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Mindaugas Kvietkauskas

Ministry of Culture of the Republic of Lithuania

J. Basanavičiaus g. 5

LT-01118 Vilnius

Lithuania

Tuesday 29th September 2020

Dear Mr Kvietkauskas,

I write to you on behalf of the Conference of European Rabbis, Europe's leading rabbinical alliance representing some 700 Orthodox rabbis in mainstream communities in over 50 European countries. We work on a range of issues, including challenging antisemitism and protecting religious practice. Our aim is to ensure that Europe's Jewish communities can flourish in open and tolerant European societies.

As you will know, plans for the expansion of an existing sports centre on the site of the historic Vilnius Jewish cemetery in Snipiskes has caused great distress within the Jewish communities in Lithuania, as well as across Europe and the entire Jewish world.

Since the onset of Soviet rule, there have been numerous construction projects undertaken on this holy site without proper consultation with the Jewish community in Lithuania and its religious leadership. The approval for the construction of a multi-million-dollar sports centre on this historic Jewish cemetery by your department is a continuation of this trend. The vast majority of Lithuanian Jews, who now predominantly live in the US and Israel, are the descendants of those buried within its grounds. As such, they do not support any construction plans on the site due to their ancestral connections.

The Committee for the Preservation of Jewish Cemeteries in Europe (CPJCE) does not have the authority to, G-d forbid, approve the continued desecration of the cemetery through any further digging, exploration and development – either on or around the cemetery site. On behalf of the Conference of European Rabbis, I want to clarify that the CPJCE lost the authority to liaise with the Lithuanian Government on this vital issue because they did not respond to a summons of the Rabbinical Court, and subsequently do not represent the voice of European Jewry. Let me also be clear that the Conference of European Rabbis no longer maintains a formal affiliation with the group. We therefore urge the Lithuanian Government to cease all communications with the CPJCE and to continue to liaise with the Conference of European Rabbis and other leading Jewish organisations on issues relating to European Jewry.

A Change.org petition started by a member of the Jewish community in Vilnius opposing any further development on this site has now received over 50,000 signatures. Global Jewish leaders from around the world including R' Chaim Kanievsky – a foremost Rabbinic leader in the international Jewish community – have signed up in opposition to the planned development. This should give an indication of the strength of opposition to the proposed desecration of the cemetery.

In 2008, the US House of Representatives passed a motion condemning Lithuania for its "failure to protect the historic Jewish cemetery in Vilnius". On behalf of Europe's Jewish communities, we implore you to learn from the mistakes of the past and to halt all further development plans immediately. Any development on this site would be a profound desecration and a source of shame for Lithuania that would resonate throughout history.

I look forward to hearing from you.



Chief Rabbi Pinchas Goldschmidt

President of the Conference of European Rabbis

**Moetzes
Gedolei HaTorah
of America**



**מועצת
גדולי התורה
באמריקה**

September 16, 2020

The Honorable Gitanas Nauseda
President of the Republic of Lithuania
Office of the President of the Republic of Lithuania
S. Daukanto aikste 3
Vilnius 01122
Lithuania

Your Excellency:

The Moetzes Gedolei HaTorah (Council of Torah Sages) of America respectfully conveys its firm opposition to the plan to build a convention center and concert hall over the Old Jewish Cemetery in the Shnipeshok section of Vilnius, and implores you to take immediate steps to prevent this unconscionable desecration.

The Council of Torah Sages of America is a body consisting of a group of senior rabbinical leaders, most of whom serve as deans of Jewish academies where the Talmud and other sacred Jewish texts are studied utilizing “the Lithuanian method” – a highly analytical style of learning developed in the great Lithuanian Jewish academies.

We are deeply troubled by reports of plans to do construction on the site of the Old Jewish Cemetery in Shnipeshok. This must not happen.

The cemetery in Shnipeshok occupies a prominent place in the hearts of Jews the world over. Great sages and scholars, whose piety and leadership are revered still today, and whose written scholarship is studied still today, are buried there. All cemeteries deserve respect; the Old Jewish Cemetery in Shnipeshok deserves special respect.

As a matter of Jewish law it is prohibited to build on the site of a cemetery – not only because such building disturbs the remains of those who are buried in the cemetery, but also because the cemetery is considered hallowed space and building upon it is seen as a desecration of the holy.

Furthermore, burial plots were purchased by individuals whose ownership rights in the graves passed on to their children, and then to their grandchildren and great grandchildren, through the generations. Government has no right to unilaterally confiscate such property for construction purposes.

The Council of Torah Sages joins in the outcry that has been voiced by numerous rabbinic authorities in Israel and across the globe in opposition to the planned construction. There is overwhelming international consensus among religious Jewry that this plan must not be allowed to come to fruition. We further understand that many secular entities and prominent humanitarians have also spoken out against the plan to desecrate the Shnipeshek cemetery, which they rightly see as an affront to human dignity.

Respectfully, but urgently, the Council of Torah Sages of America implores you to use your good offices to block the proposed construction on the site of the Shnipeshek cemetery.

Sincerely,

Moetzes Gedolei HaTorah b'America
Council of Torah Sages of America

RABBI MOSHE HAUER
Executive Vice President

September 8, 2020

The Honorable Gitanas Nauseda
President of the Republic of Lithuania
Office of the President of the Republic of Lithuania
S. Daukanto aikste 3
Vilnius 01122
Lithuania

His Excellency President Nauseda:

I write to you to express our opposition to the National Congress Center project, with its plan to construct a Convention Center and Concert Hall over the historical Old Jewish Cemetery in the Snipiskes section of Vilnius. The Old Jewish Cemetery contains the remains of thousands of Jewish residents of Vilnius, with gravestones dated as early as 1487. Amongst those buried in this historic site are some of Vilnius' greatest authors, whose works are studied to this very day by the many thousands of students in the Talmudic academies – established to perpetuate the Lithuanian Talmudic scholarly tradition - here in the United States, in the State of Israel, and the world over.

The Old Jewish Cemetery at Pirmąnt, in the Šnipiškės (Šnipiškės) district of Vilnius, is the largest in Lithuania. Purchased by the Jewish community with royal permission as freehold property to serve as the eternal resting place for their deceased, it was expanded over the centuries by further adjacent land purchases, with interments in the range of fifty to seventy thousand.

This cemetery has been desecrated and violated repeatedly. Under the Soviet regime, a sports palace was built on the site. After Lithuania gained independence, two apartment complexes were erected there. And now, there is a plan in place to convert the building and a new annex into the Vilnius National Convention and Conference Center.

This plan has been opposed and denounced by Jewish leadership the world over. It represents an affront to the international Jewish community and our historic heritage and is a violation of basic human dignity. It has thus been opposed not only by the Jewish community, but by Senators and members of Congress of the United States.

Our organization – the Union of Orthodox Jewish Congregations of America - is the largest umbrella organization of orthodox synagogues and affiliated agencies and groups in the United States and Canada. Our members, over 400,000 individuals, are located across the United States and the world and are active in all aspects of civic and political life. Our leadership meets regularly with bipartisan members of Congress as well as with White House officials, and we are engaged on an ongoing basis on issues involving domestic and international affairs.

We join in expressing our forceful opposition to this project. We hope and expect that under Your Excellency's leadership a different site will be found for the convention center project, and that Your Excellency's government will dedicated efforts to restoring the dignity of this historic site and of all those interred there.

Sincerely,

A handwritten signature in black ink, appearing to be 'Moshe Hauer', with a long horizontal flourish extending to the right.

Rabbi Moshe Hauer
Executive Vice President
Orthodox Union



Gitanas Nausėda
The President
The Republic of Lithuania
S.Daukanto a. 3
Vilnius, Lithuania LT-01122

October 12, 2020

Honorable President Gitanas Nausėda,

The New York Board of Rabbis, established in 1881, serves as the primary forum for rabbis serving congregations, organizations, chaplaincies, communal service agencies, and schools.

Our Mission begins with the statement that we strive to “Work for the communal good of the Jewish people”, and it is keeping with this goal that we write.

The Dignity of the Dead and the Sanctity of Cemeteries are cardinal beliefs of the Jewish people; any incursion, digging, any excavation in a Jewish cemetery is a transgression which defiles it.

The Snipiskes Jewish cemetery in Vilnius houses the remains of renowned scholars, the family of the Gaon, ancestors of many congregants whom our member rabbis serve, and thousands of other pious Jews. The cemetery is sacred, and should remain untouched. Nobody has the right to sanction any disturbance to the integrity of this cemetery.

The proposed Sports Palace project will desecrate the cemetery and profane the dead, and in the name of all member Rabbis of our organization we ask respectfully but unequivocally that all activity in this consecrated domain cease.

Respectfully,

Rabbi Joseph Potasnik
Executive Vice President



Rabbi David Zwiebel
Executive Vice President

September 16, 2020

The Honorable Gitanas Nauseda
President of the Republic of Lithuania
Office of the President of the Republic of Lithuania
S. Daukanto aikste 3
Vilnius 01122
Lithuania

His Excellency, Mr. President:

I respectfully enclose a letter that has been written by the Moetzes Gedolei HaTorah / Council of Torah Sages of America expressing opposition to the planned construction of a convention center and concert hall on the premises of the Old Jewish Cemetery in the Snipiskes section of Vilnius.

The Moetzes Gedolei HaTorah is the senior policy-making rabbinic body in the Orthodox Jewish community of Agudath Israel of America. Its members are universally respected throughout the community for their leadership and scholarship. The fact that they have chosen to convey their concerns regarding the desecration of the cemetery testifies to the importance they attach to this issue.

We would deeply appreciate it if you would take a personal interest in this matter, which means so much to so many Jews throughout the world.

Many thanks.

Sincerely,

Rabbi David Zwiebel

DZ/aa

The Rabbi Moshe Sherer National Headquarters
42 Broadway, 14th floor, New York, NY 10004

212.797.7385

dzwiebel@agudah.org





MK Shuli Moalem-Refaeli

ח"כ שולי מועלם-רפאלי

י"ר סיעת הבית היהודי

12/9/2018

Dear President Grybauskaite,

We were extremely upset to hear about plans that the Government of Lithuania intends to renew the use of the destroyed structure in the ancient cemetery of Vilnius (Vilna) and use it as a convention center. Its foundations are the burial site of our rabbis, our righteous holy leaders and good people who serve as sources of inspiration and guides for the Jewish people to this very day.

Shinipishek (Piramont) cemetery in Vilnius contains the remains of tens of thousands of holy Jews, residents of the city of Vilnius (Vilna) for generations.

This act desecrates the honor of the dead and the glorious history of the city of Vilna. The city was so important to our people that it was termed "Jerusalem D'Lita" as it was a metropolis of sages and writers, the greatest of the world's wise men who with the fire of their spirit and their leadership illuminated the entire diaspora of Eastern Europe.

The plans that we have heard about would seriously offend the entire Jewish nation. We therefore wholeheartedly request, out of respect for the Jewish nation and its values, that you do all that you can to cancel the plan to make this site a convention center. We are sure that you can find a reasonable alternative.

Respectfully

חה"כ שולי מועלם-רפאלי

שולי מועלם-רפאלי

MK Shuli Moalem-Refaeli

MK Yair Lapid

MK Michael Malkieli

MK Dov Khenin

MK Yinon Azoulay

MK Dan Sida

MK Nurit Koren

MK Israel Eichler

MK Rachel Azaria

MK Uri Maklev

David Lau

Chief Rabbi Of Israel

President of The Chief Rabbinic Council



דוד לאו

הרב הראשי לישראל

נשיא מועצת הרבנות הראשית

בס"ד, ב' טבת, תשע"ח

January 7, 2018

קבע'-145.עח

To

Dalia Grybauskaite

Lithuanian President

Dear President,

Regarding: The Old Jewish Cemetery – Vilnius

The link between the Jews of Lithuania and its land is inextricable. For centuries, many Jews have lived throughout this country and it has been a source of inspiration for wonderful works pertaining to the Torah. The world of yeshivas, which is the breeding ground for the wisdom of the Jewish Torah, was able to establish central 'batei midrash' [Jewish study halls] on Lithuanian soil.

In recent years, remnants of the Jewish community are still being found in certain places in Lithuania. Unfortunately, the remains left behind by Jewish communities are disappearing; I think that this heritage should be preserved, and that it is a source of pride for both the Lithuanian people and the Jewish people.

In the above-mentioned cemetery, which is found on the Viliyah – Neris River, in a region called Šnipiškės, are buried the remains and bodies of tens of thousands of Jews.

I have recently been informed that there was an intention to destroy the large gymnasium that was built on the cemetery and to turn the area into a conference center. This activity will severely damage the remains of the bodies that are found in this holy land. According to Jewish law, this is forbidden in any way. I do not think that there is any Jewish Torah element that has the authority to decide that such a thing is permissible.

As the Chief Rabbi of the State of Israel and as the President of the Chief Rabbinate of Israel, I maintain constant and continuous contact with most of the rabbis in the world, and especially with the leaders among them, and in the opinion of all, it is forbidden to modify the current situation.

I appeal to you to do as much as possible to prevent any harm to the martyrs of Israel and to those buried there and not to desecrate this holy cemetery.

I would like to express my gratitude and respect for your work on behalf of others and my appreciation for the values according to which you conduct your policy.



With greatest appreciation and respect

David Lau
Chief Rabbi of Israel

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The Chief Rabbinate House • 5 Aholiav St., Jerusalem 9446778, Israel • P.O.B. 36016 • Tel: 02-5313191 • Fax: 02-5377872

דוא"ל: rabbia@rab.gov.il • Email:



שר הפנים

Minister of Interior

כ"ב בטבת התשע"ט
30 בדצמבר 2018
שר. 2018-6267

לכבוד

ד"ר מר יובל רותם
מנכ"ל משרד החוץ

שלום רב,

הנדון: ציון בעל החיי אדם בעיר ליטא

הובא לידיעתי כי בכוונת הרשויות בעיר ליטא. לחלל את קדושת בית החיים בעיר שבו קבורים גאוני עולם, כפי הידוע בבית העלמין זה טמון הגאון הקדוש בעל "החיי אדם" זכותו תגן עלינו שהיה מנהיג רוחני, רועה לצאן מרעיתו ולדורות הבאים אחריו.

חילול בתי עלמין בכלל הינו צעד הפוגע פגיעה אנושה בכבוד המת, וללא ספק חילול מקום מקודש זה עלול לעורר סערה גם בקרב יהודי העולם מוקירי זכרו.

אשר על כן ובהמשך לפנייתו של ראש המטה בלשכתי משבוע שעבר, בנוגע לקידום החלטת ממשלה בנושא מעמדם של בתי העלמין היהודים בעולם, אבקש את התערבותך המידית בנושא כדי לעצור מהלך מסוכן זה שאחריתו מי יישורנו.

בברכת "וכל אשר יעשה יצליח"

בכבוד רב, יו"ר
הרב אריה מכלוף דרעי
שר הפנים

TRANSLATION: MINISTER OF INTERIOR (RABBI ARYEH DERI)

With heavenly assistance

22 Tevet 5781
30 December 2018

Minister 2018-6267

ATTENTION:

Dr. Yuval Rotem
Ministry of the Diaspora

Sir,

DECISION: GRAVE OF “CHAI ADAM” (City in Lithuania)

It has been brought to my attention that the authorities in Lithuania intend to desecrate the sanctity of a cemetery in a city where worldly Torah scholars are buried. It is known that in this cemetery lies the holy Torah scholar, the “Chai Adam” (his merit should protect us) he who was a spiritual leader, a leader in his community and to subsequent generations.

Desecration of a cemetery in general is a step that grossly offends the honor of the dead. Without any doubt, this desecration of a sacred place has the danger of causing pandemonium, especially amongst Jews across the globe who cherish his memory.

Therefore, falling notification from the Chief of Staff last week, regarding a government decision on the subject and on the status of the Jewish cemeteries in the world, I would like your immediate intervention in the matter and in so doing prevent dangerous repercussions.

With blessings that you should be successful in everything you do.

Very respectfully,

Rabbi Areyh Mahloun Deri
Minister of Interior

אישור נכונות תרגום

אני החתום מטה דוד קלינגר נוטריון בעל רישיון מספר 2033299 מצהיר בזה כי אני שולט היטב בשפות העברית והאנגלית וכי המסמך המצורף לאישור זה והמסומן באות "א" הוא תרגום לשפה האנגלית של מסמך המקור הערוך בשפה העברית מצורף לאישורי זה ומסומן באות "ב"

לראיה אני מאשר את דיוק התרגום האמור בחתימת ידי ובחותמי, היום 3 יוני 2020

שכר נוטריון 1409 שקלים חדשים



חותם הנוטריון


חתימה

Serial No. 5780/2165

CERTIFICATION OF TRANSLATION

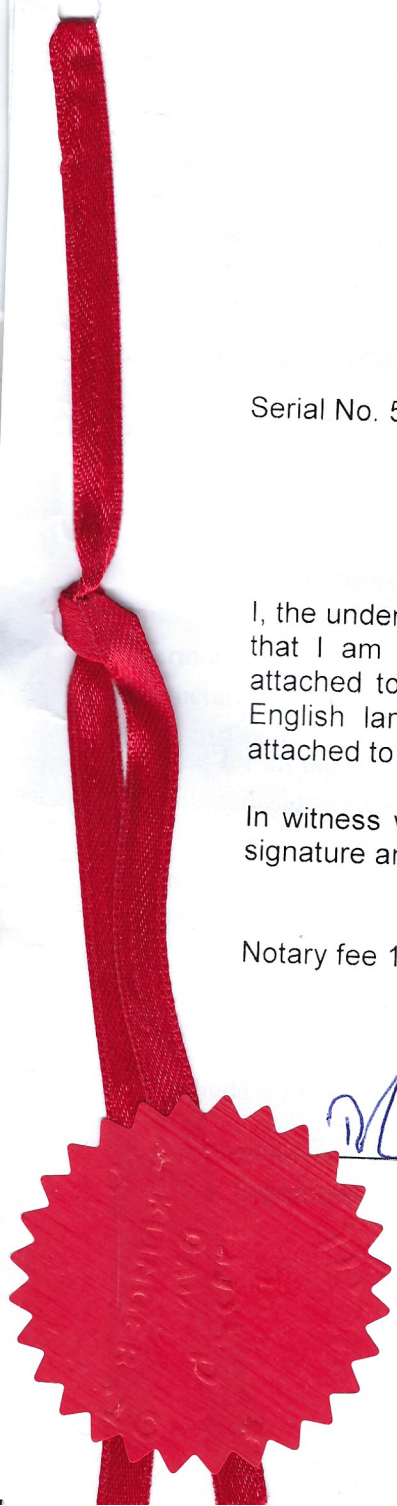
I, the undersigned, David Klinger, Notary holding license no. 2033299, hereby certify that I am fluent in the Hebrew and English languages and that the document attached to this certification and marked with the letter "A" is a translation to the English language of the original document drawn up in the Hebrew language attached to this certification and marked with the letter "B"

In witness whereof, I hereby certify the faithfulness of said translation by my own signature and seal, this day 3 June 2020

Notary fee 1409 NIS



Notary's seal



APOSTILLE

(Convention de la Haye du 5 Octobre 1961)

1. STATE OF ISRAEL

This public document

2. Has been signed by

Advocate **DAVID KLINGER**

3. Acting in capacity of Notary

4. Bears the seal/stamp of the
the above Notary

Certified

9-06-2020

5. At the Magistrates Court of Jerusalem

6. Date

7. By an official appointed by
Minister of Justice under the
Notaries Law, 1976.

8. Serial number

9. Seal/Stamp

10. Signature

1. מדינת ישראל

מסמך ציבורי זה

2. נחתם בידי

עו"ד **דוד קלינגר**

3. המכהן בתור נוטריון.

4. נושא את החותם/החותמת

של הנוטריון הנ"ל

אושר

5. בבית משפט השלום בירושלים

6. ביום

7. על ידי מי שמונה בידי שר

המשפטים לפי חוק הנוטריונים,

התשל"ו - 1976

8. מס' סידורי **146872**

9. החותם / החותמת

10. חתימה



Bnei Brak Rabbinical Court

Founded by Rabbi Nissim Karelitz (obm)
Under the leadership of the Head of the Court Rabbi Sarel Rosenberg

Sunday, 14 Shevat 5780

Opinion and Holy Call

Re: Plans to renovate the building erected in the ancient Vilna cemetery and to turn it into a concert hall

As is known, in the Jewish community throughout the generations Jewish cemeteries – the final resting places of our sages of early generations, venerated as angels – are sacred places to which people come from near and far to pray to our Heavenly Father. As is known, in Jewish cemeteries burial is permanent and disinterment is not allowed even after many centuries.

Jewish law is quite clear and as stated in the *Shulchan Aruch* (*Yoreh Deah* chap. 368, section 1, and *Rema*, *ibid*) it is forbidden to behave in a light-headed manner in a cemetery e.g. take care of one's physical needs, or eat or drink there or to use it as a shortcut etc., due to the respect to be shown to the dead. The law is clear that if the graves were disinterred, G-d forbid, that place may not be reused for any purpose, as stated in the *Shulchan Aruch* (*Yoreh Deah* chap. 324, section 6) that a grave that has been disinterred may not be used to store grain or wood, nor as a store place for valuables, due to the respect to be shown to the dead (as explained in the *Shach*, subsection 14).

Besides the sanctity of the place, one should know that it is customary in Jewish communities world-wide that family members (or the person himself during his lifetime) purchase the burial plot for the deceased at the full price as a permanent purchase, and as explained in the Talmud (*Bava Batra*, 112a) it is a disgrace for a righteous person to be buried in a grave which does not belong to him. It is therefore clear and obvious that the place of the graves does not belong to the Community nor is a public area, but is the private property of the deceased and their descendants, whether they are ascertainable or not, and the Community bodies do not have the right to sell it, and if they do so, the sale is *ultra vires* and invalid. Similarly, if they agreed to the destruction of part of the cemetery, or to the carrying out of renovations in destroyed areas their agreement to the restoration project is ineffective, as it is not their property, and the descendants of those buried in this cemetery may take legal proceedings to ensure that no use be made of the place.

[In addition to the above, there is a real danger that during the renovation works damage may be done to as yet undamaged graves, or the bones of those buried in graves which have been previously destroyed may be uncovered. Furthermore even if the renovation is done under supervision, it is clear that such a large building needs periodic infrastructure works, and who will supervise these?]

Therefore, for all the above reasons, it is our opinion that according to Jewish Law the sanctity of the cemetery must not be harmed and that even after it has been destroyed in the past it is still consecrated ground, and is also a place that has been stolen from the deceased and their heirs. It is therefore forbidden to further aggravate the transgression and renovate the structure erected over the destroyed graves, and certainly should the area be turned into a place of entertainment, it would be a desecration of its sanctity. Therefore it is obligatory to seal up the existing building and leave it as it is.

Signed:

Rabbi Yehuda Silman (-)

Rabbi Sarel Rosenberg (-)

(stamp – "Bnei Brak Rabbinical Court under the presidency of Rabbi Nissim Karelitz")

(-) I also agree with the above Chaim Kanievsky



Any community dedicated to
heaven will endure forever

TALMUD, Ethics of the Fathers 4:14



כל כנסיה שהיא לשם שמים

סופה להתקיים

פרקי אבות ד:ד

23 September 2019

The Honorable Gitanas Nauseda, President of the Republic of Lithuania
The Honorable Saulius Skvernelis, Prime Minister

Dear Mr. President,
Dear Mr. Prime Minister,

I write to you with a deep personal connection to the heritage of Lithuanian Jews. Many South African Jews are descended from Lithuania, including my own great-grandparents, all of whom were born in Lithuania.

I write to you with a plea that the National Congress Center project, with its plan to construct a Convention Center and Concert Hall over the historical Old Jewish Cemetery in the Snipiskes section of Vilnius, be reconsidered and abandoned. I am astounded that Lithuania would even consider desecrating an ethnic cemetery, and even more so, one of such historical significance.

The Old Jewish Cemetery contains the remains of thousands of Jewish residents of Vilnius from the 16th through the 19th centuries. Among them are the remains of some of Vilnius' greatest authors, whose works are studied to this very day in Lithuania, in greater Europe, in Israel, and especially by the heirs of Lithuania's Talmudic academies here in South Africa. The Talmudic academies here, in the United States, and in Israel number well over 20,000 students. They study regularly the works of such great scholars as Rabbi Elijah the Gaon of Vilna, R. Zelmele of Volozhin, R. Moshe Rivkes, and R. Abraham Danzig, all of whom were buried in the Old Jewish Cemetery of Vilna.

As is well known, in 1971, under Soviet domination, a Sports Palace was built over a section of the Old Jewish Cemetery. The graves under the Sports Palace were demolished, never to be recovered. The headstones throughout the cemetery were removed (and often used for construction purposes), but hundreds of graves remain – as proven by recent archaeological surveys and underground radar penetration investigation.

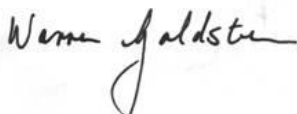
One would have thought that this desecration would have been rectified with the establishment of Independent Lithuania in 1900-1991. Instead, the Old Jewish Cemetery, paid for in full and in perpetuity by the Jewish community of Vilnius, was not restored to them. The Sports Palace, now abandoned and an eyesore, should be demolished. The Old Jewish Cemetery should be restored with trees and greenery and dignity, with a proper gate around the cemetery. Let it forever remain a memorial to the vibrancy of Jewish life in Vilnius.

In effect, we are calling for a change of venue of the Congress Center project. Surely there are other appropriate sites in Vilnius for the construction of a Convention Center and Concert Hall that will not involve the desecration of a Jewish historical site, one of the few remaining Jewish sites in Vilnius to have survived the Holocaust.

In 2015, the Deans of the leading transplanted Lithuanian Talmudic academies in the United States and Israel, all of them distinguished rabbis and scholars of Lithuanian descent, issued a ban against any further desecration of the Old Jewish Cemetery in Vilnius. They indicated that Jewish law forbids the construction of any public facility over a Jewish cemetery. They called upon the Lithuanian government to restore the dignity of the Old Jewish Cemetery to its former state.

Surely by agreeing to a change of venue, Lithuania will earn the admiration of democracies throughout Europe and indeed the world. It would reaffirm Lithuania's commitment to human rights, and especially to the rights of minorities to maintain the sanctity of their holy sites.

Yours sincerely



Rabbi Dr Warren Goldstein

Chief Rabbi of South Africa