

**REMARKS OF ASSISTANT ATTORNEY GENERAL LANNY A. BREUER**  
**CRIMINAL DIVISION, UNITED STATES DEPARTMENT OF JUSTICE**

**COMMUNITY-WIDE YOM HA'SHOAH HOLOCAUST REMEMBRANCE PROGRAM**  
**JEWISH COMMUNITY RELATIONS COUNCIL OF GREATER WASHINGTON**

BETHESDA, MD.

Thank you, Harvey, for that very kind introduction.

Governor O'Malley, Ambassador Oren, County Executive Leggett, Rabbis Schnitzer and Safra, Cantors Perlman and Goldsmith, and friends....

Each year on Yom Ha'Shoah, we gather at ceremonies such as this one, in order to remember, recall, and remind the world:

- With fond memories but deep sadness, we remember the vibrant Jewish communities that once existed throughout continental Europe.
- We also recall how the Nazis, with almost unimaginable cruelty, committed in those very communities and in the death camps and concentration camps the premeditated murder of fully a third of all the Jews who were then alive on the planet – among them the loved ones of many who are here with us in this sanctuary.
- And out of necessity, we remind the world that hatred continues to threaten humankind with catastrophe, and even with genocide. For if our vigilance and determination fail, then what has already happened to us, can happen yet again.

As we remind ourselves and the world of the devastation wrought by the Holocaust, we do not labor alone. Just yesterday, we lost dedicated and invaluable partners in that effort when Polish President Lech Kaczynski and other senior Polish officials were killed in a plane crash in Russia. All who seek to keep the memory of the Holocaust alive mourn their passing, and the Department of Justice extends its deepest condolences to their families and to the people of Poland.

I am a child of parents who escaped in 1939 from Germany and Austria, and I am a grandchild of two people – my mother's parents – who could not escape and who therefore were among the Third Reich's six million Jewish victims. My appearance here this afternoon therefore has deep personal meaning for me, and I am honored to be with you.

Like all of you, I have listened, read, learned, and thought about the Holocaust for most of my life. But still the fundamental questions have not been fully answered.

How could the systematic extermination of European Jewry have happened?

How could it have happened in the 20<sup>th</sup> century?

How could the genocide of the Jews have been launched and directed by the government of a modern, western society that arguably possessed the finest public education system that the world had ever seen?

Why did so many people, from nearly all walks of life, participate in gruesome crimes, including the murder of over a million Jewish children?

And why was so little done either to aid Jews who valiantly resisted in the camps and ghettos or to stop the machinery of annihilation as it destroyed millions of Jews, from the elderly to the littlest of the little ones, year after murderous year?

We may never understand fully how the Holocaust happened, but we bear an urgent and essential moral obligation to work to prevent the renewed perpetration of crimes against humanity.

As a leading democracy, we sometimes do that through military action – as, for example, our brave fighting forces did in liberating the Nazi camps in 1945 and as they did again in 1999 in stopping the ethnic cleansing in Kosovo during the Clinton Administration.

We do it through education as well. Thus, the history of the Holocaust has been incorporated in public school curricula throughout the country and it is recounted in powerful fashion, every day, to thousands of visitors at the United States Holocaust Memorial Museum. Holocaust survivors, including many of you in this room, have courageously summoned the strength to tell their heartbreaking stories, in schools and in other important venues. We try to prevent mass atrocities also by identifying populations at risk and then by publicly exposing and warning the regimes that are threatening them. The U.S. Holocaust Memorial Council's Committee on Conscience, on which I have had the privilege of serving, is a global leader in this effort.

One of the most important ways in which humane societies struggle to deter outbreaks of mass violence is by working to pursue justice, so that would-be war criminals might think twice about their actions after seeing that perpetrators of such crimes are being aggressively pursued and held to account for their crimes.

For 25 years, I have devoted my career to law and justice. I have devoted myself to ensuring that state power is exercised even-handedly and with an overriding respect for, and allegiance to, the pursuit of justice. As the child of Holocaust survivors, my perspective, of course, has been shaped by a keen awareness that the mechanisms of state justice woefully failed the Jews of Europe. And I am determined not to see such a failure of the Rule of Law ever again.

Since my appointment early last year by President Obama, it has been my great honor to

serve as the Assistant Attorney General in charge of the Criminal Division at the U.S. Department of Justice. Coming into that job, I knew that the Department had an extraordinary record of leadership in the battle to bring war criminals to justice.

These efforts began in 1945, when former Attorney General Robert Jackson led the prosecution of the top surviving Nazi war criminals at Nuremberg and another former attorney general, Francis Biddle, served as the American judge on the international court before which those arch criminals were tried.

I also knew that the Criminal Division was home to a remarkable unit, the Office of Special Investigations or "OSI." Even as a college student, when I interned for one of the early champions of OSI, then-Congresswoman Liz Holzman, I knew just how important OSI would be in the effort to bring Nazi war criminals to justice.

And, of course, I knew that, over the years and most recently under the exceptional leadership of Eli Rosenbaum, OSI had been pursuing justice on behalf of the victims of Nazi inhumanity for nearly three decades with unparalleled success. Indeed, OSI -- which has been the recipient of many honors from Jewish groups and survivor organizations, among others -- has won more court cases against Nazi criminals than have the governments of all the other countries of the world, combined. Eli and his tremendous team have so much to be proud of as they push forward with their important work.

Indeed, our pursuit of justice in cases of Nazi criminals and other human rights violators who have escaped to this country continues with undiminished vigor. Just since last year's Yom Ha'Shoah, for example, we completed a long, exceedingly difficult legal battle to effect the deportation of John Demjanjuk. He is currently on trial in Munich, Germany, on charges of serving as an accessory to the murder of 27,900 Jews at the Sobibor death camp.

Last year, OSI won victories in three other Nazi cases as well, and it commenced legal proceedings against two other alleged Nazi criminals. We also unsealed the indictment in an OSI case involving an alleged participant in the Rwandan genocide who now lives in this country.

The unfathomable tragedy of the Holocaust was compounded after the war by the world's failure to bring to justice those who had carried out the Nazis' monstrous crimes. Although thousands of Nazi criminals were successfully prosecuted, the great majority of the perpetrators were never called to account. Postwar perpetrators of war crimes and crimes against humanity were surely emboldened by the knowledge that many Nazi war criminals -- who had committed some of the ghastliest crimes in the annals of recorded history -- remained at liberty, often living openly under their real names in their countries of birth.

Impunity for those who commit genocide and other atrocity crimes cannot be tolerated. As Robert Jackson declared in his opening statement at Nuremberg, civilization cannot ignore these crimes, "because it cannot survive their being repeated."

In that spirit, one of the first actions I took as Assistant Attorney General was to begin planning an unprecedented expansion of the Criminal Division's commitment of resources to the pursuit of justice in human rights violator cases. With Attorney General Eric Holder's support, we are implementing that plan right now. We have hired additional staff for this crucial work and are hiring more. And last month, we formally created the Human Rights and Special Prosecutions Section, a new section in the Criminal Division that will serve as the centerpiece of our human rights enforcement efforts. This new section was created by combining the staff of OSI with that of another highly accomplished human rights enforcement unit – the Domestic Security Section – which had been prosecuting crimes of torture, genocide, and transnational violent crime.

In bringing OSI and DSS together, all of the Criminal Division's human rights cases – the World War II Nazi cases and all of the others – will now be handled by one group of dedicated and highly talented professionals in a dynamic new law enforcement unit. This new unit would not have been possible without the leadership and support of Senators Richard Durbin and Tom Coburn. Indeed, in an era when some have argued that bi-partisanship is not possible, this new section is a shining example of where it was achieved.

In closing, let me say to the survivors and their family members who are here today that we will persevere in seeking to bring Nazi war criminals to justice. And to those of our fellow Americans who have fled persecution and mass death in more recent conflicts and who have now made new homes in this country, we will pursue the perpetrators of those crimes, as well. We at the Department of Justice will ensure that would-be human rights violators know that such crimes will not – and cannot – go unpunished.

It is through this commitment that we will apply the lessons of Auschwitz, Treblinka, and of the destruction wrought by the Nazi regime. It is through this commitment that we will help transform the words "Never Again!" from slogan into reality.

Thank you for having me with you on this Yom Ha'Shoah. My very best wishes to you all.

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