THE WORKING DEFINITION OF ANTISEMITISM

What Does It Mean, Why Is It Important, and What Should We Do With It?

AJC Global Jewish Advocacy

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Nearly two decades ago, beginning in 2001 and 2002, we witnessed a surge in antisemitic incidents in Western Europe, with attacks on Jewish targets including schools and synagogues. Governments were slow to recognize them, let alone respond to them. They were frequently dismissed as reactions to the Middle East conflict, as though anger toward Israel somehow explained harassing Jewish worshipers or threatening Jewish schoolchildren. Traditional forms of antisemitism such as claims of Jewish control of the economy or the media, world conspiracies such as those described in the *Protocols of the Elders of Zion*, and medieval charges of blood libel may have been better understood. But, as the OSCE Berlin Declaration stated in 2004, antisemitism had taken on "new forms and manifestations."

In response, the European Monitoring Centre on Racism and Xenophobia (EUMC) conducted its first study of antisemitism in the European Union in 2004. In direct interviews with Jewish community leaders, it found a high degree of anxiety and concern. But its national monitors discovered that the available data was quite limited, and most of them did not even have a definition of antisemitism to guide their analysis. American Jewish Committee (AJC) and other experts in the Jewish community stepped in. Working closely with the leadership of the EUMC, they drafted a comprehensive definition of antisemitism, including clear examples of the various forms it could take. This included traditional tropes, the growing problem of Holocaust denial, and the new forms that related to Israel, such as demonizing the Jewish State or holding local Jewish communities responsible for its actions. It was issued in early 2005, by the EUMC as a "working definition" to help government and civil society monitors as well as law enforcement in their work. It was quickly employed by the U.S. State Department to frame its international reports on antisemitism and was incorporated into training materials for police cadets in the United Kingdom.

THE IHRA WORKING DEFINITION

In 2009, the EUMC was replaced by the EU Agency for Fundamental Rights (FRA) with a broader and different mandate. FRA later determined that it would not provide a definition of any form of prejudice or intolerance, including antisemitism, which instead should be left to the individual victim group to describe. Elements of the Working Definition helped shape FRA's important surveys of Jewish experiences and perceptions of antisemitism, but it now lacked an official home.

The International Holocaust Remembrance Alliance (IHRA), an organization of 31 nations at the time, including most of Europe as well as Israel and the United States, stepped in. With its focus on Holocaust education, it had already addressed the problem of Holocaust denial, and it was determined to find the tools to fight antisemitism. In 2016, under the leadership of Romania, IHRA formally adopted *The Working Definition of Antisemitism*, a slightly-edited version of the original EUMC document. Thus, we speak today of the IHRA Working Definition.

ANTISEMITISM AS IT RELATES TO ISRAEL

The most useful—and for some the most controversial—of the examples provided in the definition are those related to the State of Israel. They are intended to explain where and how anti-Israel animus can become a form of antisemitism, separate and apart from criticism of Israel. These include drawing analogies to the Nazis, declaring Israel a racist—and thus illegitimate—endeavor, holding it to standards expected of no other democratic state, and holding Jews collectively responsible for its actions. These examples are reflected in the 2018 FRA survey and track what the vast majority of European Jews themselves consider antisemitic.[1] Some critics of Israel have unfairly claimed that the Working Definition is intended to label them as antisemites. In fact, its careful wording leaves a wide berth for sharp and vigorous criticism of Israel's government and policies. It is a "non-legally binding" definition intended to guide and educate. It is not a means to squelch debate or free speech, and those who misuse it in this way should be opposed.

EMPLOYING THE WORKING DEFINITION

The Working Definition of Antisemitism is being utilized by various government and non-government agencies to train police, prosecutors, and judges and to inform civil society monitors and educators.

TRAINING AND EDUCATION

- The United Kingdom College of Policing uses the Working Definition in its Hate Crime Operational Guidance for police training.
- RIAS Berlin uses the Working Definition to train judiciary officials on how to identify antisemitism.
- The NGO CEJI-A Jewish Contribution to an Inclusive Europe holds an annual training for EU officials on antisemitism using the Working Definition.
- The Mauthausen Memorial in Austria (at the site of the former concentration camp) utilizes the Working Definition in its police training.
- The Berlin state police utilize the Working Definition for police training.
- The United Kingdom Judicial College included the Working Definition in its 2018 guidance to judges.
- The Estonian Academy for Security Sciences added the Working Definition to its curriculum.

DATA COLLECTION

- Several NGOs in EU member states utilize the Working Definition in recording data on antisemitism hate crimes, including the UK's Community Security Trust and Austria's Forum Against Antisemitism.
- The OSCE's Office of Democratic Institutions and Human Rights' (ODIHR) practical guide on *Understanding Antisemitic Hate Crimes and Addressing the Security Needs of Jewish Communities* includes the IHRA Working Definition as a resource for its 57 participating States and recommends that governments collect sound data on antisemitism to develop evidence-based responses to counter it.

ENDORSEMENT OF THE WORKING DEFINITION

- In 2014, the Swiss Federal President Didier Burkhalter, as OSCE Chairperson-in-Office, said the Working Definition is, "a useful document for governments and civil society in explaining how anti-Zionism is frequently a mask for antisemitism, and Jewish communities are often targets for anti-Israel animus."[2]
- On the occasion of International Holocaust Remembrance Day 2017, European Justice Commissioner Vera Jourová said, "We will make the IHRA definition available on our website dedicated to the fight against Antisemitism."[3]
- In June 2017, the European Parliament recommended use of the Working Definition in its resolution on antisemitism.
- In September 2018, UN Secretary-General António Guterres said, "I wish to acknowledge the efforts of the 31 member countries of the International Holocaust Remembrance Alliance to agree on a common definition of antisemitism. Such a definition can serve as a basis for law enforcement, as well as preventive policies."[4]
- In December 2018, the Council of the European Union adopted a declaration on combating antisemitism, which included a call on member states which have not yet done so to adopt the *IHRA Working Definition of Antisemitism*.[5]
- In June 2019, at the AJC Global Forum in Washington, D.C., Organization of American States (OAS) Secretary General Luis Almagro announced that the OAS Secretariat endorses the IHRA Working Definition of Antisemitism. Almagro said, "We must do more to educate our people to have zero tolerance towards antisemitism."
- In September 2020, European Commission Vice President Margaritis Schinas said, "Our measures must be firmly rooted in a common understanding of antisemitism. As I've said before, you can't fight what you can't define. The working definition of antisemitism by [IHRA] is the benchmark for developing a victim-centered approach."[6]

USE OF THE WORKING DEFINITION IN THE U.S.

The U.S. Department of State has been tasked by Congress[7] to monitor and combat antisemitism internationally and has established a Special Envoy to oversee this work. When evaluating the problem, the Department makes use of the IHRA Working Definition.[8] Additionally, President Donald Trump has issued an Executive Order that calls on the Department of Education to make use of the IHRA Working Definition when assessing the problem of antisemitism on college campuses.[9]

ADOPTION OF THE WORKING DEFINITION

The following countries have adopted the *IHRA Working Definition of Antisemitism* (as of September 2020):

- Argentina (Government decision in June 2020)
- Austria (Government decision in April 2017)
- Belgium (Senate resolution in December 2018)
- Bulgaria (Government decision in October 2017)
- Canada (Government decision in June 2019)
- Cyprus (Government decision in December 2019)
- Czech Republic (parliamentary resolution in January 2019)
- France (parliamentary resolution in December 2019)
- Germany (Government decision in September 2017)
- Greece (Government decision in November 2019)
- Hungary (Government decision in February 2019)
- Israel (Government decision in January 2017)
- Italy (Government decision in January 2020)
- Kosovo (Government decision in September 2020)
- Lithuania (Government decision in January 2018)
- Luxembourg (parliamentary resolution In July 2019)
- Moldova (Government decision in January 2019)
- The Netherlands (parliamentary resolution in November 2018)
- North Macedonia (parliamentary resolution in March 2018)
- Romania (Government decision in May 2017)
- Serbia (Government decision in February 2020)

- Slovakia (parliamentary resolution in December 2018)
- Slovenia (Government decision in December 2018)
- Spain (Government decision in July 2020)
- Sweden (Government decision in January 2020)
- United Kingdom (Government decision in December 2016)
- Uruguay (Government decision in January 2020)

THE FULL TEXT OF THE IHRA WORKING DEFINITION:

On 26 May 2016, the IHRA Plenary decided to adopt the following non-legally binding working definition of Antisemitism:

> 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.

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 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.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property—such as buildings, schools, places of worship and cemeteries—are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

FOR MORE INFORMATION

Please contact AJC's Department of International Jewish Affairs at IJA@ajc.org.

1. Experiences and perceptions of antisemitism/Second survey on discrimination and hate crimes against Jews in the EU." European Union Agency for Fundamental Rights. Luxembourg: Publications Office of the European Union, 2018.
2. Swiss OSCE Chairmanship concluding statement. OSCE Switzerland 2014. https://www.osce.org/odihr/126710?download=true.
3. "Speech of Commissioner Jourová at the occasion of International Holocaust Remembrance Day." 24 January 2017. European Commission. https://ec.europa.eu/commission/commissioners/2014-2019/jourova/announcements/speech-commissioner-jourova-occasion-international-holocaust-remembrance-day_en.
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5. 25 IHRA members are EU member states. In November 2018, IHRA membership increased to 32 countries.
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7. "S. 2292 — 108th Congress: Global Anti-Semitism Review Act of 2004." www.GovTrack.us. 2004. December 18, 2019 <https://www.govtrack.us/congress/bills/108/s2292>
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9. "Executive order on Combating Anti-Semitism." www.whitehouse.gov. 2019. December 11, 2019. https://www.whitehouse.gov/presidential-actions/executive-order-combating-anti-semitism/

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AJC Mission:

To enhance the well-being of the Jewish people and Israel, and to advance human rights and democratic values in the United States and around the world.

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