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Judge Rules Against Russia on Jewish Papers

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WASHINGTON — A U.S. judge has ruled against the Russian government for its refusal to return a library of historic books and documents to a Jewish group.

Royce Lamberth, chief judge of the U.S. District Court in Washington, ruled that taking the material was discriminatory, not for a public purpose and occurred without just compensation to the Jewish religious organization that is suing, Chabad-Lubavitch.

At issue are 12,000 religious books and manuscripts seized during the Bolshevik Revolution and the Russian Civil War from 1917 to 1925, as well as 25,000 pages of handwritten teachings and other writings of religious leaders stolen by Nazi Germany during World War II.

The documents seized by the Nazis were transferred by the Soviet Red Army as trophy documents and war booty to the Russian State Military Archive.

Last year, lawyers for the Russian government argued that judges have no authority to tell the country how to handle the sacred Jewish documents.

Under the U.S. Foreign Sovereign Immunities Act, a sovereign nation is not immune to lawsuits in cases where property is taken in violation of international law.

Lamberth found that the religious group had established its claim to the material, which he said is "unlawfully" possessed by the Russian State Library and the Russian military archive.

According to court papers reciting the history behind the case, former Russian President Boris Yeltsin once gave an explicit assurance to then-U.S. President George H.W. Bush's emissary, Secretary of State James Baker, that the Russian government would return the library of religious books and manuscripts to Chabad-Lubavitch.

Lamberth issued his decision Friday.

Nathan Lewin, a long-time Washington lawyer representing the religious group, said the U.S. government "has always supported the return of these materials. I would hope that the State Department would not interfere with enforcement of this order."

A State Department spokesman refused to comment because the issue involves a continuing legal case.

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