

RESOLUTION 25 MAY 2006

THIS EXTRAORDINARY MEETING of the Committee of Management of the Executive Council of Australian Jewry held in Melbourne on 25 May 2006:

REAFFIRMS its primary objective of advancing the welfare of the Jewish community in Australia and throughout the world and doing so by adhering to the highest standards of governance;

CALLS UPON all officers of the WJC, and other Jewish organisations, to recognise the damage done to world Jewry by public conflict especially in respect of disputes internal to organisations and to appreciate the need for any criticism of communal organisations or individuals, to be made without rancour or vituperation, and offers its good offices to assist with that objective;

NOTES its Resolution of 23 February 2006, concerning the lawsuit instituted on 31 January 2006 by the WJC and Israel Singer against Isi Leibler AO CBE, which Resolution is attached;

NOTES that the WJC has not discontinued the lawsuit;

NOTES that particularly in his letters to the ECAJ of 7 March 2006 and 21 May 2006, the Secretary General has gone to great lengths to attempt to justify the bringing and maintaining of the lawsuit against Mr Leibler;

NOTES further that the Committee of Management has today provided the Secretary General, (at his request) in the presence of his lawyers, with the opportunity to discuss with the Committee of Management, the lawsuit and the matters arising from the Resolution, in person;

ACKNOWLEDGES WITH APPRECIATION the preparedness of the Secretary General to travel to Australia to meet with the Committee of Management and acknowledges the openness of the ensuing discussion of differences as being one of the necessary features of good governance and transparency;

WELCOMES the expressed attitude of the WJC to work cooperatively with its affiliates including the ECAJ;

REGARDS the steps taken since 2004, by the WJC to attempt to improve its governance and the transparency and clarity of its decision-making, as most important;

NOTES WITH SATISFACTION that consistent with its undertakings to the Office of the Attorney General of New York, the WJC is obliged to institute and maintain regimes of good governance on fiscal and related matters;

EXPRESSES CONCERN however, after reviewing the Secretary General's correspondence and after having heard from him, that in particular:

- (a) the decision to institute the lawsuit against Mr Leibler does not appear to have been taken by any organ of the WJC in a manner consistent with principles of transparent and clear governance;
- (b) the Report of the Attorney General of New York was either not at the time published, or not made available by the WJC after its publication, to those deciding to institute the law suit;
- (c) no consultation appears to have been undertaken with members and affiliates of the WJC, prior to instituting the law suit;
- (d) the WJC Press Release and the Secretary General's Memorandum both dated 31 January 2006, whilst understandably promoting a positive portrayal of the findings in the Report of the Attorney General of New York, do not represent either a fair or reasonable summary of that Report ;
- (e) in instituting the lawsuit against Mr Leibler, and highlighting that fact both in the Press Release and the Memorandum, the WJC ensured that the governance issues which the WJC wished to downplay, would remain a matter of significant public controversy and comment, at least until the litigation was resolved;

REJECTS the essential justifications relied upon by the Secretary General both orally and in writing, for the institution of the lawsuit;

REAFFIRMS the matters recorded, and the views and beliefs expressed, in the Resolution.

NOTES that in light of the findings contained in the Report of the Attorney General of New York, the Secretary General's statement contained in his January 2005 "Report to the Plenary Assembly of the WJC", that "*The allegations of financial irregularities regarding the transfer of \$1.2million of WJC funds are false*" is wrong;

CALLS UPON the WJC to forthwith remove the January 2005 "Report to the Plenary Assembly of the WJC", from its website;

NOTES WITH DEEPEST CONCERN AND ALARM that the lawsuit:

1. is highly unlikely to achieve any of the purposes for which it was allegedly brought;
2. is likely to take many years to resolve and will during that time ensure that the criticism previously made by Mr Leibler will remain in the public domain, exciting unfavourable media comment and undermining the otherwise proud achievements of the WJC;
3. will be hugely disruptive to the ongoing mission and reputation of the WJC and others;
4. will be extremely expensive including in time and effort, notwithstanding that a Legal Defence Fund has been established by the WJC;

EXPRESSES ITS PROFOUND BELIEF that, regardless of which party is successful in the litigation, the lawsuit is manifestly not in the best interests of world Jewry and the WJC, its members and affiliates;

ACCORDINGLY ONCE MORE CALLS UPON the WJC to discontinue the lawsuit.

NOTES that the next meeting of the Steering Committee of the WJC is scheduled to take place on 18 July 2006;

RESOLVES with considerable regret to withdraw its membership of and disaffiliate from the WJC effective 25 July 2006 unless, by that time, the WJC has discontinued the lawsuit.

FINALLY RESOLVES that after this Resolution has been communicated in writing to the Secretary General of the WJC, the ECAJ will publish this Resolution and any reasons in support of it, including to members of the WJC.

Grahame J. Leonard
President