibility in our chair in the commitment of our country to the human rights dimension.

It was through the leadership of the chairman of our [Congressional] delegation, [Congressman] Chris Smith, who is here, that we were able to move forward within the OSCE Parliamentary Assembly resolutions to single out anti-Semitism for special meetings. We pursued that agenda because of the rise of anti-Semitism in each of our OSCE states, and we thought it was very important to have a conference solely focused on what we can do to fight the rise of anti-Semitism. We believe that we are on the verge of accomplishing that through the [2004] Berlin Conference, which we hope will be sanctioned at the [December 2003 OSCE] ministerial meeting, and I want to thank many people in this room who made that possible, including the leadership at NCSJ.

As a parliamentarian, I believe I have a responsibility to show leadership and speak out when people in my country do things that can provoke anti-Semitism. We have seen, in recent weeks, high-level public officials making comments that are irresponsible at best, anti-Semitic at worst. In too many of those cases, their fellow government officials are silent. One of the matters that I hope will come out of our conference is a commitment by leadership to speak out to—make sure that, if there are problems within our own community, we speak out against it. And for your record, we will submit the letters that our commission has sent—signed by Chairman Smith and myself, and by Congressman Pitts—to officials in other countries who we believe must be held accountable for their lack of leadership. And, now, with Mr. Pitts' agreement, I think I've talked long enough, so you can hear directly from the Chairman of our delegation, Chris Smith, who as I said was one of the leading—the leading—person in moving forward the anti-Semitism agenda for special attention.

REPRESENTATIVE CHRIS SMITH *U.S. House of Representatives* (R-New Jersey); Chairman, U.S. Helsinki Commission

First of all, I apologize for being late: our press conference went over. It is a distinct honor and a privilege to join you at this side meeting to discuss the ongoing problem of anti-Semitism. It's good to see you all again. We are old and good friends. And also you should know that Mark Levin (who is the Executive Director of NCSJ) and I made our first trip—it was my first trip—to what was then the Soviet Union, to Moscow and Leningrad, in January of 1982. So I truly believe I have been mentored by the NCSJ on the issue of persecution, anti-Semitism, and—in the case of the Soviet Union—how to effectively advocate for the release of individual refuseniks and political prisoners.

I am a Republican, Ben is a Democrat. We are united in our concerns for Jews around the world, but right now in particular, this rising tide of anti-Semitism that we see occurring. The Parliamentary Assembly of the OSCE has already held three summits, and your organization played an important role in those summits on anti-Semitism: one each in Washington, Vienna, and Berlin. Many of us believe that the [2004] Berlin summit by the OSCE itself—not only the Parliamentary Assembly, but the [broader] organization—can be a watershed event.

The months leading up to the event ought to be fully utilized to chronicle individual and collective instances of anti-Semitism in each of the [OSCE member] countries. Then the conference itself can become a catalyst for accountability, but also for forward action after the conference. And the effort has to be comprehensive, from education—textbooks, how our school systems are dealing with intolerance, and especially Holocaust remembrance—to what political figures are doing when they express anti-Semitic views: are they chastised for it? Do their colleagues—does their government—speak out against it? And, of course, a complete review of hate-crimes legislation, to ensure there is a criminalization of this hate, this incitement of violence.

I do believe that this conference can also have a laudable—perhaps indirect, but laudable—impact on the Middle East itself. It has been my view that, far too often, European powers enable the PNA [Palestinian National Authority] and others, including Yasser Arafat, to engage in acts of terrorism by not holding them to account. And, again, just to conclude, many of us have brought up talking about education, the ongoing problems with UNRWA—the UN Relief and Works Agency—to which the U.S. has contributed $2.5 billion. Yet, a review of the textbooks and much—but not all—of the leadership shows at least a tolerance, if not an embrace, of suicide bombings. Thank you for your vigilance, and let's use this window of opportunity to hold these countries to account, including the United States, so there will be no anti-Semitism.

SHAI FRANKLIN

Thank you very much for your leadership, Congressman Smith, and for the leadership of all the Helsinki Commissioners over the past 20–25 years. A lot of the del-

egations that are here today are here because of work that the U.S.-Helsinki Commission did with many organizations and many Western countries. I'm very pleased to call on Congressman Pitts to share his comments.

REPRESENTATIVE JOSEPH PITTS *U.S. House of Representatives* (R-Pennsylvania)

Thank you. One thing about going last is that it's all been said. Let me first thank NCSJ for convening this important side event with Members of Congress and delegations from former Soviet republics, along with NGOs. Thank you very much for allowing us to be here. One of the questions at the press conference that the American delegation just had was from a reporter who asked if we did not feel that the OSCE had become an outdated institution. In response, our chairman said indeed it was not. The agenda and the items we are discussing are very relevant, and this is one of the few forums where NGOs can meet with government officials, as in sessions like this one.

As we discussed the upcoming meeting in Berlin on anti-Semitism, one of the reporters asked if this was just going to be a place for making speeches—a debating society—or if there would be a plan of action. Our chairman responded, one of the things we hope develops as we plan the conference is, indeed, for a creative plan of action with various follow-up activities after the conference. These would include many practical steps that could be taken, but chief among them would be education—our education of the young. Children do not naturally hate other people. They're taught to hate. The education of our young and the type of curriculum that they have in their schools is extremely important—whether it's a madrasa in Pakistan or whether it's schools in all of our countries.

Back in the 1980s, I used to visit the Soviet Union and its republics and meet with Jewish refuseniks and other people who were being persecuted, and advocated on their behalf with the officials of the government. As my colleague Congressman Cardin said, I think those of us in government who are considered government leaders have an obligation to speak out against injustice. Silence is consent.

And as we travel in many of these countries [today], the human rights picture is quite varied, but one thing that is needed is engagement by all of us, with one another, so that misunderstanding, misrepresentation, can be nipped in the bud and we can, through engagement, encourage our colleagues—whether they be parliamentarians, government officials, NGOs, or citizens—to do what you're doing, and that is to speak out strongly against the scourge of anti-Semitism.

REPRESENTATIVE BEN CARDIN

Let me just introduce my wife, Myrna, who has joined us. I do that because in 1987 she traveled to Vienna on behalf of Soviet Jews to meet with Soviet officials. And, yes, we've made a lot of progress since 1987, but we still have a long way to go. Thank you.

SHAI FRANKLIN

We actually have a team with us today, because the Cardins both have been active in legislative leadership and community leadership on issues that we work with for a number of years. In fact, one Cardin used to chair NCSJ—but that's from the other side of the family. I want to call on the Belarus representative of the Union of Councils for Soviet Jews who wanted to speak, and then the delegate from Azerbaijan also wants to speak. Please let me know if you want to speak as well, and we'll try to get everybody a chance.

ARTUR LIVSHYTS *Belarus representative,* Union of Councils of Soviet Jews

Thank you very much. And first of all, I want to thank NCSJ for making this meeting happen, and I think it's very important. I represent an organization called Union of Councils for Soviet Jews. This organization was founded in the 1970s as a coalition of local grassroots action councils, supporting freedom for Jews of the Soviet Union. And as the Soviet Jewry movement grew, gathered steam in the 1970s, more individuals, more councils became involved and the Union of Councils for Soviet Jews grew into the large organization that has eight member councils in North America, and eight bureaus on the territory of the former Soviet Union.

In the Republic of Belarus, the Union of Councils for Soviet Jews does the monitoring of xenophobia and anti-Semitism. Also, we try to work with Jewish organizations and government by preventing acts of vandalism, acts of anti-Semitism.

Once, Albert Einstein said that anti-Semitism is a shadow of the Jewish people, and it is really true. And it's true that anti-Semitism, as a specific form of xenophobia, has been, is and will be everywhere that Jews are, and even where there are no Jews. So, the problem is not where anti-Semitism is, the problem is how

strong and aggressive it is. And I think the problem is in the quantity of anti-Semitism.

Speaking of Belarus, Belarus is a multi-national, multi-confessional country and throughout the ages, and in the present time, relations between confessions—talking about countries of the former Soviet Union—are probably the most tolerant. So I agree with the Russian delegate talking about anti-Semitism in Belarus. It is not a common process in society. It's a result of activity of groups, of individuals.

Now I can say that the Belarusian Government—is ready to fight anti-Semitism [generally], but is not ready to fight individual acts of anti-Semitism. State anti-Semitism stopped to be one of the elements of social force, but we still have some acts by state officials.

And we're talking about education here, and I think that the OSCE should concentrate on the education of state officials in the countries. And I'm talking about the cultural level, education of individual state officials, and that's the work that should be done, because I have many examples of the lack of this education: We see the destruction of former synagogues—not only in Belarus, [throughout] the former Soviet Union—and the reconstruction of stadiums that are built on the former Jewish cemeteries, and without consulting the Jewish community.

SHAI FRANKLIN

Thank you. We're now going to hear from the delegate from Azerbaijan. I see that we have been joined by diplomats from Israel, and Latvia, and the Netherlands and there may be others that I'm not aware of, so I apologize if I've overlooked any other delegations.

SEYMUR MARDALIYEV *Attaché, Department of Human Rights, Democratization and Humanitarian Problems, Ministry of Foreign Affairs, Azerbaijan*

Good afternoon. My name is Seymur Mardaliyev, and I am the representative of the Azerbaijani delegation and the Ministry of Ethnic Relations. In my brief speech, I would like to talk about the experience of Azerbaijan, where historically for centuries Jews and Jewish communities have lived and cooperated with society without any manifestations of anti-Semitism.

For centuries, Azerbaijan has been one of a few countries in the world with several dozen ethnic minority groups and confessional groups that spread all over around the world. The high level of tolerance among the Azeri people has brought about the development of ethnic minorities in Azerbaijan, including Jewish communities, who have been able to maintain and develop their culture and religious traditions for centuries.

And I would like to give you the specific example of an activity conducted by our government. Namely, we have created a separate institute—this is the forum of three confessions. These are the principal confessions of Judaism, Islam and Christianity, and this forum has been created following the initiative of the leaders of the Muslim communities in the Caucasus. Therefore, no one should be surprised by the fact that the representatives of the Jewish people have lived in the territory of Azerbaijan for the past 2,600 years.

Today, five different Jewish communities live in Azerbaijan, and they maintain wonderful relations with other Jewish communities in the United States, Israel, and Europe.

Apart from that, in Azerbaijan function 20 miscellaneous non-governmental organizations, cultural organizations and Jewish charity organizations—and apart from them, such international organizations as Sochnut [Jewish Agency for Israel], Vaad HaHatzolah and "Joint" [the American Jewish Joint Distribution Committee] also function in our country.

In the previous presentations, we have heard the participants talking about the destructions of synagogues in their countries. As far as Azerbaijan, we have not faced destruction, but on the contrary, the construction, the erection of new synagogues. So by March 2003, there were five synagogues functioning in Azerbaijan and since March, another synagogue has been erected, which is the largest synagogue in the Caucasus region.I would like to emphasize that the construction of the new synagogue was possible not only due to the financial contribution of Jewish communities living in Azerbaijan, but also due to the financial contribution by the leaders of Muslim communities and by the Bishopric of the Orthodox Christian Church in Baku.

I obviously could give many more examples of tolerance in Azerbaijan, but currently I would like to focus on the perspective of Azerbaijan in this respect. My government highly assesses and cherishes the results of the Vienna conference on anti-Semitism, which took place in June 2003. This conference, that was—effective and timely, was an opportunity to exchange many opinions and views in the area of

anti-Semitism. It was also an opportunity to talk about the events' efforts by governmental bodies, non-governmental institutions, civil society groups and OSCE member states, as well as recommendations [that] have been developed in the field dealing with anti-Semitism.

And we believe that only effective, practical implementations of the resolutions developed during such conferences would be able to facilitate the lives of those people who unfortunately are still being persecuted today.

And finally, I would like to put forward a specific suggestion on Azerbaijan's part, that following the Vienna conference, we would be very much blessed—glad—to become hosts of yet another meeting/conference, of whatever scale, in Baku, Azerbaijan. Thank you very much for your attention.

SHAI FRANKLIN

Thank you, and I look forward to returning to Baku for a future conference, as you suggested. The delegate from Belarus has asked to speak to us. Please.

A DELEGATE FROM BELARUS

Thank you very much. Please, I would like to introduce myself. I am a representative of the Committee on Religious and Ethnic Groups, and I am a member of the Belarusian delegation.

First of all, I would like to talk about the role of the organization that has the current name of *[NCSJ] Advocates on behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia.* And, there is no mention of Belarus in the name of the organization; perhaps this is an indication of the current status. In June this year, the leaders of your organization visited our countries, and met with leaders of our institutions, including the head of my institution. Unfortunately, [NCSJ Executive Director] Mr. Mark Levin, who took part in that meeting, is not present here today.

At this point, I would not delve into the details describing the life of the Jewish community, but additional material shall be distributed tomorrow, which will be another opportunity to learn about the life of the Jewish community.

In brief, I would like to say that for more than seven centuries, Belarus has been the center of European Jewry, if I may use this term. And one of the examples of the inter-ethnic relations is the fact that there were no pogroms against the Jewish population, also in the days of the Russian empire. The only exception could be the so-called "nationalization" of certain towns.

As far as the incidents of xenophobia and anti-Semitism are concerned, we strongly believe that any such incident should be looked into, prosecuted, and punished. As far as the incidents are concerned—the incidents that take place in Belarus—there are the incidents of libels and offensive attacks against cemeteries and buildings, and we have several dozen such incidents annually. However, if we compare it to the situation in other countries, such incidents in other countries may be measured in the thousands. Nevertheless, I do emphasize that each act of xenophobic behavior should be seriously dealt with, prosecuted, and punished. But still, I would like to draw your attention to the fact, to the much lower rate of such incidents in our country.

We welcome the contribution that has been made by the organization represented in this room by Mr. Livshyts. Our Azerbaijani colleague has mentioned the number of synagogues in Azerbaijan; I would like to mention that we have 47 Jewish organizations that are all incorporated in the Union of Jewish Associations and Communities. Moreover, we have three different Jewish religious communities that live in Belarus. Also, I just would like to state that Mr. Livshyts has spoken on behalf of his organization.

And finally, I would like to state one fact and make one statement. First, how can we talk about anti-Semitism in a country where only a minor percent of the population suffers from the incidents based on a hostile attitude toward the people of Jewish origin. And the second statement is just as my colleague has mentioned, that the principal problem with anti-Semitism is how to deal with it regarding varying manifestations of its intensity, and how to deal with anti-Semitism even where there are no Jews.

I would like to disagree with the above-mentioned statement, but I think that the real factor, the real factor that shows the current state of affairs is that Belarus enjoys the most comfortable situation among the countries of the former Soviet Union with regard to anti-Semitic behavior. And finally, I would like to say that we will be most grateful for cooperation with all those who struggle against anti-Semitism in any of its forms.

SHAI FRANKLIN

Thank you very much, and thanks to all of you for joining us. We're going to break now in order to allow people to reassemble for the formal OSCE session on anti-Semitism. Though the first session this morning did not end on time, that does not mean that the afternoon session will not begin on time. And, I would like to thank our diplomatic delegates and our non-governmental participants. I find myself agreeing more with my colleague from the Union of Councils than with the representative of the Belarus Government, but the important thing should be not what the situation on the ground is, but what governments are doing to respond to it. And that's why it is so important that everybody—whether it's Belarus or Azerbaijan—everybody is here in this room and next door to address these issues.

Thank you very much.

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