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HUMAN RIGHTS FIRST

HEARING ON

ANTISEMITISM

**SENATE COMMITTEE ON FOREIGN RELATIONS
SUBCOMMITTEE ON EUROPEAN AFFAIRS**

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

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

Antisemitism — which we define as hatred or hostility toward or discrimination against Jews as a religious, ethnic or racial group — is racism. We believe that antisemitic acts need to be confronted more forcefully and treated as serious violations of international human rights. Moreover, antisemitism is a challenge requiring the concerted action of governments and everyone concerned with putting human rights first. Unfortunately, it is all too often only organizations directly representing the “victimized” community — in this case, Jewish organizations — which make concerted efforts to publicize and combat threats and violence directed against a particular religious, ethnic, or racial group. While

the work of groups like the Anti-Defamation League and American Jewish Committee, from whom you are hearing at today's hearing, is critically important and to be applauded, it is important to note that their involvement does not relieve governments, the United Nations and its regional organizations, or private human rights groups of their obligations to address antisemitism as an integral part of their work.

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

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

information on racist violence is an essential starting point for effective action to suppress it.

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

Addressing the Continuing Problem

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

The November 15, 2003 bombings of two synagogues in Turkey, a member of the Council of Europe, shocked the world and shook that country's small Jewish community. The blasts killed 24 people and wounded at least 300.¹ In France, there were at least two

¹ "Turkey probes synagogue bombing," BBC News, November 17, 2003, http://news.bbc.co.uk/2/hi/middle_east/3279063.stm (accessed March 1, 2004).

arson attacks on synagogues in 2003,² and more recently, on the night of March 22, 2004, a Molotov cocktail was thrown at a Jewish community center in Toulon that houses a synagogue.³

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

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

² Stephen Roth Institute, Antisemitism Worldwide 2002/3, <http://www.tau.ac.il/Anti-Semitism/asw2002-3/CIS.html> (accessed March 10, 2003).

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

⁴ “Belgian police thwart attack on synagogue in south of country,” *Jerusalem Post*, June 14, 2003, <http://209.157.64.200/focus/f-news/928930/posts>.

⁵ Anti-Defamation League, “Global Anti-Semitism: Selected Incidents Around the World in 2002,” July 25, 2002,

http://www.adl.org/Anti_semitism/antisemitism_global_incidents.asp#Belgium (accessed August 8, 2002).

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

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

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

Jewish schools have also been targeted. In the Jewish community in Uccle, Belgium, the Gan Hai day-care center was ransacked, on July 9, 2003, with excrement thrown against

⁷ Anti-Defamation League, "Global Anti-Semitism: Selected Incidents Around the World in 2003," http://www.adl.org/Anti_semitism/anti-semitism_global_incidents_2003.asp (accessed March 5, 2004).

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

⁹ Stephen Roth Institute, Antisemitism Worldwide 2002/3, <http://www.tau.ac.il/Anti-Semitism/asw2002-3/CIS.html> (accessed March 10, 2003).

windows and posters written in Hebrew.¹⁰ A pre-dawn arson attack on the Merkaz HaTorah Jewish school in Gagny, a suburb of Paris, on Saturday, November 15, 2003, destroyed a large part of the building. (President Jacques Chirac responded to the attack with a ringing pronouncement that “When a Jew is attacked in France, it is an attack on the whole of France.”¹¹)

Jews and Jewish sites were also under attack in Russia and elsewhere in the former Soviet Union. A grenade was thrown at a synagogue in Derbent on January 25, 2004, and three molotov cocktails were reportedly thrown at a synagogue in Chelyabinsko on February 4, 2004.¹² Arsonists attempted to set fire to a synagogue in Minsk, Belarus, on August 27, 2003 by dousing the doorway with kerosene. The façade of the building was damaged in this, the fifth arson attempt in two years.¹³

The Road to Berlin

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

¹⁰ EUCM, “Manifestations of antisemitism,” p. 44, citing BESC.

¹¹ “France vows to fight hate crime,” BBC News, November 17, 2003, <http://www.bbc.co.uk/1/hi/world/europe/3275519.stm> (accessed March 12, 2004).

¹² Jewish Agency for Israel, available at <http://www.jafi.org.il/education/antisemitism/nf/nb.html> (accessed March 2004).

¹³ Anti-Defamation League, “Global Anti-Semitism: Selected Incidents Around the World in 2003,” http://www.adl.org/Anti_semitism/anti-semitism_global_incidents_2003.asp (accessed March 5, 2004).

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

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

The United States' commitment to meetings like the Berlin conference is an important factor in our relations with European governments in the fight against antisemitism. To this end, we have been pressing the Bush Administration to demonstrate leadership by ensuring that the official U.S. delegation includes Secretary of State Colin Powell, or another very senior official if the Secretary cannot attend. And we have been preparing

a followup report to *Fire and Broken Glass*, to be issued in time for the Berlin meetings, which will analyze what has happened in the period since the issuance of that earlier report.

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

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

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

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

The upcoming OSCE Berlin conference provides an opportunity to address these remaining shortcomings – if the participants can agree on a plan of action that includes establishing specific mechanisms for monitoring both (1) incidents of antisemitism in OSCE member countries, and (2) how national governments are responding. As noted above, Human Rights First has been actively engaged with U.S. government officials, other leading nongovernmental human rights organizations, and Jewish community organizations in preparing for the Berlin conference. I look forward to participating there, and in carrying our message to government officials and other nongovernmental groups from Europe – and in helping maximize the likelihood that the conference will produce concrete results.

Viewing Antisemitism Through the Human Rights Lens

But whatever the results from Berlin, in beginning to address what we have termed the continuing “information deficit” with respect to antisemitism, better documentation alone will accomplish little if governmental authorities do not come to grips with their

obligations under international human rights law to combat antisemitic violence within their borders.

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

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

We look forward to working with you, as well as human rights officials at the Department of State and elsewhere in the government, to ensure that the response to antisemitism is as effective as possible, and that the victims of threats and violence know

that governments and nongovernmental organizations alike are doing whatever they can to combat the climate of fear that again exists for many Jews in Europe and beyond.

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