

TAKING STOCK: COMBATING ANTI-SEMITISM IN THE OSCE REGION (PART II)

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED TENTH CONGRESS SECOND SESSION

FEBRUARY 7, 2008

Printed for the use of the
Commission on Security and Cooperation in Europe

[CSCE 110-2-3]



Available via <http://www.csce.gov>

U.S. GOVERNMENT PRINTING OFFICE

63-637 PDF

WASHINGTON : 2011

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

LEGISLATIVE BRANCH COMMISSIONERS

HOUSE

ALCEE L. HASTINGS, Florida,
Chairman
LOUISE McINTOSH SLAUGHTER,
New York
MIKE McINTYRE, North Carolina
HILDA L. SOLIS, California
G.K. BUTTERFIELD, North Carolina
CHRISTOPHER H. SMITH, New Jersey
ROBERT B. ADERHOLT, Alabama
JOSEPH R. PITTS, Pennsylvania
MIKE PENCE, Indiana

SENATE

BENJAMIN L. CARDIN, Maryland,
Co-Chairman
RUSSELL D. FEINGOLD, Wisconsin
CHRISTOPHER J. DODD, Connecticut
HILLARY RODHAM CLINTON, New York
JOHN F. KERRY, Massachusetts
SAM BROWNBACK, Kansas
GORDON SMITH, Oregon
SAXBY CHAMBLISS, Georgia
RICHARD BURR, North Carolina

EXECUTIVE BRANCH COMMISSIONERS

VACANT, Department of State
VACANT, Department of Defense
VACANT, Department of Commerce

**TAKING STOCK: COMBATING ANTI-SEMITISM IN
THE OSCE REGION (PART II)**

FEBRUARY 7, 2008

COMMISSIONERS

Hon. Alcee L. Hastings, Chairman, Commission on Security and Cooperation in Europe	1
Hon. Benjamin L. Cardin, Co-Chairman, Commission on Security and Cooperation in Europe	3
Hon. Christopher H. Smith, Ranking Member, Commission on Security and Cooperation in Europe	6
Hon. Hilda L. Solis, Commissioner, Commission on Security and Cooperation in Europe	7

MEMBER

Hon. George V. Voinovich, Senator from the State of Ohio	4
--	---

WITNESSES

Gregg Rickman, Special Envoy for Monitoring and Combating Anti-Semitism, U.S. Department of State	8
Felice D. Gaer, Commissioner, U.S. Commission on International Religious Freedom	18
Stacy Burdett, Associate Director, Government and National Affairs, Anti-Defamation League	26
Marvin Hier, Dean and Founder, Simon Wiesenthal Center ..	27
Mark B. Levin, Executive Director, National Conference on Soviet Jewry	29
Andrew Baker, Director of International Jewish Affairs, American Jewish Committee	31

APPENDICES

Prepared statement of Hon. Alcee L. Hastings	36
Prepared statement of Hon. Benjamin L. Cardin	38
Prepared statement of Hon. Hillary Rodham Clinton, Commissioner, Commission on Security and Cooperation in Europe	39
Prepared statement of Hon. George V. Voinovich	41
Prepared statement of Gregg Rickman	44

IV

	Page
Prepared statement of Felice D. Gaer	51
Prepared statement of Stacy Burdett	66
Prepared statement of Marvin Hier	73
Prepared statement of Mark Levin	76
Prepared statement of Andrew Baker	88

TAKING STOCK: COMBATING ANTI-SEMITISM IN THE OSCE REGION (PART II)

February 7, 2008

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

[The hearing was held at 2:30 p.m. in room 406, Dirksen Senate Office Building, Washington, DC, Hon. Alcee L. Hastings, Chairman, Commission on Security and Cooperation in Europe, presiding.]

Commissioners present: Hon. Alcee L. Hastings, Chairman, Commission on Security and Cooperation in Europe; Hon. Benjamin L. Cardin, Co-Chairman, Commission on Security and Cooperation in Europe; Hon. Christopher H. Smith, Ranking Member, Commission on Security and Cooperation in Europe; and Hon. Hilda L. Solis, Commissioner, Commission on Security and Cooperation in Europe.

Member present: Hon. George V. Voinovich, Senator from the State of Ohio.

Witnesses present: Gregg Rickman, Special Envoy To Monitor and Combat Anti-Semitism, U.S. Department of State; Felice D. Gaer, Commissioner, U.S. Commission on International Religious Freedom; Stacy Burdett, Associate Director, Government and National Affairs, Anti-Defamation League; Marvin Hier, Dean and Founder, Simon Wiesenthal Center; Mark Levin, Executive Director, National Conference on Soviet Jewry; and Andrew Baker, Director of International Jewish Affairs, American Jewish Committee.

HON. ALCEE L. HASTINGS, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. HASTINGS. All right. Ladies and gentlemen, let me gather the hearing to order. Welcome to the second of our hearings focused on efforts to combat anti-Semitism within the OSCE region.

Unfortunately, I was unable to attend the first hearing, due to commitments in Florida. I'm pleased that we'll be continuing the conversation today with key partners from the NGO community.

I'm very happy that a little later Senator Voinovich is going to be here and, of course, my Co-Chairman and good friend, Ben Cardin. And I would say Senator Voinovich, were he here, and I will say to him when he's here, that I hope he continues to join us at Commission hearings.

And particularly on February 13, the Finnish OSCE Chair-in-Office, Mr. Ilkka Kanerva, will be before the Commission, and I'm certain what we do here is going to be covering many of the matters that he would bring up. And in addition, I know that they will

be on the agenda. For the purposes of our audience, that hearing is going to take place in B-318 in the Rayburn House Office Building at 11 a.m. on February 13.

It's good to see so many familiar event faces here today. Many of you I last saw at the OSCE Mediterranean Partners in Tel Aviv, where we focused on the roles Israel and Arab nations could also play in combating all forms of intolerance.

In my talks with President Olmert during that visit, I highlighted the important role Israel has and continues to play in supporting efforts to combat all forms of intolerance within the OSCE region.

Looking back from where we started, it is remarkable that we are at a point where OSCE partner states are now looking at issues of tolerance, when just a few years ago we were fighting for OSCE participating States to simply acknowledge that there was a problem. We have indeed come a long way.

Obviously, you recognize that the Co-Chair of the Commission, Ben Cardin, has joined us, and I only digress to point out that this Capitol is amazing. I have always thought that was just a mirrored wall, and all of a sudden it has Senators appearing out of it. [Laughter.]

During part of this series, we not only heard from the two OSCE experts most closely following trends involving anti-Semitism and related violence, but also of the numerous initiatives, including the personal representatives conferences, educational tools and training programs since our efforts in the beginning in 2002 to raise the profile of these concerns within the OSCE and the Parliamentary Assembly.

In our government, thanks to the work of our Commissioners such as Senator Voinovich and Chris Smith and Senator Cardin and myself, there is now a special envoy to monitor global anti-Semitism within our own State Department.

Dr. Rickman, we're glad that you are able to join us today. It is because of the extraordinary efforts within the OSCE, our own government and NGOs, who are in the trenches every day, that I'm deeply saddened by continued reports of hate crimes and other acts of anti-Semitism in the OSCE region.

Even with reports of anti-Semitism decreasing in my home State of Florida, vandals brandishing swastikas and other sentiments are still a reminder that we must be ever vigilant, lest the prejudices of some gain foothold, as we are seeing with the surge and growth of extremist groups in other parts of the OSCE region.

It has become abundantly clear why the protection of the rights of members of minorities and combating discrimination against those targeted because of their religion, race, national origin or gender are core principles of the Helsinki process and their essential role in sustaining stable, productive, democratic societies.

It is my hope that today's hearing will shed further light on what more we all can do to uphold these principles, as we review and continue our efforts to combat anti-Semitism and other forms of intolerance.

As I was speaking, out from the magic mirror, Senator Voinovich appeared, and also my colleague and commissioner, Hilda Solis, to my immediate left and my good friend, Chris Smith, who I had

mentioned in my remarks, as I did Senator Voinovich earlier, from New Jersey.

I'd like now to open the floor to any of the Commissioners, and I would also kind of apologize in advance. It's hard to apologize for working, but I have an amendment on the floor at 3 p.m. on the House side, so I'll go to that and then return, but we'll be in good hands, I'm sure, during that time.

So, Senator Cardin?

HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. CARDIN. Thank you very much, Mr. Chairman. And we always welcome you over to the Senate side. You may not want to let your colleagues know that you're over here, but you're always welcome. Let me, though, thank you for your leadership, not just in the U.S. Congress and on the OSCE Commission, but as President of the Parliamentary Assembly and as an international leader, for the work that you have done to further strategies to combat all forms of anti-Semitism.

At the last hearing I commented about Chris Smith and Senator Voinovich and their extraordinary leadership on these issues. There's no question that we would not have had all the activities within the OSCE but for the leadership of Chris Smith, Alcee Hastings, George Voinovich, and others.

They took time to lobby this issue before the governmental sector of the OSCE, at the ministerial meetings, and just stuck with this issue so that we could get the type of action plan adopted that affects not only the OSCE states, but I think sets the template for dealing with anti-Semitism globally. So I'm very proud of my colleagues.

This is the second of a series of hearings that we've had on the status of anti-Semitism within the OSCE region. The Chairman called the first hearing, in which we heard from Dr. Meyer, as well as from our colleague, Gert Weisskirchen.

Dr. Meyer, of course, was stationed with ODIHR and responsible for dealing with anti-Semitism within the ODIHR and OSCE. And Professor Weisskirchen is not only a parliamentarian from Germany, but also the special representative from the Chair-in-Office to deal with anti-Semitism.

There has been some mixed news as it relates to anti-Semitism. On the one hand, we're at record levels. Dr. Meyer pointed out that the spike that we saw in anti-Semitism at the beginning of this century has continued at a very high level. On the other hand, we see progress that is being made—real progress.

In Great Britain we know that they not only accumulated a great deal of information concerning incidents of anti-Semitism and hate crimes, but have actually taken some leadership positions on holocaust education and other issues.

In the Russian Federation we saw the leaders speak out against anti-Semitism, a sign that we think shows it has the leadership necessary to deal with those problems. In Ukraine we saw a special security division developed to deal with hate crime activities.

So we've seen some progress within the OSCE region, and I believe that most of the states are taking these issues seriously, try-

ing to develop strategies to combat anti-Semitism. But the problem still exists.

I personally just want to acknowledge the work that's been done in the OSCE. This has been a commitment that we have been working on for many, many years. We've had many conferences. There have been lots of action plans that have been passed.

I want to acknowledge the panel that we have here today that I think is just as a distinguished group. I particularly want to thank Dr. Rickman for being here, who is the State special envoy to monitor and combat anti-Semitism. That's a position that we sought, and we're glad that you're here, and we're glad that that position has been functioning.

I want to particularly thank Rabbi Andy Baker, who was with me in Berlin, and Mark Levin, who was with me in Berlin, and other of our anti-Semitism efforts that we were working for. The American Jewish Committee and the National Conference on Soviet Jewry, along with the Simon Wiesenthal Center and the Anti-Defamation League have all been playing critical roles in dealing with or fighting the problems of anti-Semitism and helping develop our strategies.

So I want to welcome all of our witnesses here today and thank them for their partnership with us in developing a strategy so we can make a difference in stopping the rise of anti-Semitism.

Mr. HASTINGS. Thank you very much, Senator Cardin.

Senator Voinovich? You're recognized, sir.

HON. GEORGE V. VOINOVICH, SENATOR FROM THE STATE OF OHIO

Mr. VOINOVICH. Chairman Hastings has been reminding me this is the Environment and Public Works hearing room. [Laughter.]

I'd like to thank you very, very much for holding this hearing today and also for your support of the meeting that we had on the 29th. I would be very remiss if I didn't express my appreciation to you for your leadership. I think much of the progress that we made in the OSCE because of your leadership there has made it a lot easier for us.

And of course, Chris Smith and Senator Cardin, you've been just spectacular.

And it's nice to see my neighbor, Representative Solis, here today. We both live in the same condominium—different units. [Laughter.]

And the thing is that that leadership has been very, very important, and we've made great progress in the OSCE.

Some of you may have heard this before, but it's been 25 years since I was in Israel the second time. And at that time I visited Yad Vashem, and I visited the Diaspora Museum, and even though I was very familiar with the Holocaust and what went on, I will never forget the impression that both played on me.

And I left the Diaspora Museum feeling very ashamed of what Christians had done to Jews over the centuries. It's very interesting that Pope John Paul II had the same feeling that I had. And I left there, and I said to myself, if this ever happens in my lifetime, I'm going to do something about it. I am not going to remain silent.

And I have to tell you I never thought that I'd ever have to do it. I just couldn't believe that we'd see this ugly head of anti-Semitism rise up again.

And it was at a meeting in 2002 of May that some of the same speakers that are here today came and shared with us what was going on. And I have to say that when we heard that, we got together, and, as you know, we had a rum session in Berlin in July, and the rest is history. And I'm not going to go into all of the ups and downs and so on and so forth, but the fact of the matter is that we have made some great progress. But, as Senator Cardin says, we still have a great way to go.

And, Dr. Rickman, we're very pleased because of the Global Anti-Semitism Bill and the reports that we're now getting and the work that you're doing, that we're getting the kind of attention that I think that we need out of the State Department.

And I have a lot more to say here, but I'm going to put it in the record. But what I would hope would come out of this hearing today is some type of consensus as to the next level of strategy that we are all going to undertake and take this to the next step.

And I think we made great progress, but the fact of the matter is—and we'll hear from the witnesses—the problem is getting worse in some places. And the interesting thing is that, because we're getting better reporting and we're really finding out more about what's going on, that may be part of it, but if it is, then we want to know if we're getting corresponding reactions.

For instance, there were some cemeteries, for example, in Germany. And maybe 5 years ago that may have gone like it just happened, but the German folks have gotten involved, and they followed up. So that's where we're at right now.

And so I'm hoping that the Commission and maybe the Foreign Relations Committee and all of us can start to take and figure out how do we move to the next phase of this. And I think it's important that we recognize that some results have occurred.

It was brought to my attention by the Anti-Defamation League about what was happening in Ukraine, and there was something that happened in Poland. And quite frankly, I just sent a letter off to the Ambassadors of both Poland and Ukraine and met with the Ambassador of Ukraine and told him. I said, "You know, I'm concerned about this."

And I recently received a very nice letter about the fact that they followed up, and they are doing some things, that President Yushchenko has established a special operative unit to fight xenophobia, and the unit has arrested suspects who circulated anti-Semitic brochures in Odessa on December 24th.

The point I'm trying to make is—and I'm going to ask that that letter be put in the record—

Mr. HASTINGS. Without objection.

Mr. VOINOVICH. So the thing is what can we do as Senators, House Members, the community getting together to have a new strategy. I'm one of those guys that likes to have a strategy, and then you decide what you're going to do, and then monitor your performance and get it done.

So I'm anxious to hear from the witnesses, and I hope they share with us some of their thoughts on where do we go from here.

Mr. HASTINGS. Thank you very much, Senator.

With my apologies to my colleague and friend from New Jersey, I'm going to leave to go do an amendment, but I'll be back, Chris.

But at this time I'd like to recognize Chris Smith, and then Ms. Solis.

**HON. CHRISTOPHER H. SMITH, RANKING MEMBER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. Thank you very much, Mr. Chairman. Thank you for calling this very important hearing and for your leadership and that of Co-Chair Ben Cardin. This has truly been, I think, a cooperative effort for years.

I've been in Congress 28 years now, and anti-Semitism in general, the cause of Soviet Jewry, which was part of that effort, has been marked by extraordinary bipartisanship that has made a difference.

And I think all of you would agree in a Congress that increasingly is given over to partisan rancor, the committee to combat anti-Semitism remains in my view the quintessential example of bipartisanship, bicameral, and legislative-executive branch cooperation to promote social justice and equity for Jews, not only within the OSCE region, but within the world as well.

And again, I want to thank our co-chairs for their extraordinary efforts. And certainly, Senator Voinovich has been a leader on this throughout the many years, and of course, Ms. Solis joins us and is doing a wonderful job as well.

And I would ask unanimous consent that my statement be made a part of the record if I could and just say very briefly that I look at this witness list, and it is a virtual Who's Who of people who have, are, and continue to make the difference in this very important cause of social justice.

And I see that Mark Levin, whom I traveled with on my first trip to the Soviet Union in January 1982, a 10-day trip to Moscow and Leningrad that opened my eyes to anti-Semitism and the cancer that it is. And that has affected me ever since, and I want to thank Mark for his commitment and extraordinary work all these years.

Andy Baker, obviously, when we're working, as Mr. Cardin and Alcee Hastings and all of us know, made an extraordinary difference at the meetings that were held, those venues when people were trying to move us in the direction of not keeping an exclusive laser beam type focus on this particular cancer called anti-Semitism, he helped work us through, came up with language and made a difference.

And Felice Gaer—we go back to the early days of fighting against Romania. That's when I first met you on behalf of trying to promote human rights and justice in that country.

All of you, it's just a—Dr. Rickman, obviously, is walking point for the administration. And I now for a fact look forward to your report that's coming out very shortly again so we get that global look.

As Sharansky told us so clearly in Berlin, and he has told us when he testified here before the Helsinki Commission, if you don't chronicle it, if you don't painstakingly assemble the dirty deeds that are being done, you can't combat it.

So I think your office is doing a wonderful job in making sure we get the unvarnished truth, the facts, so that we can act on that and so that everyone else can act on it in a responsible way. Nothing hinders the work of human rights more—indifference—and the other would be faulty information, bogus information, very unreliable numbers and the like. But you have helped us extraordinarily, and I thank you for that.

Finally, anti-Semitism is obviously all around us. In my own State of New Jersey, we recently had an episode just north of my district, where some 500 tombstones in a Jewish cemetery were desecrated, overturned. And it just brought right back in sharp contrast that it's in our own backyard as well.

And the first initial response from the police was that it was not a hate crime. It was so uninformed on that person's part. Quickly, that was changed, thankfully, and it's being treated for what it is, a hate crime.

So we shouldn't wonder when people in France, Poland, Germany, and others in the police, if they're not adequately trained and informed and enlightened, might ascribe an act of anti-Semitism to hooliganism or some other crime, rather than for the hate that's behind it.

So, again, thank you all. This is an unbelievable group of people. You are world-class fighters for human rights, and I know I for one just thank you deeply.

Mr. CARDIN. Congresswoman Solis?

**HON. HILDA L. SOLIS, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Ms. SOLIS. Thank you, Co-Chairman Cardin, and also our Chairman, Mr. Hastings, who just stepped out, and also to our Representatives here at the dais and our special guests that are here.

I also just want to add that I'm very pleased to add one of our witnesses, Rabbi Hier from Los Angeles, who is here representing the Simon Wiesenthal Center in Los Angeles. I know we have worked with your organization over the years on trying to dispel issues and problems that arise also in the Latino community with respect to hate crimes, and that's more recent.

But also I do want to pay attention to some of the work that you have been involved in with other organizations, the Museum of Tolerance there in West Los Angeles, that also went out of their way several years ago regarding Thai workers in the city of El Monte, who were abused, as well as about 70 Latino sweatshop workers that were actually kept in an enslavement type encampment in a condominium in the city of El Monte, which was a city I represented.

And it was just amazing to me to see the kind of treatment that continues to go on in some places in our own backyard, but also the fact that the organizations that we see here today have also stepped up and helped to shed light on any type of hate crime and discrimination and harsh treatment of people because of their differences of religion, language or color of their skin.

So I just want to tell you how very pleased I am to have all of you here. And as kind of a relatively new member to the OSCE, I'm very, very concerned about the treatment of Jews across Eu-

rope, but also here. In Latin America as well we have a number of Jewish ancestors and relatives that live there. So I know that that's something that we also want to be mindful of.

And I'm very pleased and would just like to submit my statement for the record.

Mr. CARDIN. Thank you very much.

Without objection, all opening statements of our Commission members will be made part of our record, and all of the statements by the witnesses today will be made part of the record. I also want to put into the record without objection the Congressional Research Service's response to Chairman Hastings' request on the status of anti-Semitism in the OSCE member states.

We will now turn to our first witness.

Dr. Rickman, it's a pleasure to have you here. Dr. Rickman was sworn in as the Secretary of State Special Envoy to Monitor and Combat anti-Semitism on May 22, 2006. In this position he is responsible for the global monitoring of acts of anti-Semitism and anti-Semitism incitement and the creation of policies to combat them.

Dr. Rickman has a long and distinguished record here in Congress, on both the House and Senate side, and was involved in the investigation that looked into the sale of Holocaust victims' assets.

It's a pleasure to have you before the Committee, and we look forward to your testimony.

GREGG RICKMAN, SPECIAL ENVOY TO MONITOR AND COMBAT ANTI-SEMITISM, U.S. DEPARTMENT OF STATE

Mr. RICKMAN. Thank you, Chairman Cardin, Chairman Hastings, and other distinguished members of the Commission, for inviting me here today. I welcome the opportunity to discuss anti-Semitism, especially trends in the OSCE region. Your active personal commitment and this Commission's early and sustained attention to this growing problem have helped spur international efforts against anti-Semitism within the OSCE region and beyond.

I'd also like to thank you for your dedication to fighting anti-Semitism by creating the office which I hold.

I would like to begin by relating three incidents to you to give you an idea of the frightening state of anti-Semitism in recent years.

In London in August 2006, Jasmine Kranat, a 13-year-old Jewish girl, was riding home from school on a bus. Her fellow students demanded that she tell them whether she was English or Jewish. When she paused, they robbed her and then beat her unconscious, breaking her cheekbone in the process. No one made a cell phone call or left their seat on the bus to help her.

In February 2006 Ilan Halimi, a French Jew, was kidnapped by a gang of African immigrants, who mutilated him, at times even when negotiating with his parents over the phone for a ransom. Eventually, they left him in a field in the winter, naked and burned. When caught by the police, the gang leader admitted that they targeted Halimi because he was Jewish and that, quote, "all Jews had money." Halimi died on the way to the hospital.

Finally, in October 2005, Andrei Dzijuba, a 21-year-old Jewish man in Yekaterinburg, Russia, was beaten in a cemetery by five

teenagers, who then plunged a cross, torn from a nearby headstone, into his chest, killing him.

Now, these and other chilling accounts speak to the truth of Secretary Rice's statement that more than six decades after the Holocaust, anti-Semitism is not just a historical fact—it is a current event. Today anti-Semitism is manifested by an increased number of violent attacks against Jews and Jewish institutions in much of the OSCE region and beyond.

Traditional anti-Semitic screeds, such as Protocols of the Learned Elders of Zion and Mein Kampf, remain commonplace worldwide. Ages old and new anti-Semitic conspiracy theories and propaganda circulate rapidly via satellite television, radio and the Internet. Jews continue to be accused of dual loyalty and the charge of blood libel endures.

Holocaust denial has become one of the most prevalent forms of anti-Semitic discourse and has even become state policy in Iran. Israeli policy, too, is often compared to that of the Nazis.

Regarding anti-Semitism within the OSCE, according to reliable NGO reports in 2006, the last full set of reportable data, a number of OSCE countries experienced increases in overall anti-Semitic incidents, including nonviolent incidents such as graffiti and verbal assaults.

Examples include: In Belgium, 66 reported anti-Semitic incidents, the largest number of acts since 2001, when recording began. The United Kingdom, with 594 reported anti-Semitic incidents, had 31 percent increase over 2005.

Switzerland, with 140 reported anti-Semitic, 73 in the German-speaking region, double the number from the previous year, and 67 in the French-speaking region, a decline from 75 in 2005. France, with 371 incidents, or 24 percent over 2005, though statistics for the first half of 2007 reveal a decrease. And finally, Canada, with 935 reported incidents, a 12.8 percent increase over the previous year.

We must, however, not take such statistics as the final word on a problem. Drawing accurate cross-country comparisons is complicated by the fact that countries use different data collection methods and definitions. We must therefore be very cautious about rank ordering countries on the degree to which anti-Semitism is a problem based on available statistics, because comparisons are not always equal.

During my time as special envoy, I have traveled to numerous OSCE countries, including the United Kingdom, Canada, France, Germany, Russia, Ukraine, and Poland, where I've spoken to government officials, community leaders and victims of anti-Semitic violence, such as Jasmine Kranat, whom I just mentioned.

I have also gained a number of impressions from travels throughout the Middle East and beyond, and most recently to Australia.

Mr. Chairman, traditional anti-Semitism—that is, the over demonization or degradation of Jews based on ethnic and religious differences—remains prevalent in parts of Central and Eastern Europe and in Russia.

To cite a few examples: In Poland, the conservative Catholic radio station, Radio Maria, is one of Europe's most blatantly anti-Semitic media venues.

The Interregional Academy of Personnel Management, or MAUP, is a private educational institution in Ukraine and one of Europe's most persistent anti-Semitic institutions responsible for nearly 90 percent of all anti-Semitic material published in the country.

In Russia, where xenophobic racial and ethnic attacks are widespread and on the rise, incidents there often feature anti-Semitic sentiments as well.

Finally, in Germany, a country that had, more than any other, trying to come to terms with past, neo-Nazi violence has taken its toll. And as Senator Voinovich mentioned, for example, between 2002 and 2006, 237 Jewish cemeteries were reported desecrated, an average of nearly 50 per year. There are also a number of individual cases of physical assaults and other incidents.

New forms of anti-Semitism have also evolved. They often incorporate elements of traditional anti-Semitism. The distinguishing feature of the new anti-Semitism is the criticism of Zionism, or Israeli policy, that intentionally or not has the effect of promoting prejudice against all Jews by demonizing Israel and Israelis and attributing Israel's perceived faults to its Jewish character.

This new anti-Semitism often emanates from unprecedented coalitions, uniting groups that otherwise would have little common cause. Throughout the OSCE region and indeed at anti-Israel rallies on every continent, placards emblazoned with swastikas can be found reading "Death to Jews," "Death to Israel," as well as Stars of David.

Mr. Chairman, the U.S. Government, as well as many others within the OSCE and beyond, seek to combat anti-Semitism through a variety of means, including publicly condemning all forms of anti-Semitism and intolerance whenever and wherever they occur, meeting with victims of anti-Semitic crimes, monitoring anti-Semitic actions and maintaining public statistics, promoting tolerance in primary and secondary schools and in society at large, devoting significant resources to investigating incidents, and prosecuting perpetrators of anti-Semitic crimes—and I would add prosecuting them specifically as hate crimes—training police to understand the nature of such crimes, promoting Holocaust awareness and education, supporting inter-faith understanding and dialogue, providing security protection to threatened synagogues and other Jewish institutions, and collaborating with affected communities, NGOs and international bodies to counter anti-Semitism.

At the intergovernmental level, as I noted, the OSCE has been a global forerunner in efforts to combat anti-Semitism, and I know that this Commission heard last week from Professor Gert Weisskirchen and Dr. Kathrin Meyer about these efforts.

I firmly express the State Department's strong support for permanently retaining these positions, especially Professor Weisskirchen's. Ensuring his and the other additional position's proper funding is essential to our effort to combat anti-Semitism in the OSCE region.

Finally, Jewish communities must not sit back and accept the attacks that are launched against them. Governments serve to protect, and they should be expected to respond when notified of an incident. It can, however, only respond when they are notified.

Mr. Chairman, a lot of work remains to be done in key areas of education, tolerance promotion, legislation, law enforcement, before anti-Semitism in all its ugly forms can be consigned to the past.

In sum, history has shown that wherever anti-Semitism has gone unchecked, the persecution of others has not been far behind. Anti-Semitism must be seen as a human rights issue and as a cause of great importance, not only for Jews, but for all people who value humanity and justice and want to live in a more tolerant, peaceful world.

I thank you for the opportunity to come before you today, and I welcome any questions you might have.

Mr. CARDIN. Thank you very much for your testimony.

I'm advised by staff, just as to logistics, that we must complete this hearing by no later than 4:30 this afternoon, so I'm going to ask the members to please cooperate with no more than 5-minute rounds and the witnesses, if they could try to summarize their opening statements on the next two panels in no more than 3 minutes, so we have time for questioning. We'll be a little bit lenient on that, but we really need to stick to the schedule.

Let me ask one question, if I might start, Dr. Rickman. One of the arguments that's been used in Vienna OSCE is that because of United Nations efforts to fight anti-Semitism, that the work of the OSCE concentrating solely on anti-Semitism is perhaps a redundancy and unnecessary.

I want you to respond to that, but I also want you to respond to an announcement I believe that was made that the United States will not participate in the Durban II conference. That conference, of course, was one that we're all very familiar with, in which we supported the United States walking out of the Durban conference when efforts were made to turn it into a bashing against Israel and moving forward on anti-Semitic statements.

Your comments as to both of those points, the need for OSCE being involved—you mentioned your support for special representatives—and our participation in Durban II.

Mr. RICKMAN. Well, thank you, Senator Cardin.

I cannot speak to the confusion that went on in the press. I can, of course, relay that in 2001 the U.S. delegation was pulled from Durban. But in reference to the announcement yesterday, there has not been a formal decision made to this effect. And in essence, because this conference will take place in 2009, it will be left to the decision of the succeeding administration.

Now, regarding redundancy, as you suggest, or claims of it about the OSCE, it's very important that the OSCE be allowed to continue what it does. It does it very well, and it's important inasmuch as regarding law enforcement training, education, tolerance training.

These issues are vital to fighting anti-Semitism, because we need to start with a new generation to cut this off and to stop the intolerance and the bigotry that goes on. And anything that we can do, even if it's baby steps, is very important to fighting this scourge.

Mr. CARDIN. Thank you.

I just would point out for the record there's been no disagreement among the administration and Congress, between Democrats and Republicans, on the U.S. strategy to promote the strategy

against anti-Semitism. There was also no disagreement in regard to the administration's position in regard to the Durban conference.

So I think there is strong support in Congress, and I understand that the meetings are not imminent, but that we make it clear to the United Nations our position as it relates to an open process in dealing with forms of tolerance.

In turn, if I might, first to Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman.

Let me just first ask a couple of quick questions, again, and build on the Durban II that so many of us are so worried about, with Libya and Cuba chairing and co-chairing, with the Human Rights Council poised to be the planning body, which is obviously the follow-on to the discredited Human Rights Commission, which we all know had a very virulent side of it when it came to anti-Semitic activities. Israel was always front and center, China to a lesser extent. Even Darfur failed to get its scrutiny for years. It finally did, but it took an enormous amount of push.

But places like China, where human rights are routinely trashed, goes unscathed and actually sits as a member of good standing on the Human Rights Council. It's mind-boggling. But I, and I think the Chairman, as we're beginning to look at this, are very worried about this upcoming—all of the meetings, all of the progress.

As a matter of fact, the B'nai B'rith in their testimony makes it very clear that despite an effort that was launched in this room at a hearing we had for the OSCE Parliamentary Assembly meetings on anti-Semitism, as well as the OSCE itself, that anti-Semitism has a new life. And I'm very concerned that it has got its breath, its second wind, if you will, and may go to new and lower levels.

I think the U.N. conference offers a venue for that precisely to happen, and I hope that we not only follow Canada's lead, but lead as well in saying that we will do everything we can to thwart a new round of hate fest and hate speech, especially with Libya and Cuba acting as chair and co-chair—so if you could talk to that a little bit further.

Ambassador Hanford and his shop, the International Commission on Human Rights and their work—how closely do you coordinate with those two?

I know that Ambassador Hanford has worked very hard, for example, on Saudi Arabia—not an OSCE country, but certainly an epicenter of hate that then, through Wahhabism and textbooks and everything else, does an enormous amount of damage, and they are a country of particular concern.

Why haven't they been censored? There are all kinds of penalties prescribed in the International Religious Freedom Act and to date, as far as I know, they have had very little come their way.

Finally—and I do have a lot of questions, but in the interest of time—the legislation that we passed over in the House to provide \$5 million for the museum on the history of the Polish Jews, which is still hurting for money, needs that money, will help leverage additional moneys from other donors, including countries, the day we passed it on the House side.

I'm happy to say the Germans stepped up to the plate and provided additional funding for it. I do think it will leverage money so that it gets up and running so that how Jews lived for a thou-

sand years in Poland, which is really the place of origin for so many who then emigrated and left even to come here in years of the diaspora—why can't we get that pushed by the White House—or maybe you are?

It's over here on the Senate side. I think it would be a great—I mean, we're talking about conferences and Holocaust remembrance, which certainly is contained within that museum in a very, very methodical way. This would be a great step forward, I would think, so we need to make that a priority. Get it out in the Senate. Get it down to Bush.

Mr. RICKMAN. Thank you, Congressman Smith.

Regarding Durban, I can tell you that we really don't see anything useful coming out of this planning for the Durban conference and that we are not participating in preparatory conferences that are going on right now. And as I said, there's been no decision made yet as to future participation, because it will be in 2009.

Regarding Ambassador Hanford's shop, the International Religious Freedom Office, we do coordinate with them. We work very well with them. And as you know, in the legislation that you yourself sponsored so well, establishing my office, we have responsibility for the anti-Semitism of the International Religious Freedom Report, which we now are going to be doing our third round on.

So that starts in the summer. And by addition, we also have responsibility for the same section in the country reports on human rights.

Regarding the museum, the \$5 million to the Jewish museum in Poland, I understand very much your concern, and I will carry that back to the department, and we'll see what happens.

Mr. CARDIN. Senator Voinovich?

Mr. VOINOVICH. Dr. Rickman, are you familiar with the testimony that we received from Gert Weisskirchen and from Kathrin Meyer?

Mr. RICKMAN. I was able to look at Dr. Weisskirchen's, yes.

Mr. VOINOVICH. The question I have is, as you know, we worked very, very hard. There was an enormous lobbying effort to get the OSCE to put tolerance and nondiscrimination on the core budget. And I was pleased that when Ms. Meyer was here, she indicated that, although she was leaving, she was pleased that it's on the core budget, because had it not been on the core budget, she said she didn't think they'd be able to attract anybody to take the job.

And I just would like your candid evaluation of just where we are in terms of ODIHR and their budget. They also mentioned that Gert's still on—is it seconded or somebody else that's paying his salary? Is that coming out of Germany, his staff and the rest of it?

And the other thing that really was of concern to me was the materials that they have put together, which by the way are terrific. I don't know whether you've seen them or not, but they made them for each of the countries, and I think it's a great curriculum teaching about the Holocaust and the background. But where are we with all of that?

And if you were in our shoes and we've got this budget coming along, what would you recommend? One of the things, by the way, I'm concerned about is the OSCE budget, because that comes out

of two or three pots, and it seems to me if we're sincere about this, that we ought to put our money where our mouth is.

Mr. RICKMAN. Thank you, Senator. The fiscal year '09 budget requests includes a total of \$26.5 million for OSCE, and when you talk about ODIHR, we pay 11.5 percent of the budget. And essentially, when it comes to the previous year in fiscal year '08, we are intending to provide \$30 million.

I understand your concerns about this. There have been concerns voiced by others. We do believe the OSCE is vital, as I said, and we will continue to fund the OSCE with this important view in mind.

As far as materials are concerned, I have talked many times with Kathrin Meyer, and I know she had done wonderful work, supplying in one respect educational materials to Eastern Europe on Holocaust awareness and the like. And so it's something that's vital and something that we will continue to push for and to help with.

Mr. VOINOVICH. Is it possible for other organizations? She said that these could be paid for by anyone. It's possible that we could make that available, and it seems to me that there ought to be a way to raise the money that we need to do that, if it's not going to be paid for out of their budget. First of all, do you think it should be paid for out of their budget?

Mr. RICKMAN. Senator, the United States is 1 of 56 members, as you well know, and there are a number of other countries that can and should be able to contribute to this. And on a variety of different issues when it involves less of a money issue, but on a cooperative level, their NGOs can have a role in training and tolerance issues, as well. So I would offer that as advice.

Mr. VOINOVICH. Well, I would really like, if possible, if you could put together kind of a diagram about where is the money? How much is there? Who's getting paid for what? How much money would be needed?

In fact, I asked her to submit that to us. Have we got that?

She was supposed to get back to me, or the Commission. Anyhow, the point I'm making is that I'd like to focus in and just see where that is and see if we can't remedy some of that situation with a plan.

The other is how much money has the United States provided for anti-Semitic programs in 2006 and 2007 and projected for 2008?

Mr. RICKMAN. Senator, we'll get back to you on putting these programs together and more solid numbers that will be able to help you and answer these questions.

Mr. VOINOVICH. Do you think that Kathrin's been doing the job that we expect her to do?

Mr. RICKMAN. Kathrin is a wonderful scholar and a wonderful person, and I think she tried very hard and she did a good job.

Mr. VOINOVICH. Thank you.

Mr. CARDIN. Let me just underscore the point that Senator Voinovich said on the budget. The United States has been one of the leaders, as far as funding and looking for transparency and openness within the OSCE's budgeting, but there are times that we haven't done what we should be doing in support of the budget. And I would hope that we would continue to show that leadership.

I'm not aware that we have made specific recommendations to make sure these special representatives have the budgets they need, and as Senator Voinovich pointed out, their budgets are almost solely at the whim of their state budgets, not through the OSCE.

And most of Professor Weisskirchen's support comes through Germany, because he's a parliamentarian, not through ODIHR or through OSCE. I think the right policy is to make sure that he has some permanent funding support within the OSCE, and I hope that would be a priority of our administration.

Mr. RICKMAN. Senator, I agree with you about helping the three special reps. As I said in my statement, we very much and firmly support them, and we have been trying to get some sort of coordinating help for the three special representatives so that they can better perform their duties, coordinate them, work better together, just simply on a planning level.

Mr. CARDIN. Thank you.

Congresswoman Solis?

Ms. SOLIS. I wanted to also touch on the budget and just ask what the State Department can do to get our partners in the OSCE to also put pressure, or whatever it is it's going to take, to dialogue with them so that they also provide more assistance. I know we have made that, as already has been stated, part of our commitment, but what can we do or what is it that we need to do to make sure that we have fair representation by our partners?

Mr. RICKMAN. Congresswoman, I understand that, and as I suggested earlier, there is a role to be played by the other member states, and I talk often with our delegation in Vienna, and we talk about these issues. And they are very much trying to get this, and they work hard at it. And there are a number of other issues that they work on in this regard, but I will convey that back to others that we need to work harder.

Ms. SOLIS. Also, I wanted to ask you when was the last extra-budgetary contribution to support a project aimed specifically at combating anti-Semitism?

Mr. RICKMAN. Well, Congresswoman, we give a specifically large amount of money at various times, and from my understanding, we give \$3.8 million. We have projected up to 2008 toward this effect—namely, intolerance and nondiscrimination programs.

But it goes beyond the money issue. It goes in dealing with our member states. It goes with presenting the issues, both at the international conferences, such as most recently in Bucharest, and persisting with and hammering away at fighting anti-Semitism and getting materials into the classrooms and fighting it on the ground level.

Ms. SOLIS. The other question I have is, in your opinion, is the United States providing sufficient support in this effort? What else needs to be done? I know you've already touched on the fact that the State Department has their budgetary items. But what other agencies ought to be involved? I've heard discussed, for example, Commerce trying to get other support as well to help us out.

Mr. RICKMAN. Congresswoman, I can't really address what other agencies would.

Ms. SOLIS. Would it be helpful if we did that?

Mr. RICKMAN. Well, obviously, the budget is something that we support. The President's budget is something that I support, and so that as it goes forth, that will be played out.

Ms. SOLIS. Well, sadly, I'm not happy with the President's budget on a whole lot of issues, and this is just another one.

But anyway, I'd also like to turn to what we're doing or what we could be doing to enhance with the ODIHR advisor on anti-Semitism. Kathrin Meyer noted in a program in Germany where Muslim groups have taken part in combating anti-Semitism. What have we done there to help increase the work that was begun? And where do we need to go?

Mr. RICKMAN. Congresswoman, I can address that partly, but I'd also like to tell you that when I go overseas, I make it a very important point that I meet with Muslim groups wherever I go, so that we can explain this problem as I see it as I have talked to victims, talked to the Jewish community.

And I suspect that's being done in ODIHR as well, because the most important thing is to be able to present a human face to anti-Semitism, to express it as a problem of real people who face real problems and to suggest that Muslim groups not only see this, but also understand it, and that we understand it from their angle, because it's not any more right for Muslims to face discrimination as it would be Jews or anyone else.

Ms. SOLIS. But have we done any work with the leadership of these Muslim organizations? I understand talking to the different groups, but also to their leadership and maybe convening some kind of an effort there, where we have a partnership.

Mr. RICKMAN. As I said, when I go, I talk not only with groups, but I speak with the leaders specifically to convey this information to them. I know our embassy regularly contributes to talks with them. They meet with them. They have regular rounds. And within ODIHR and OSCE, I know that these talks happen as well. There were many representatives from Muslim groups that were present at the Bucharest conference, and we met with them there as well.

Ms. SOLIS. I'm also very concerned about migration, because we're seeing this air also as some hate-related crimes there that are also intertwined in all this, and especially with the Muslim community and different groups. Can you address what your efforts are in terms of focusing in on that issue?

Mr. RICKMAN. In dealing with Muslim groups or dealing with Muslims?

Ms. SOLIS. Well, both. You've got migration occurring by different groups, different ethnic groups, and what have you. Can you touch on that? What efforts have you made in your capacity?

Mr. RICKMAN. I can tell you that when I do speak with these groups, we try to convey to them the broad range of problems, but to try to have them speak to the broad range of their constituencies, because they're not monolithic, and there is by no means any intention on our part to suggest that, but that Muslim groups have faced discrimination on their own, and we advocate that they try to, within the OSCE region, that they be addressed, that their problems be addressed, and—

Ms. SOLIS. Well, we're also talking about anti-Semitism, because we're hearing and seeing much of that happen also in Europe be-

cause of economics and because of shifting economic policies from countries. So what are you trying to kind of balance that out?

Mr. RICKMAN. Well, there was a report about a week ago from the European Commissioner for Justice, Freedom and Security, Franco Frattini, who said that 50 percent of the anti-Semitic attacks in Europe are being carried out by Muslims. But also means that 50 percent are not being carried out by them. So we're trying to address it on both ends and just trying to talk to these people. It's important that they see a live face.

Ms. SOLIS. Thank you.

I yield back.

Mr. CARDIN. I understand Congressman Smith has an additional question.

Mr. SMITH. I do have one quick one, Dr. Rickman.

Andy Baker points out in his testimony—Rabbi Baker—and just to back up a second, in Berlin you might recall at the OSCE meeting on anti-Semitism, we actually hatched the idea working with the American Jewish community to have peer-to-peer, police-to-police training so that hate crimes could be recognized properly, so that best practices could be employed to try to prosecute. The problem is, as Rabbi Baker points out in his testimony, it's not getting support from the United States.

He says, and I'd appreciate your reaction to it, that tragically and inexplicably, this is not the case—that is to say, support from the U.S. Government—even though this police training program is viewed by ODIHR as its premier program in the area of combating intolerance, and even though other OSCE member states have provided extra-budgetary contributions to support it, the United States has evidently abandoned it. The State Department has not seen fit to provide any special financial support, even to cover the cost of the American officer.

And I know that this is an important program. Like I said about my own police just north of my district, if you don't have people who know what they're looking at and don't take the right actions from a police point of view, you're not going to get the desired outcome of putting these people behind bars for the right reasons—hate crimes. So why are we not—or are we—supporting this? Again, this is something that came right out of our meetings back in Berlin.

Mr. RICKMAN. Congressman Smith, I have dealt with the issue. I can tell you that between 2005 and 2008 that the United States provided over \$101,000 to this effect. There is, however, a budget shortfall. But I would offer to you, as I said earlier, that we are only 1 of 56 members and that other members should try to come forward with more money. We have paid a lot of money for this.

And there is a role to be played by the NGOs, who could work with established programs and try to bring this problem there, because we have made suggestions to this effect in other countries that I visited most recently.

Mr. SMITH. But just for the record, and I think it's important, as Rabbi Baker points out, the Russians want to invite the group to come in and do peer-to-peer teaching. Ukraine wants to make it sustainable there with an MOU, their project.

We should be leading them, it seems to me. We have the expertise, probably, more than anyone else. The American Jewish Committee has done a magnificent job, and I think if anyone has the resources, it ought to be the U.S. Government to say we can make a difference in combating hate crimes, if we have law enforcement knowing what it's looking at and then prosecuting appropriately.

And so I would ask you to take that back with a deep respect and urgency to say let's pony up the necessary funds, the requisite funds to make a difference, because if we don't do more, the other 54, 55 other countries are going to stand back and do even less, even though some have come forward with money. But it will not be sustainable. I think we need to lead on this one.

Mr. RICKMAN. I do understand, and I will, of course, take that back.

Mr. CARDIN. Dr. Rickman, thank you very much.

Mr. RICKMAN. Thank you.

Mr. CARDIN. We'll now hear from Ms. Felice Gaer. She chairs the U.S. Commission on International Religious Freedom, heads the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee, which conducts research and advocacy to strengthening international human rights protection and institutions.

She's the first American to serve as an independent expert on the United Nations Committee Against Torture. Nominated by the Clinton administration and renominated by the Bush administration, she has served on the committee since 2000, including as vice chair from 2004–2006 and rapporteur on followup to country conclusions in 2003 to present.

It's a pleasure to have you with us.

**FELICE D. GAER, COMMISSIONER, U.S. COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM**

Ms. GAER. Thank you very much.

First of all, thank you very much for giving us the opportunity to testify on behalf of the United States Commission on International Religious Freedom. I'll summarize the written testimony, but I do request that the full written statement be included in the record.

Mr. CARDIN. Certainly.

Ms. GAER. Thank you.

First, I'd like to commend the members present in particular, but all members of the Helsinki Commission for your vital leadership in the struggle against anti-Semitism.

You have conducted hearings. You have supported resolutions. You have made timely interventions, calling for personal representatives to be created, sponsored key legislation like the 2004 Anti-Semitism Act, and partake actively in the OSCE's actual work in the Parliamentary Assembly, the various conferences and the like. That's a model, we feel.

Now, the U.S. Commission on International Religious Freedom has noted and reported on the rise of anti-Semitism since 2001 and the rise in racism, xenophobia and intolerance toward members of the religious and ethnic minorities in the OSCE region and elsewhere.

We're concerned about physical attacks, as well as about inaction that fuels an environment of intolerance, such as when extremists acts or rhetoric go ignored by political and societal leaders. The written testimony contains a summary of this information.

Violent acts are often well documented, but they are rarely investigated and prosecuted as hate crimes, particularly in Russia and the OSCE states with weak rule of law traditions. It is not hooliganism. It is human rights abuse, and it should be treated and investigated and prosecuted as such.

Since 2002, our commission has recommended that the OSCE address this growing problem in innovative ways, and it has. We have also actively monitored, participated in and made recommendations on OSCE conferences and related institution building.

As a result of your leadership and U.S. diplomatic leadership, including in particular your direct involvement, the OSCE became the first international organization to treat anti-Semitism as a distinct human rights issue requiring serious and ongoing attention, using a human rights methodology.

The OSCE has set up three mechanisms to address anti-Semitism and related human rights issues—the series of high-level conferences, the establishment of the three personal representatives, and the tolerance program embedded in the ODIHR. The new staff position of advisor on anti-Semitism, which you spoke about and whom you heard from last week, is part of that third mechanism.

Now, a recently issued review by the Spanish chairmanship of the OSCE concludes that these three personal representatives have each conducted a wide variety of valuable activities that, quote, “no other international organization has a similar structure to address,” unquote, and that they provide added value to the OSCE.

They also concluded that these individuals should be provided with further instruments and administrative support and that the three part-time honorary special representative posts be turned into a special full-time one.

We asked the question does this mean eliminating the personal representative on anti-Semitism? We think it does, and we think it shouldn't mean that.

The commission recommends that the Chair-in-Office of the OSCE provide more prominence to the three personal representatives through measures such as the following: Asking them to report in person to the annual full ministerial council meeting. They don't. Ensuring that their reports are published and disseminated throughout and beyond the OSCE system. They aren't.

Taking them on some of the Chair-in-Office's own visits to neighboring states and participating States. They don't go. Referring to their work and conclusions in the Chairman-in-Office's speeches. We haven't found one yet.

Encouraging participating States to invite them to visit the states separately. The chair doesn't encourage that. Encouraging field presences to also invite them. That should be a simple matter. It hasn't happened.

These matters could enhance not only the profile of the personal representatives, but the impact of their findings and recommendations on the scourge of anti-Semitism and combating it directly.

Now, the commission has been most impressed by the tolerance unit's publications, some of which are outside the room, I saw here, and which you've heard about and spoken about this morning.

Carrying out the mandate of the ODIHR's tolerance unit effectively—gathering data, publishing reports, dealing with curricula, training police—requires skilled, experienced staff support from other OSCE and international bodies and adequate financial resources. We don't think those resources are adequate at present.

The valuable activities of the tolerance program are now endangered due to severe budgetary constraints, as well as the departure of Dr. Meyer. We have seen a change in U.S. Government priorities on this issue.

Now, part of the problem with the OSCE is the threat that has come from Russia—the attempt to put ODIHR under the control of the permanent council and the ministerial council, giving Russia a right to veto activities, including in particular its human rights activities and its electoral monitoring.

U.S. Government officials have rightly voiced support for the OSCE in the face of these attacks, and until 2007, the State Department singled out the ODIHR anti-discrimination programs, including those directed against anti-Semitism, for prominent mention.

In the past year, however, the tone and the content of the State Department's high-level statements about the ODIHR's program have shifted. Although there continues to be support for the human rights activities of ODIHR, the work against intolerance, including anti-Semitism, is no longer singled out for particular mention and support, and particularly not at the high levels.

Undersecretary of State Nicholas Burns, speaking at a Vienna press conference last November, said ODIHR is, quote, "a very important agency of the OSCE in charge of election monitoring," unquote—no reference to the tolerance program, no reference to the personal representatives, no reference to the problem of combating anti-Semitism or any related issues.

Secretary Rice visited the OSCE finally last May, after having met with our commission on this matter. We brought up the issue of the personal representatives, urged her to raise it there. She didn't.

These signals cannot fail to have been noted by other participating States, including those that have now come forward to suggest, as outlined in the Spanish review, that there should be a consolidation—that is, an elimination of the unique OSCE post focused on anti-Semitism.

The commission recommends that the U.S. Government urgently signal its interest and that it remains interested in the full array of these ODIHR tolerance programs and programs to combat anti-Semitism.

Now, we have other recommendations for you that are in the written testimony, and I'll just concentrate on the core budget issue that was raised earlier. The commission has urged the U.S. Government to authorize and appropriate additional funds directly to the ODIHR program to expand its impressive and unique programs on anti-Semitism.

The United States needs to demonstrate that the success of these programs is a long-term American priority in the OSCE region. You all know of the extraordinary contributions that the U.S. Congress has made to the assistance to torture victims through direct funding and through the provision of that.

It seems to me that in the face of hesitancy on a core issue that the United States has been associated with, which is the eradication of anti-Semitism and other forms of intolerance, racism, and xenophobia in the world, it is well past the time when this Congress can make it clear to the State Department that it wants these projects funded, and wants them funded by doing so with a direct appropriation.

I look forward to your questions and thank you again.

Mr. CARDIN. Well, thank you for your comments. Let me start by just asking one or two questions.

I will take up your suggestions. We do have a meeting scheduled with the chair in office, and we will bring these issues up, and we thank you for those concrete suggestions. I think they are helpful. Some are pretty easy for him to implement, and we will.

We've gotten very strong support from the chair in office on the continuation of the mission on anti-Semitism and other forms of discrimination. But the specific recommendations you're making I find very helpful, so we will follow that up.

In regards to the U.S. priority areas, I think you raised some very valid points. Secretary Powell, in my view, was very much engaged on this issue, very much made it a priority within the State Department, as well as with the administration, which was helpful.

I don't see the same degree of interest with Secretary Rice, quite frankly, and I will use my opportunity when she appears before the Foreign Relations Committee—I believe it's next week—to hopefully ask the questions at the hearing. If not, I'll ask it by written question followup to make sure that we include sensitivities that I think you bring up that are very valid. So we will do that.

Let me, if I might, ask you if you could give us particular states that you believe should be of particular interest to us, either because of the level of anti-Semitic activities or because of the failure of the political leadership within that country to deal with the problems of anti-Semitism.

As my friend, Congressman Smith, mentions frequently, the most effective use of the OSCE is when we get country specific. And we will be in Vienna in 2 weeks to meet with representatives from various states. We also plan to be in Prague and Slovakia, and we can also use that opportunity, as we plan to meet with representatives from the Jewish community, as well as government officials, because of certain activities within those two countries.

So I'll give you this opportunity, if you like, to answer that, or if you could get back to us—whatever way—however you feel most comfortable.

Ms. GAER. I would be happy to get back to you. There are new developments, problematic developments in Belarus, problematic developments in Russia. Turkey is not without its difficulties. The commission has monitored equally problematic situations in France, Belgium, Uzbekistan and Iran, Egypt, outside the OSCE region.

Mr. CARDIN. Well, Egypt's actually one of our partner states. Egypt is usually represented at our meetings.

Uzbekistan's surprising, but as far as anti-Semitism in Uzbekistan?

Ms. GAER. A failure to allow the Jewish community to have many of the opportunities for religious organizations to function. There's only one per community that's allowed, and that's created difficulties.

Mr. CARDIN. Turkey we have seen, at least in recent years, we thought, strong leadership from its government to deal with anti-Semitism. Have there been some new developments in Turkey?

Ms. GAER. Well, you have the fallout from the Al-Qaeda attacks and synagogue bombings. You have Mein Kampf as a best seller. You have a lot of—

Mr. CARDIN. What is the attitude of the government in dealing with that?

Ms. GAER. The attitude of the government has been largely positive—not in favor of this, of course—but the government is seeking not to see that those incidents continue, but when a head of state's wife goes to a movie that has explicitly anti-Semitic activity and then is criticized for that and then comes out and says it was a great movie, you don't have the best situation in terms of leadership.

Mr. CARDIN. Well, that information, I think, is helpful for us, and it supplements the rest of our record, and we appreciate your help in that regard.

Congressman Hastings?

Mr. HASTINGS. Senator Voinovich, any questions?

Mr. VOINOVICH. Your testimony is stunning. And I'll be interested to hear from the other witnesses about your observations, because it seems to me that you kind of laid it out.

And the truth is that if we recall where we made the progress, it was when we were able to get the Secretary of State to show up at these meetings. And over the last couple of years, they've kind of disappeared, and other people have gone—not to take anything away from the people that they've sent to represent us.

The other thing that I think is really important is that Steve Minikes I thought did a fantastic job—that declaration that he was able to get signed was unique, where he was able to include in there that people's unhappiness about Israel weren't reasons for anti-Semitic behavior in their respective countries.

And I think that if you look down the road in terms of the next level, that Secretary Rice is going to be at our Foreign Relations Committee, and I'm going to bring up the subject with her. Maybe she can re-engage herself, although she has a pretty busy agenda today.

And I think that it's important we're going to have a new president and that efforts be made to try and underscore how important it is for this country to have the right representative to the OSCE. I think I've looked at a lot of them. It was just fantastic.

If we're going to do something in the short term between now and the election, what would be the two things that you'd advise us to do?

Ms. GAER. With regard to the tolerance mandate?

Mr. VOINOVICH. Yes. One thing I'm interested in is to get the right person to take Kathrin Meyer's place. I would think that—

Ms. GAER. Yes, but she says that now that it's part of core budget funding, good people applied, and somebody was going to be hired, she thinks.

Mr. VOINOVICH. Yes, that's what she said to me.

Ms. GAER. She said it to me, too.

Mr. VOINOVICH. OK.

Ms. GAER. I would say that the two most important things would be to get the budget issue straightened out so that the argument that there isn't money to hire good people, that there isn't money to take on programming, and there isn't money to staff the expertise and the personal representatives can't be used as an excuse. So I think the budget is the most important.

The second most important is the diplomatic support for these posts and for their distinctiveness. There's no other international agency in the world that deals explicitly and distinctively with anti-Semitism. That came about, in large measure, because of the failure of the Durban World Conference and because of the inability of the United States to address this issue frankly and effectively.

And the OSCE has a unique role to play in this. What we discovered, as we tried to bring this issue to the OSCE, was the excuses came not necessarily from where they came from in the U.N. They came from our strongest allies. They came from some of the chairs in office at the time these issues were created. They came from countries that didn't want to see anything singled out to deal with what was a huge spike in anti-Semitic activity in Europe.

So we need to work doubly hard on this issue in the OSCE, as it's our only regional security organization that we're a full member of in the same way that they are.

Mr. VOINOVICH. I'm aware of it. I know that the effort there just getting it on the core budget was not a lay-up shot. Everybody got involved in it.

Ms. GAER. It was a great achievement, and you all should be congratulated.

Mr. VOINOVICH. Der Voort and Rootbo and the rest of them.

I haven't read your testimony, so maybe it's in there, but real quickly, to me the nuance of the new ideas about trying to erase this and put something else in place won't get the job done.

Ms. GAER. Well, you have some of that in Rabbi Baker's testimony that's coming up, but the nuance is take the three people and put them together—they're now honorary, part-time, unpaid experts, like the U.N.'s special rapporteurs. That gives them a certain amount of independence, but they don't have any staff.

The money that they get is from their own countries. The Irish, the Germans, and the Turks provide support, so if we're talking about what other countries should be providing funding, I didn't hear Dr. Rickman say how much they're actually providing directly for those three experts.

And we have a situation where a lot more could be very effectively utilized, but it isn't there for their work. We all need staff, and in the OSCE context, an organization created to have a minimum of staff from the very beginning. And to leave the political

enthusiasm and commitment in capital is a very difficult issue, because we're trying to change the culture in the OSCE.

You're the only international institution that has done something special on anti-Semitism, distinctively, and they're trying to lump it back together into one big xenophobia, intolerance, hate crimes issue. You need the general perspective—there's no question. But what we have learned is you do need the distinctive focus in order to deal with what distinctive aspects of each of these problems.

Mr. VOINOVICH. Thank you.

Mr. HASTINGS. Thank you very much, Senator Voinovich.

I do want to say that, at the urging of Senator Cardin and myself, the President has nominated a Commissioner, and it is David Kramer, who is going through the confirmation process, who will be, if not confirmed, the Assistant Secretary for Democracy, Human Rights, and Labor.

Mr. CARDIN. We've already had the confirmation hearings, and it went very well. I expect he will be confirmed soon.

Mr. HASTINGS. All right. I just wanted to make sure you understand that we are trying to move that part of the process forward, but I still am regretting the fact that Commerce has not spoken out. The Defense Department has recently spoken. These would be actually Commissioners, and we've had them vacant for a long time. And I took it personal and took it to all of them, with the exception of the Commerce Department.

I'd like to now recognize my good friend, Congressman Smith.

And Chris, let me ask you to try to be brief, because there are four more witnesses.

Mr. SMITH. Gotcha. I'll be very brief.

Very quickly, on the World Conference Against Racism, if you could, are we right not to be part of it? Should be at the prep conf fighting from within? I argued that the Human Rights Council, which is as egregiously as flawed as the Human Rights Commission be replaced, that we ought to be part of it to fight from within, even though we don't like the outcome.

Second, on Egypt, your testimony is very strong, as it ought to be, about the cartoons, the 24-part series, Protocols of the Elders of Zion. Every time I meet with Mubarak—and my colleagues are identical—we raise the issue, we bring examples of these despicable cartoons and writings that are totally anti-Semitic. In Cairo when I have met with him, when I've met with him here—we've all done this—he said, "I'll look into it," and nothing ever happened. What should we be doing here?

And finally, on the law enforcement officer program, have you and the commission raised that with Dr. Rice and with the State Department when you've had your meetings and say, "Here is a peer-to-peer police officers training program, and it's working, but it's dying an unceremonial death due to resources?"

Ms. GAER. Thank you very much.

On the World Conference Against Racism, I'm one of maybe three people, four people in the room who was in Durban at the first conference, and it's not an experience one wants to have again. That said, there were three conferences in Durban. There was an NGO conference, which is where the trouble was. There was a government conference, which actually ended up, after the United

States left, better than anticipated. And there was a street conference, if you like. It was the political action in South Africa that influenced the whole atmosphere, and that was problematic.

The U.N. has continued to try to do some of the positive things that were affirmed in the Durban declaration and program of action. In point of fact, the effort to do that has been hampered. It's been hampered by the legacy of what went on at the NGO conference and the anti-Semitism that we saw in the conference.

The United States has an opportunity to influence that through diplomacy. Diplomacy usually means being there. It doesn't always mean talking to everyone, but it does mean being there and fighting for things. And in the case of the World Conference Against Racism, we're not doing that.

You heard Dr. Rickman say that no decision has been made, but that the United States has not been participating in the preparatory meetings. And that's true since 2001.

So I think we have a situation where we're not using all the tools that we have to try to improve what can be done, what makes a difference, and what makes a difference for many people, and also to let those people know that part of the problem and part of the reason that the U.N. can't do more is because they can't do it at the expense of one group. They can't do it by demonizing a people and making them a subject of hatred and vitriol that feeds intolerance, rather than resolves it.

Mr. HASTINGS [Off-mike.]

Ms. GAER. I'll send you some comments on the other points on the police training program. We have not yet had that conversation with Dr. Rice, but I would look forward to it.

Mr. HASTINGS [Off-mike.]

Ms. GAER. We have not had that conversation.

Mr. HASTINGS [Off-mike.] [Inaudible] to come forward are Rabbi Andrew Baker, who I was just with in Georgia, Rabbi Marvin Hier, Mr. Mark Levin, longstanding good friend and activist that I know, and Ms. Stacy Burdett, that I've known throughout her career. All of their curriculum vitae are on the table, so I will dispense with those kinds of introductions.

And gentlemen, we are still going to try to follow the 5-minute rule, which will give each of you time to expand, but we're going to lose the Senators. They have a vote coming up, so if you see them leave—

Mr. CARDIN. Mr. Chairman, I just wanted to announce the good news, at least, I think for our country. It may not be good for this hearing, because we might have to leave. It looks like we have finally reached an agreement on the short-term economic stimulus package, so Senator Voinovich and I are going to be voting the same way, which is good news. [Laughter.]

Mr. HASTINGS. Thank you. I'm hopeful that it meets all the requisites for all of us to support it.

That said, let's start with Ms. Burdett, she's the only lady about there, and never mind about seniority, if you all don't mind.

Ms. Burdett?

STACY BURDETT, ASSOCIATE DIRECTOR, GOVERNMENT AND NATIONAL AFFAIRS, ANTI-DEFAMATION LEAGUE

Ms. BURDETT. Thank you, Mr. Chairman. It's true what everyone has said that without the commitment and the day-in and day-out work of this Commission, the achievements we're reflecting on today would never have been possible. And I think we're all here to say that our continued success will hinge on your particular efforts at this time.

Achievements like the Berlin Declaration and the international recognition that it catalyzed about anti-Semitism are milestones, but they're only a beginning. The ODIHR NGOs like mine, the Anti-Defamation League, have all highlighted that.

In fact, anti-Israel animus is routinely intertwined with traditional anti-Semitism, and cases of anti-Semitism are contextualized and explained by hostility over events in the Middle East. I put some samples of that, some images from newspapers in actually the Med partners region, that show you this in a graphic way.

You can read in my statement about incidents, trends, public attitude surveys that illustrate all too well the dangerous mix of trends that are out there that compel action by the OSCE.

I will never forget how, scarred by the Durban World Conference Against Racism and the realization that the international community refused to address anti-Semitism as a legitimate human rights abuse, we spoke—and I think it was Commissioner Gaer who first raised this to me—we recalled that there was something called a supplementary human dimension implementation meeting in the OSCE that could be a good way to introduce this issue on the agenda. And we did.

We sat in this room, I believe, and said that if the U.N. must politicize this issue, let the OSCE hold a conference that can provide unbiased examination of the issue. And since then, the OSCE has been the most important forum for recognition, securing government commitments, and very importantly, assigning a political and substantive point of responsibility. We think of it as a center of gravity in what is still a very poisonous and very politicized environment.

You heard very comprehensive testimony last week about the initiatives of Professor Weisskirchen and the very impressive body of work that is under way that grew out of these efforts. Some of these tools are being used by the United Nations. We've talked about the United Nations today.

I'd like to summarize three specific recommendations that are drawn from my written statement. Of course, the first is what you're hearing from all of us. We have to back up America's commitment with funding for the specialized work of the ODIHR tolerance unit. The fact that there isn't currently funding available for extra-budgetary contributions for those programs does send a message that America's enthusiasm for this agenda is waning.

Where funding is less of an issue, I would ask the Commissioners to give political support in areas like staff resources for the personal representative on anti-Semitism, the convening of a high-level conference on anti-Semitism in 2009. We know those conferences are very good markers and focal points for advocacy and deadlines for implementations.

And then I'd like to emphasize, because of the Chairman's and the Commissioners' focus on the fact that the United States is also a participating State in the OSCE, I'd like to remind us to do what America does best, and that is to lead by example. We need to strengthen the fight against anti-Semitism and intolerance at home.

The Anti-Defamation League will release its annual audit of anti-Semitic incidents in the coming days, and we will note in those results an increase in school-based and campus-based incidents. The preliminary results show that the overall numbers show a decline, but these school-based incidents are cause for concern.

And we know of no Federal anti-bias or hate crime education program that is currently addressing youth hate violence, so I very much welcome an opportunity to meet with commissioners and their staff and explore legislation to authorize Federal programming in that area.

And finally, it's an election year. It's a time of flux in the ODIHR. This Commission is well placed to be the engine that drives a sustained American focus and support for the OSCE tolerance agenda. The Helsinki Commission has worked in a very substantive, very bipartisan way to engage and shape the focus of administration after administration. America's leadership is singular and it's important. And it has been a credit to both this Commission and this administration.

As the Bush administration lays down markers for the future, and as a new administration comes in to craft its agenda, we will look to you, the Commissioners, to ensure sustained and invigorated American efforts to ensure that the OSCE continues to be our center of gravity in the fight against anti-Semitism and hate.

Thank you very much.

Mr. HASTINGS. Five minutes on the button. You're good, Stacy.

Rabbi Marvin Hier, who needs no real introduction. So, Rabbi, if you would go forward, please, sir?

MARVIN HIER, DEAN AND FOUNDER, SIMON WIESENTHAL CENTER

Rabbi HIER. Thank you. Chairman Hastings, Co-Chairman Cardin, distinguished Members of Congress, I'm going to speed up my testimony so you'll have an opportunity for questions.

Following World War II, we all expected that we wouldn't be here to deal with anti-Semitism, but here we are. The defeat of the Third Reich did not put an end to the hatred against the Jewish people, which is a 2000-year experience.

But let me point to today's issues. Today, with the phenomena of extremist Islamic movements throughout the world poisoning impressionable youth in the large Muslim diaspora in Europe, all the classical anti-Semitic themes and imagery have resurfaced, as has been mentioned before—the Protocols, blood libel, Holocaust denial, which has become the staple of jihadist sermons and websites.

And as has been mentioned, Franco Frattini just said 50 percent of all anti-Semitic incidents in Europe today come from Muslim extremists. State anti-Semitism is back in vogue as well. It's an integral part of statecraft in some Muslim countries, which extends its

tentacles to the highest levels of government itself. So we're not talking about street gangs, and we're not talking about swastikas on gravestones, which are horrible. We're talking about heads of state who are anti-Semites.

The new anti-Semitism is especially dangerous. We have never seen anything like it before, because it is inextricably linked to the world of terrorism, which means suicide terrorism. That is why the efforts of the OSCE, and as my colleagues have stated today, the OSCE is the only address, the only international agency in the world that is willing to do something about it.

I speak on behalf of the Museum of Tolerance as well. We've sponsored, with the United Nations, two international conferences on tolerance in Paris. However, we are deeply concerned that the United Nations, of which we are an NGO both of the U.N. and UNESCO, is paralyzed by 57 Muslim states, who exercise a virtual veto over all its activities and politicize every single U.N. conference.

Reference has already been made to the World Conference Against Racism in Durban, South Africa. We know what's expected in the follow-up Conference. What is my opinion? I would say, should the United States attend? I don't think so. I think what the United States should do is invest in the resources so that the OSCE can make up what the U.N. is not doing and say to the United Nations, "If you're going to politicize the General Assembly in that manner, we're going to strengthen the OSCE as an international agency to do the things that you don't want to do."

The OSCE is free from such politicization constraint. It's not perfect. There are many problems in the OSCE, but it's not the General Assembly of the United Nations for sure.

And let me reference. We had three representatives at Durban World Conference who were part of the intimidation, and we know what it was like. And I believe that Canada did the right thing by saying, "We're not going again, if that's your agenda."

And let me say, here are some recommendations. We call on the OSCE to do something prior to the Durban Review Conference. We know that it is going to be a hate fest. So we can wait till the hate fest is over and react, or we can have the OSCE in place.

The OSCE set the standards for an international conference on anti-Semitism. They should do something profound just prior to the Durban Review Conference so that the world sees that there is not one voice that emanates from the Durban Review Conference. There is another voice of moderation and tolerance.

And let me say something else. Everybody knows it takes 24 hours to get a resolution at the General Assembly, if the object is Israel. Where are the resolutions in the General Assembly on women's rights in the Arab world? How come there are no resolutions condemning the tactics of the so-called modesty police, which regularly patrol the streets of Iran and Saudi Arabia? You never heard of a United Nations resolution on that subject. It will never come up.

The U.N. has held—the General Assembly—many special sessions on many important issues, which I give them all the credit, such as drug trafficking, apartheid, AIDS, disarmament, all crucial world issues.

Why not a special session on suicide terror, which is only the crime of the 21st century, which threatens to engulf all of us—London, Paris, Spain, particularly the Arab world. It will engulf all of us. Why no special session? We all know the answer—because 57 Muslim countries don't want it on the agenda. That's the answer.

We urge the OSCE to take the leadership in convening a session on the issue of international suicide terror launched against Muslims, against Christians, and against Jews.

Another area that we share is the concern of the Internet. The Internet is the most powerful marketing communications tool ever, and it has empowered all of us. Unfortunately, it's all manipulated regularly by hate and terror groups. And we issue a regular report on the Internet. This was last year's report, and this is a worldwide report on the Internet for this, which will be released in a few weeks.

This report on the Internet shows the remarkable fact that in 1995 there was one hate site on the Internet. Today, in 2008, we have monitored 8,000 problematic hate websites, blogs and videos, including Facebook and YouTube, which teach young people, and whoever wants to take note, how to commit acts of terror, who you should in the world, and who you should go out and kill—in particular, through six—

Mr. HASTINGS. Rabbi, I'm going to have to ask you to wrap it up, but go ahead.

Rabbi HIER. That, basically, is the gist of it, and I am open to any questions.

Mr. HASTINGS. I apologize.

Rabbi HIER. No problem.

Mr. HASTINGS. Your remarks are fantastic, but we have the constraint of being out of here at a designated time, so you've just cut into my good friend Mark Levin, the Executive Director of Soviet Jewry. You've cut into his time.

So now, Mark you have 4 minutes. [Laughter.]

Rabbi HIER. Sorry about that.

**MARK LEVIN, EXECUTIVE DIRECTOR, NATIONAL
CONFERENCE ON SOVIET JEWRY**

Mr. LEVIN. We'll deal with it later, Rabbi.

Mr. Chairman, thank you for this opportunity to testify before the Commission. I so want to recognize my good friend, Co-chairman Ben Cardin, as well as Senator Voinovich and Congressman Smith. We all go back a long ways, and we have accomplished much. And I think sometime today we should remember that it's taken years, but those years have meant much to the people who have benefited from your efforts.

In the interest of time, I'm going to truncate even more, Mr. Chairman. I think it's important that we recognize the progress that's been achieved since the breakup of the Soviet Union. But we're also aware that the Jewish population remains vulnerable to political, economic and social instabilities in the region.

In the almost 20 years since the dismantling of the Soviet empire, anti-Semitism remains a significant problem in the 15 successor states and across Europe as well. While state-sponsored anti-Semitism has been virtually eliminated, we've seen an up-

surge, an unprecedented upsurge, in popular anti-Semitism that is visible and vocal.

I thought what I would do is just highlight some of what's going on in the region and then follow with some specific recommendations.

You can almost divide the former Soviet Union into two parts, the Slavic region and then the Central Asian and Caucasus region. We're experiencing a significant rise in popular anti-Semitism in the Slavic region.

As I said, I think it's important to note both the positives and the negatives. In Russia, President Putin has spoken out against extremism, and there was a recent prosecution under Russia's new hate crime laws. However, anti-Semitic acts are still being committed.

At the end of January of this year, there were three reported acts of desecration of Jewish institutions. Fortunately, arrests were made in two of the three of those attacks. However, it remains to be seen how these crimes will be prosecuted.

In Ukraine, the government has taken positive steps toward combating anti-Semitism. You've heard that President Yushchenko has introduced new hate crime legislation, and he did create the special operative unit to fight xenophobia. I'd like to submit for the record more documentation on this.

Despite this progress, anti-Semitic acts still occur in Ukraine. There have been two reported incidents so far this year. A rabbi was assaulted and a synagogue was vandalized. Investigations have begun in both cases.

In the Baltic states, we see sporadic acts of anti-Semitism. I think the major concern for the Jewish communities and for many of us here is that there are two areas in the Baltic states—and throughout the region—that need attention. One is the restitution of Jewish communal property, and the other is the tensions that develop around recognizing Baltic nationalists who fought alongside the Nazis during World War II.

In Central Asia and the Caucasus, historically there's been little anti-Semitism. There are ethnic tensions among other groups, but it's interesting to note that you can go back decades, centuries—and in some cases over 2,500 years—where Jews have lived side by side with their Muslim neighbors with little problems.

In Azerbaijan we know of no recent reports of anti-Semitism, and the government has made efforts to utilize ODIHR's resources. Georgia has created a public defender which is mandated to address hate-motivated incidents and promote diversity. Kazakhstan has reported little or no anti-Semitic activity and has hosted a number of inter-religious conferences to promote tolerance and pluralism. And in 2010, I believe, they're the next chair.

There's been much accomplished in combating anti-Semitism across the former Soviet Union since the first OSCE conference held in Vienna. It's important to acknowledge these efforts; however, much more needs to be done.

And what I'd like to do now is just very quickly go through some of the recommendations that we've been making for several years now and that need to be followed through. But first I would add

my voice to supporting the need for full funding, adequate funding to ensure that the issue of anti-Semitism is addressed.

Very quickly, recommendations. First, all countries must have adequate hate crime legislation, something that we've pushed, continue to push, something that the Parliamentary Assembly has addressed, and it continues to do this.

Second, provide funding for local law enforcement. You've heard a little about this so far. Third, continue to improve monitoring efforts. Without monitoring, we can't do what we need to do. And the last two—implementation of tolerance education, and finally, reform the message of those media outlets.

Let me just finish by saying that we've learned over the last 30-some years that the Commission has been in existence that progress can be painfully slow. However, millions of people have benefited from your unwavering commitment to freedom and fighting intolerance. Today, millions continue to depend on this commitment.

Thank you, Mr. Chairman.

Mr. HASTINGS. Thank you very much. I've asked my colleagues for unanimous consent to submit into the record a statement from Senator Clinton, who is also a member of this Commission. Hearing no objection, it will be admitted into the record.

Rabbi, I promise you the full 5 minutes. And that would just limit our questions. But please, sir, proceed. Rabbi Baker?

**ANDREW BAKER, DIRECTOR OF INTERNATIONAL JEWISH
AFFAIRS, AMERICAN JEWISH COMMITTEE**

Rabbi BAKER. Well, it's pro forma to thank you at the beginning of this, and I don't know what to say to try to convey that there should be nothing pro forma in thanking the four of you. I think all of us know the progress that has been made is really so much a result of your personal attention and efforts. The fact that it's such a bipartisan expression as well is so important and so critical.

I don't want to read remarks, even sort of abbreviated remarks, because I know that time is so short.

When this decade began, none of us expected we would be viewing the problem in the way we are. Ironically, in just the last couple of months, we've heard very strong statements from French President Sarkozy, from German Chancellor Merkel. They're welcome statements. It's wonderful they're saying it, but it's also a recognition of the seriousness of the problem.

The fact is that event those few years ago, European leaders weren't recognizing this issue. The message came, ironically, through here—through America and through the Congress—that something needed to be done. We've seen how the OSCE has become really the arena, the vehicle to address this issue, and the various points of success—the Berlin conference and declaration, personal representatives, et cetera.

The fact is I think we all feel that the success, the continuation of this, is tenuous, is always at risk. There are those countries—and they're friendly countries to us—who have rejected from the beginning the idea of focusing specifically on the problem of anti-Semitism, who want to subsume it all together in some general dis-

cussion of intolerance, who want the Houstic approach, as they euphemistically refer to it.

One Ambassador said to me there should be no ghettoization of discrimination. So we know this kind of attitude, and we're going to face it in the future.

The concerns I would like to emphasize here are really—I'll focus in on two, and my written submission goes through in more detail on other things. I've said, and Congressman Smith has raised it, a concern about the police training program. It was an American offer. It really is an American export. And it's on the verge of falling apart.

Money is a problem, but not the problem. And parenthetically, to hear from the State Department that we've contributed \$100,000 over 3 years doesn't really seem to me to be a great expression of support. But the fact is the people who have been participating in many cases are volunteering their time, and what we're seeing now is, despite the success, it's being denigrated.

There are elements out there that are really trying to undercut it, trying to disparage what it has done, even as they're about now to go on to Bosnia and to the Czech Republic in the next couple of weeks. I think it really behooves you here to take this up at a serious and high level and look into it.

The second area I wanted to focus on was Eastern Europe, because I think with all of the developments that have happened in Western Europe, we've lost sight that there are very real problems there. There was a kind of effort to fast track confronting the difficult period of Holocaust era history in these countries to do so many things that other countries have wrestled with for decades.

There have been successes, but the fact is we see now among our new NATO allies problems in all of these countries—extremist parties which still gain currency, difficulty in dealing with that Holocaust era, which has become a new vehicle for expressions of anti-Semitism, whether it's even with property restitution or providing Holocaust era history in the curricula of these countries. This is encompassed by the OSCE, and we can focus there and do more.

Among the various conclusions or recommendations that I wanted to make here in this testimony, the importance of the personal representatives I echo virtually everyone else from whom we've heard.

The concern about budget, because budget ultimately shows where our emphasis, where our concerns are. And if we're going to work on this consensus basis in the OSCE and are not prepared to come forward to participate or target support, then I think we're going to have a very, very difficult time.

Finally, the role of ODIHR. Many of us were skeptical in Berlin that it would really take on the task that it was given. I was one of those skeptics, but I believe it has done it, and it has done it in a serious way. But because of inattention, because of lack of funding, we really are in danger of losing these things, and it would be very hard to regain them in the future.

Thank you very much.

Mr. HASTINGS. As the Senators leave, I want to thank both of them so very much.

And you'll be pleased to know, Senator Voinovich, that Steve Minikes and I had an opportunity for a visit in Georgia. He was an election observer, as was Andrew Baker and [inaudible]. Thank you both.

Senator Smith—oh, Congressman Smith—I just elevated you, Chris. This atmosphere over here—go ahead with any questions you may have.

Mr. SMITH. Thank you very much, Mr. Chairman. Very briefly again. The time is short.

I would be interested, Rabbi Baker, in the law enforcement officers program. What would it take in dollars and cents to inject a sufficient amount of money to get that up and saved, frankly?

And let me just say the whole issue of free speech, which we all know is a hallowed human right that no one, I think, takes more seriously in the world than the United States of America—and that is a strongly bipartisan, two centuries-old concept—but I'm concerned that the incitement to hate gets protected, unnecessarily so, on the Internet and in other fora.

My question is—just parenthetically—I'm sponsoring a bill, and I've held a series of hearings, and now we just had another hearing that Tom Lantos chaired, and the bill is called the Global Online Freedom Act. And from that we've learned beyond any reasonable doubt that countries like the Peoples Republic of China, Vietnam, Saudi Arabia and many others are using the Internet to find, incarcerate, jail and torture men and women who are promoting human rights and those who are trying to espouse their religious beliefs.

We recently had Yahoo back. We originally had Google, Microsoft, Cisco, and Google testify, and it became very clear that the technology is such that certain types of materials can very easily by these companies be taken down. They do it in the reverse to suppress religious freedom and human rights, and certainly when it comes to child porn, which is not a protected right anywhere—hopefully, it never is, and other types of obscenity—that, too, can be taken down and prosecuted.

But the reverse also is true. In a country like our own, where free speech is so important—and I'm certain we all believe that—as you pointed out, 8,000 problematic websites, Rabbi Hier, and there was only one during the 1995 Oklahoma City bombing—they are proliferating. They are promoting and spewing out hate with real world consequences in terms of people who get attacked. And terrorism, obviously, and the nexus between anti-Semitism and terrorism is very real, and that frightens me as well.

I think we need to revisit—I'm throwing this out very quickly—the notion that free speech somehow can be inclusive of anti-Semitic hate in and of its own right, but it also leads very close and quickly to incitement, and I think we have to mount an effort, without doing any damage whatsoever to free speech rights, to this exploitation of our fundamental freedoms, to promote hate.

Rabbi BAKER. Let me address the issue of the police training. I think, in terms of funding, what ODIHR was looking for in covering the cost of the American police commander is about €50,000. I think the money is not the main problem now.

I think that just somehow it doesn't seem to have the vocal support that really was there when Steven Minikes was our Amba-

sador and when you were in Berlin and taking up this issue. And unless you are prepared, I think, to take it up again, then the money itself is not going to be the main difficulty. It's going to face, really, the lack of, I think, a sense of morale and support from our people, from New Jersey, from the FBI background, who have been key to making this what it is.

I'll leave it to someone else to speak about the Internet, if you don't mind.

Ms. BURDETT. I'd like to just mention, briefly, the Anti-Defamation League is the American partner of a group called the International Network Against Cyber Hate. It's a group of NGOs from all over this region who are working cooperatively in different legal contexts within the First Amendment, working with providers, and we will be hosting an upcoming conference with them.

And I would be happy to work with you and your staff to look at this to take advantage of this convening of experts to talk through this very important issue.

Rabbi HIER. I make two short comments on both questions.

First, with reference to the police training. The Museum of Tolerance has trained 110,000 frontline police. It is probably the largest frontline trainer of police officers in the United States.

Last year four countries sent their senior police to the Museum of Tolerance—Russia, France, Germany, and Canada. And I can tell you the impact on police is enormous after that. And I fully support it's ludicrous to imagine that that is the budget that the United States can come up with to a program that can do so much good.

With respect to hate on the Internet, which I commented before, of course, when it crosses the line, we all support freedom of speech. It's what America is all about. It's the essence of America.

But when an Internet site crosses the line, in our report—Rabbi Cooper, my colleague, is a world expert on the Internet, and he's sitting here—he's going to release a new report. One will show a new Internet site which shows how to kill Mexicans. And it shows you how to do it. It goes into details and shows you exactly what happens. What you see is, after the exercise is over, hundreds of dead Mexicans.

Now, the question is whether that crosses the line of whether that is a specific threat against a community. And that is something that there are two things to do—first of all, to exercise the influence that the Congress has, that NGOs have, that American Jewish organizations and other organizations have, to get to the companies that are hosting that Internet site and put pressure on them to take it down, as we are doing now with the sites involved.

But I'm sure that Rabbi Cooper, my colleague, who, as I said, is a world expert on this subject, will be happy to work with the Congress on these matters.

Mr. HASTINGS. Mark, very briefly. We have very little time.

Mr. LEVIN. Very quickly, Congressman Smith, the part of the world where I come from, it is a fine line right now. There's great concern about too much government control and intervention in the flow of information, so I agree with you it's something we have to be very careful about to ensure that those that spread a message

of hate aren't able to cross that line and not have to worry about adequate prosecution.

Mr. HASTINGS. Thank you all very much for a most incisive set of comments and helpful and constructive proposals for us to undertake from legislation all the way back across the board to administrative things that likely can be done under the aegis of the OSCE. The Helsinki Commission is deeply appreciative of all of you.

I appreciate my colleague, Chris Smith, for staying for the whole hearing and the Senators being able to be here for as long as they have.

I have one question, and it will put us right at 4:30 and 15 seconds. Senator Grafstein from Canada and I have been in active discussions regarding a counter conference to Durban II. Would you be supportive of such an effort, if he and I and others took the lead in that regard?

Rabbi HIER. I would be very supportive. At the Simon Wiesenthal Center, we think it should be done. It's the only way to counteract what's happening.

Mr. HASTINGS. Stacy?

Ms. BURDETT. We have talked about an early 2009 high-level conference, which coincidentally is at the same time, and I think it's one of the reasons we need to move forward with this activity in OSCE. Whether it's a reaction or a proactive step, it comes at the same time, and that's very opportune.

Mr. HASTINGS. Mark?

Mr. LEVIN. Mr. Chairman, yes.

Mr. HASTINGS. Andrew?

Rabbi BAKER. I think if it's something that is to be undertaken by you, Representative Hastings, and by Jerry Grafstein, we'd think very, very highly of it. So by all means, please.

Mr. HASTINGS. I thank you all so very, very much. We are 4:30 on the dot.

The hearing is closed.

[Whereupon, at 4:30 p.m., the hearing was adjourned.]

APPENDICES

PREPARED STATEMENT OF HON. ALCEE L. HASTINGS, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Welcome to the second of our hearings focused on efforts to combat anti-Semitism within the OSCE Region. While unfortunately I was unable to attend the first hearing due to commitments in Florida, I am pleased that we will be continuing the conversation today with key partners in the fight.

I am very happy that Senator Voinovich is able to be here and hope that you will continue to join us at Commission hearings. In particular, on Feb. 13th, the Finnish OSCE Chairman-in-Office, Minister Ikka Kanerva will appear before the Commission. I am certain that much of what we are covering in this series of hearings will be on the agenda. That hearing will take place in B-318 in the Rayburn House Office Building at 11 am. I hope that you and members of the audience will be able to join us.

It is good to see so many familiar faces here today. Many of you I last saw at the OSCE Mediterranean Partners meeting in Tel Aviv, where we focused on the roles Israel and Arab nations could also play in combating all forms of intolerance. In my talks with Prime Minister Olmert during that visit, I noted the importance of Israel's continued leadership in the fight against global anti-Semitism.

Looking back from where we started, it is remarkable that we are at a point where OSCE Partner States are now looking at issues of tolerance, when just a few years ago we were fighting for OSCE participating States to simply acknowledge that there was a problem. We have indeed come a long way.

During part one of this series, we not only heard from the two OSCE experts most closely following trends involving anti-Semitism and related violence, but also of the numerous initiatives, including the Personal Representatives, conferences, educational tools, and training programs. There has been a tremendous amount of activity since our efforts beginning in 2002, to raise the profile of these concerns within the OSCE and the Parliamentary Assembly.

In our own government, thanks to the work of Helsinki Commissioners, there is now a Special Envoy to monitor global anti-Semitism within the State Department. Dr. Rickman, we are glad that you were able to join us today. I also understand that you are working on a global report on anti-Semitism, which I hope that, once completed, you will make advanced copies available to this Commission.

It is because of the extraordinary efforts within the OSCE, our own government, and NGOs who are in the trenches everyday, that I am deeply saddened by continued reports of hate crimes and other acts of anti-Semitism in the OSCE region.

Even with reports of anti-Semitism declining somewhat in my home state of Florida, vandals brandishing swastikas and other sentiments are still a reminder that we must be ever vigilant, lest

the prejudices of some gain a foothold as we are seeing with the surge in growth of xenophobic groups and hate crimes in other parts of the OSCE region.

It has become abundantly clear why the protection of the rights of members of minorities and combating discrimination against those targeted because of their religion, race, national origin or gender are core principles of the Helsinki Process and their essential role in sustaining stable, productive, democratic societies.

It is my hope that today's hearing will shed further light on what more we all can do to uphold these principles as we review and continue our efforts to combat anti-Semitism and other forms of intolerance.

Thank you.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Thank you, Mr. Chairman for holding this second hearing reviewing efforts to combat anti-Semitism. I am glad that my colleague Senator Voinovich is able to join us again following last week's informative hearing with representatives from the OSCE.

That hearing's assessment on OSCE efforts to combat anti-Semitism revealed that we have definitely come a long way from where we were at the beginning of this decade in developing tools to address manifestations of anti-Semitism.

According to Dr. Meyer's testimony, since 2004 the OSCE has held 9 major conferences and events and published 6 books and documents on, or related to, the issue of anti-Semitism. Over half of the participating States have also now been involved in related OSCE educational, civil society, and hate crimes initiatives.

Additionally, Professor Gert Weisskirchen, in his role as the Chair-in-Office's Personal Representative, has been able to provide the much needed political attention to address worrying situations throughout Europe.

Unfortunately, our best efforts have not yet significantly decreased the record levels of violence and negative sentiments towards members of the Jewish community recorded at the beginning of this century. But, as our witnesses last week attested to, we seem to be on the right path.

We are hearing reports that governments of countries such as the United Kingdom are collecting anti-Semitic hate crimes data and supporting Holocaust education. In Russia, political leaders have spoken out in response to anti-Semitic violence, which some believe is on the decline, although it appears that other manifestations of xenophobia are increasing. Following meetings with members of the Jewish community, Ukraine has formed a special security unit to combat intolerance toward ethnic minorities. Today, I look forward to hearing our witnesses' assessments of these reported developments and their views on how we should be proceeding within the OSCE.

Many of our witnesses today have been on the frontlines from the beginning and key to OSCE efforts on this issue. Welcome. Dr. Rickman, as the first U.S. Special Envoy on Combating Anti-Semitism, you indeed have both a special and tremendous load to bear. I look forward to hearing about your efforts and thoughts on how we can redouble efforts within the OSCE.

Felice Gaer, USCIRF's hard work and diligent reporting have made valuable contributions to our knowledge of anti-Semitic acts and other examples of intolerance and xenophobia taking place in the signatory states of the OSCE. Rabbi Baker, Rabbi Hier, Mark Levin, Stacy Burdett—you all have served as our eyes and ears on this issue over the years.

As working together has been key to the creation of the many existing tools now within the OSCE to combat anti-Semitism, your thoughts on how the Commission can continue to partner with all of you even as you partner with one another to move forward is of great interest to me. I look forward to your testimonies.

Thank you.

**PREPARED STATEMENT OF HON. HILLARY RODHAM CLINTON,
COMMISSIONER, COMMISSION ON SECURITY AND COOPERATION
IN EUROPE**

Mr. Chairman, thank you for calling this very important hearing and for your leadership and that of co-chair Ben Cardin. The commission's work remains critical in calling attention to the unique scourge of anti-Semitism as well as other forms of intolerance. Members of the U.S. Helsinki Commission have been at the forefront of efforts to fight the rise of anti-Semitic violence that swept through Western Europe beginning in 2002. Working through the OSCE Parliamentary Assembly and with support of the White House and State Department, we have successfully moved the OSCE to begin to tackle the perpetual evil of anti-Semitism in real and concrete ways.

Anti-Semitism continues still despite the progress that we rightly can point to in bringing the attention of the governments and the people of the OSCE countries to bear on this issue, we have much work ahead of us.

I recently joined my colleagues on the Commission in sending a letter to Secretary of State Condoleezza Rice underscoring the importance of American contributions to the Organization for Security and Cooperation in Europe (OSCE) and its efforts to fight anti-Semitism. We have expressed strong concern that the President's recently proposed budget would cut funding for these important efforts.

For decades, American leadership in the fight against anti-Semitism has been a source of inspiration and pride at home and around the world. In Europe, where the scars of anti-Semitism run deep, our efforts have been particularly meaningful. Now is not the time to reduce our commitment to this important issue or to send the signal that combating anti-Semitism is no longer a top priority for the United States. We jointly urged the Administration to reconsider these reductions in support for the OSCE and work with the Congress to keep the United States at the forefront of the fight against anti-Semitism.

The OSCE and the U.S. Congress must continue to condemn anti-Semitism and those who perpetuate it. We must say loudly and clearly that purveyors of hate are the enemies of freedom, and I think that is what is called for: to rally the world on behalf of stamping out anti-Semitism.

Congressman Tom Lantos' voice carried this message clearly for years, and I am deeply saddened by his passing. The courageous and improbable journey of his life was an inspiration to his constituents and to all of us who knew him. Tom was just sixteen years old when the Nazis occupied his native Hungary and he lost much of his family to the Holocaust. In those dark days, Tom bore witness to the worst of human cruelty and devoted his life to stopping it. And so he came to America with nothing but the clothes on his back and the ideals he described in an essay that won him a college scholarship. Those ideals, combined with his optimism, intelligence, and hard work, would eventually lead this self-described 'penniless immigrant' to the halls of the United States Congress. He stood up for the rights of all people, particularly though the Jewish people, the people of Israel and the people who deserve and

need the support and attention that we are bringing today. Despite all that Tom experienced—or perhaps because of it—he understood in his bones that we have a profound duty to one another. Tom taught us to stand up for what's right especially when it was hard. We must continue this battle against anti-Semitism.

So, Mr. Chairman, I thank you for your stalwart support of this Commission and your work on this issue and the follow-up that you are committed to doing.

**PREPARED STATEMENT OF HON. GEORGE V. VOINOVICH,
SENATOR FROM THE STATE OF OHIO**

I want to thank Chairman Hastings and the Helsinki Commission for holding these important hearings on anti-Semitism. I also attended the hearing held on January 29th, and I felt that it was extremely important and very useful.

I would first like to extend a special expression of gratitude to my fellow commissioners Senator Cardin and Representative Chris Smith. Your leadership has been critical to the global efforts to combat anti-Semitism. I remember the many meetings of the OSCE Parliamentary Assembly and the many resolutions that we worked together to pass. I am so grateful to partner with you on this work, and I want to thank you for inviting me to join your panel as an ex-Commissioner. You know this issue is very near and dear to my heart, and it means a lot to me that you are willing to welcome me back as an honorary participant.

I remember the moment that I committed myself to this issue. I was in Israel with my wife Janet, one of the many official visits that we have made to Israel together since my time as Mayor of Cleveland. The life of my daughter Molly, who was killed in a car accident in her youth, was honored by the Jewish National Fund (JNF) who dedicated a forest to her memory. It was during one of those early visits to Israel that we visited Yad Vashem. I was deeply struck and saddened by the horrible things that Christians had done to the Jewish people. I promised on that day that if anything like that ever happened again in my life-time, I would do everything possible to fight against it, and to emulate the actions of the righteous gentiles.

I recall working with the Chairman and Commissioners Cardin and Smith at the OSCE Parliamentary Assembly meeting in Berlin in 2002 to pass a resolution to combat anti-Semitism. Since that time, the OSCE Parliamentary Assembly has annually passed declarations addressing anti-Semitism and has agreed to concrete measures to implement their declarations.

In 2004, I worked with my admirable colleagues on the panel here to introduce and pass S.2292, the Global Anti-Semitism Review Act. That bill required the State Department to assess the rise of anti-Semitism and issue a report, which it did in 2005, detailing the disturbing trends. It also established the position of the Special Envoy to Combat Anti-Semitism. I was very glad to see that position filled, after a long period, and I am very happy to know that it is filled now, and that we have an individual working to address this issue on a full-time basis. Gregg Rickman, who is here to testify today, came to meet with me in my office on many occasions. I look forward to hearing what Gregg has been doing to combat a trend that continues to disturb us all.

We heard at the last hearing that despite our efforts in the United States and the commitment of the OSCE participating nations to the Berlin Declaration, anti-Semitism is not disappearing. It is alive and well. It is increasing in many places. It is continuing to result in horrible acts of violence and discrimination in Europe—a place that shares our values and seeks to uphold human rights and religious freedom. This is an issue that should concern all of us, and it should definitely concern the OSCE.

According to Tel Aviv University, 54% of all “major violent anti-Semitic incidents” and 43% of “major anti-Semitic attacks” recorded worldwide in 2006 occurred in Western Europe. The highest number of anti-Semitic incidents occurred in France, Germany, and the United Kingdom.

The EU’s Agency for Fundamental Rights (FRA) reports that in the last 5 years, anti-Semitic crime has increased by 62.4% in France, 15.5% in the U.K., and 1.7% in Germany.

Reports indicate that no country in Europe has been completely immune to anti-Semitic incidents. I want to site a few of the incidents to stress that no European country seems to be immune to the problem:

BELARUS: In late February 2007, neo-Nazi activists attacked Larissa Shukailo, and shouted “Get away to your Israel!” Shukailo filed a complaint with the authorities, but no suspects have been identified.

BELGIUM: On July 5, 2006, a North African man yelled anti-Semitic insults at two Jewish boys and returned later with friends to assault the Jewish boys. One boy was badly hurt and the other escaped. The perpetrators were not found.

FRANCE: On April 21, 2007, vandals damaged 180 graves, a quarter of which were Jewish, in the main Le Havre cemetery of Saint-Marie.

THE NETHERLANDS: In late October 2006, for example, 15 gravestones were vandalized in a Jewish cemetery in Beek.

RUSSIA: On May 5, 2007, an assailant threw a Molotov cocktail at a synagogue in Saratov. No suspects were apprehended.

GERMANY: March 8, 2007, 63 tombstones were destroyed at a Jewish cemetery in Diesbeck.

But I want to stress that there are many positive steps being taken by the OSCE states to document and reverse this trend.

In Germany, two men were arrested in connection with the cemetery desecrations that I just mentioned, and in 2006, German authorities reportedly conducted 257 investigations of these incidents and made 29 arrests.

This is just one example of some work to stop these trends, but I do think it is important to note the positive steps that nations are taking to fight back. We need to highlight them publicly and congratulate these nations for taking the problem seriously, reporting the crimes when they occur, and running the investigations that will lead to prosecutions. By citing and praising these steps through the OSCE forum, we provide an incentive for other nations to do more.

I want to note that I also received a letter from the Ukrainian Embassy this week that I would like to submit for the record. Ukraine has experienced some negative trends on anti-Semitism. Last year, I raised my concerns about this with the Ukrainian Ambassador and asked for an update. The Ambassador provided me with some information that I think is very encouraging. Ukraine’s President Yushchenko has established a Special Operative Unit to Fight Xenophobia and the unit has arrested a suspect who circulated the notorious anti-Semitic brochures in Odessa on December 24, 2007. Ukraine’s Parliament is taking many legislative steps

to strengthen hate-crimes legislation. And many other steps are mentioned here that are encouraging signs.

I want to congratulate Ukraine for its work on this and thank the Ambassador for providing the information.

In conclusion, I am very eager to hear from our witnesses, and most importantly to hear their recommendations about how the OSCE and its members should proceed in the future. I would like to know how Congress can help. As you can see, we are very committed to this issue, and we look to you for your advice.

**PREPARED STATEMENT OF GREGG RICKMAN, SPECIAL ENVOY
FOR MONITORING AND COMBATING ANTI-SEMITISM, U.S. DE-
PARTMENT OF STATE**

Thank you, Chairman Hastings, Senator Cardin, and other distinguished Members of the Commission for inviting me here today. I welcome the opportunity to discuss anti-Semitism, especially trends in the OSCE region. Your active, personal commitment and this Commission's early and sustained attention to this growing problem have helped spur international efforts against anti-Semitism within the OSCE region and beyond. Indeed, the OSCE's pioneering work serves as a model for other regional institutions in condemning and combating contemporary forms of anti-Semitism worldwide.

Current Overall Conditions:

I would like to begin by relating three incidents to you to give you an idea of the frightening state of anti-Semitism in recent years.

- In London in August 2006, Jasmine Kranat, a 13-year old Jewish girl was riding home from school on a bus. Fellow students demanded that she tell them whether she was "English or Jewish." When she paused, they robbed her and then beat her unconscious, breaking her cheekbone in the process. No one made a phone call or left their seat to help her.

- In February 2006, Ilan Halimi, a French Jew, was kidnapped by a gang of African immigrants who mutilated him, at times even while negotiating with his parents over the phone for a ransom. Eventually they left him in a field, in the winter, naked and burned. When caught by the police, the gang leader admitted that they targeted Halimi because he was Jewish and "all Jews had money." Halami died on the way to the hospital.

- In October 2005, Andrey Dzyuba, a 21-year old Jewish man in Yekaterinburg, Russia was beaten in a cemetery by five teenagers who then plunged a cross torn from a nearby headstone into his chest, killing him.

These, and other, chilling accounts speak to the truth of Secretary Rice's statement that, "More than six decades after the Holocaust, anti-Semitism is not just an historical fact. . . . It is a current event. Anti-Semitic hate crimes are on the rise still at home and abroad."

Today's anti-Semitism is manifested by an increased number of violent attacks against Jews and synagogues in much of the OSCE region and beyond. Traditional anti-Semitic screeds, such as The Protocols of the Learned Elders of Zion and Mein Kampf, remain commonplace worldwide, and Jews often are blamed for "why things go wrong." Age-old and new anti-Semitic conspiracy theories and propaganda, such as the assertion that Jews control the United States and are overly influential on the world stage, circulate rapidly via satellite television, radio, and the Internet. Jews continue to be accused of dual loyalty, and the symbols and images associated with classic anti-Semitism, such as the charge of blood libel, endure. Holocaust denial has become one of the most prevalent forms of anti-Semitic discourse. Holocaust denial has even be-

come state policy in Iran. Israeli policy is often compared to that of the Nazis.

Contemporary anti-Semitism manifests itself in both overt and subtle ways, persisting in places where Jews live and even where they do not.

Anti-Semitism within the OSCE:

The OSCE region, which is home to many Jews, has the highest record of reported physical attacks on Jews and on Jewish institutions despite government efforts to combat anti-Semitism. Governments in the region recognize their responsibility to work against societal anti-Semitism, with the exception of Belarus, where state enterprises freely produce and distribute anti-Semitic material.

According to reliable NGO reports, in 2006 (the last full set of reportable data) a number of OSCE countries experienced increases in overall anti-Semitic incidents, including non-violent incidents such as graffiti and verbal assaults. Examples include:

- Belgium, with 66 reported anti-Semitic incidents (the largest number of acts since 2001, when reporting began);
- The United Kingdom, with 594 reported anti-Semitic incidents (31% over 2005);
- Switzerland, with 140 reported anti-Semitic incidents (73 in the German-speaking region, double the number from the previous year; and 67 in the French-speaking region, a decline from 75 in 2005);
- France, with 371 incidents (24% over 2005, though statistics for the first half of 2007 reveal a decrease);
- And Canada, with 935 reported incidents (a 12.8% increase over the previous year).

To be sure, we must not take such statistics as the final word on the problem. Drawing accurate cross-country comparisons is complicated by the fact that countries use differing data collection methodologies and definitions. For example, some countries—such as Russia—tend to record attacks against Jews as “hooliganism” or ordinary criminal attacks, without recording the anti-Semitic nature of the crime. This same problem exists outside of the OSCE region in Australia, from where I have just returned last week. There, police forces are only beginning to approach the problem of anti-Semitic attacks in a systematic way, despite the occurrence of 638 incidents from October 2006-September 2007. In contrast, in North America and Western Europe, governments are more apt to report the anti-Semitic dimension of hate crimes and allow non-governmental groups to monitor the problem. So we must be very cautious about “rank-ordering” countries on the degree to which anti-Semitism is a problem based on available statistics because comparisons are not always equal.

That said, the documented upsurge in anti-Semitism within the OSCE region remains cause for great concern in the OSCE region. As you know, Mr. Chairman, since 2003, the OSCE has convened six major forums addressing anti-Semitism, at which national leaders underscored their commitment to combat anti-Semitism at home and abroad. The OSCE Conference on Anti-Semitism held in Berlin in April 2004 culminated in the issuance of a declaration that, “Recogniz[es] that anti-Semitism . . . has assumed new forms

and expressions, which, along with other forms of intolerance, pose a threat to democracy, the values of civilization and, therefore, to overall security.” The Declaration also states “unambiguously that international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism.”

During my time as Special Envoy, I have traveled to numerous OSCE countries, including the United Kingdom, Canada, France, Germany, Russia, Ukraine and Poland, where I have spoken to government officials, community leaders and victims of anti-Semitic violence, such as Jasmine Kranat, whom I just mentioned. I have also gained a number of impressions from travel throughout the Middle East and well beyond. One thing that is clear is that anti-Semitism remains and moreover, has proven to be an adaptive phenomenon.

Allow me now to share some observations about trends, especially within the OSCE region, where classic anti-Semitism continues to exist, but where new forms of anti-Semitism also have evolved:

Traditional anti-Semitism—that is, the overt demonization or degradation of Jews based on ethnic and religious differences—remains prevalent in parts of Central and Eastern Europe and in Russia. To cite just a few examples of traditional anti-Semitism:

- In Poland, the conservative Catholic radio station Radio Maryja is one of Europe’s most blatantly anti-Semitic media venues.

- The Interregional Academy of Personnel Management, a private institution in Ukraine commonly known by the acronym MAUP, is one of the most persistent anti-Semitic institutions in Europe. In 2007, MAUP accounted for nearly 90% of all anti-Semitic material published in Ukraine. I have personally bought their publications in Kiev at a kiosk on the street.

- In Russia, where xenophobic, racial and ethnic attacks are widespread and on the rise, the primary targets of skinheads are foreigners and individuals from the North Caucasus; however, skinheads often express anti-Semitic sentiments as well.

- In Germany, a country that has, more than any other, tried to come to terms with its past, and which has been a leader within the OSCE and the EU in combating anti-Semitism, neo-Nazi violence has taken its toll. Between 2002 and 2006, 237 Jewish cemeteries were reported desecrated, an average of nearly 50 a year. There are also a number of individual cases of physical assaults and other incidents.

Despite these and other examples, the good news is that, in much of the OSCE region, especially in Western Europe and North America, traditional anti-Semitism has been relegated to fringe extremist groups.

However, new forms of anti-Semitism have evolved. They often incorporate elements of traditional anti-Semitism. However, the distinguishing feature of the new anti-Semitism is criticism of Zionism or Israeli policy that—whether intentionally or unintentionally—has the effect of promoting prejudice against all Jews by demonizing Israel and Israelis, and attributing Israel’s perceived faults to its Jewish character.

At times, hostility toward Israel also translates into violence against Jews worldwide. There was, for example, a sharp upsurge in violent anti-Semitic incidents worldwide during the conflict between Hezbollah and Israel in Summer 2006, including here in the United States.

Traditional anti-Semitism, with its historic linkage to Nazism and some forms of nationalism, tends to be overt and is considered unacceptable and illegitimate by much of the mainstream in Western Europe, North America, and beyond. In contrast, new anti-Semitism, characterized by anti-Zionist and anti-Israel criticism that is anti-Semitic in its effect—whether or not in its intent—is more subtle and thus frequently escapes condemnation.

According to the European Monitoring Center on Racism and Xenophobia (EUMC) definition of anti-Semitism, regardless of the motive, anti-Zionist and anti-Israel criticism become anti-Semitic when they entail: denying the Jewish people their right to self-determination; applying double standards to Israel, using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis; drawing comparisons of contemporary Israeli policy to that of the Nazis, or holding Jews collectively responsible for actions of the state of Israel.

According to the EUMC's Summary overview of the situation in the European Union 2001–2005:

“There has been some evidence to support the view that there is some link between the number of reported anti-Semitic incidents and the political situation in the Middle East. . . . Moreover, some of the data indicate that there have been changes in the profile of the perpetrators. It is no longer the extreme right which is seen as solely responsible for hostility towards Jewish individuals or property. . . . Instead, victims identified ‘young Muslims,’ ‘people of North African origin,’ or ‘immigrants’ as perpetrators.”

The EUMC concludes that in Europe: “Anti-Semitic activity after 2000 is increasingly attributed to a ‘new anti-Semitism,’ characterized primarily by the vilification of Israel as the ‘Jewish collective’ and perpetrated primarily by members of Europe’s Muslim population.”

But—to be clear—today’s new anti-Semitism while common in Muslim communities in Europe and throughout the Middle East, is not confined to these populations.

For example, the distinction between legitimate criticism of the policies and practices of the State of Israel and anti-Semitism can become blurred in the UN context. United Nations bodies are asked each year on multiple occasions to investigate what often are sensationalized reports of alleged atrocities and other violations of human rights by Israel. Various bodies have been set up within the UN system with the sole purpose of reporting on what is assumed to be ongoing, abusive Israeli behavior. The motive for such actions may be to defuse an immediate crisis, to show others in the Middle East that there are credible means of addressing their concerns other than through resort to violence, or to pursue other legitimate ends. But the collective effect of unremitting criticism of Israel, coupled with a failure to pay attention to regimes that are demonstrably guilty of grave violations, has the effect of reinforcing the notion that the Jewish state is one of the sources, if not the great-

est source, of abuse of the rights of others, and thus intentionally or not encourages anti-Semitism.

Between 2001 and September 2006, UNGA's plenary and main committees (not including the former Commission on Human Rights or Human Rights Council) together adopted over 120 human rights-related resolutions focused on Israel, with more anticipated by the end of the 2007–2008 UNGA. During that same period, less than thirty resolutions were adopted by these same bodies regarding the situations in North Korea, Burma, and Sudan combined.

The new anti-Semitism often emanates from unprecedented coalitions, uniting groups that otherwise would have little common cause. Throughout the OSCE region, and indeed at anti-Israel rallies on every continent, placards emblazoned with swastikas can be found reading, "Death to the Jews—Death to Israel" and Stars of David. Activists attending a November 16–19, 2006 conference in Beirut organized by Hizballah and the Communist Party of Lebanon agreed in their final statement "to establish a worldwide network against the American-Zionist project which. . . target[s] . . . humanity." According to the Brussels Tribunal, an international coalition of activists, the conference was attended by 400 people "from all over the world [representing] trade unions, anti-globalization, anti-war and anti-imperialist movements."

In May 2007 the United Kingdom-based University and College Union offered two separate resolutions which would require its membership to support a Palestinian call for a boycott and endorse restrictions on collaborative research with Israeli scholars. The debate over the proposed academic boycott featured anti-Semitic demonization of Israel, such as Nazi analogies and suggestions that Israel is "a fascist state." The call for a boycott later was called off.

Combating Anti-Semitism:

Having briefly described some of the components of today's anti-Semitism within the OSCE and beyond, in the short time that remains I'd like to comment on some of the efforts underway to combat anti-Semitism.

The U.S. Government, as well as many others within the OSCE and beyond, seek to combat anti-Semitism through a variety of means, including: Publicly condemning all forms of anti-Semitism and intolerance whenever they occur; meeting with victims of anti-Semitic crime; monitoring anti-Semitic actions and maintaining public statistics; promoting tolerance in primary and secondary schools, and in society at large; devoting significant resources to investigating incidents and prosecuting perpetrators of anti-Semitic crimes, and I would add, prosecuting them specifically as hate crimes; training police to understand the nature of such crimes; promoting Holocaust awareness and education; supporting inter-faith understanding and dialogue; providing security protection to threatened synagogues and other Jewish institutions; and collaborating with affected communities, NGOs, and international bodies to counter anti-Semitism. These actions are some of the best steps that governments can take to address the problem.

Laws can be among the most powerful tools for fighting anti-Semitism. Examples include: Creation of minority rights and legal protections that prevent discrimination; increased sentencing provi-

sions for hate-motivated crimes—but importantly, these provisions must be used for prosecution; legally established commissions and agencies to counter racism, protect human rights, or fight discrimination, including against Jews; ombudsmen to address ethnic and minority issues; and strong laws against crimes linked to anti-Semitism, such as cemetery desecration.

Countries vary widely in their legal approaches to combating anti-Semitism. For instance, some countries enact prohibitions and impose criminal penalties on certain forms of anti-Semitic expression (e.g., denial of the Holocaust and broadcasting racist remarks). In other countries, including the United States, such measures would conflict with constitutional protections on the freedom of speech. Although there are significant country variations, a common approach to combating anti-Semitism is the prohibition of governmental and certain forms of private discrimination on the grounds of nationality, race, religion, and other factors.

At the intergovernmental level, as I noted, the OSCE has been a global forerunner in efforts to combat anti-Semitism, and I know that on January 29th this Commission heard about such efforts from two distinguished OSCE experts: Professor Gert Weisskirchen, OSCE Chairman-in-Office's Personal Representative on Combating Anti-Semitism, and Dr. Kathrin Meyer, Advisor on Anti-Semitism Issues with the OSCE Office for Democratic Institutions and Human Rights. I firmly express the State Department's strong support for permanently retaining the positions these individuals occupy, namely Professor Weisskirchen's position as the Personal Representative on Anti-Semitism of the Chair-in-Office, and I applaud Finnish Chairman-in-Office Kanerva's decision to retain the three personal representatives to combat anti-semitism, anti-Muslim and other forms of religious intolerance and discrimination. Renewing Professor Weisskirchen's mandate and ensuring his and the additional two positions' proper funding is essential to our efforts to combat anti-Semitism in the OSCE region.

For their own part, Jewish communities must not sit back and accept the attacks that are launched against them. It is incumbent upon these communities to file complaints with their representatives and their governments when attacked. I understand their reservations to this approach that arise from fear of calling too much attention to themselves, as well as a well-founded fear of reprisal. Yet, governments serve to protect and they should be expected to respond when notified of an incident. They can, however, only respond when they are notified.

Additionally, a free and independent media is essential in countering misperceptions and prejudices and promoting tolerance. Reporting of incidents is also important to provide notice that these incidents are occurring.

In the OSCE region and around the globe, responsible governments, intergovernmental organizations, nongovernmental groups, religious leaders, other respected figures, and ordinary men and women are working to reverse the disturbing trends discussed here today. A lot of work remains to be done in key areas of education, tolerance promotion, legislation, and law enforcement before anti-Semitism, in all its ugly forms, can be consigned to the past.

Conclusion:

History has shown that wherever anti-Semitism has gone unchecked, the persecution of others has not been far behind.

Anti-Semitism must be seen as a human rights issue that must be seen as a cause of great importance not only for Jews, but for all people who value humanity and justice and want to live in a more tolerant, peaceful world.

I thank you for the opportunity to come before you today, and welcome any questions you may have.

**PREPARED STATEMENT OF FELICE D. GAER, COMMISSIONER,
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Distinguished Members of the Commission on Security and Cooperation in Europe, thank you for the opportunity to testify today at this important hearing on the issue of "U.S. and Civil Society Efforts to Combat Anti-Semitism."

I would like to take this opportunity to thank the members of the Helsinki Commission for your vital leadership in the struggle against anti-Semitism throughout the world, including: through a steady stream of hearings like this one, by resolutions calling on the Chair-in-Office (CiO) of the Organization for Security and Cooperation in Europe (OSCE) to consider appointing a high-level personal envoy to ensure sustained attention to anti-Semitism, by sponsoring key pieces of legislation, such as the Global Anti-Semitism Review Act of 2004, and by participating actively in OSCE's Parliamentary Assembly and other OSCE conferences and events which address the battle against anti-Semitism and other forms of intolerance.

**THE ROLE OF THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS
FREEDOM**

The U.S. Commission on International Religious Freedom, established in 1998, has repeatedly called attention to and condemned anti-Semitism, including acts of anti-Semitic violence throughout the world. The Commission has raised concern about the problem in such OSCE countries as Belarus, Uzbekistan, and Russia in the former Soviet Union, and Belgium, France, Turkey, among other OSCE countries, as well as in Egypt, Iran, Pakistan, and Saudi Arabia. The Commission sharply criticized the spike in anti-Semitic violence manifested in Western Europe in 2002, raising concern about incidents in Belgium and France in particular.

As part of those efforts, the Commission has recommended that the U.S. government work with the institutions of OSCE to ensure that distinct attention is given to the problem of anti-Semitism in the OSCE region. We have also recommended that the OSCE address this growing problem in innovative ways that would strengthen and better fulfill OSCE participating States' commitments to protect human rights and combat intolerance, including anti-Semitism, as first articulated at the 1990 Copenhagen conference. Since the Commission advocated in favor of the OSCE's first special meeting devoted exclusively to anti-Semitism in Vienna in 2003, it has actively monitored, participated in, and made recommendations regarding the subsequent OSCE conferences and related institution-building that has followed, including within OSCE's Office of Democratic Institutions and Human Rights (ODIHR), and with the appointment of the Personal Representatives of the Chair-in-Office.

**RISE OF ANTI-SEMITISM, RACISM, XENOPHOBIA, DISCRIMINATION AND
INTOLERANCE IN THE OSCE REGION AND ELSEWHERE**

Since 2001, the Commission has noted an increase in incidents of racism, xenophobia, discrimination, and intolerance toward members of religious and ethnic minorities in the OSCE region, in-

cluding, for example, in Russia, Ukraine, and Belarus, as well as in France, Germany, and the United Kingdom. While officials and state-run media are sometimes involved in efforts to inflame public opinion against minority groups in some parts of the OSCE region, it is sometimes inaction that fuels an environment of intolerance, such as when extremist rhetoric goes uncontested by political and societal leaders. Moreover, in many OSCE participating States, officials often fail to hold the perpetrators of anti-Semitic attacks to account.

According to monitoring organizations, there were twice as many physical assaults on Jews in 2006 in comparison with the previous year, with the greatest increases in the United Kingdom, Canada, and France. A disturbing number of anti-Semitic incidents were recorded elsewhere, for example, in Norway, Belgium, Germany, and Ukraine. A significant number of the recent anti-Semitic incidents in Western Europe have been committed by Muslim immigrants, many of whom are from North Africa. Those monitoring these incidents find, as has the OSCE's ODIHR, that when tensions escalate in the Middle East, the number of anti-Semitic incidents increases.¹ Opposition to the existence of a Jewish state and political resentment regarding the conflict in the Middle East can cross the line into anti-Semitic acts. "[W]hat may start as criticism of Israeli policies may encounter and become susceptible to the entire arsenal of anti-Semitic imagery and literature that has been created over the centuries . . ."²

In addition, "skinhead" gangs and neo-Nazi groups are also sources of hate-filled rhetoric and violence in many countries in the OSCE region. Various ethnic and religious minorities have also focused their attacks on Jews, often also targeting recent migrants, members of other minorities, and Muslims. Vandalism against religious and other property has increased. Violent acts are often well documented, but they are rarely investigated and prosecuted as hate crimes, particularly in Russia and other OSCE states with weak rule-of-law traditions. Instead, officials, prosecutors, and judges often trivialize such violence by treating it as "hooliganism." When burnings, beatings, and other acts of violence target members of a particular group because of who they are and what they believe, such acts should be viewed not merely as police problems, but as human rights violations that require an unequivocal response.

In addition to describing general trends in anti-Semitic violence in the OSCE region, the Commission has also highlighted concerns about anti-Semitism outside the OSCE region that sometimes influence manifestations inside it. For example, on January 27, 2007, designated by the United Nations as International Holocaust Remembrance Day, the Commission called for a renewed fight against anti-Semitism, noting that "in spite of the lessons of the Holocaust, anti-Semitism continues to be a potent force . . . Some governments do not do enough to fight anti-Semitism; others even fuel it. In an egregious example, the government of Iran sponsored a conference questioning the legitimacy of well-established facts of the Holocaust. This conference brought President Mahmoud Ahmadinejad and other senior Iranian government officials to-

gether with numerous Holocaust deniers, racists and anti-Semites from around the world.”

COMMISSION FINDINGS: ANTI-SEMITISM IN RUSSIA, BELARUS,
TURKEY, EGYPT, AND IRAN

In its May 2007 Annual Report, the Commission reported on the status of Jewish communities in the OSCE states of Russia, Belarus and Turkey, as well as on Iran and Egypt. In Russia, the Commission found that unlike in the Soviet period, the Russian state does not act as the official sponsor of anti-Semitism. Yet, literature that includes the infamously anti-Semitic accusations that Jews engage in the ritual murder of Christian children is sold openly in the Russian State Duma building, and the Russian Procuracy has not responded to complaints that such literature violates Russian laws against incitement of ethnic and religious hostility. In fact, Russian officials more generally have an inconsistent—and often inadequate—record in responding to anti-Semitic incidents.

There are, however, some reported cases when hate crimes legislation has been used. In 2006, a group of extremists who tried to kill Jews in the Siberian city of Tomsk were convicted of attempted murder and terrorism (they had injured a policeman by booby-trapping an anti-Semitic sign with an explosive). In June 2006, the Russian Supreme Court ordered a review of the 13-year sentence handed down in March against a young man who wounded nine worshippers during a January 2006 knife attack in a Moscow synagogue. Investigators had found anti-Semitic literature and ammunition in the attacker’s apartment, but the lower court had not found the defendant guilty of incitement of ethnic or religious hatred under Article 282 of the Russian Criminal Code. The following September, a Moscow court sentenced the man to 16 years in prison for attempted murder and inciting racial hatred under Article 282.

Russian human rights advocates say that President Vladimir Putin and his administration have not spoken out strongly enough in support of the multi-ethnic and multi-confessional nature of the Russian state and society. Some Western and other observers have suggested that Russian authorities have instead manipulated xenophobia for political purposes. The Kremlin is believed, for example, to have supported the formation of the ultra-nationalist “Rodina” political party—and then to have been unprepared for its popularity—as well as the politically active nationalist youth movement “Nashi.” President Putin has on occasion affirmed the value of pluralism, for instance at the meeting of the G-8 countries in July 2006, and has also decried anti-Semitism and hate crimes. Nevertheless, in the Commission’s view, more can and should be done to ensure that Russian law enforcement agencies recognize hate crimes for what they are—human rights abuses—and to prevent and punish such crimes, including those involving ethnicity and religion.

In Belarus, the Commission has found that the government has not made adequate efforts to find and hold accountable those responsible for vandalism against Jewish memorials, cemeteries, or other property. Indeed, in Belarus, President Aleksandr Lukashenka himself is known to make anti-Semitic comments. Ac-

According to RFE/RL, in October 2007, Lukashenka referred to the Belarusian town of Babruysk as a “pigsty,” and “mainly a Jewish town—and you know how Jews treat the place where they are living.” His comments were broadcast live on national radio. Lukashenka has made anti-Semitic statements in the past, for instance comparing dishonest oligarchs with Jews, or likening his critics to people with “hooked noses.” In response, the United States called on Lukashenka to retract his comments, and Rene van der Linden, the president of the Parliamentary Assembly of the Council of Europe, has also criticized the comments, calling on Lukashenka to apologize.

According to the State Department’s most recent international religious freedom report on Belarus, “the number of individual anti-Semitic incidents increased during the reporting period. Anti-Semitism is tolerated by the state. Anti-Semitic acts were only sporadically investigated.” The report also noted that, during the reporting period, several Jewish religious sites had been vandalized. Just last week, the report noted, vandals reportedly desecrated graves in a Jewish cemetery in Babruysk and daubed the gates with a swastika.

The Jewish community in Turkey, estimated at 23,000, operates its own schools, hospitals, two old-age homes, and welfare institutions, as well as a Jewish newspaper. The Commission found that the situation for Jews in Turkey is better than in other majority Muslim countries, as the community there reports being able to worship freely. In addition, their places of worship generally receive government protection when it is required. Nevertheless, concerns have arisen about the November 2003 and August 2004 bombing attacks on synagogues by terrorists associated with Al Qaeda, the first killing 25 persons, and the second killing two. The Commission also noted increasingly vocal anti-Semitism in some sectors of the media that is generally coupled with anti-Americanism. In 2005, a new Turkish edition of “Mein Kampf,” along with the notorious anti-Semitic “Protocols of the Elders of Zion,” were bestsellers on reading lists published in Turkey. The Commission stated that “The growing anti-Semitism is thought in part to be a reflection of increasingly politicized Islamist sentiments due to some degree to wide opposition in Turkey to the US invasion of Iraq; there are a growing number of specious stories about Israeli and US misdeeds in Iraq, as well as pieces containing more conventional anti-Semitic stereotyping.” As in other parts of Europe, the Commission learned from Turkey’s Jewish leaders that anti-Semitism in the Turkish media is directly related to what is happening in the Middle East, and that Jews in Turkey report that they are held responsible for events in that region. “All of these factors . . . have resulted in an increasing sense of fear and insecurity among members of the Jewish community that has generally not been present before in Turkey.”

Although religious pluralism in Egypt, an OSCE Mediterranean partner state, has been acknowledged, more can and should be done by the government to punish those responsible for the rise in religious violence in recent years, and to combat widespread and virulent anti-Semitism and other intolerance in the media and in the education system. Material vilifying Jews—with both historical

and new anti-Semitic stereotypes—appears regularly in the state-controlled and semi-official media. This material includes anti-Semitic cartoons, television programming such as a 24-part series based on the anti-Semitic “Protocols of the Elders of Zion,” and spurious Holocaust denial literature. The Commission believes that Egyptian authorities have not taken adequate steps to combat anti-Semitism in the media, despite official claims that it has advised journalists to avoid anti-Semitism. Human rights groups also cite persistent, virulent anti-Semitism in the education system, which is increasingly under the influence of Islamic extremists, a development the Egyptian government has not adequately addressed. The small Jewish community maintains and owns its property and performs required maintenance largely financed through private donations. However, state security services continue to regulate and approve those permitted to make repairs, which, in some cases, has created problems and delays. The Commission has called on the Egyptian government to take appropriate steps to prevent and punish acts of anti-Semitism.

In Iran, heightened anti-Semitism and Holocaust denial rhetoric and activities by senior government officials have increased fear among that country’s Jewish community. The Commission has found that official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have usually been singled out on the basis of “ties to Israel,” whether real or perceived. President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the existence of the Holocaust and stating that Israel should be “wiped off the map.” Anti-Semitic tracts have also increased in the government-controlled media, including editorial cartoons depicting demonic and stereotypical images of Jews along with Jewish symbols. In the fall of 2006, and in response to the Danish cartoon controversy, a prominent newspaper, *Hamshahri*, cosponsored a cartoon contest in which the paper solicited submissions from around the world attacking Jews and the Holocaust. Iran’s official Cultural Ministry awarded the contest’s first prize of \$12,000. In past years, several government-controlled newspapers celebrated the anniversary of the tsarist-era anti-Semitic publication, “The Protocols of the Elders of Zion.”

In February 2006, the leader of Iran’s Jewish community, Haroun Yashayaei, sent an unprecedented public letter to President Ahmadinejad expressing serious concern about the President’s repeated Holocaust denial statements and the extent to which these statements have intensified fears among Iran’s 30,000-member Jewish community. Official government discrimination against Jews continues to be pervasive. According to the State Department, despite minimal restriction on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged. In December 2006, President Ahmadinejad hosted a Holocaust denial conference in Tehran. In response, UN Secretary-General Kofi Annan denounced the conference, and the UN Security Council issued a Presidential Statement condemning statements made by President Ahmadinejad denying the Holocaust.

TACKLING ANTI-SEMITISM WITHIN THE OSCE

Since 2002, the Commission has advocated for more active OSCE monitoring of anti-Semitism and other forms of intolerance, discrimination, and hate crimes. The OSCE encompasses 56 states, which include the countries of East and West Europe, Russia, and Central Asia, as well as the United States and Canada. As an organization, the OSCE has had a unique role in European security by working to build stable and effective democratic states through respect for human rights principles and the rule of law, including through free and fair elections. The OSCE enables discussion of the views and recommendations of governments, civil society organizations, and 18 Field Presences in its on-going—and on-the-ground—programs and conferences. As a result of U.S. diplomatic leadership, including in particular the direct and early efforts of the Members of the CSCE in Congress, the OSCE became the first international organization to treat anti-Semitism as a distinct human rights issue requiring serious and on-going attention, using a human rights methodology for monitoring and reporting, as well as advancing training and legislation to criminalize abuses and hold perpetrators accountable.

In the last few years, the OSCE has set up three mechanisms to address intolerance and related human rights issues as mandated by the 2003 OSCE Ministerial Meeting. First, as a result of U.S. leadership on this issue, the OSCE has since 2003 convened a series of ten high-level and expert conferences to address anti-Semitism and other tolerance-related issues. From Ministerial-level conferences in Vienna (2003) and Berlin (2004) and later meetings such as those in Cordoba (2005) and Bucharest (2007), it has mobilized political support from participating States for OSCE to address anti-Semitism and other forms of intolerance in a sustained manner. Secondly, as the Commission recommended in 2004 after the Berlin Conference, the OSCE Chair-in-Office appointed a Personal Representative to address anti-Semitism, making the OSCE the first international organization to appoint a prominent independent expert specifically to examine anti-Semitism. At the same time, it established a Personal Representative monitoring intolerance toward Muslims, and a third who tracks other forms of intolerance, including xenophobia, racism, and intolerance against Christians and members of other religions. Third, a new Tolerance Program was set up within the ODIHR in 2004 to monitor and encourage compliance with OSCE commitments to combat anti-Semitism, racism, and xenophobia, including discrimination against Muslims, and the unit was also given authority to incorporate other ODIHR programming to promote freedom of religion or belief.

Numerous commitments were made by OSCE states with regard to data collection, legislation, and education, leading, in addition to the ODIHR's Tolerance and Non-Discrimination Program, to the establishment of a new ODIHR staff position of Adviser on Anti-Semitism Issues.

In this context, it is notable that the OSCE participating States have rejected political excuses that attempt to justify violence and human rights abuses. OSCE's Berlin Declaration, following the Ministerial level Conference on Anti-Semitism in April 2004, stated

that the participants “declare unambiguously that international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism.” The Brussels Declaration in September 2004, following another Ministerial conference, on racism and xenophobia, reaffirmed that political developments “never justify racism, xenophobia, or discrimination.” Subsequent declarations have repeated this admonition.

THE PERSONAL REPRESENTATIVES ON TOLERANCE OF THE OSCE CHAIR-IN-OFFICE

As noted above, in addition to the ODIHR’s Tolerance Program, the OSCE participating States since 2004 also have welcomed the decision of the Bulgarian Chair-in-Office and each of his successors to appoint and re-appoint the three Personal Representatives on Tolerance of the OSCE Chair-in-Office (CiO). Gert Weisskirchen, German parliamentarian and professor of higher education, was named the Personal Representative on Combating Anti-Semitism; Anastasia Crickley of Ireland, chairperson of the European Monitoring Centre on Racism and Xenophobia, was appointed as the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions; and Omur Orhun, former Turkish Ambassador to the OSCE, was appointed the Personal Representative on Combating Intolerance and Discrimination against Muslims. These appointments have been re-confirmed by each subsequent CiO, that is, Slovenia, Belgium, Spain and Finland and will extend at least through the end of 2008. The mandates of these Representatives include promoting better coordination of the implementation of decisions by the OSCE Ministerial and Permanent Councils on Tolerance and Non-discrimination as well as cooperation between the CiO and the ODIHR.

The mandates of the three Personal Representatives also address separate but inter-related issues that call for distinct, yet coordinated, responses. According to the CiO, the work of the Personal Representatives encompasses three areas: (1) implementing the decisions taken by the participating states at OSCE conferences; (2) drawing high-level attention to progress and setbacks in implementation; and (3) as Gert Weisskirchen told you last week, encouraging efforts by civil society organizations as well as promoting national and transnational cooperation among social, parliamentary, and governmental actors. A review of the work of the Personal Representatives by the Spanish CiO concluded that they had in fact raised awareness of tolerance-related issues at the political level among the OSCE participating States and that they had put knowledge and insights gained on these issues into practice.

It may be useful to note how these positions came into being. According to the Spanish government’s “Review of the Contribution of the Three Personal Representatives . . . to the Overall Effort of the OSCE to Combat Intolerance and Discrimination,” published on December 21, 2007, there was “increasing sentiment” by a majority of OSCE participating states in 2002 “of the need of the OSCE to further focus in[sic] anti-Semitism,” but “some concern, particularly among the EU, that this targeted approach could lead to estab-

lishing an objectionable hierarchy among the different forms of discrimination.” As a result, after several OSCE meetings devoted, separately, to anti-Semitism on the one hand, and racism and xenophobia, on the other, “the feeling grew . . . that a more permanent structure was needed.” Moreover, while ODIHR was charged with data collection on specific incidents of intolerance, States deemed it “useful” to develop “a more visible format at the political level that would emphasize OSCE’s active role,” resulting in the decision to appoint personal representatives who could have political visibility and flexibility as well.

The Belgian and Spanish OSCE CiO’s have expressed the view that the Personal Representatives should coordinate with the various relevant OSCE institutions and among themselves in order to fulfill their mandates better. However, these mandates have been broadly defined from the beginning, emphasizing in the main cooperation and coordination with various others: OSCE participating States, the OSCE’s Parliamentary Assembly, and ODIHR institutions, as well as the CiO and each of the other Personal Representatives. The Spanish Review claims that the three have each conducted a wide variety of valuable activities that “no other international organization has a similar structure to address” and that they provide added value to the OSCE as a whole. While their mandates could be more detailed and coordination improved, it is the conclusion of the Spanish review that “given the moral authority that the three Representatives actually have, their political profile should be further enhanced in the future” and they should be provided with “further instruments” and “administrative support” in order to be more effective. The Spanish Review also suggests that the part-time, honorary posts be turned into “a specialized full-time one.”

COMMISSION RECOMMENDATIONS FOR ENHANCING THE WORK OF THE PERSONAL REPRESENTATIVES

The Commission recommends that the activities of the Personal Representatives should be given more prominence in the work of the OSCE. Indeed, the Commission is concerned that the work of the Representatives has been hampered by inadequate funding for staff and travel expenses, and other demands on their time and attention, as Professor Weisskirchen also pointed out in his testimony. Indeed, Gert Weisskirchen told you that “It will hardly be possible to carry out these tasks in a satisfactory manner with the current mandate structure. The Personal Representative mandates need to be equipped with further instruments if they are to be able to do justice to these functions.” For example, Mr. Weisskirchen pointed out that only one participating State, Croatia, has invited him for an official country visit to monitor the problem of anti-Semitism in that country. Since such visits are supposed to play a key role in the work of the three Personal Representatives, the failure of the OSCE States to issue such invitations represents a failure of their political will in this regard.

The Commission has found that there are many activities that could be part of the mandates of the Personal Representatives, based on the activities of other OSCE institutions and expert appointees. For example, the Personal Representative on combating

anti-Semitism could be tasked with the following: (1) to put a spotlight on anti-Semitism and emphasize the importance of the issue; (2) to engage political leaders directly when problems arise; (3) to investigate incidents when needed; (4) to advise participating States on ways to monitor and enforce existing and new laws; (5) to provide a visible implementation of OSCE commitments and promises made by participating States; (6) to promote and oversee coordination on issues related to combating anti-Semitism; (7) to visit all OSCE participating States, as warranted by circumstances; (8) to report regularly and publicly on his/her findings and recommendations; and (9) to follow up on OSCE high-level conferences, in order to prevent the promises of these meetings from fading and the political commitment from dissipating. As warranted by their substantive focus, the other Personal Representatives could carry out similar activities.

The Commission also recommends that the CiO consider providing more prominence to the three Personal Representatives on Tolerance through measures such as: requesting them to report in person to the annual fall Ministerial Council meeting; ensuring that their reports are published and disseminated throughout and beyond the OSCE system; taking them on some of the CiO's visits to participating States; referring to their work and conclusions in the CiO's speeches; encouraging participating States to invite them to visit the state separately; and encouraging field presences to invite them to participate in specific events focused on his/her specialized mandate(s). Such measures could help enhance not only the profile of the Personal Representatives on Tolerance, but also increase the impact of their findings and recommendations.

COMMISSION RECOMMENDATIONS ON THE ACTIVITIES OF THE ODIHR'S TOLERANCE UNIT

The ODIHR's Tolerance Program was mandated to: monitor anti-Semitic incidents; collect and disseminate information (legislation, statistics) on anti-Semitic incidents and hate crimes, as well as on best practices for preventing and responding to anti-Semitism and, if requested, offer advice to participating States in their efforts to fight anti-Semitism; work with civil society to address racism, xenophobia, and related intolerance, including anti-Semitism; assist participating States, upon request, in developing methods for collecting accurate data and statistics about hate crimes and violent incidents of intolerance and discrimination. ODIHR's Tolerance Program on anti-Semitism has utilized the definition developed by the European Union Monitoring Centre (see Annex below).

The data collection and publications of the Tolerance Unit produced to date have responded to these numerous challenging tasks. Among the most impressive activities of the ODIHR Tolerance Unit have been its training efforts, which include the publication of educational guides for teachers on anti-Semitism, the Holocaust, and the Jewish community's contribution to European society; training for law enforcement officers; its work with civil society groups from relevant countries; and the compilation of data and model legislation against hate crimes. This is an extensive and daunting set of responsibilities. Carrying out these mandates effectively requires

skilled, experienced staff, support from other OSCE and international bodies, and adequate financial resources.

Unfortunately, the valuable activities of the Tolerance Program, including those to combat anti-Semitism described above and so ably carried out by Dr. Kathrin Meyer, are now endangered due to severe budget constraints as well as the departure of Dr. Meyer. Indeed, according to Dr. Meyer in her testimony before you last week, not a single participating State has made a new extra-budgetary contribution to the ODIHR Tolerance Program. The U.S. should revisit this issue and show the kind of leadership it demonstrated in creating the Tolerance Program.

COMMISSION CONCERNS ON THE U.S. GOVERNMENT'S RECORD ON
COMBATING ANTI-SEMITISM THROUGH OSCE MECHANISMS

In recent years, the U.S. government has faced a serious challenge in the OSCE because the Russian government has led an effort to curtail the OSCE's human rights activities. In 2004, delegations from nine countries, led by Russia, issued a written statement demanding that the OSCE give more weight to security matters, claiming that the OSCE focuses too much of its criticism on the countries of the former USSR, while downplaying human rights problems in the West. Russia even withheld needed approval for the OSCE 2005 budget, which must be agreed to by all participating States, thereby delaying its implementation and putting in jeopardy many of the OSCE human rights activities.

These efforts to curtail the OSCE's work are particularly threatening at a time when the governments of Russia and many other countries of the former USSR are demonstrating an increasing lack of commitment to their human rights obligations, including efforts to combat racism, xenophobia, and other forms of intolerance and discrimination. Russia and some of the least democratic post-Soviet states are seeking to put ODIHR under the control of the OSCE's Permanent Council and Ministerial Council. Since all decisions at the OSCE are made on a consensual basis, this would effectively give Russia or any other country the right to veto ODIHR's activities in any sphere.

U.S. government officials have rightly voiced support for the OSCE in the face of these and other attacks. Indeed, until 2007, the U.S. State Department had singled out the ODIHR anti-discrimination programs, including those directed against anti-Semitism, for prominent mention. For example, in December 2004, then-Secretary of State Colin Powell addressed the OSCE Ministerial when he said that "the Helsinki process has been and remains a key catalyst for peaceful, democratic change." Early on, Secretary Powell noted that "within our OSCE community, incidents of anti-Semitism, racism, hate crimes and discrimination against Muslims are on the rise. We must renew our shared determination to combat racial and ethnic hatred, xenophobia and discrimination in all participating states . . . The OSCE's landmark work in fighting intolerance has become the standard by which other organizations' efforts are measured." Emphasizing the importance of establishing a new focus on anti-Semitism at the OSCE, Powell also explained: "We must not permit anti-Semitic crimes to be shrugged off as the inevitable side effects of inter-ethnic conflicts. Political disagree-

ments do not justify physical assaults against Jews in our streets . . . There is no justification for anti-Semitism.”

In the past year, however, the tone and content of the State Department’s statements about the ODIHR’s programs have shifted. Although there continues to be support for the OSCE’s human rights activities, the ODIHR’s work against intolerance, including anti-Semitism, is no longer singled out for particular mention and support. The Commission has discussed the emergence of a campaign to end the further reappointment of the Personal Representatives with U.S. Secretary of State Condoleezza Rice, pointing out the singular importance of U.S. support. The Commission was troubled, however, to learn that the Secretary has not participated in OSCE Ministerials, sending an Undersecretary or other official instead. Furthermore, when Rice made her first, brief address to the OSCE Permanent Council in May 2007, she did not speak of the importance of the Personal Representative on Combating Anti-Semitism or of the other two Personal Representatives on Tolerance. Rather, while she spoke of the OSCE’s “bedrock commitment to human rights and democracy,” she remarked that the OSCE does “important work . . . in support of elections and human rights, as well as the security architecture that is the basis on which a Europe whole, free and at peace is emerging.” It was thus left to the Chargé d’Affaires of the U.S. Mission to the OSCE, Kyle Scott, in June 2007, to refer to the extremely impressive ODIHR report on Combating Hate Crimes. Scott mentioned ODIHR’s “important role to play in helping participating States strengthen their response to hate crimes and other tolerance-related issues, such as ODIHR’s recent effort in creating TANDIS, an information database, which provides an important tool to identify and analyze the challenges States face in fighting discrimination and tolerance incidents effectively.” Thus, though support for the tolerance activities was expressed, it was not made at the Secretarial level, as had been the case in the past.

Similarly, Under Secretary of State Nicholas Burns, speaking at a Vienna press conference in November 2007, said that the ODIHR “is a very important agency of the OSCE in charge of election monitoring.” No reference was made to the Tolerance Program, the Personal Representatives, or the problem of combating anti-Semitism or any related issues. As this program was established at the OSCE because of U.S. leadership on this issue, the signal cannot fail to have been noted by other participating States, including those that have now come forward to complain, as outlined in the Spanish CiO’s Review, suggesting a consolidation—that is, very likely, an elimination—of the unique post focused on anti-Semitism that the OSCE has created. The Commission recommends that the U.S. government urgently needs to signal that it remains interested in the success of the full array of ODIHR programs.

OTHER COMMISSION RECOMMENDATIONS

The Commission offers a number of additional recommendations to the U.S. government on ways our government can strengthen OSCE’s ability to monitor and combat anti-Semitism and other human rights concerns. First and foremost, the Commission believes that the State Department should accord the OSCE more

consistent high level attention and coordination, including by sending high-level U.S. government officials to the OSCE Ministerials and other appropriate meetings.

In 2004, the Commission recommended that the OSCE give renewed focus to the growing human rights problems stemming from anti-Semitism. Since that time, the Commission has successfully advocated that the OSCE Chairman-in-Office reappoint the three Personal Representatives on tolerance issues, including, of course, Gerd Weisskirchen. The Commission also recommends that the activities of the Personal Representatives should be given more prominence within the full OSCE structure. For example, the Commission has recommended that the three Personal Representatives' country reports be made available to the public. In addition, as noted on page ten of this testimony, the activities of the Personal Representative on anti-Semitism should put a spotlight on anti-Semitism; emphasize the importance of the issue and engage political leaders directly when problems arise; investigate incidents when needed; advise member states on ways to monitor and enforce the relevant laws and assist them in drafting new legislation; promote and oversee coordination among OSCE bodies; and report regularly and publicly follow up on OSCE high-level conferences in Vienna and Berlin, Cordoba, and Bucharest. The Commission is pleased to note that the OSCE Web site now provides a more up-to-date reflection of some of the current activities of the three Personal Representatives.

In this vein, the Commission also recommends that the State Department provide timely information on its Web site on the activities and speeches of the U.S. Special Envoy on Anti-Semitism, Dr. Gregg Rickman. The Commission has been informed that the Department of State's report on global anti-Semitism will be issued later this month. The Commission looks forward to the 2007 edition of this State Department report.

COMMISSION CONCERNS ON TREATMENT OF RELIGIOUS FREEDOM IN THE ODIHR

In 1998, the ODIHR Advisory Panel of Experts on Freedom of Religion or Belief was first established. In 2004 it was re-organized and expanded to a total of 58 persons nominated by countries from throughout the OSCE region, including an Advisory Council of 15 members. Indeed, this group represents the largest such expert body in any international organization, including the UN. The Commission is concerned, however, that this group is now not given the visibility and recognition it deserves.

The Panel functions primarily as a consultative body for the governments of participating States considering new or amended legislation affecting freedom of religion, as well as for expert opinions on individual cases. The Panel, however, has not specifically addressed the issue of anti-Semitism in its primary work which consists of reviewing both proposed and enacted legislation under guidelines developed by the ODIHR and the Council of Europe Venice Commission. These guidelines are based on international human rights conventions and on various OSCE commitments. The Panel issues recommendations to the participating States on bring-

ing legislation into conformance with international human rights standards.

Freedom of thought, conscience, religion or belief is one of the core human rights referenced in the 1975 Helsinki Final Act. And, until 2004, this issue was included in the portfolio of the Human Rights Unit of the ODIHR. After the establishment of the ODIHR Tolerance Program, however, this issues was no longer included in the Human Rights Unit. As a result, freedom of religion or belief is viewed largely as a discrimination matter. However, the Commission emphasizes that there are other aspects of the issue of freedom of religion or belief—particularly the responsibility of States to guarantee the right of individuals, alone or in community with others, to practice this freedom—that are a core human rights concern that must be defended. The Commission is concerned that the 15-member ODIHR Advisory Panel of Experts on Freedom of Religion or Belief, which represents a valuable resource for legal and other expertise, has been pigeon-holed primarily as a tolerance issue.

CONCLUSION

Much has been accomplished since 2002 by the OSCE to develop methods to combat anti-Semitism and other forms of discrimination. Recently, however, OSCE has been hampered in its effectiveness by political, financial and bureaucratic obstacles. One positive development for ODIHR has been that Tolerance Program funding has now been included in the OSCE core budget. This helps ensure program continuity and the ability to attract capable staff. Maintaining adequate and predictable funding is essential to ensure the on-going success of the ODIHR Tolerance Program.

Unfortunately, the rise in anti-Semitic violence and other forms of intolerance, xenophobia and discrimination against various ethnic and religious groups in the OSCE region has continued in recent years as the testimony presented at this hearing has demonstrated. The Commission has urged that the U.S. government authorize and appropriate additional funds to the ODIHR to expand its impressive and unique programs on anti-Semitism and other forms of intolerance which the United States has done so much to establish. Although the U.S. government has, until 2007, allocated extra funds to the ODIHR's Tolerance Program, as of this writing, no new extra funds have been allocated this year.

The Commission commends the members of the Helsinki Commission for their expressed willingness to address these problems. In addition, the Commission asks that the Congress consider a new allocation or appropriation of existing funds to directly support the valuable work of the ODIHR's Tolerance Program. If the ODIHR is to have the capacity to continue its valuable work against anti-Semitism and other types of intolerance and to overcome the political pressures to curtail it, the U.S. needs to demonstrate that the success of these programs is a long-term American priority in the OSCE region.

To conclude, the Commission strongly encourages the U.S. government to provide additional resources to the OSCE, especially those institutions that promote and sustain that organization's human rights principles, such as freedom of religion or belief,

which are at the heart of the entire Helsinki process. This is especially the case since many of the 56 OSCE participating States acknowledge that they face an increase in intolerance, xenophobia, racism and anti-Semitism in their countries. Building security for all of the OSCE's citizens through the various OSCE human rights and tolerance programs, including combatting anti-Semitism, is not only worthwhile, but, indeed, necessary.

APPENDIX

(1) From *Addressing Anti-Semitism: Why and How: A Guide for Educators*, published by the Office of Democratic Institutions and Human Rights of the Organization on Security and Cooperation in Europe, together with Yad Vashem, December 2007, pp. 14, 16

“Most anti-Semitic stereotypes portray and often dehumanize Jewish people as dangerous, inferior or evil ‘others’ and are associated with discrimination, exclusion and persecution. . . . Conspiracy theories are a central characteristic of anti-Semitism and one of the main reasons why anti-Semitism differs from other forms of discrimination. Unlike other minorities, Jews are perceived as powerful and influential. . . . Conspiracy theories have been an important part of right-wing ideologies. . . . Such thinking can also be found among the radical Left. . . .”

(2) Fact Sheet

OFFICE TO MONITOR AND COMBAT ANTI-SEMITISM
U.S. DEPARTMENT OF STATE
February 8, 2007

“Working Definition” of Anti-Semitism

In its 2004 report on anti-Semitism, the European Monitoring Centre on Racism and Xenophobia (EUMC) called attention to the lack of a common definition of anti-Semitism and sought to obtain one. As a result, a working definition was written collaboratively by a small group of non-governmental organizations (NGOs). In light of the longstanding commitment of the U.S. to free speech and other individual freedoms as demonstrated within our Constitution, the Office of the Special Envoy believes that this definition provides an adequate initial guide by which anti-Semitism can eventually both be defined and combated, and therefore presents this “working definition” as a starting point in the fight against anti-Semitism.

Working definition: “Anti-[S]emitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti[-S]emitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

In addition, such manifestations could also target the state of Israel, conceived as a Jewish collectivity. Anti-Semitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of anti-Semitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective—such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g., gas chambers), or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.

Examples of the ways in which anti-Semitism manifests itself with regard to the state of Israel taking into account the overall context could include:

- Denying the Jewish people their right to self-determination (e.g., by claiming that the existence of a State of Israel is a racist endeavor).
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic anti-Semitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

Anti-Semitic acts are criminal when they are so defined by law (e.g., denial of the Holocaust or distribution of anti-Semitic materials in some countries).

Criminal acts are anti-Semitic when the targets of attacks, whether they are people or property—such as buildings, schools, places of worship and cemeteries—are selected because they are, or are perceived to be, Jewish or linked to Jews.

Anti-Semitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

PREPARED STATEMENT OF STACY BURDETT, ASSOCIATE DIRECTOR, GOVERNMENT AND NATIONAL AFFAIRS, ANTI-DEFAMATION LEAGUE

My name is Stacy Burdett, I am the Associate Director of Government and National Affairs for the Anti-Defamation League. I would like to offer special thanks, on behalf of ADL and its National Director, Abraham Foxman, to Chairman Hastings, Co-Chairman Cardin, the immediate past Chairman, Chris Smith, and to all the of Commissioners. Without your commitment to placing the fight against anti-Semitism on the agenda of the OSCE, without your day-in-day-out work to highlight the urgency and importance of getting the US and its allies to stay with this fight, the milestones and accomplishments we reflect on today would never have been possible.

Anti-Semitism is a major concern for the Anti-Defamation League—not just because we are a Jewish community organization, but because anti-Semitism, the longest and most persistent form of prejudice, threatens security and democracy. It is violation of human rights, and it poisons the health of a society as a whole.

The Anti-Defamation League was established in 1913 with its core mission to combat the then horrific discrimination against Jews in all facets of American life and the growth of anti-Jewish movements and organizations peddling their hate around the world. And we have learned that, where anti-Semitism flourishes, no minority group is safe. Over nearly a century, as part of the fight against anti-Semitism and bigotry, we have been deeply engaged the major civil rights campaigns of the last century. The ADL pioneered the development of model hate crime laws, developed anti-prejudice education models and law enforcement training programs to address all forms of prejudice.

ANTI-SEMITISM INTERTWINED WITH ANTI-ISRAEL ANIMUS

As the Commission heard in its hearing last week, anti-Semitism and anti-Jewish incidents are rising in the OSCE Region, in those states where Jews are present and it is also evident in those states where few or no Jews live.

The 2004 Berlin Declaration laid down an important marker about the newest mutation of anti-Semitism when it said: “International developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism.” Yet, reports from governments, the ODIHR, and NGOs all highlight that anti-Israel animus is routinely intertwined with traditional anti-Semitic themes. Cases of anti-Semitism are too often contextualized and explained by hostility over events in the Middle East.

ADL’s monitoring of the Arab press, shows that, while anti-Semitic caricatures are indeed more prevalent during times of Israeli-Palestinian tensions, they also appear during periods of calm or even times of progress in peace negotiations. So conflict and violence provide a rationale for anti-Jewish hatred. But, even absent violence which generates headlines, the mere presence, the existence of Israel provides fodder for anti-Semitic propaganda and in-

citement. [See Appendix I for examples from the OSCE Mediterranean Partners Region]]

The action spearheaded by this Commission has given rise to a growing international recognition that anti-Jewish incitement can never be defended as mere political criticism or commentary. The European Union's antiracism monitoring body's (European Union Agency for Fundamental Rights) Working Definition of Anti-Semitism, used also by the ODIHR, and highlighted by the U.S. State Department, includes instances such as the comparison of Israel or its policy to Nazism. The State Department's 2005 report on Global Anti-Semitism acknowledged the increase of anti-Semitism masked as criticism of Israel: "The demonization of Israel, or vilification of Israeli leaders, sometimes through comparisons with Nazi leaders, and through the use of Nazi symbols to caricature them, indicates an anti-Semitic bias rather than a valid criticism of policy concerning a controversial issue."

ANTI-SEMITIC INCIDENTS AND SENTIMENT IN EUROPE AND THE US

ADL conducted surveys in 11 European countries released in May and July 2007 which revealed that a large number of people believe the classical anti-Semitic canards that have persistently pursued Jews through the centuries.

In some countries, the survey showed anti-Semitic attitudes to be gaining traction. Overall, fully half of the Europeans surveyed believe Jews are more loyal to Israel than to their own country, and more than one-third believe that Jews have too much power in business and finance.

The survey's findings help underscore the contrast between anti-Semitic attitudes held by Europeans and those held by Americans.

The Anti-Defamation League's 2007 Survey of American Attitudes Towards Jews in America, found that 15% of Americans—or nearly 35 million adults—hold hard core anti-Semitic views about Jews compared to 14% in 2005. These include notions such as: "Jews are more loyal to Israel than America," Jews have "Too much power in the U.S.," or that Jews are responsible for the death of Christ.

Previous ADL surveys over the last decade had indicated that anti-Semitism was in decline (graph). So it appears that the positive trend toward a more tolerant and accepting America has not taken hold as firmly as we had hoped. These findings, coupled with the ongoing acts of anti-Semitic incidents and hate crimes, suggest that anti-Semitic beliefs endure and resonate with a substantial segment of the American public.

The Anti-Defamation League is preparing to release its annual audit of anti-Semitic Incidents in the coming days. Based on our preliminary findings, we will note an approximate 13% decline, the third consecutive year incidents have decreased. While the statistical decrease is certainly welcome, two thirds of hate crimes that target individuals based on their religion continue to be against Jews. This is an overwhelming number given the small percentage of the US population that is Jewish. And these incidents take place in a broader atmosphere and context that give us reason for serious concern. [See Appendix ii for a compendium of anti-Semitic incidents in select states from 2000–2006. See Appendix iii for a 10

year comparison of FBI hate crime data broken down by category of the offender's motivation.]

THE GROWTH OF CONSPIRACY THEORIES

Against the backdrop of widespread beliefs about Jewish dual loyalty, we were understandably concerned that the publication books and articles by respected authors questioning the loyalties of Jewish Americans could provide mainstream resonance to such false charges and other enduring anti-Semitic themes. The Members of the Commission know well the article, published later as a book, by two professors from distinguished academic institutions, John Mearsheimer of the University of Chicago and Stephen Walt of Harvard, in which they claimed that the overwhelming power of the Israel lobby steered American policy in directions against U.S. interests.

The best refutation of this is in former Secretary of State George Schultz's forward to Abraham Foxman's recent book which I commend to the attention of the Commissioners. These conspiracy theories are not only harmful to Jews, we think they take America's policy debate in a wrong direction.

We continue to see examples of anti-Semitism among academics and opinion elites. A Jan. 7 essay on Jewish identity, published on the Washington Post's website On Faith, panelist Arun Gandhi, a grandson of pacifist Indian leader Mahatma Gandhi, wrote: "Jewish identity in the past has been locked into the Holocaust experience. . . . It is a very good example of [how] a community can overlay a historic experience to the point that it begins to repulse friends. . . . The world did feel sorry for the episode but when an individual or a nation refuses to forgive and move on the regret turns into anger. . . . The Jewish identity in the future appears bleak. . . . We have created a culture of violence (Israel and the Jews are the biggest players) and that Culture of Violence is eventually going to destroy humanity." This libel of an entire people, and of a democratic state trying to defend itself and seeking peace with its neighbors, was mind-boggling coming from someone so respected in the field of nonviolence education and advocacy.

Gandhi apologized: "I do not believe and should not have implied that the policies of the Israeli government are reflective of the views of all Jewish people"—and later resigned as president of the board of M.K. Gandhi Institute for Nonviolence, housed at the University of Rochester. Yet his apology did little to undo the connection he made between the Nazi atrocities and the policies of Israel. He merely explained that he erred in making a generalization about Jews because not all Jews support Israeli policy.

Our positive experience in this country has shown that, overall, these are notions that opinion leaders and the vast majority of Americans reject. In response to the Gandhi controversy, author and Washington Post Writer Sally Quinn admitted: "We made a mistake. We went over the line, and we are going to guard against that in the future." Post Ombudsman Deborah Howell later wrote: "The piece should not have been published. The apologies should have come sooner."

In a recent survey on American response to the Walt/Mearsheimer thesis, ADL found a similar rejection of such ideas.

When we asked the American people if “American Jews control U.S. Middle East policy—61 percent said no; when asked about the influence American Jews have on U.S. policy—a majority of 55 percent said it was just the right amount of influence.

Professors Mearsheimer and Walt charge the pro-Israel lobby—in which they include ADL and other community organizations—with having undue and pernicious influence on U.S. foreign policy. The American people overwhelmingly reject that. Only 4 percent of those we surveyed believed that to be true, while 25 percent say the Saudi oil lobby has too much influence; 24 percent the Pharmaceutical Association of America; 11 percent the National Rifle Association and 8 percent the tobacco industry.

Consider these trends in the context of the hate ideology emanating from Iran and the images disseminated by government-supported newspapers in some Mediterranean Partner states of this organization. I have attached to my testimony recent editorial cartoons that offer graphic evidence. You can see a potent and dangerous confluence of factors that compels focused action by an Inter-Governmental Organizations concerned with security and human rights.

THE OSCE ROLE TODAY

When we first were confronted by the surge of anti-Semitic hate violence in the OSCE region, we were a community still scarred by the United Nations World Conference Against Racism in Durban, and the realization that the international community did not view anti-Semitism as a legitimate human rights issue. For communities in the OSCE Region, there was no one to call, no focal point of responsibility, and an international community largely in denial. Our groups came to this room with a simple request, if international bodies such as the U.N. could not address the human rights violation that is anti-Semitism, let the OSCE, with a record on the issue convene the real conference to address the racism of anti-Semitism.

Since then, the OSCE has become more than a locus of activity and progress in raising awareness about new forms of anti-Semitism and the dangers they pose. The OSCE has been a forum for forthright recognition of and response to anti-Semitism in what continues to be a poisonous and politicized environment. The Commissioners know well, and were deeply involved in, the groundbreaking Ministerial Council Decisions, Parliamentary Assembly Resolutions and tolerance conferences that secured commitments for action by Participating States and for the OSCE institutions. The appointment by the Chair in Office of Personal Representatives on anti-Semitism, on Xenophobia and on Discrimination against Muslims has added political muscle to OSCE efforts to raise the profile of these issues. You heard testimony last week about the initiatives of Professor Weisskirchen in a variety of Participating States and substantive areas and also about the impressive body of work now underway as part of the Tolerance and non-Discrimination program that grew out of your efforts. In only three years, we all agree that ODIHR has made tangible progress in fulfilling its tasking to monitor and report on hate incidents and to share promising programs with states.

So now, in the face of hate, there is a place to call, a locus for action, an intergovernmental partnership with civil society to spotlight and combat this problem. Institutions, including those of the United Nations, are using OSCE materials in areas like Holocaust remembrance and education.

Sadly, six years after we had our first hearing in this room, Holocaust denial has taken on new life, the Zionism is racism canard continues to have life in international fora, most recently in the ratified Arab Charter of Human Rights which calls Zionism an “impediment to human dignity.” It was initially welcomed by UN High Commissioner for Human Rights. She later distanced herself from it as contradicting the rescission of the infamous Zionism is Racism resolution. Now the UN is planning a review process of the infamous Durban conference. While that process has yet to fully take shape, we know that we need the “center of gravity” in the fight against anti-Semitism that the OSCE has offered, now just as we did then.

On reflection, this Commission should be proud that the labor begun in this room has yielded:

- A sound body of commitments on anti-Semitism by Participating States;
- An assignment of distinct responsibility and point of substantive and political activity on the issue in the ODIHR and the Chair in Office;
- An impressive array of cutting edge programmatic activity;

THE NEED TO MAINTAIN US FOCUS AND RESOLVE

Both the evidence that anti-Semitism continues to rise in this region, and the OSCE’s mission of taking proactive conflict prevention measures point to the need for OSCE to sustain its key role in combating anti-Semitism. A critical component of sustaining momentum is keeping a political spotlight on the issue.

- Back Up America’s Commitment with concrete program support. The US should resume support for the specialized work of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Tolerance and non-Discrimination Unit and help promote its education programs and other tools to combat anti-Semitism and hate crime. The vast majority of the events and programs that have built momentum in this process are funded through extra budgetary contributions from just a few Participating States. As part of its longstanding commitment to the OSCE Human Dimension, the US was a key supporter of the tolerance agenda and specific programs to fight anti-Semitism. At present, the fact that there is no US funding available for these programs sends the message that US enthusiasm for this agenda is waning.

- Strengthen the capacity of the Personal Representative of the CiO with staff and resources. We welcomed the reappointment by the Finnish CiO of the Personal Representative on Anti-Semitism as well as Personal Representatives on Racism and Xenophobia, and on Intolerance and Discrimination against Muslims. We have heard for two years questions about their limited capacity. We urge you to support providing them with dedicated staff to increase their effectiveness and allow for a targeted response at a political level

as specific problems arise. This staff should closely coordinate and consult with the Adviser on Anti-Semitism Issues in the ODIHR.

- Urge the Convening of a high level conference on Anti-Semitism in 2009 to provide an important focal point for advocacy and implementation.

- Make Fulfillment of Commitments to collect data on anti-Semitism and hate crime part of the U.S. bilateral agenda with Participating States. Data collection is a critical first step to highlight and confront anti-Semitism for policymakers and the public.

- Help Civil Society Bridge the Gap between Commitment and Implementation. The US should support ODIHR efforts to build the capacity of non-governmental organizations. Reports by ODIHR and successive OSCE tolerance events continue to highlight a grave disparity between states' commitments in the area of hate crime response and their compliance on the ground. Empowering civil society to respond can be a vital catalyst to promote the adoption of policies and programs that can begin to close this gap.

- Engage Mediterranean Partners for Cooperation. Last summer in Kiev, Commissioners were instrumental in securing passage of a resolution that, among other things, called attention to "the unique contribution that the Mediterranean Partners for Co-operation could make to OSCE efforts to promote greater tolerance and combat anti-Semitism, racism, xenophobia and discrimination . . ." The 2007 Mediterranean Seminar in Tel Aviv, indeed showcased in a frank and constructive way the common problems of intolerance faced in the OSCE and the Med Partners Region. The people of Israel, its government and its civil society, engaged and shared lessons from their own experience. In contrast, we were stunned that, especially under the banner of a seminar on tolerance, Arab partners would object to a fellow Partner state's hosting of a meeting and refuse to attend or to participate only at the level of a junior embassy officer. We hope Commissioners will discuss with colleagues at the Parliamentary Assembly Winter Meeting, how to follow up on the broad sentiment among delegations that this behavior runs contrary to the spirit of the Mediterranean Partnership.

- Lead by Example—Strengthen the fight against anti-Semitism and intolerance at home. Helsinki Commissioners have been instrumental in advancing the fight against global anti-Semitism on the international stage. As legislators, each of you has the ability to also strengthen America's efforts to address anti-Semitism and hate. The federal government has an essential role to play in helping law enforcement, communities, and schools implement effective hate crime prevention programs and activities. The new Anti-Defamation League audit of anti-Semitic incidents found that, although there was a quantitative decline, a troubling number of incidents took place in public schools against students, and often by students. We know of no federal anti-bias or hate crime education and prevention programming that is currently addressing youth hate violence. Members of Congress should authorize federal anti-bias and hate crime education programs to help schools and communities address violent bigotry.

THE VITAL ROLE OF THE CSCE: SUSTAINING MOMENTUM AND
CONTINUITY

The Anti-Defamation League has consistently highlighted the work of the Helsinki Commission as a model parliamentary initiative other governments should replicate. The Commissioners have been an important force in placing anti-Semitism and human rights issues on the agenda of the OSCE and its bodies. You have amplified the Commission's voice during visits and bilateral contacts with parliamentarians and governments across the OSCE region.

In an election year, and at a time of flux in the ODIHR, the Commission is in a unique position to be the engine that drives sustained US focus and support for the OSCE tolerance agenda. The Helsinki Commission has worked in a substantive and bipartisan way to engage and shape the focus of administration after administration.

America's leadership in making the fight against anti-Semitism and hate a key issue on the OSCE agenda has been singular in its importance and a credit to both the Helsinki Commission and this Administration. As the Bush Administration lays down markers for the future, and as a new administration crafts its agenda, we will look to this Commission to ensure there is sustained U.S. action to build on the momentum that now exists and to invigorate American efforts to ensure that the OSCE continues to be a "center of gravity" in the fight against anti-Semitism and hate.

**PREPARED STATEMENT OF RABBI MARVIN HIER, DEAN AND
FOUNDER, SIMON WIESENTHAL CENTER**

Chairman Hastings, Co-Chairman Cardin, distinguished members of Congress, thank you for inviting the Wiesenthal Center to comment on the OSCE's work in the fight against anti-semitism and bigotry.

Following WWII, when the Nazi death camps and the murder of 6 million Jews were laid bare before the world, there was hope that the horrors of Auschwitz would finally end the 2,000-year unabated hatred directed against the Jewish people.

But it did not. After the defeat of the Third Reich, and the establishment of the State of Israel, state anti-semitism became a principal tool of the Soviet Union and her allies. When the Cold War ended, anti-semitism became privatized, but nonetheless remained a threat.

Today, with the phenomena of extremist Islamic movements throughout the world poisoning impressionable youth in the large Muslim diaspora in Europe, classical anti-semitic themes and imagery have resurfaced with a fury. Conspiracy theories such as the Protocols of the Elders of Zion, blood libels, Holocaust denial, are the staple of Jihadist sermons and websites. As Franco Frattini, the European Commissioner of Justice, noted just last week, 50% of anti-semitic incidences in Europe are tied to radical Islamic elements.

State anti-semitism is back in vogue as well and has become an integral part of statecraft in some Muslim countries, extending its tentacles to the highest levels of government. The new anti-semitism is especially dangerous because it is inextricably linked to the world of terrorism.

That is why the work of the OSCE is of such crucial significance, particularly when contrasted with the United Nations. There, the General Assembly is paralyzed by 57 Muslim states who exercise a virtual veto over its activities, politicizing and turning UN conferences, such as Durban I, into a hate-fest, where speaker after speaker rails against the US, and lays all the world's problems at the doorstep of the State of Israel. It was at Durban I that Jewish NGOs, such as the Simon Wiesenthal Center, were physically intimidated, publicly maligned—accused of being outlaws and supporters of an apartheid state.

Free from such politicization and constraints, the OSCE has emerged as a leader in the field of tolerance and today is the most important international address confronting anti-semitism, Islamophobia and other forms of bigotry.

From its conferences in Cordoba (2005), Bucharest (2006), and Dubrovnik (2007) the OSCE has charted a new course, introducing a curriculum on anti-semitism for teachers, encouraging all 56 member-states to annually commemorate the Holocaust, to monitor hate crimes and train law enforcement how to respond. Indeed, this year 29 member states had already agreed to hold annual commemorations. But unfortunately, not all countries have responded. Sadly, some countries ignore hate crimes or pretend they are free of them.

The Simon Wiesenthal Center is proud that we have been present at many of these conferences and have contributed to these initiatives.

But the OSCE can do much more. Here are some examples:

This year marks Israel's 60th anniversary. The same haters that brought us Durban I intend to use that historic date as a dress-rehearsal for "Durban II" in 2009. The agenda for Durban II is being planned by the UN Committee—led by Libya, Iran, Sudan, and Cuba. The targets again will be the US and Israel. In the case of the latter, their program will call for boycotts, demonization, delegitimizing, and exclusion. For these very reasons, Canada has decided to boycott Durban II.

We call upon the US Congress' Helsinki Commission to urge the OSCE to establish a Durban II monitoring mechanism. Just as the OSCE was the catalyst for the series of conferences on anti-semitism and bigotry, it should now take a leadership role prior to Durban II.

Another area of concern is the Internet, where the Wiesenthal Center has a special expertise. The Internet, the most powerful marketing and communications tool ever, has empowered us all. Unfortunately, it is also manipulated by hate and terror groups to spread dangerous creeds among the young and impressionable, to recruit, and raise funds.

The OSCE has a pivotal role to forge an alliance between its member nations, concerned NGOs, and the online community to monitor and marginalize the forces of hate while protecting personal freedoms.

On the day of the Oklahoma City bombing in 1995, there was one hate site; today our researchers are tracking some 8,000 problematic websites, blogs, and videos, including Facebook and YouTube, which teach how to commit acts of terror; who to hate and who to kill.

That is what motivated us to introduce our new website, AskMusa.org, which is our outreach effort to the Muslim world to provide basic information about Jews and Judaism in Arabic, Farsi, Urdu, Indonesian, and English. This is an innovative example of how the Internet can be used to break down stereotypes and build bridges.

Under the guise of human rights many nations and NGO's seize any opportunity to attempt to de-legitimize Israel. There are never any international conferences on women's rights in the Arab world—never resolutions on the abuse of children—never condemnations of the gestapo tactics used by the so-called "modesty police," who arrest and beat people and violate human rights each and every day because such issues would embarrass the leaders of the 57 member Muslim states.

On the other hand, the quickest way to get a resolution before the UN is for the subject matter to be about Israel. The UN Human Rights Council has, since its inception, passed thirteen condemnations, twelve of them against Israel.

The General Assembly has held many Special Sessions on important issues of the day, such as Drug Trafficking, Apartheid, AIDS, Disarmament, but never a session on Suicide Terror, the crime of

the 21st century, which can engulf all of mankind—unless we act against all of her enablers.

Because of the UN's failure to act, the OSCE should take the lead on Suicide Terror and other crucial issues.

Simon Wiesenthal always said that the Jews did not cause anti-semitism and it cannot be left to them alone to cure it. To do that requires a concentrated effort and mobilization on the part of world leaders, governments, and clergy from all faiths. None of us can be bystanders. As Albert Einstein reminded us, "The world is a dangerous place, not because of those who do evil, but because of those who look on and do nothing."

**PREPARED STATEMENT OF MARK B. LEVIN, EXECUTIVE
DIRECTOR, NATIONAL CONFERENCE ON SOVIET JEWRY**

Mr. Chairman, thank you for this opportunity to testify on anti-Semitism in the OSCE region of the former Soviet Union. I want to recognize your leadership, and that of Co-Chairman Cardin, as well as the rest of the Helsinki Commission. The Commission's role has been indispensable in our efforts to fight anti-Semitism and promote tolerance over more than 30 years. Your collective dedication to these causes has shaped the policy priorities of successive administrations and impacted 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.

NCSJ is an umbrella of nearly 50 national organizations and over 300 local community federations and community councils across the United States. We represent the organized American Jewish community on all advocacy issues concerning 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, United Jewish Communities, Hadassah, and many other well-known agencies devoted to combating prejudice and anti-Semitism around the world.

At the federal level, the NCSJ works actively with the National Security Council, Department of State, the U.S. Congress, the White House, the OSCE and the Helsinki Commission in fulfilling our mandate to secure the rights of Jews living in the former Soviet Union (FSU). We support U.S. efforts to aid this region and believe that an active foreign policy is one of the best antidotes to anti-Semitism, xenophobia, nationalism, and extremism. It is important that U.S. policy continues its engagement in the region in support of democracy efforts, and to counter ethnic hatred.

GENERAL OVERVIEW

In the almost 20 years since the dismantling of the Soviet empire, anti-Semitism remains a significant problem for the 15 post-Soviet successor states and across Europe as well. The Jews in the FSU today constitute the third-largest Jewish community in the world. The issue of anti-Semitism is deeply rooted in the region. As you know, during Soviet times, Jews were forbidden to engage in Jewish cultural and religious life, and suffered institutional or state-sponsored anti-Semitism that blocked their opportunities for advancement.

Today, we recognize the progress achieved since the breakup of the Soviet Union, but we are also aware that the Jewish population remains vulnerable to political, economic and social instabilities. While state-sponsored anti-Semitism has been virtually eliminated in each of the 15 successor states, one of the most negative developments in recent years has been an upsurge in popular anti-Semitism, visible and vocal in segments of the press, academia, the intelligentsia, on the streets, and amongst ultra-nationalist extremists.

We have been asked to focus on three areas that describe the role of civil society and U.S.-based agencies in 1) monitoring anti-Semitism since 2002 in the OSCE region; 2) efforts to address anti-Semitism through the bodies of the OSCE and OSCE Parliamentary Assembly; and 3) an assessment of best practices in combating anti-Semitism, and the way forward.

There has been much accomplished in combating anti-Semitism across the former Soviet Union since the first OSCE Conference on Anti-Semitism held in Vienna. We want to acknowledge the efforts and achievements of governments among the Soviet successor states in recognizing the problem and taking concrete actions to address it. However, much more needs to be done, especially in the key area of formulating a more systematic approach to combating anti-Semitism and other forms of intolerance. We encourage the OSCE and governments in the former Soviet region to promote a comprehensive, across-the-board strategy to combat anti-Semitism that incorporates close cooperation with national law enforcement, education officials, media institutions, and civil society representatives.

More than 15 years after the dismantling of the Soviet Union, governments and civil societies in the FSU need to progress in meeting this challenge, by addressing comprehensively and strategically the root causes of anti-Semitism in this dynamic region.

There have been some encouraging signs coming out of the region. Nine of the fifteen countries of the FSU are members of the Council of Europe, and have been working to meet their standards on hate crimes legislation. Eleven of the fifteen countries have submitted reports to ODIHR.

In Ukraine and Russia, with the FSU region's largest Jewish populations, we have seen an increase in the prosecution of hate crimes. Russia also experienced a decrease in the number of reported anti-Semitic motivated incidents. However, even though anti-Semitic crimes decreased in Russia, extremist crimes rose significantly.

With regard to monitoring efforts, one of the biggest challenges facing the OSCE is securing the cooperation of these countries to better document hate crimes, particularly anti-Semitism.

In the past several years, a wide range of blatantly anti-Semitic acts have been committed but not properly identified by the countries in question. In Belarus, for example, the same Jewish cemetery in Minsk was desecrated twice in 2005. Both attacks were labeled as 'hooliganism'. On April 20, 2006, a group of skinheads attacked the synagogue in Orenburg, Russia, while commemorating Hitler's birthday. They smashed the windows of the synagogue with rocks. The police arrested a man identified by witnesses, but treated the crime as 'ordinary hooliganism.' In Kyiv, Ukraine, on July 16, 2006, the memorial commemorating the victims of Babi Yar was vandalized. The local police arrested someone in connection with the crime, and also classified the case as 'hooliganism.' In Uzbekistan at the beginning of 2006, two prominent members of the Tashkent Jewish community were assaulted. At the end of 2005, a Jewish member of the Uzbek media was beaten and anti-Semitic sayings were painted on his house. The chairman of the Cabinet of Ministers Committee on Religious Affairs in Uzbekistan

stated that none of these cases were the manifestation of anti-Semitism.

This lack of reporting is symptomatic of how insignificantly local law enforcement units, from one country to the next, treat the issues of hate crimes, extremism and xenophobia in the region. Enforcement, investigation or prosecution of hate crimes is rare within any of the FSU countries. In addition, the region overall still has inadequate hate crimes legislation.

According to the SOVA Center in Moscow, Russia recently revamped their legislation to the extent that it could be used to limit religious freedom of speech. Without laws that clearly fight xenophobic and racist forces, extremists groups will continue to thrive.

Broad, general insensitivities towards Jews and other minorities continue to fester throughout the region. Even in countries where governments have taken legislative steps to combat bias, the general population still holds on to negative stereotypes. These are, in some cases, being perpetuated by the local media and religious organizations.

While official or state anti-Semitism has been relegated to the past, political anti-Semitism by individual parliamentarians and local officials still persists. In some cases, leaders who speak out strongly against anti-Semitic rhetoric and incidents do not repudiate comments made by political allies and challengers.

RECOMMENDATIONS

There are several action steps that must be taken in order to adequately combat anti-Semitism throughout the region:

—All countries must have adequate hate crimes legislation: Governments should appoint a high level official to oversee implementation of existing hate crime and hate speech laws, and appoint national and local task forces to coordinate this implementation. Any legislation should also provide for law enforcement identification of hate crimes and how to treat victims of hate crimes. These laws should also remove immunity for elected officials suspected of inciting ethnic hatred.

Support from the OSCE PA, U.S. based agencies, and NGOs working with the region are integral in the success of this point. Parliamentarians can work with their counterparts to aid them in drafting language. The OSCE PA could also create a forum in which leaders can discuss successes and failures in drafting and implementing hate crimes legislation.

—Provide training to local law enforcement: In order to combat anti-Semitism and extremism, we must begin by empowering the local police forces. Russia, according to ODIHR, has shown “initial interest” in training its police. Training will enable police to delineate between ordinary hooliganism and a crime motivated by bias or hate. A well trained police force will better follow through on hate crime enforcement and investigations, which will lead to an increase in prosecutions and data collecting.

The OSCE PA can work with their counterparts in these countries to provide best practices in the area of police training. The commitments by these government made in the Berlin Declaration must be followed through.

—Continue to improve monitoring efforts: This is an effective resource to counter the extremist forces in the region. The continued cataloguing and reporting of xenophobic and bias motivated activities provides a better understanding of the extent of the problem so that resources can be provided to victims and communities on the ground.

—Implementation of tolerance education: Teaching children from a very young age the values of tolerance and pluralism is an effective way to combat the roots of popular or ‘street’ anti-Semitism.

Efforts continue to combat anti-Semitic attitudes that have been percolating in the region for generations. ODIHR and NGOs in these countries and elsewhere have created materials to teach about prejudice and anti-Semitism, which must be more widely used throughout the region.

OSCE working together with NGOs in the region can encourage local municipalities and the national governments to implement these programs. The OSCE PA should continue to speak out and work with its members to implement educational programs on a state by state basis. Without this type of educational effort, the stereotypes of Jews and other minorities will continue to be perpetuated.

—Reform the message of religious and media outlets: Beyond the classroom and the government, the two other major sources of information in the FSU are the media and places of worship. Academic, religious, and cultural leaders, as well as government officials must be a part of any broad-based effort to support a more tolerant society.

There is progress being made in this area. In Kyrgyzstan, when an anti-Semitic article was published, local groups rallied and the paper issued a retraction and an apology. In countries like Belarus though, where the Orthodox Church continues to spread an anti-Semitic message, and its media has published numerous slanderous articles, there is still much work to be done.

The OSCE, along with U.S.-based agencies, need to increase the number of partnerships between religious groups inside countries and on a regional level. This will foster an increased understanding between peoples with different religious and cultural backgrounds, and decrease divisiveness in the region.

I would like to close by quoting former Czech President Vaclav Havel, who has written: “The time of hard, everyday work has come, a time in which conflicting interests have surfaced, a time for sobering up, a time when all of us—and especially those in politics—must make it very clear what we stand for.”

NCSJ does not judge the post-Communist governments by what they found among the shards of Soviet tyranny; we judge them by their commitment to moving forward. We hold them accountable for efforts to condition public attitudes through public statements and education, and we challenge them to enact and enforce the democratic rule of law to protect Jews and other minorities.

NCSJ has worked closely with the OSCE and the U.S. government for many years to alleviate the pressures felt by Jews in the FSU. We urge the OSCE and the U.S. government to continue to reach out to these governments to promote the development of democratic and pluralistic institutions and ideals. The protection of

minority rights, within the overarching goal of protecting human rights, is at the heart of this cause. The former Soviet Union's successful strides toward human equality and democracy depend on it.

Thank you again for the opportunity to testify before this committee. We look forward to working with you in the future.

APPENDIX A

The following country descriptions are drawn from NCSJ's country assessments, produced in 2007. For further information about the countries, please visit www.ncsj.org.

Armenia

Armenia has an estimated 500–1,000 Jews. In general, the Armenian Jewish community has good relations with the government and the Christian majority. In the period we have been asked to describe there have been a few documented acts of vandalism against Jewish memorials in Armenia. In February 2005, paint was poured over a Holocaust memorial in Yerevan.

In accordance with the Council of Europe, Armenia has a government-appointed Human Rights Defender. According to the Armenian constitution, this person “protects the human rights and fundamental freedoms violated by the state and local self-governing bodies or their officials.”

Armenia has yet to submit any information on hate crimes legislation, statistics, or practical initiatives to ODIHR.

Azerbaijan

Azerbaijan has an estimated 25,000 Jews. There have been Jews living there since the 5th century, are protected under Azeri law as a ‘traditional’ religion. The Jewish community has a long-standing, friendly relationship with the government and other ethnic groups in the country. Azerbaijan's constitution guarantees “equality of rights and liberties of everyone, irrespective of race, nationality, religion, language, sex, or origin . . .” Their criminal and police codes also call for similar standards.

The Azeri Government has submitted information to ODIHR on hate crimes legislation, statistics and has provided a national point-of-contact as recently as July 2007. They have asked for assistance from ODIHR to develop diversity education.

Belarus

With an estimated Jewish population of 50,000 to 80,000, Belarus is one of the larger Jewish centers in the former Soviet Union, and has a troubled history with anti-Semitism.

Since last testifying in 2004 there have been multiple incidents:

—In March 2005, the Jewish cemetery in Minsk was desecrated twice.

—In May and November of 2005, the Jewish cemetery in Rechitza was vandalized.

—The 2005 and 2006 the Orthodox Calendar issued by the Minsk Cathedral of St. Peter and Paul contained the prayer “In

memory of the martyr Gavriil Belostotskiy tortured by ‘zhid’ (Jew)”. This calendar also refers to Jews as “beasts.”

—On November 30, 2006, an explosive device was detonated in Brest on a monument to the victims of the Brest Ghetto. The incident was labeled as hooliganism by local authorities.

—According to Human Rights First, in 2007 alone, Jewish organizations reported more than 30 cases of vandalism throughout Belarus.

—The Respublika, the Communist of Belarus, and the Neman Literature Journal all frequently publish anti-Semitic articles.

Belarus criminal code has multiple articles that deal with crimes motivated by religious or other bias that call for a wide range of fines and prison terms. Last year, Jewish organizations reported more than 30 cases of vandalism, but not a single one was prosecuted under these laws. According to the government of Belarus, the investigation of these attacks revealed no anti-Semitic related motives but rather, they were the result of “the upbringing of those who committed the crimes.” The prosecution of anti-Semitic crimes is rare and receives little media coverage.

On October 12, 2007, President Lukashenko classified the city of Bobruisk as “a Jewish city, and the Jews are not concerned with the place they live in. They have turned Bobruisk into a pigsty.” His comments only embolden extremist activities against Jews.

Belarus has submitted information to ODIHR on hate crimes legislation, statistics, and practical initiatives as recently as July 2007. They have also given testimony to the UN on human rights, but there is little evidence that they follow through on their reports.

Estonia

Estonia has a population of approximately 3,000 Jews. Reports of anti-Semitism in Estonia are rare. One of the major issues between the Jewish community and Estonia centers on World War II and the Holocaust. For example in 2006, Estonian veterans dedicated two new monuments to Dutch and Belgian members of the SS who had fought on Estonian territory against the Soviets.

The Estonian government has made strides to address some of these issues. On January 27, 2006, an event was held to commemorate victims of the Holocaust in Klooga, Estonia, site of a wartime massacre, as part of Estonia’s commemoration of Holocaust Memorial day. On May 8, 2007 (V-E Day), Prime Minister Ansip laid a wreath in the name of the Estonian government to the victims of Nazism at the Klooga site, accompanied by members of his government and foreign diplomats.

Estonia submitted reports on hate crimes statistics, legislation, and a national point-of-contact to ODIHR through 2007, and provided testimony to the UN High Commissioner on Human Rights as recently as 2006.

Georgia

Georgia’s Jewish community settled in the area 2,600 years ago, and once numbered over 100,000. Today, Georgia has around 8,000 to 10,000 Jews. This centuries long relationship with the Jewish

community has fostered a very positive relationship among Georgian Jews, the other native ethnicities and religions, and the Georgian government.

Georgia has a 'Public Defender' who is mandated to address hate-motivated incidents. The Public Defender has put in place several social programs to promote diversity in Georgia, and has created a Council on Ethnic Minorities to encourage interethnic cooperation.

Georgia has provided ODIHR with information on a national point of contact for hate crimes in 2007, and provided testimony on human rights to the UN.

Kazakhstan

There are an estimated 5,000 to 8,000 Jews in Kazakhstan. There have been no reports of anti-Semitic acts of violence in the country in several years. One area of concern is the continued operation of the Hizb ut-Tahrir al-Islami organization. They operate mainly in the south of Kazakhstan, and distribute anti-Semitic leaflets and books. They are considered an extremist group by the Kazakh government, as well as by many other countries around the world.

Kazakhstan has hosted several conferences to promote inter-religious discussion, and will assume the OSCE chair in 2010.

Kazakhstan's criminal code provides protection for its citizens from attacks motivated by bias, and has a separate law on the freedom of religion. It has also complied with ODIHR in providing multiple reports on hate crimes legislation, statistics and a national point of contact.

Kyrgyzstan

Kyrgyzstan has an estimated 1,500 Jews, with the main Jewish population centered in the capital, Bishkek. The Jewish community rarely complains about being mistreated. The director of the Menorah Center in Bishkek serves on the Kyrgyz religious council, a federal body. The only limitation to Jewish societal integration is a language requirement for service in high government posts.

In 2005 a national Kyrgyz newspaper, Pyramid Plus, published an article that stated, "Our matzah eating friends . . . rule our country." The Jewish community of Kyrgyzstan immediately released a response that was submitted to the government. The editor of the newspaper issued an apology, and printed the Jewish community's response.

Kyrgyzstan has not submitted any reports to ODIHR.

Latvia

Latvia has an estimated 15,000 Jews, predominately in Riga. Neo-Nazis operate out of several cities, and have desecrated synagogues and cemeteries.

Since our last hearing, there have been several reported anti-Semitic incidents:

—In June 2005, the Latvian prosecutor's office filed incitement charges against a nationalist newspaper that published derogatory articles calling for the deportation of Russian speakers and Jews

living in Latvia. In 2006, two Latvian parliament deputies known for nationalist and anti-Semitic views testified in support of the newspaper's staff members, then on trial for inciting ethnic hatred.

—In September 2005, two separate Holocaust memorials in the Bikernieki Forest near Riga were vandalized.

—In December 2005, vandals toppled a large Hanukkah menorah near the Israeli embassy in Riga.

—In May 2006, a Holocaust memorial which was to be unveiled in June was knocked down by vandals. The memorial honored the murder of 120 Jews in the town of Rezekne.

Latvian criminal law provides penalties for committing a crime based on religion. Fourteen cases of incitement to hatred based on racism were documented in 2006. On May 17th, the foreign minister appealed to the public to fight anti-Semitism.

Latvia has cooperated with ODIHR in submitting their information on hate crimes legislation, statistics, initiatives, and a national point of contact, and has submitted testimony to the UN.

Lithuania

Lithuania has an estimated Jewish population of 8,000. While outward manifestations of anti-Semitism have not increased there are still tensions between the Jewish community and the government. A major point of contention is the restitution of Jewish communal property lost during the Holocaust. The Lithuanian government's progress is sluggish which is raising concerns in the Jewish community. In September 2006, the Lithuanian Prime Minister announced that he was ready to send a restitution bill to parliament, whose cost was estimated at \$57 million. However, no such bill was submitted by the government in 2006.

A few anti-Semitic events have been reported over the past couple years:

—In June 2005, gravestones in a Jewish cemetery in Plunge were knocked down.

—In September 2005, during the first-ever visit by the President of Israel to Lithuania, a Holocaust memorial in the Kretinga district was vandalized, and stone tablets marking Nazi atrocities were smashed.

—In June 2006, a Jewish cemetery near Vilnius was vandalized, with tombstones toppled and smashed. The attack coincided with the 65th anniversary of a 1941 uprising by Lithuanian nationalists against Soviet authorities, one day following the German invasion of the USSR.

—In September 2006, a Jewish cemetery near Vilnius was vandalized. (Reports were unclear if this was the same cemetery that was vandalized in June.) Also in September, a bar in Kaunas flew the Nazi flag and dressed an employee as Hitler, provoking outrage in the Jewish community and calls for an official investigation.

Lithuania has received from ODIHR educational materials about anti-Semitism, and has submitted its information to ODIHR on hate crimes legislation, statistics, initiatives and a national point of contact.

Moldova

Moldova has a Jewish population of 30,000 to 40,000 with no recent acts of anti-Semitism. However, in Chisinau in 2006, the city allowed for a commercial structure to be built over the site where the remains of several thousand Jews who were mass-murdered during the Holocaust are buried. The work was halted briefly due to local Jewish protest, but then resumed shortly after. There are also repeated instances of Holocaust deniers speaking in universities and book stores. According to the Euro-Asian Jewish Congress, the government has made efforts to counteract the Holocaust deniers by providing Holocaust education in its schools and to the public.

Moldova has a law against extremist activity which provides protection for religious views. They submitted reports to ODIHR in 2004 and 2007.

Russia

The estimated Jewish population in the Russian Federation is 400,000 to 700,000. In 2006, as in 2005, the number of targeted attacks against the Jewish population increased. In 2007 though, reported incidents of anti-Semitism decreased. This was offset by an increase in attacks against minorities, from the Caucasus regions, Africa, and Asia.

Several anti-Semitic acts have already occurred in 2008. In the last two weeks of January alone, there were three reported acts of anti-Semitism in the country.

While the widespread attacks are a cause for concern, the Russian government has made some progress in addressing these issues. President Putin directly addressed the issue of extremism on January 31, 2007, saying that combating hatred “is important not only to ensure law and order, but also to protect society from attempts to bring ideologies of extremism, ethnic, and religious intolerance to the social and political field.” In early July 2007, the Russian Parliament passed anti-extremism legislation aimed at curbing nationalist and radical groups. The measure broadened the definition of “extremism” to include crimes driven by racial, national, or religious motives.

2006 and 2007 registered some of the more brutal attacks and desecrations against Jews in Russia since 1991:

—On January 10, 2006, the most violent anti-Semitic attack in recent years took place at a Moscow synagogue. During evening prayer services, 20-year-old Alexander Koptsev entered the Moscow’s Bolshaya Bronnaya Synagogue and stabbed worshippers indiscriminately, seriously wounding ten people. In September 2006, Koptsev was sentenced to a 16-year prison term for attempted murder and “inciting racial hatred.” The Russian courts’ determination that this attack was a hate crime, and not mere “hooliganism,” marks progress in the legal system’s prosecution of anti-Semitic crimes.

—September 22, 2006, the eve of Rosh Hashanah, coincided with three anti-Semitic incidents. In Astrakhan, the windows of a Sephardic synagogue were smashed in by a group of men, all of whom escaped. In Khabarovsk, four perpetrators threw rocks at a syna-

gogue, resulting in broken windows and glass doors. And in Moscow, the leader of a small Jewish congregation was violently attacked in broad daylight near his home. His attacker assaulted him after asking if he was a Jew. He sustained only minor injuries and reported the attack to police.

—On April 21, 2007, Russian neo-Nazis received official permission to hold a political rally to celebrate “freedom of choice,” which they used to mark Hitler’s birthday (April 20). An estimated 350 extremists rallied in front of the presidential administration building in downtown Moscow, shouting neo-Nazi slogans and making Nazi salutes. There were no arrests, despite the fact that under Russian law, both public incitement of ethnic hatred and the use of Nazi symbols are illegal.

—On October 19, 2007, a synagogue in Astrakhan was attacked by a group of young people, screaming “Jews get out” and “Death to Kikes.”

There have been several incidents of political and propaganda-based anti-Semitism:

—On April 29, 2006, two members of the Russian Parliament, while addressing the Union of Russian People, stated, “Today, our country is ruled by a Jewish Mafia.”

—On July 20–21, 2006, in Moscow, the International Conference for Fighters for the White Race took place. David Duke and Guillaume Faye were both in attendance. At the conference they spoke of a necessity to find the most immediate possible solution to the “Jewish problem.”

—In 2006, some 150 racist and extremist websites were maintained on Runet.ru. These sites contained explicit instructions for racist attacks on particular individuals in Russia.

Russia has shown initial interest in receiving law enforcement training from ODIHR, and is having education materials on anti-Semitism prepared by ODIHR as well. Also in recent years, there has been a successful program implemented called “Climate of Trust.” This program created a partnership between the San Francisco community and several Russian communities to provide tolerance training to local law enforcement and government officials. The last information Russia submitted to ODIHR covering legislation, statistics, practical initiatives, and a national point of contact, was at the end of 2005.

Tajikistan

Tajikistan has a population of an estimated 100–400 Jews. The vast majority of Jews left when the Soviet Union fell, either moving to the U.S. or Israel. The remaining community traces their roots back over 1,000 years. The last historic synagogue was torn down in 2004. The Euro-Asian Jewish Congress negotiated with the Tajik government to supply a plot of land to build a new Jewish community center which is still pending. Two anti-Semitic acts took place in August 2006. There was an anti-Israel rally in the nation’s capital with the crowd shouting ‘Death to Israel!’ and several teenagers tried to set fire to the lone remaining synagogue with Molotov cocktails. The congregational guards were able to put out the fire, but the government refused to provide security for the building.

Tajikistan submitted information on a national point of contact for hate crimes to ODIHR in 2005.

Turkmenistan

It is estimated that Turkmenistan has 1,200 Jews, 700 of whom live in Ashgabat. Little is known about anti-Semitic incidents because of the general lack of information coming out of the country. The one synagogue in the country was converted into a gymnasium during the Soviet era, and has never been replaced.

Turkmenistan has yet to submit a report to ODIHR.

Ukraine

Ukraine has a Jewish population estimated at 300,000 to 500,000. Anti-Semitic attacks targeting individuals, synagogues, and Holocaust memorials occurred frequently throughout 2006 and 2007. While there are other contributing factors, this upsurge in anti-Semitism can be partially attributed to the activities of Ukraine's largest private university, the Interregional Academy of Personnel Management (MAUP). MAUP is believed to be the largest disseminator of anti-Semitic literature in Ukraine and has previously issued statements supporting the destruction of the State of Israel and expulsion of Jews from Ukraine.

The Ukrainian government has taken actions to condemn anti-Semitism, including public statements and official interventions. In January 2006, Boris Tarasyuk, Ukraine's then-Foreign Minister, spoke out on national television against MAUP's activities. He declared that MAUP carried out "unlawful and wrongful actions" and that "there is no place for any form of anti-Semitism or xenophobia in Ukraine." These proclamations were followed by the Education Ministry's disbanding of seven branches of MAUP in June 2006 and, in October, the revocation of 4,655 diplomas issued to MAUP graduates. A month later, however, MAUP successfully appealed the decision to close its branches and their license was renewed. In a meeting with NCSJ, Prime Minister Viktor Yanukovich committed to appealing the reopening of the regional offices.

The frequency of anti-Semitic incidents rose sharply in the first half of 2007, as compared to 2006.

There have been some recent examples of anti-Semitic incidents:

—On April 20, 2006, Adolf Hitler's birthday, a series of anti-Semitic events occurred in Dnepropetrovsk. First, anti-Semitic graffiti was discovered. Then, four yeshiva students were attacked by a group of thirty skinheads as they left synagogue in the evening; the students were uninjured in the assault. Later, a 20-year-old rabbinical student was attacked by the same skinhead group; he sustained stab wounds to his chest and multiple head injuries, but survived the attack.

—On June 23, 2006, the Choral Synagogue in Kirovograd was vandalized for the fifth time that year. Unknown assailants threw stones at the building, shattering two windows. No one was injured in the attack.

—On January 11, 2007, three newspapers associated with MAUP published blatantly anti-Semitic material. The publications featured an appeal by the Conservative Party, led by MAUP president

Georgy Schokin, which blamed Ukraine's problems on the Chabad Lubavitch movement.

—Also in January 2007, city workers desecrated a Jewish cemetery in Odessa, Ukraine that was shut down in the 1970s. A television camera crew discovered that city construction crews had used heavy equipment to dig huge holes in the cemetery, disinterring the bones and mixing them with refuse commonly dumped on the cemetery grounds.

—On May 17, 2007, in Lviv, Oleg Tyagnybok, a former member of President Yushchenko's "Our Ukraine" party and the former head of the National Socialist Party of Ukraine, led a group of party youth activists storming a public event by a company promoting kosher ice-cream. Screaming "Ukraine won't be sold to kikes!" and "Down with the kike-communist government of Yanukovych-Kuchma," the youths smashed display stands and brawled with the company's security guards. Police eventually arrived and detained some of the attackers, who were quickly released after paying fines.

—Last week, on January 27th, a rabbi was severely beaten in Dnepropetrovsk. The day before, a synagogue in Kyiv was vandalized.

Further positive developments in Ukraine include: the creation of a security services task force to deal specifically with extremism; a continued application of pressure on MAUP; David Duke being banned from their country; and at the beginning of this year, President Yushchenko introduced new hate crimes legislation that amends current law, and protects against religious bias.

They have also submitted information on hate crimes legislation, statistics and a national point of contact to ODIHR, most recently in 2007.

Uzbekistan

The estimated size of the Jewish population of Uzbekistan ranges from 5,000 to 15,000. Anti-Semitic acts have taken place sporadically in the country. In 2005, there was an attack on a Jewish correspondent from the information agency, Ferghana.ru. Despite government attempts, Islamic radical groups have distributed anti-Semitic leaflets.

There are several Jewish schools, centers, and synagogues in the country that offer a wide range of services to the community.

Uzbekistan has yet to submit any information to ODIHR.

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

I want to thank Congressman Alcee Hastings and Senator Ben Cardin for their leadership of the Helsinki Commission and for convening this hearing on combating anti-Semitism in the OSCE region. I am honored to be invited to testify this afternoon. I also want to salute the work and dedication of Congressman Chris Smith and others who serve on this Commission. It is an important message both to Americans and Europeans that there is broad, bipartisan support on these important matters.

A RESURGENCE OF ANTI-SEMITISM IN THE TWENTY-FIRST CENTURY

When this decade opened few people anticipated that the problem of anti-Semitism in Europe would engage us with the intensity and concern that is now the case. No lesser figures than French President Nicolas Sarkozy and German Chancellor Angela Merkel have in recent months spoken at some length about the current problems of anti-Semitism—a welcomed sign that it is receiving the attention it needs but also troubling that such attention is required in the first place.

In October 2000 European nations gathered at a preparatory meeting in Strasbourg to prepare for the UN Conference on Racism scheduled for the following year in Durban, South Africa. At that meeting no one had any inkling that the Durban Conference would become an infamous reference, a place where in the NGO forum and on the street Israel would be vilified and Jews physically threatened, a precedent for turning the unresolved Middle East conflict into both reason and excuse for attacks on Jewish targets and the demonization of the Jewish State.

At the time we were primarily concerned with the continued but low level presence of neo-Nazi and right wing groups throughout Europe. They were responsible for nearly all of the anti-Semitic incidents such as cemetery desecrations and synagogue daubings. Holocaust denial, even in the presence of living survivors, was another troubling fact. We urged vigilance and reminded people that these were still present-day problems. Yet at the same time we took comfort in the fact that the influence of these extremist forces was steadily waning and mainstream political leaders were vocal in their condemnation.

Yet we were caught off-guard.

In subsequent years we have witnessed a dramatic change for the worse—significant increases in anti-Semitic incidents, attacks on synagogues and Jewish schools and on individuals with most of them stemming from Arab and Muslim communities. Certainly there was a connection to events in the Middle East, to the breakdown of the peace process and the advent of the second Intifada. European leaders were slow to recognize this and reluctant to call it anti-Semitism. In France especially political leaders contrived to hide the Jewish nature of the targets, suggesting that this was a wave of general vandalism carried out by restless and unemployed young men. And when it was no longer possible to ignore, the Middle East conflict and more particularly the Israeli treatment of Pal-

estonians were offered by way of explanation, as though a school bus carrying Jewish children in a Paris suburb was an appropriate substitute for Israel.

ACKNOWLEDGING THE PROBLEM

Admittedly, Jews had come to feel secure in a unified Europe half a century after the end of the war. On a personal level they were accepted and successful members of their respective nations. Holocaust education and remembrance had become a formal element of many schools and governments. Attitude surveys reflected a steady decline in prejudice. European Jews felt less inhibited in giving public voice to their beliefs and feelings, which often included strong bonds to the State of Israel. But this proved illusory. Admittedly, the new wave of attacks on Jews came from a segment of society that was itself on the margins and viewed negatively by many in the general population. But the political elites did not rise to condemn the attacks, and many of them harbored their own anti-Israel attitudes, which also animated the attackers. That led many European Jews to question their place in society and some even to doubt for their future.

As European leaders were slow to recognize this new wave of anti-Semitism they were similarly unable to recognize or to consider credible the heightened concerns of European Jewry. It was therefore ironic but perhaps fortuitous that the message was essentially delivered via America, and more particularly via the U.S. Government and Members of Congress.

POSITIVE DEVELOPMENTS WITHIN THE OSCE

Once the problem itself was acknowledged—and that alone took months—it became possible to seek ways to combat it. In retrospect we can see that the OSCE has become an important venue, perhaps the most important venue, in which to address this problem. Significant credit must be paid to Ambassador Stephan Minikes whose stewardship of the U.S. Mission in Vienna during this critical period was key to these tangible achievements.

- In 2003 the first conference focused exclusively on the problem of anti-Semitism in Europe took place at the OSCE headquarters in Vienna. At that meeting the U.S. delegation spoke of the importance for governments to monitor and record anti-Semitic incidents and for police to learn how to recognize and deal with such hate crimes.

- In 2004 the German Government hosted a follow-up conference in Berlin, opened by the President and hosted by the Foreign Minister. At this meeting the Office of Democratic Institutions and Human Rights (ODIHR) was instructed to develop a program to deal with the problem of anti-Semitism and other forms of intolerance which led to the creation of a new department. Their activities would eventually include pressing governments on legislation and data collection, the development of pilot projects in the area of education, and an innovative program of police training.

- The Berlin Declaration adopted at that conference on behalf of the collective 55 member states of the OSCE while mandating the new ODIHR responsibilities went on to state that anti-Semitism

had taken on new forms and expressions and declared that events in Israel and the Middle East can never justify anti-Semitism.

- In 2005 the OSCE agreed to the appointment of a special envoy—a personal representative of the Chair-in-Office with the exclusive mandate of combating anti-Semitism.

- Also in 2005 several of us worked closely with the European Union Monitoring Centre (now the European Fundamental Rights Agency) to develop a working definition of anti-Semitism. This definition, which was distributed by the EUMC to its monitors in the European Union and was also incorporated into various materials of ODIHR, provided a clear and comprehensive description, and it also described the special problem and offered examples of where anti-Israel animus becomes another form of anti-Semitism.

- Subsequent conferences in Cordoba (2005) and Bucharest (2007) continued to address the specific problems of anti-Semitism albeit in the context of a broader focus on intolerance and discrimination.

- Following their initial appointment, the Personal Representatives of the Chair-in-Office, including Professor Gert Weisskirchen responsible for combating anti-Semitism, were reappointed by successive OSCE Chairs, most recently last month by the Finnish Foreign Minister. Considering that some nations opposed on principle their separate and distinct mandates or saw them as a very temporary post, this was no simple accomplishment.

CONCERNS ABOUT THE OSCE'S FUTURE COMMITMENTS

Despite these positive developments there are still doubts about the continued willingness and ability of the OSCE to address the ongoing problems related to anti-Semitism. There is the essential difficulty of maintaining the focus as time passes. Some countries believe that once you have spoken about a problem you should move on to another even if the problem itself remains unsolved. No doubt some imagined that a single conference on anti-Semitism in Vienna in 2003 would be the first and the last contribution the OSCE would make.

Additionally, throughout these past years a number of OSCE Member States frequently objected to any initiative which sought to distinguish the phenomenon of anti-Semitism from other forms of intolerance. This was manifest in both petty (choosing the title of a high level conference) and substantive (reappointment of the Personal Representative) ways. Some OSCE Ambassadors in Vienna sought to subsume all initiatives under a single campaign against intolerance in general, euphemistically termed the “holistic approach.” They criticized what some called the “ghettoizing” of discriminations, perhaps not realizing how offensive the term itself was. In the end these objections were voiced but not imposed on the OSCE, whose consensus decision making process will always leave it vulnerable.

UNDERSTANDING THE UNIQUE DIMENSIONS OF ANTI-SEMITISM

It may be necessary periodically to explain why anti-Semitism does not fit neatly as a subset of more general manifestations of intolerance and discrimination. Of course, anti-Semitism can refer

to prejudice against Jews, but it is also revealed in conspiracy theories that blame Jews for political and economic ills throughout the world. Thus, it may take root in places where there are few or even no Jews present. Discrimination against most minorities is frequently gauged by the degree of acceptance in their respective societies. When barriers in housing, education and employment come down, it is a sign that discrimination is also declining. Although once common, Jews in Western Europe seldom confront such direct prejudices today. But a society that may harbor no strong negative feelings toward Jews as individuals can still hold intensely unpleasant views of the Jewish people as a group, or of Judaism or of the State of Israel.

POLICE TRAINING—AN OSCE ACCOMPLISHMENT IN DANGER OF FAILING

Even if the phenomenon of anti-Semitism may be unique, the tools to combat it need not be. They can in fact benefit all minorities. Data collection and education for tolerance are two such areas of focus for ODIHR as is police training. At the initial urging of the American Government and more specifically Members of this Commission, ODIHR developed a program for training police to combat hate crimes that drew substantially on experience garnered in our own country. Spearheaded by a veteran police command officer from the United States and working with a team drawn from law enforcement professionals in Canada and the United Kingdom, the Law Enforcement Officers Programme (LEOP) brought the tools of community policing and hate crime investigation to a growing number of OSCE member states. These are essentially police training police, who explain the definition of hate crimes (including the working definition of anti-Semitism) and describe how to work cooperatively with ethnic and religious groups on the ground. In December the training team was invited to Moscow to present the program to Russian police officials, who are confronting a significant increase in violent crimes against Jews and other minorities. The government of Ukraine (where such problems have also grown) has proposed signing a memorandum of understanding with ODIHR to institutionalize the training of its police force. And most recently the governments of Romania and Bosnia have sought to bring the training to their countries.

This is a remarkable program not least for being an American “export” at a time when we are viewed skeptically throughout much of Europe. Therefore, one would think that the program should be embraced and supported by the State Department and the U.S. Mission in Vienna. Tragically and inexplicably this is not the case. Even though this police training program is viewed by ODIHR as its premier program in the area of combating intolerance and even though other OSCE member states have provided extra budgetary contributions to support it, the U.S. has evidently abandoned it. The State Department has not seen fit to provide any special financial support, even to cover the costs of the American officer. The leaders of the program in fact believe there is a concerted effort to denigrate the program and intentionally undermine support for it. This is an explosive charge and the police commanders do not make it lightly or without cause. Sadly, it may be

past the point of redeeming the project, despite the fact that there is nothing else like it operating today.

ANTI-SEMITISM IN EASTERN EUROPE

Much of our attention has been drawn to Western Europe, where developments have been both distressing and surprising. Our concerns over increased anti-Semitic attacks originating in Arab and Muslim communities and the rhetorical excesses in vilifying the State of Israel are primarily problems to found, in the OSCE vernacular, “west of Vienna.” But we should not lose sight of the fact that there are serious problems “east of Vienna,” too. Many of these countries are new members of NATO and the European Union. Prior to World War II many had substantial Jewish communities, but their numbers were decimated by the Holocaust and further eroded by postwar emigration. The countries were annexed by the Soviet Union or held captive behind its Iron Curtain, and for decades there was no possibility for them to confront openly and objectively their Holocaust-era history. In 1991 things changed, but these countries and their citizens saw themselves first as victims of Communist oppression, and it was not easy to get them to look back to an earlier time in their history when many of their citizens were complicit in the crimes of the Nazis. Some of them, reaching back to an era in their pre-Communist history for patriotic heroes, even came to rehabilitate Fascist leaders and Nazi collaborators.

It is to the credit of the United States that support for NATO enlargement demanded a focus on values, which was often measured by a country’s willingness to come to terms with this chapter in their history. These new democracies also confronted the claims of Jewish communities and individual Jewish survivors for the return of their former properties. The lion’s share of property claims came from present-day citizens or émigrés, but these Jewish claims often generated an anti-Semitic backlash. This was not an easy process. Witness the difficulties in some Western European countries such as France, Austria and Switzerland, where only after decades were authorities able to acknowledge their true role and make amends. The nations of Eastern Europe were expected to do the same in a fraction of the time.

We now recognize that many of them have fallen short. Among the examples, Slovakia and Romania have right-wing, xenophobic parties inside or courted by ruling government coalitions. Hungary and Bulgaria have witnessed the rise of new extremist movements. In Poland Radio Maryja spews forth an ultranationalist message to millions of listeners. In Latvia in the face of populist and anti-Semitic criticisms Members of Parliament backed away from a Holocaust restitution bill that had been negotiated with the Jewish community and supported by the Prime Minister. Antisemitism may not be first on the agenda in these places, but it is still not far from the top.

Lithuania, which is in line to assume the OSCE Chairmanship in two years, deserves special mention for failure on several fronts. Although facing international criticism and a pending Congressional Resolution, construction work continues on the site of the historic Jewish cemetery in Vilnius. Legislation to reconstitute former Jewish communal property—something that has already been ad-

dressed by all other new NATO member states—remains stalled as the Government gropes for new excuses to delay action. Last year the Government Prosecutor opened a “war-crimes” investigation into the activities of a single former partisan—a teenager during the war who went on to become a hero in Israel’s War of Independence, the founding director of Yad Vashem and an historian of international standing. In this case as with the cemetery construction, political leaders privately acknowledge that the measures being taken are improper but they are unwilling or unable to stop them, fearful of an anti-Semitic backlash in the population if they do.

There are opportunities within the OSCE to address these concerns and to remind these governments of the need to more. Romania has offered to host a regional meeting later this year that will focus on the problem of anti-Semitism in Southeastern Europe. The Personal Representative can also take up the issue in his own travels. Members of this Commission can raise theme directly with their counterparts at the meetings of the OSCE Parliamentary Assembly.

IN CONCLUSION

We cannot expect the special focus on the problems of anti-Semitism which are now acknowledged by the OSCE and carried out by ODIHR to run on autopilot. During this year the specialist on anti-Semitism within ODIHR has already left for another job. The director of the Tolerance and Non-Discrimination Program may leave before the year is out. And ODIHR’s Director, Ambassador Christian Strohal, will depart in the next few months. When the OSCE mandated these programs we were skeptical about ODIHR’s willingness and resources to undertake them. Ambassador Strohal has developed a strong and dedicated staff and has demonstrated his own personal leadership. This will not be easy to fill and will require your and our continued attention.

The U.S. Government is cutting its budget. Nearly all State Department programs are under scrutiny and those of the OSCE are no exception. But I believe they are notably underappreciated by the current leadership. The OSCE does not fall neatly within the State Department structure, and divided responsibility coupled with rapid turnover leaves it ill-served with no strong inside advocates. Few people—with the notable exception of the Members of this Commission—know how difficult it was to achieve the necessary consensus within the OSCE to address the problem of anti-Semitism and establish the programs that are now in place. These gains can be easily lost due to negligence and inattention. They are certainly threatened when the United States is unwilling or unable to match the contributions of other member states.

This Commission has already heard from Professor Gert Weisskirchen, the Personal Representative of the Chair-in-Office for combating anti-Semitism. All of us who know him recognize his dedication to this assignment and the genuine “added value” he brings to OSCE’s efforts. Only two weeks ago he organized a special meeting in the German Bundestag which opened with remarks by the Chancellor and the President of the Parliament. Nevertheless, there is a perennial battle within the OSCE over his re-

appointment and that of his two colleagues. We and you will likely need to defend their record yet again come the Human Dimension Implementation Meeting this fall.

Perhaps the most political difficulties have been associated with the recognition that anti-Israel invective can rise to the level of anti-Semitism when it serves to demonize the Jewish State or questions its legitimacy or paints it as a racist endeavor or demands of it what is demanded of no other democratic state: Hence the importance of the EUMC working definition of anti-Semitism, which describes this aspect and offers several examples. More could and should be done to share this definition and to encourage governments and other organizations to make use of it particularly in the face of targeted boycotts in the UK and elsewhere. It also has a special relevance as governments focus this year on plans for the UN Durban Review Conference. We all recall how the “Zionism is Racism” canard was revived at the original Durban conference, and we need to brace ourselves for a review conference that will be chaired by Libya and will most likely reflect the quite skewed perspective of the Human Rights Council in Geneva. In fact, the Canadian Government is so convinced that nothing good will come of it that it has already announced its intention to boycott the whole thing.

Fortunately the OSCE affords us the opportunity to deal seriously and soberly with the persistent problem of anti-Semitism in Europe. The presence of the United States around the table, the active participation of Commission Members in the Parliamentary Assembly, your continued diligence and attention to the work of ODIHR, and your willingness to shore up support when the attention of an exiting Administration may be waning are all necessary ingredients—perhaps more so today than ever before.



This is an official publication of the
**Commission on Security and
Cooperation in Europe.**

★ ★ ★

This publication is intended to document
developments and trends in participating
States of the Organization for Security
and Cooperation in Europe (OSCE).

★ ★ ★

All Commission publications may be freely
reproduced, in any form, with appropriate
credit. The Commission encourages
the widest possible dissemination
of its publications.

★ ★ ★

<http://www.csce.gov>

The Commission's Web site provides
access to the latest press releases
and reports, as well as hearings and
briefings. Using the Commission's electronic
subscription service, readers are able
to receive press releases, articles,
and other materials by topic or countries
of particular interest.

Please subscribe today.