

Congress of the United States

Washington, DC 20510

September 15, 2020

His Excellency Andrzej Duda
President
Chancellery of the President of the Republic of Poland
Wiejska Street 10
00-902 Warsaw, Poland

Dear President Duda:

As co-chairs of the United States Senate Bipartisan Task Force for Combating Anti-Semitism and supporters of a strong U.S.-Poland relationship that is rooted in shared democratic values, we write to express our deep concerns about the proliferation of anti-Semitic rhetoric in Poland and your government's failure to implement restitution for Holocaust survivors and their families.

Poland's partnership with the United States as a stalwart NATO ally has contributed significantly to security and prosperity in Central and Eastern Europe. We appreciate Poland's longstanding defense cooperation, including its participation in U.S. military operations and willingness to host American troops on Polish territory. The Enhanced Defense Cooperation Agreement (EDCA), signed on August 15, 2020, represents an important milestone for bilateral relations.

We also strongly support Poland's transition to democracy since 1989, based on a shared historical commitment to the rule of law and human rights. This includes Warsaw's decision to host the 2020 Ministerial to Advance Religious Freedom, in close cooperation with the United States. It is for these reasons that we are alarmed by growing anti-Semitic discourse in Poland and scapegoating of the Jewish community, which run counter to our nations' shared values. Specifically, during Poland's 2020 presidential campaign, the Law and Justice Party and state television peddled anti-Semitic tropes and thinly veiled demagoguery. Examples include:

- On June 9, 2020, a presenter on Polish state media channel Telewizja Polska (TVP) asked whether Polish opposition candidate Rafał Trzaskowski "will fulfill Jewish demands,"¹ and declared Trzaskowski does the bidding of "a powerful foreign lobby."²
- On June 15, 2020, a TVP presenter claimed, "The stream of money that is flowing from the state budget into the pockets of Polish families will dry up if Trzaskowski, after a potential victory in the presidential election, seeks to satisfy Jewish claims."³
- On July 9, 2020, founder and President of the ruling Law and Justice Party Jarosław Kaczyński castigated Trzaskowski for considering restitution for Holocaust-era Jewish property, telling a Polish radio station that "[o]nly someone without a Polish soul, a Polish heart, and a Polish mind could say something like that."⁴

¹ <https://www.politico.eu/article/poland-presidential-election-anti-semitism/>

² <https://apnews.com/d92b92c5f125ca21a750c893d5a1b9b9>

³ <https://www.jta.org/2020/06/16/global/leading-presidential-hopeful-would-satisfy-jewish-claims-for-holocaust-restitution-polish-state-tv-warns>

⁴ <https://www.politico.eu/article/poland-presidential-election-anti-semitism/>

- On July 9, 2020, arguing against any settlement of Jewish property restitution claims, you stated on TVP, “I will never sign a bill which says that we will treat the inheritance of people from one ethnic group more favorably than from others.”⁵ This rhetoric led Polish Chief Rabbi Michael Schudrich to respond that “[t]he Jewish community of Poland was shocked that President Duda made a statement that specifically appealed to the votes of anti-Semites.”⁶

In addition to putting Poland’s Jewish community at risk, these troubling statements undermine Poland’s obligations under the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues. As one of 47 signatories, Poland committed to supporting national laws to help Holocaust survivors reclaim their property. On July 29, 2020, the U.S. State Department released a report on the status of Holocaust-era property restitution, as required by the Justice for Uncompensated Survivors Today (JUST) Act, signed into law by President Donald Trump in 2018. Among other findings, the report concluded that despite Poland’s “serious commitment[s] to Holocaust commemoration,” it “...has not yet enacted comprehensive legislation on national property restitution or compensation covering Holocaust confiscations. This makes Poland the only European Union member state with significant Holocaust-era property issues not to have done so.”⁷ While we recognize the devastating loss and destruction that Poland suffered in World War II and commemorate the many Poles who bravely resisted against the brutal Nazi occupation, Poland’s failure to adopt property restitution legislation contravenes America’s commitment to ensuring justice for Holocaust victims and their families.

We know you share our desire to strengthen the U.S.-Poland partnership, which is why we call on you to unequivocally condemn anti-Semitism, including when propagated by the Law and Justice Party and your political allies, and to adopt comprehensive legislation on Holocaust-era property restitution. Thank you for your attention to this serious matter. We look forward to your response.

Sincerely,



JACKY ROSEN
Co-Chair
Senate Bipartisan Task Force for
Combating Anti-Semitism



JAMES LANKFORD
Co-Chair
Senate Bipartisan Task Force for
Combating Anti-Semitism

⁵ <https://www.rm24.pl/raporty/raport-wybory-prezydenckie2020/najnowsze-fakty/news-andrzej-duda-nie-zgodze-sie-na-odszkodowania-za-mienie-bezsp,nId,4601956>

⁶ <https://www.jpost.com/international/dudas-fateful-polish-victory-a-mixed-blessing-for-israel-jews-analysis-634937>

⁷ <https://www.state.gov/reports/just-act-report-to-congress/poland/>