



Alex Hertman, Advocate

President

July 13, 2005

Mr. Vladimir Ustinov  
Prosecutor General of the Russian Federation  
Bolshaya Dmitrovka St. 15a  
Moscow 125993  
Russia

*By mail and facsimile*

Dear Mr. Ustinov,

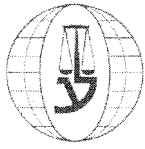
Re: **Rumours, Hate Crimes, Anti-Semitism and Public Responsibility**

Our organisation, the International Association of Jewish Lawyers and Jurists (“**the Association**”), was founded thirty-five years ago by a group of very prominent Jewish lawyers and jurists (amongst them Justice Arthur J. Goldberg, Nobel Prize Laureate, Rene Cassin and Justice Haim Cohen). The Association is vested with category II status as a non-governmental organization (NGO) at the United Nations, thereby entitling it to participate actively in the deliberations of the various UN bodies, including through, its representative at the Commission of Human Rights in Geneva). Similar representation of the Association at the European Council in Strasbourg enables it to gain a foothold on events of particular interest to it occurring “in real time” in and around Europe and also to concentrate on more specific items on its agenda.

Recently we have monitored with grave concern, various publications—both Russian and international—regarding the investigation initiated by Moscow prosecutors, into the absurd accusation whether an ancient Jewish religious text—“*Kitsur Shulhan Arukh*”—a code of ancient Jewish religious laws from the 16<sup>th</sup> century, incites national and religious hatred. We were also most surprised to learn that the Prosecutor for the Moscow district had summoned Rabbi Zinovy Kogan for questioning with regard to such groundless accusation.

We are sure that your Excellency is perfectly aware of the lurking dangers surrounding an investigation of this nature and, particularly, the widespread and flamboyant dissemination and publication thereof throughout the Russian Federation. In this regard, it is worth mentioning another notorious libel originating in Russia—the *Protocols of the Elders of Zion*, which served as an “incentive” and “justification” for the Pogroms and “Jew hunt” over a 100-year period. As you know, this discredited and hideous forgery is still being reprinted in Russia and is freely available for sale in bookstores around Moscow.

As a consequence, substantial damage to the Jewish community (and to the Russian Federation) has been caused following the announcement by your administration, that



the "*Kitsur Shulhan Arukh*" incites national and religious hatred. Even if, as also announced by your administration, no proceedings ensue against Rabbi Kogan, the harm has already been done.

We understand that Article 282 of the Russian Criminal Code allows for the prosecution of acts of incitement. We also understand that, despite the increasing number of acts of incitement, enforcement proceedings under this Article have not been implemented against perpetrators of anti-Semitic incitement, who no doubt will exploit the initiative taken by your administration to "justify their cause" for inciting racial hatred, bigotry and, particularly, anti-Semitism. We, thus, urge your administration to take the appropriate steps to heed the provisions of Article 282 in an endeavour to advocate tolerance and so combat racial hatred, bigotry and anti-Semitism as currently existing in and around Russia.

In addition, we would also appreciate it if you could inform us of the measures being taken by your administration to alleviate the damage caused to the Jewish community in Russia, following the futile investigation initiated by your administration as outlined above.

We would appreciate receiving your response at your earliest convenience.

Yours sincerely,



Alex Hertman, Adv.  
*President*

- cc:
1. The Presidential Administration of the Russian Federation
  2. President of the Supreme Court of the Russian Federation
  3. United Nations High Commissioner on Human Rights (UNHCHR)
  4. European Commission against Racism and Intolerance (ECRI)
  5. Organization of Security and Cooperation in Europe (OSCE)