



# HELSINKI COMMISSION HEARING

---

UNITED STATES COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE

## Testimony :: Shai Franklin

Director of Government Relations - NCSJ

Mr. Chairman, thank you for this opportunity to appear before the Commission. I also wish to recognize Representative Cardin as the Ranking Member, and your fellow Commissioners from the Senate and House. Although this is my first time testifying personally, NCSJ's relationship with the Commission goes back to before the Commission's founding. Mark Levin, NCSJ's Executive Director, wanted to be here today, but is at this moment participating in a celebration in New York marking 40 years of activity on behalf of Soviet Jewry. Just as the Soviet Jewry movement – yourselves included – changed the nature of U.S. foreign policy and European diplomacy, and motivated the establishment of the OSCE, it also profoundly affected the American Jewish community. Our latest challenge has been to marshal European leaders and institutions to defeat the monster of anti-Semitism on the European continent – the first serious effort in history, 60 years after World War II.

The Commission's leadership has been instrumental in pulling together the multi-disciplined U.S. team. I could easily spend my allotted time describing the important role that the Commission and each of you, and your staff members have played, but fortunately NCSJ has had many opportunities to do just that. However, I will note that the Commission effectively launched the OSCE track on anti-Semitism through a similar hearing over two years ago, just before the OSCE Parliamentary Assembly met in Berlin. It was the leadership of the Commissioners that mobilized your colleagues from European parliaments to adopt the OSCE's first stand-alone document on anti-Semitism, which was used as a model for the 2003 Maastricht Ministerial Declaration and – ultimately – for the April 2004 Berlin Declaration. At every step, and in every consultation and strategy meeting, your role has been pivotal.

My colleagues and I, together with you and other Members of Congress and a broad American delegation, were privileged to be in Berlin for the action-oriented conference 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](http://Berlin2004.org) and the American Jewish Committee's [ngoforumberlin.org](http://ngoforumberlin.org) provide background, links and updates.

I must also recognize the leadership of the United States Government. Career diplomats and Administration officials have been instrumental in achieving what we were told was impossible. In particular, I would like to express appreciation to Ambassadors Stephan

Minikes, Edward O'Donnell and Randolph Bell, as well as to Secretary Powell, who leads from the top and delivered a forceful message in Berlin.

Our goals for the Berlin conference were 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 produced measurable commitments by the 55 OSCE member states and demonstrated actionable programs for governments to support and implement.

Thirty years ago, when NCSJ and our partner agencies worked with Members of Congress to push for a new kind of multilateral organization, we could only dream of the dramatic changes that would occur in conjunction with the Helsinki Process. Yet we also did not foresee the resurgence of Old Anti-Semitism and the rise of a New Anti-Semitism. During the past two years, working together, we have taken the OSCE and again forged a new mechanism – this time one devoted to coordinating the international fight against anti-Semitism.

Mr. Chairman, my focus today is on the steps we can take to achieve implementation of Maastricht and Berlin, to move this process further beyond rhetoric, and to ensure that governments and institutions fulfill their commitments.

I am submitting for the record the proceedings of a roundtable I moderated during last October's OSCE Human Dimension Implementation Meeting in Warsaw, which illustrates the types of contacts we have on an ongoing basis. With participation by you, Mr. Chairman, and Representatives Cardin and Pitts, as you recall, we heard from officials of several successor states on their approaches and responses to anti-Semitism. The substance and the nature of their reports were challenging and encouraging.

NCSJ works with many governments, particularly the Soviet successor states, where anti-Semitism is manifested in different ways than in the West and – fortunately – the level of recent violence has not matched that in the West. I want to report on a few examples of the responses to anti-Semitism in three countries – Russia, Ukraine, and Lithuania. In many cases, these success stories are not the product of government initiative, but of an emerging civil society. Such programs promote the kind of societal interactions and openness that we take for granted in the United States, and which are integral to building a society in which anti-Semitism has no place.

## RUSSIA

In Russia, U.S.-based programs are presenting models for other initiatives on the ground. "Project KOLOT: Women's Voices" was organized by NCSJ in partnership with Jewish Women International, Project Keshet, 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, in Tula and Voronezh, and created an advocacy model for training religious communities to participate in civil society. 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 first-ever one-day conference with officials and activists. 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. Regional Tolerance Centers have been established in three of Russia’s seven Federal Districts, as well as media seminars Internal Affairs officials. UCSJ: Union of Councils for Jews in the Former Soviet Union has launched a project to train monitors and collect data on discriminatory practices, establish hotlines and legal clinics, and institute curricula for the justice system and schools.

From within Russia, 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. Earlier this year, according to the Federation of Jewish Communities of Russia (FEOR), the Tambov Regional Administration held a roundtable discussion on extremism and tolerance, with the Governor, and numerous other regional and local officials as well as representatives of ethnic communities and the mass media.

In February 2004, U.S. Ambassador Alexander 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.

Just last month, the American Jewish Committee honored Tatiana Sapunova, the extraordinary Russian heroine who was injured in May 2002 when she tried to remove a booby-trapped anti-Semitic sign outside Moscow. Although the perpetrators have not been found, Russian leaders did speak out strongly at the time, and President Vladimir Putin awarded Ms. Sapunova a medal for her bravery.

Of course, responding to anti-Semitism and hate crimes requires more than medals and speeches. This is why, when NCSJ leadership visited Russia’s new Foreign Minister, Sergey Lavrov, in Moscow two days before the Berlin Conference, they were pleased to confirm Russia’s vital support for the Berlin Declaration and for continuing the OSCE anti-Semitism track.

## UKRAINE

In Ukraine, 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 likeminded publications to significantly scale back their appeals to anti-Semitism and extreme nationalism. 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 recently issued its second annual report on "The Basic Tendencies of Anti-Semitism in the CIS States," including substantive submissions from Belarus, Central Asia, Kyrgyzstan, Latvia, Russia, and Ukraine. Whether or not governments are able to produce such reports on their own, such publications by independent non-governmental 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 Orthodox Church. His Beatitude Lubomyr Huzar, Patriarch of the Ukrainian Greek Catholic Church visited Washington last December, and 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 repressed his own church for so many decades.

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.

The Task Force for International Cooperation on Holocaust Education, Remembrance and Research is involved in a variety of projects in Lithuania and other countries, which I am sure other witnesses are describing to you today. European nations must recognize and comprehend the difficult legacies of the Holocaust if they are to truly combat anti-Semitism, and accepting accountability for the past can in no way relieve Europeans from their contemporary obligations.

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. I look forward to attending the second meeting of the Interparliamentary Conference in August 2004.

## OSCE

Mr. Chairman, now I turn to the region-wide capacity for coordinated action. Given NCSJ’s close cooperation with this Commission and involvement in the Helsinki Process, I will focus my recommendations on this avenue.

To follow up on the successful and high-profile Berlin Conference, OSCE member states can pursue a range of steps, including the following:

- Use general OSCE meetings – the Parliamentary Assembly in July, the Human Dimension Implementation Meeting in October, and the Ministerial Council in December – to oversee and encourage the progress of ODIHR and member states. On an ongoing basis, governments and the OSCE must maintain the momentum for ODIHR to fulfill its mandate.
- Reinforce the impact of Berlin by ensuring adequate funding for ODIHR to collect data, whether through the OSCE budget or individual state contributions, and possibly by seconding experts from key governments. Organize consultations toward common standards for reporting and classifying hate crimes, and work toward a universal definition of anti-Semitism.
- Respond to ODIHR’s request for data collection and sharing of best practices. The United

States and other governments already engaged in such activities should offer to share expertise with those still developing such capabilities.

- Respond to Spain’s proposal, introduced at the Berlin Conference, to host a conference in 2005. Establish as early as possible what purpose such a meeting could serve, and what level and format would best advance the process at this next stage. If such a conference is to take place, an early announcement provides a target date for individual countries and the OSCE to implement their commitments and responsibilities from Maastricht and Berlin.

- Whether in Spain or elsewhere, expert-level events can help move the process beyond the realm of diplomacy and speeches. While the U.S. delegation to Berlin included an official from the Department of Justice, not enough countries followed suit. To succeed on the ground, we need to bring in the practitioners from ministries of interior and education, from universities and media, from politics and civil society.

- Use the September 2004 Brussels Conference on xenophobia to promote greater support for data collection, and to demonstrate that a new focus on anti-Semitism enhances, rather than detracts from, concerns of other minority groups.

- Devote part of the 2004 Sofia Ministerial to a public forum on anti-Semitism. While many ministers may not be able to attend a stand-alone conference, nearly all foreign ministers participate in the annual Ministerial Council. It also attracts the greatest media attention, given the variety of issues.

Mr. Chairman, we are faced with a daunting task and an urgent mission, but also with a tremendous opportunity. Obviously due to the upsurge in anti-Semitism, but also due to U.S. leadership, we have a window of opportunity – we have Europe’s attention. We cannot afford to squander time or political resources.

We are redoubling efforts to promote follow-up by OSCE member governments and ODIHR, to expedite cooperation in data-collection and best practices. European governments should not misread efforts toward a special OSCE representative as a sanction to delay implementing the Maastricht and Berlin Declarations – fighting anti-Semitism at home, upgrading data-collection, and cooperating with the emerging ODIHR mechanism. We must continue moving forward with what has been agreed, even as we consider new initiatives to reinforce this process.

In much the same way, here at home, NCSJ urges rapid passage in the House of S. 2292, which has already passed the Senate. Once S. 2292 is enacted, the State Department can begin preparing the first-ever country-by-country global assessment of anti-Semitism and government responses, for delivery to Congress. While ODIHR and OSCE member governments move unevenly toward implementing data collection, at least the United States Government can provide ODIHR and the world with an initial consistent assessment of incidents and response. We look forward to working with Congress on additional measures to follow, and would also welcome broad-based discussion leading to comprehensive legislation

that covers important new ideas on combating anti-Semitism internationally.

As the European Union cements its expansion eastward, it is worth noting that anti-Semitism is now being addressed at this founding moment of the new Europe. Through the OSCE, we are sending the message that not just speeches, but actions will be necessary if Europe is to become a true community of all. Unlike our friends to the East, many Western European governments and societies have not had to address their anti-Semitic past. Those that have done so have generally avoided noticing their anti-Semitic present. They are beginning to realize that their future stability cannot be guaranteed without confronting anti-Semitism and, yes, Islamophobia.

In his 1992 book, *Summer Meditations*, Vaclav Havel writes: “The sovereignty of the community, the region, the nation, the state – any higher sovereignty, in fact – makes sense only if it is derived from the one genuine sovereignty – that is, from the sovereignty of the human being, which finds its political expression in civil sovereignty.” There can be no junior members in a mature society, and there can be no excuses.

As we reflect on President Reagan’s legacy in this movement for human rights in Europe, it is also worth recalling what Thomas Jefferson wrote to John Adams in 1821, that “even should the cloud of barbarism and despotism again obscure the science and liberties of Europe, this country remains to preserve and restore light and liberty to them.” Jefferson foreshadowed 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. 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.

Mr. Chairman, through the leadership of Congress and the Helsinki Commission, together with the United States Government, our country continues this tradition. Thank you for your commitment and your effectiveness.