



UCSJ: Union of Councils for Jews in the Former Soviet Union

"The Voice of Emigration, Jewish Survival, and Human Rights in the Former Soviet Union Since 1970"

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The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

May 26, 2020

Secretary Pompeo:

We write to express our urgent concern regarding continuous destruction of Old Jewish Cemetery in Lviv, Ukraine. We appreciate prompt response the U.S. Secretary of State gave in the past on this issue and ask for your action to the petition we've initiated among members of the International Religious Freedom Roundtable, human rights and freedom of conscience activists during this Spring.

In 2018 UCSJ appealed to members of the International Religious Freedom Round Table to support our struggle to preserve desecrated old Jewish cemeteries in Ukraine. The appeal was passed two years ago. The struggle is still continuing.

Since 1921 the former Soviet Union de-constituted the ancient Jewish cemeteries as part of state sponsored anti-Semitism to dismantle Jewish community life. Since 1939 it was forbidden to build atop the cemeteries, and the newly produced city maps did not include any remains of the Jewish presence, including cemeteries and synagogues during Soviet times. The German Nazi formed concentration camps where Jews were forced to break the tomb stones to pave roads to let the Nazi ammunition on the way to the front line. The Jewish cemeteries were destroyed by Nazi regime. And the Soviet Empire used city maps without mentioning any Jewish historical sites and cultural objects.

The 1994 US-Ukraine Treaty to protect the cultural heritage was put in force immediately from the moment it was signed. Following that Treaty, the American Commission for the Preservation the America's Heritage Abroad created a Register of the Survey "The Jewish cemeteries, synagogues and mass graves sites in Ukraine were to be protected by the 1994 US-Ukraine Agreement." Since 2001 the Survey was never implemented by the Ukrainian Administration and none of the Jewish cemeteries and some Jewish mass graves of Holocaust were mentioned in the maps.

In the old city of Lviv in western Ukraine there are two Jewish cemeteries. The Old Jewish cemetery started in the mid fifteenth century, filled by the mid eighteenth century. The New Jewish cemetery started in the mid eighteenth century and is still the only available cemetery for Jews in the Lviv area. Cemeteries are the final resting places for 500 000 of the Lviv Jews and include many of the most revered sages of the Jewish community. Both cemeteries are located within the UNESCO buffer zone and state historic reserve.

The Ukrainian Constitution and Rule of Law fully protect the grave sites, yet they are in danger because Ukrainian officials do not provide guardianship over the Jewish grave sites as stipulated by domestic laws and international obligations.

Starting about ten years ago the City Council of Lviv, tried to contract with a builder to construct a hotel on top of the ancient Jewish cemetery, designated by UNESCO as a World Heritage site. The UCSJ has successfully won all of its law suits, but the City Council of Lviv has ignored the decisions of the courts and the Rule of Law and has announced plans to go forward with the construction of the hotel. Since 2019 UCSJ carried over 185 court hearings in different level courts in Ukraine continuing struggle to protect Jewish grave sites.

In 2017 Ukrainian courts decided UCSJ was correct in obtaining an order that the city of Lviv could not authorize the building of the hotel atop of the site of the Old Jewish cemetery. Again the Ukrainian courts agreed with UCSJ, that Jewish cultural site cannot be destroyed.

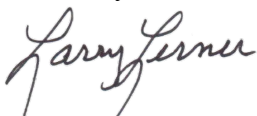
Yet to serve the oligarchs interests and in preparation to open the land market, the Cabinet of Ministers of Ukraine issued Executive Decree №668 on of Sep.22, 2016 to cancel decree of 2004, which protected cultural sites. UCSJ filed a court case to restore the legal power of the 2004 decree in 2016, and the case is still pending in Supreme Administrative Court.

On March 30 and 31, 2020 the Ukrainian Parliament with President Zelensky in presence adopted Ukraine Land Market Bill to coordinate with the requirements of the World Monetary Fund. Under the interpretation of the Parliament, they were capable of leasing land that is not subject to the international agreements. There's great risk the City of Lviv takes the position that the Jewish cemeteries of Lviv are not subject of any international agreement, and therefore can be sold or leased for the hotel construction. Our two appeals to President Zelensky were not answered accordingly.

We ask:

- The US Commission to Preserve Heritage Abroad to provide support to UCSJ and other NGOs fighting for preservation of Jewish sacred sites.
- The US Embassy in Ukraine to continue to pressure Ukrainian national and local authorities to observe internal rules and obligations taken by Ukraine in international treaties for preservation of the Jewish heritage.
- Coordinate cooperation with the World Monetary Fund to make sure Ukraine doesn't violate obligations in preserving cultural heritage, including saving old Jewish grave sites, mapped or not, when asking for foreign financial assistance.

Sincerely,



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and signatories, members of the International Religious Freedom Round-table, human rights activists, religious leaders:

1. Larry Lerner, UCSJ President
2. Leonid Stonov, UCSJ
3. Anastasiia Aseeva, UCSJ
4. Center for Civil Liberties (Ukraine)
5. Chaya Fried, Coordinator website savevilna.org
6. Church of Scientology
7. Coordination des Associations et des Particuliers pour la Liberté de Conscience.
8. Dede Laugesen, Save the Persecuted Christians
9. Dovid Fried, Coordinator website savevilna.org
10. Dr Fabong Jemchang Yildam, Chairman, Forum of State Chairmen, National Youth Council of Nigeria
11. Dr. Jianli Yang, Founder and President, Citizen Power Initiatives for China
12. Dr. Mike Mohamed Ghouse, Center for Pluralism
13. Dr. Pastor William T. Devlin CEO, REDEEM!
14. Dr. Quoc-Hung Tran, MD, Unified Buddhist Church of Vietnam
15. Fr. Joseph K Grieboski, Senior Fellow, The Dietrich Bonhoeffer Institute
16. Freedom of Religion - United Solutions (FOR-US)
17. Henry Jones, International Christian Foundation for Democracy
18. International Christian Foundation for Democracy
19. International Council for Diplomacy and Dialogue
20. International Helsinki Association
21. Jim Eaton, Mosaic Church Lead Pastor
22. Jubilee Campaign, USA
23. Juliana Taimoorazy, Iraqi Christian Relief Council
24. Meylakh Sheykhet, UCSJ Lviv Bureau
25. Minh Van Foundation, USA
26. Omer Kanat, Executive Director, the Uyghur Human Rights Project in Washington, DC
27. Peter Kovach
28. Prof. Dr. Muhammad Ilyas, Chairman IDRAC / International Dialogue Research & Awareness Centre Islamabad Pakistan
29. Rabbi Charles Kroloff
30. Rabbi Israel S. Dresner
31. Rabbi Renee Edelstein
32. Rabbi Roger Lerner
33. Rasheed Ahmed, Executive Director, Co-Founder & Past-President of Indian American Muslim Council
34. 21Wilberforce
35. Rev. Joseph K. Grieboski
36. Rev. Mario Leonart, Patmos Institute (General Coordinator)
37. Rima Mall
38. Scott Morgan, President of Red Eagle Enterprises

39. Sefi Fischler, The Center of Scientology Israel
40. Stephen Bronner, Co-Director International Council for Diplomacy and Dialogue
41. Sumner Freedman
42. United Macedonian Diaspora
43. Vladimir Epshteyn, President of The Metropolitan Russian American Parents Association
44. Wendy Wright, President, Christian Freedom International