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“European Conference on Antisemitism”

The recording of antisemitic incidents in a national and European context



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Antisemitism increased during the COVID-19 pandemic, especially online. For several years in Europe, in various Member States of the European Union (EU), antisemitic incidents have been daily occurrences – not only on the internet, but also in the real world. Therefore, it is no wonder that many Jews decided to leave Europe. It took the EU a long time to react to these developments. Eventually, a policy and legal framework has been now set up to fight antisemitism. A comprehensive EU strategy for combating antisemitism and promoting Jewish life was presented in October 2021. In order to support its implementation, the Austrian Federal Minister Karoline Edtstadler, responsible for the fight against antisemitism and the promotion of Jewish life, launched a European initiative aimed at strengthening cooperation for the implementation of the EU strategy against antisemitism. The “European Conference on Antisemitism (ECA)” convened for the first time on 18/19 May 2022 in Vienna and primarily committed itself to harmonising the recording of antisemitic incidents in the EU.

INTRODUCTION

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.” (Working definition of antisemitism, adopted by the plenary meeting of the International Holocaust Remembrance Alliance (IHRA) on 26 May 2016).¹

The non-legally binding working definition of antisemitism was the first text recognised by an intergovernmental organisation aimed at facilitating the identification and combating of antisemitism.

The IHRA working definition comprises the actual definition of antisemitism, which

is complemented by a series of illustrative examples, including the distinction between antisemitism and different forms of criticism of Israel. In April 2017, the Austrian federal government adopted the IHRA working definition of antisemitism through a decision of the Council of Ministers. In doing so, it noted that “[in] implementation of the recommendations of the IHRA”, the working definition could “be used, for example, in school and adult education as well as in training in the areas of justice and law enforcement”.²

On 21 January 2021, the Austrian federal government presented a comprehensive strategy for the prevention and combating of antisemitism. Austria was thus one of the first Member States to develop and adopt “a holistic strategy for the preven-

tion and combating of all forms of antisemitism”, as called for by the Council of the European Union in its declaration of 6 December 2018³. The National Strategy against Antisemitism (NAS)⁴ contains 38 measures divided amongst six strategic pillars: 1) Education, training, research; 2) Security and protection of Jewish communities and facilities; 3) Effective law enforcement; 4) Framework conditions in the area of integration; 5) Documentation and Europe-wide data comparison; 6) Societal approach. All of these strategic pillars and objectives are undoubtedly essential for a holistic fight against antisemitism. The fifth pillar, “Documentation and Europe-wide data comparison”, is the one to be looked at more closely in the following.

EUROPEAN CONFERENCE ON ANTISEMITISM

At the invitation of the Austrian Federal Minister for EU and Constitution, Karoline Edtstadler, a meeting of special envoys and coordinators combating antisemitism organised by the Task Force Austrian-Jewish Cultural Heritage at the Federal Chancellery and the European Union Agency for Fundamental Rights (FRA) was held on 18/19 May 2022 in Vienna. The meeting was convened to discuss ways to enhance cooperation in the fight against antisemitism in the EU. The goal of the meeting, in which 15 EU Member States and organisations such as the European Jewish Congress and the World Jewish Congress as well as the European Commission took part, was to establish a kind of “increased cooperation”⁵ among a like-minded group of Member States in the area of combating antisemitism at EU level. Another indirect goal of the Federal Chancellery hosting the event was to make a contribution to implementing the NAS, the eighth measure of which calls for “[a]ctive cooperation at European level to promote the comparabil-

ity of data collected by Member States”⁶. At national level, too, progress should be achieved in the documentation of antisemitic incidents, which should even lead to the “preparation of a documentation office in connection with the prevention and combating of antisemitism under the involvement of the antisemitism reporting office of the Jewish Community (IKG) and further stakeholders” (NAS, measure 8.)

The founding of the informal group of Member States (“European Conference on Antisemitism” [ECA])⁷ was underpinned by the signing of a declaration by the participating Member States. In addition to creating the aforementioned group of Member States, the “Vienna Declaration on enhancing cooperation in fighting antisemitism and encouraging reporting of antisemitic incidents” (Vienna Declaration) of 18 May 2022 pursues the following four objectives: 1) Developing common methodologies for quantifying and qualifying antisemitic incidents; 2) Encouraging the use of the non-binding IHRA working definition of antisemitism; 3) Improving the recording of antisemitic incidents and the willingness to report such incidents (combating the under-reporting), and 4) Strengthening the cooperation between law enforcement agencies, Jewish communities and civil society organisations (CSO).

To date⁸, eleven EU Member States participate in the ECA and, in accordance with the aforementioned goals, primarily want to dedicate themselves to the problem of “under-reporting” – i.e. the non-reporting or the below-average reporting of actual incidents – and to the absence of an EU-wide harmonised procedure for recording antisemitic incidents. As the FRA repeatedly noted in its annual update on the development of antisemitic incidents in the EU, only a few EU Member States record antisemitic incidents in a

way that enables them to publish appropriate official data. Moreover, the insufficient recording of incidents due to hate crime, including those of an antisemitic nature, combined with the hesitance of victims to report incidents to the authorities, contributes to the under-reporting of the extent, nature and characteristics of the antisemitic incidents in the EU. According to the FRA, this limits the possibilities of the political decision-makers at local, national and international level in taking measures and effectively implementing actions to combat antisemitism and decisively fight against it. The evaluation of existing measures is also made more difficult.⁹

POLICY FRAMEWORK FOR COMBATING ANTISEMITISM

The EU often boasts of being a “community of values”, and indeed Article 2 of the Treaty on European Union (TEU) lists the values on which the Union is founded and does so in a programmatic way, as it were, for the constitutional identity of this unique, supranational organisation. Nevertheless, it took a long time for the EU and its institutions to put antisemitism on their agenda. In fact, it is surprising and, in view of the historic responsibility that the Shoah left behind for Europe, hard to believe that, even in 2023, there are no standardised methodologies available for the recording of antisemitic incidents, nor is a harmonised definition of antisemitism applied consistently throughout the EU. However, there would already be an adequate legal and strategic framework to adequately record and consequently fight the phenomenon of antisemitism.

A number of – long overdue – measures at EU level in fact preceded the founding of the ECA. On 1 June 2017, the European Parliament adopted a resolution for combating antisemitism¹⁰, in which all EU Member States were called upon to

resolutely counter antisemitism and, in addition to other measures, to adopt the IHRA’s non-legally binding definition of antisemitism. Eventually, under the Austrian Presidency of the EU Council the essential policy instrument of the EU was adopted and the fight antisemitism put on the agenda of the EU. Following tough negotiations, the Justice and Interior Minister of all (at the time) 28 EU Member States unanimously passed the “Council Declaration on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions in Europe”¹¹ on 6 December 2018. This declaration invites all EU Member States to adopt and implement a holistic strategy to prevent and fight all forms of antisemitism as part of their strategies on preventing racism, xenophobia, radicalisation and violent extremism. In particular, they should strengthen their efforts to guarantee the safety of Jewish communities, institutions and citizens.

The European Commission then took an unusual step and set up its own working group to implement this EU Council Declaration against Antisemitism. The step of the Commission (i.e. the then 28 governments of the EU Member States) was unusual because the declaration of 6 December 2018 was merely a political act of self-commitment without any possibility for the European Commission to call the Member States before the Court of Justice of the European Union (CJEU) in case of lacking national implementation. Moreover, the European Commission’s move was bold for another reason: the implementation of the Council Declaration of 6 December 2018 is mostly within the competence of the EU Member States. It is about measures of education, integration and security and the physical protection of Jewish communities. In these areas, the

EU treaties foresee, generally, no or only very weak competences for the Union and thus for the European Commission as the motor of European integration. Of course, this step of the European Commission did not come about by accident, but had already been prepared for with the setting up of the post of European Commission Coordinator on combating antisemitism in 2015. Katharina von Schnurbein, who has played a decisive role in implementing the EU Council declaration against antisemitism, has held this position since then.

As the setting up of a new EU post can achieve little on its own if the Member States do not take equally structural measures, the European Commission called on the Member States to appoint special envoys or coordinators for combating antisemitism. The Member States were slow to comply with this request until the establishment of the European Commission working group for the implementation of the EU Council declaration of 6 December 2018. Only the necessity for the EU Member States to ensure representation in the working group set up by the European Commission¹² gave a boost to the appointment of national coordinators or special envoys. The major global Jewish organisation, the World Jewish Congress, also played its part in driving better implementation of the relevant national policies by EU Member States as well as by other countries around the world through the setting up of the so-called SECCA group (“Special Envoys and Coordinators Combating Antisemitism”), founded in 2019. Overall, the adoption of the EU Council declaration of 6 December 2018 and the resulting developments gave rise to what is nowadays referred to as “momentum”.

Consequently, the round of political declarations of intent at EU level continued. On 2 December 2020, the Council of the European Union approved

the draft of a declaration of the Council for consistent consideration of the fight against antisemitism in all policy areas (“Council Declaration on mainstreaming the fight against antisemitism across policy areas”).¹³

With this declaration, the Council emphasises that the fight against antisemitism is a cross-cutting issue involving various levels of government and politics at local, national and European level. Therefore, awareness of antisemitism must be sharpened across all policy areas and competencies. The provisional conclusion – and at the same time a certain step backwards – is represented by the conclusions of the Council on combating racism and antisemitism¹⁴ accepted by the EU Council, under French presidency, on 4 March 2022. The conclusions do not add anything new to the declarations of 2018 and 2020; rather they could question the demarcation between racism and antisemitism achieved by the aforementioned declarations. This demarcation is important, as specific strategies and operational measures are required for both phenomena. The separation should also prevent a levelling downwards. Racism is often equated with antisemitism or is considered the ideology closest to antisemitism.¹⁵ Antisemitism is often viewed as a special form of racism. However, such attributions are problematic since there are forms of racism that have no links to antisemitism, and in turn forms of hostility towards Jews that are not based on any racist logic.¹⁶ Antisemitism constructs its concept of the enemy not only, as in racism or xenophobia, as inferior or of lesser value but also as superior and overcivilised¹⁷. Consequently, antisemitism frequently goes hand-in-hand with conspiracy theories (or conspiracy narratives or conspiracy myths).

The basis of such theories is the assumption that a World Jewry would secretly

attempt to obtain power through conspiracies in all political, social and economic areas and thus rule the world.¹⁸ Overall, antisemitism is (without wanting to diminish the particular challenges posed by racism and xenophobia) a highly complex and for the democratic and liberal societies of Europe – as we have painfully learned from history – extremely dangerous phenomenon that necessitates specific countermeasures.

In order to operationalise the political declaration of intent, the European Commission presented the first EU strategy to fight antisemitism and to promote Jewish life¹⁹ on 5 October 2021. This strategy provides over 70 measures for implementation by the Member States and the Commission itself. Another key measure is the instruction to the EU Member States already contained in the Council declaration of 6 December 2018 to develop national strategies by the end of 2022²⁰. Approximately half of the Member States have complied with this instruction or have at least included specific measures in their national action plans against racism by the end of 2022. The ECA was ultimately established with the goal of supporting the implementation of the EU strategy and the development of national strategies.

ANTISEMITISM – CURRENT TREND

In recent years, the number of antisemitic incidents has experienced a very clear trend in some countries – namely, one that points up. For example, antisemitic incidents in the United States of America in 2021 reached a new peak with 2,717 cases of assault, harassment and vandalism reported to the Anti-Defamation League (ADL). This is the highest number of incidents since the ADL began recording antisemitic incidents in 1979. Compared to 2020, this represents an increase of 34 %

over the previous year.²¹ Research into American media reports also shows that 28 violent attacks against Jews took place in 2021, compared with twelve in 2020 and 36 in 2019. The New York Police Department (NYPD) and the Los Angeles Police Department (LAPD) also registered an alarming number of incidents. The two cities have the largest Jewish populations in the USA (and are the largest and third-largest Jewish cities in the world respectively overall).²² Apart from Israel, the USA is the country with the world's largest Jewish population of approx. six million people. In France – the country with the largest Jewish population in Europe (approx. 446,000 Jews) – the rise in antisemitic incidents was even greater. The “Service de Protection de la Communauté Juive” (SPJC), which was founded in 1980 and supported by the “Conseil représentatif des institutions juives de France” (CRIF), recorded a total of 589 antisemitic incidents in 2021, an increase of 74 % from the 339 incidents reported in 2020. Antisemitic incidents resulting in physical violence (60) rose by 36 % compared to 2020 (44) and 33 % compared to 2019 (45). The 68 incidents of vandalism in 2021 represent an increase of 26 % over the 54 incidents in 2020. In 2019, however, the numbers were even higher.²³

The United Kingdom also saw a rising trend during the COVID-19 pandemic. The Community Security Trust (CST) report on antisemitic incidents for 2021 shows that 2,255 incidents of antisemitic hate were recorded. This is the highest overall number that the CST has ever recorded and represents a rise of 34 % over the 1,684 antisemitic incidents in 2020. At the same time, it is the first time that a CST report has recorded more than 2,000 incidents in a single year. The CST has reported on antisemitic incidents since 1984.²⁴

In Austria, too, a sharp rise in antisemitic incidents was recorded from 2020 to 2021. The reporting office of the Vienna Jewish Community (IGK Wien), the only office in Austria that systematically records antisemitic incidents even below the criminal threshold, reported a rise of 65% and thus the highest recorded number of antisemitic incidents since documentation began. A total of 965 antisemitic incidents were reported to the antisemitism reporting office in 2021.²⁵

These examples show that in some of the most important countries in terms of the Jewish population, there was a considerable rise in antisemitic incidents during the COVID-19 pandemic. A particular increase has taken place on the internet. The European Commission commissioned a study on the rise of antisemitism online in order to investigate the phenomenon. The study carried out by the Institute for Strategic Dialogue (ISD) monitored French and German content and compared the first two months of 2020 with the first two months of 2021. This showed a seven-fold increase in antisemitic content on Twitter, Facebook and Telegram in French and a more than 13-fold rise in antisemitic content in German. Antisemitic content in French on Facebook was “liked”, commented on and shared over half a million times between 1 January 2020 and 8 March 2021. On Twitter, antisemitic content in French was “retweeted” and “liked” over three million times. Antisemitic content in German on Telegram was accessed over two billion times in the same period.²⁶

Each year, the FRA records the number of antisemitic incidents collected by the EU Member States. However, statistical records of antisemitic incidents are not the only means with which antisemitism can be assessed. Therefore, approximately once every five years, the FRA carries out a survey on perceived antisemitism in the

Jewish communities of those EU Member States that still have a notable Jewish population in terms of its size. Nine out of ten (89%) Jews are of the view that antisemitism has increased in their country, and more than eight out of ten (85%) believe it to be a serious problem. Jews across Europe describe antisemitism as the biggest social or political problem in their home country. They rate antisemitism on the internet and in social media as the most problematic (89%), followed by public spaces (73%), media (71%) and in political life (70%). Amongst the most frequent antisemitic statements that the respondents are regularly confronted with are that “Israelis behave like Nazis towards Palestinians” (51%), the “Jews have too much power” (43%) and the “Jews exploit the victimhood of the Holocaust for their own ends” (35%). Such statements are most frequently found on the internet (80%), followed by media other than the internet (56%) and at political events (48%). The survey revealed that hundreds of Jews have personally experienced an antisemitic attack. More than one in four respondents has experienced antisemitic harassment on at least one occasion. Almost half of them feared being exposed to antisemitic insults or harassment (47%), and four out of ten feared a physical antisemitic attack (40%). One out of three respondents (34%) avoids attending Jewish events or places because they do not feel safe there or on the way there. More than one third (38%) considered emigrating in the five years before the survey because they did not feel safe in the country they were living in.²⁷

The European Commission has promised in its EU strategy to fight antisemitism and to promote Jewish life that it will finance an EU-wide survey of antisemitic prejudices in the population of all Member States, including amongst young people. In addition to that, it will “[f]oster, in cooperation

with the Member States and the research community, the creation of a European research hub on contemporary antisemitism and Jewish life and culture fostering multidisciplinary research across Europe and fund research through Horizon Europe, on various structural forms of racism and xenophobia, taking into account national specificities and intersectionality.”²⁸ These measures, together with the various existing reports on antisemitic incidents, should make an important contribution to creating a holistic and precise “situation picture” of antisemitism in Europe. Nevertheless, the fundamental problem remains that the various Member States pursue different approaches to the recording of antisemitic incidents, which complicates comparability or even renders it impossible.

APPROACHES

At EU level, the first and so far only harmonisation that can also relate to offences deemed antisemitic in the sense of the IHRA working definition of antisemitism was adopted on the level of substantive criminal law back in 2008. Public incitement to violence and hatred against a group of persons or a member of a group defined by reference to race, skin colour, religion, descent or national or ethnic origin is defined as a criminal act by the framework decision on combating racism and xenophobia²⁹. Agitation in connection with the endorsement, denial or gross trivialisation of the Holocaust is also punishable in accordance with framework decision 2008/913/JI. Incidents of Holocaust denial, distortion or trivialisation increased not least during the COVID-19 pandemic. Holocaust distortions in particular became apparent during so-called anti-coronavirus demonstrations. The goal of framework decision 2008/913/JI was to make racist and xenophobic offences subject to at least a minimum degree of effective, appropri-

ate and deterrent criminal sanctions in all EU Member States.

Of course, harmonisation by means of this legal instrument involves a minimum degree of harmonisation with numerous exceptions and loopholes. For example, Member States may choose “to punish only conduct which is either carried out in a manner likely to disturb public order or which is threatening, abusive or insulting” (framework decision Art. 1(2)). Moreover, “publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes [...] directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin” is only punishable “when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group” (framework decision, Art. 1[1][c]).

Criminal law can only ever be the ultima ratio. However, Jewish life is already impaired when the criminal threshold is not yet reached. Antisemitism is also an indicator for the state of society as a whole.³⁰ Antisemitism should be closely monitored to better protect democratic societies. Antisemitism also goes hand-in-hand with antidemocratic politics and strengthens an electorate that lacks critical ability to judge, that is satisfied with populist answers, that tends towards illiberal politics and extremes, and is thus easy to manipulate. It is no accident that the intersection of those people who express antisemitic ideas and those who belong to the anti-vax movement³¹ is very large.³²

Not least for these reasons was the IHRA working definition of antisemitism developed. The definition has so far been adopted by 35 UN member states,³³ but it is actually systematically used by only a few civil society organisations that record anti-

semitic or racist incidents. The CST in the United Kingdom, the Bundesverband Recherche- und Informationsstelle Antisemitismus e.V. (RIAS e.V.)³⁴ and not least the Antisemitism Reporting Office of the Vienna Jewish Community are amongst them. That is one of the reasons why the EU Member States that participate in the ECA pledged in the “Vienna Declaration on Antisemitism” to promote the use of the IHRA working definition. The sixth paragraph of this declaration reads: “We agree to further promote the use of the IHRA non-legally binding working definition of antisemitism, which can serve as a basis to collect comparable data on antisemitic incidents including data that is below the criminal threshold.”³⁵

The Austrian National Strategy to fight Antisemitism (NAS) addresses the problem that coherent methodologies for recording and comparing data are not used by any of the bodies that record antisemitic incidents, neither at European level nor at national level. Therefore, the “[a]ctive cooperation at European level to promote the comparability of the data collected by the Member States” (measure 8 of the NAS) is required on the one hand, and on the other the aforementioned establishment of a documentation office at national level. The Task Force Austrian-Jewish Cultural Heritage set up in the Federal Chancellery in 2021 for the operational coordination of the NAS implementation has therefore invited the governmental and Civil Society Organisations (CSOs) involved in Austria in the recording and/or analysis of antisemitic, National Socialist-related, other extremist and racist incidents to a round table intended to institutionalise itself into a working group (“Working Group Documentation Office”). This should ensure regular exchange and enable measures with regard to the development of a documentation office for antisemitic incidents.

In Austria, a number of CSOs have been working for many years in the fields of antidiscrimination, fight against racism and far-right extremism. The reporting office “NS-Meldestelle” was set up by the Federal Ministry for the Interior in 1997. At this office, anybody can report suspicious or pertinent incidents as well as far-right, xenophobic/racist, antisemitic and islamophobic content (including internet content). In the event of criminal relevance, corresponding facts can be brought to the attention of the competent public prosecutors.³⁶

Implementation of the NAS at national level takes place in parallel with the work of the European Conference on Antisemitism, which is intended to lead to stronger networking and harmonisation of practices and methodologies at EU level. This is done in close consultation with the FRA, which for its part has supported the European Commission and the Member States for many years. Over time, various instruments were developed for combating hate crime. This can also be of relevance for the purposes of preventing and combating antisemitism. Within the scope of the “EU High Level Group on combating racism, xenophobia and other forms of intolerance” set up by the European Commission, the “Key guiding principles on encouraging reporting of hate crime”³⁷ were developed. In order for the Member States to be able to fulfil and comply with the legal obligations defined in the EU legal framework, they must eliminate obstacles that prevent victims from reporting hate crimes and encourage them to do so. Against this backdrop, the principles in this document aim at supporting the Member States in fulfilling the obligations and commitments they have entered into with regard to ensuring access to justice for all, protecting and supporting the victims and combating hate crime. Furthermore, the “Key guiding

principles on improving the recording of hate crime by law enforcement authorities”³⁸ were adopted, which can help the law enforcement agencies in their efforts to improve the mechanisms for recording hate crimes. Finally, there are also the “Key guiding principles on cooperation between law enforcement authorities and civil society organisation”³⁹, which can be an important guide for establishing and maintaining partnerships and mechanisms for a structured cooperation with civil society organisations.

Overall, sufficient tools are available to improve the recording as well as the willingness to report antisemitic incidents. Which offices actually record antisemitic incidents is of secondary importance. This can also vary within the EU from Member State to Member State – and

even from region to region. Most important is that people and in particular the Jewish communities have trust in the respective institutions and that “under-reporting” subsequently remains as low as possible. Consequently, higher trust, better reporting mechanisms and more awareness could also lead to higher numbers of recorded antisemitic incidents. An increase in recorded antisemitic incidents, therefore, must not necessarily be seen as a merely negative trend. Indeed, the reverse of this would be that low or even no case numbers (there are actually Member States of the EU that do not record or communicate any antisemitic incidents at all) would always be assessed as a sign of low levels of or non-existent antisemitism. However, this reverse conclusion would be an inaccurate fallacy.

¹ In May 1998, the then Swedish prime minister Göran Persson, the British prime minister Tony Blair and the president of the United States of America Bill Clinton agreed to set up a task force to promote international cooperation in the areas of Holocaust education, remembrance and research. The task force was later joined by Germany, Israel, Poland, the Netherlands, France and Italy, thus laying the foundation stone for the International Holocaust Remembrance Alliance (IHRA). The first forum was held in the year 2000. In accordance with the obligation of the task force, the former Swedish prime minister Göran Persson invited the task force and other interested governments (a total of 46 states) to the International Forum on the Holocaust, which was held in Stockholm from 26 to 28 January 2000. The non-binding IHRA working definition of antisemitism, which was adopted by the IHRA plenary session on 26 May 2016, is based on a definition of the European Monitoring Centre on Racism and Xenophobia (EUMC) – the predecessor organisation of the European Union Agency for Fundamental Rights (FRA).

In order to guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to: – Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective – such as,

especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.

Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.

Denying the fact, scope, mechanisms (e.g., gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).

Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust. Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.

Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.

Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.

Drawing comparisons of contemporary Israeli policy to that of the Nazis.

Holding Jews collectively responsible for actions of the state of Israel. (International Holocaust Remembrance Alliance. Working definition of antisemitism, Online: <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism> (23.02.2023)).

² BMEIA [Bundesministerium für europäische und internationale Angelegenheiten] (2017). Vortrag an den Ministerrat. International Holocaust Remembrance Alliance (IHRA); Arbeitsdefinition von Antisemitismus, GZ: BMEIA-AT.8.19.11/0091-I.2/2017, Online: <https://www.erinnern.at/media/219ef9350dea47892d1816c0178bff71/40-15%20Vortrag%20an%20Ministerrat.pdf> (25.07.2022).

³ Council of the European Union (2018). *Council Declaration on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions in Europe – Council conclusion (6 December 2018)*, Council document no. 15213/18, Online: <https://data.consilium.europa.eu/doc/document/ST-15213-2018-INIT/en/pdf> (21.02.2023).

⁴ BKA [Austrian Federal Chancellery] (2021). *National strategy against antisemitism: Strategy of the Republic of Austria to prevent and combat all forms of antisemitism (NAS)*, Online: <https://www.bundeskanzleramt.gv.at/en/services/publications.html> (23.02.2023).

⁵ *The so-called enhanced cooperation in the area of EU law is a decision-making mechanism within the Council of the European Union that permits differentiated integration at the level of secondary law: a group of at least nine Member States can use it to introduce common regulations without other States having to participate in them (cf. Articles 326–334 of the Treaty on the Functioning of the European Union)*.

⁶ BKA 2021, 145.

⁷ *The results of the conference were summarised in a non-publicly accessible document of the Council of the European Union: Council of the European Union (2022). Outcome of the “European Conference on Antisemitism”, 18–19 May 2022, Vienna, Council document no. ST 11085 2022 INIT, Online: <https://www.consilium.europa.eu/en/documents-publications/public-register/public-register-search/results/?AllLanguagesSearch=False&OnlyPublicDocuments=False&DocumentNumber=11085%2F22&DocumentLanguage=EN> (24.07.2022).*

⁸ *As at: August 2022.*

⁹ Cf. FRA (2021). *Antisemitism: Overview of antisemitic incidents recorded in the European Union 2010–2020, update 2021, 09/11/2021, 6*, Online: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-antisemitism-overview-2010-2020_en.pdf (24.07.2022).

¹⁰ European Parliament (2017). *European*

Parliament resolution of 1 June 2017 on combating antisemitism (2017/2692(RSP)), Online: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0243_EN.html (23.02.2023).

¹¹ Council of the European Union (2018). *Declaration of the Council of the European Union against antisemitism and for the development of a common security concept for the better protection of Jewish facilities and communities in Europe*, Council document no. 15213/18, Online: <https://data.consilium.europa.eu/doc/document/ST-15213-2018-INIT/en/pdf> (21.02.2023).

¹² *The working group was set up by the European Commission in 2019 to simplify implementation of the EU Council decision of 6 December 2018. Following adoption of the EU strategy for combating antisemitism and promoting Jewish life on 5 October 2021, the working group was institutionalised as a permanent working group of the European Commission for implementation of the EU strategy (cf. also European Commission. Working Group on Antisemitism, Online: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/working-group-combating-antisemitism_en (05.08.2022).*

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