

One Year Later: The Historic United Nations Report on Antisemitism as a Human Rights Concern

October 2020

I. Introduction & Summary

It has been one year since Dr. Ahmed Shaheed, the United Nations Special Rapporteur on Freedom of Religion or Belief, published the first-ever UN human rights report solely dedicated to examining the threat to human rights posed by antisemitism and identifying necessary actions to combat it. Dr. Shaheed's report, which he developed after studying the issue and meeting with representatives of Jewish communities and organizations around the world, including in several consultations convened by AJC's Jacob Blaustein Institute, was warmly welcomed not only by Jewish audiences but also by many governments at the UN General Assembly.

In his 2019 report, Dr. Shaheed affirmed that antisemitism is manifested in both classic and contemporary forms and commended the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as a critical source of guidance for understanding the phenomenon. Reviewing trends around the world, Dr. Shaheed expressed alarm that antisemitic attitudes appeared to be prevalent in many countries, both those with significant Jewish populations and those with no Jewish inhabitants alike. Dr. Shaheed concluded that in extreme cases, antisemitic rhetoric poses a threat to the right to life of Jews, and more broadly, persistent antisemitism has created a climate of fear in which Jews in many countries – particularly those who are openly or visibly observant – are effectively prevented from being able to exercise the right to manifest their religion or belief or to exercise other rights. Dr. Shaheed's report also identified antisemitism not only as a serious threat to the human rights of Jews, but also as a threat to the rights of non-Jews, including other minority communities. He characterized antisemitism as "toxic to democracy" and concluded that it "threatens the rights of all people in societies in which this insidious hatred is unaddressed." He then set out a number of recommendations for further action to combat antisemitism and protect the human rights of Jewish and other individuals, including calling on all governments to adopt the IHRA Working Definition of Antisemitism.

In hindsight, Dr. Shaheed's report, which AJC called "historic" at the time of its publication, was especially prescient. During the year following the publication of Dr. Shaheed's report, from mid-October 2019 through mid-October 2020, a number of violent antisemitic incidents have occurred and antisemitic expression appears to have become even more widespread in many countries. The drivers of this include the intensification of deep political and societal discord in many countries, particularly the United States, exacerbated beginning in the first quarter of 2020 by the COVID-19 pandemic and economic consequences stemming from it. These phenomena have placed unprecedented stress on people and societies, making them ripe for exploitation by those willing to scapegoat Jews and Jewish communities and to perpetuate antisemitic stereotypes and conspiracy theories as explanations for the fear and hardship they face. The resulting proliferation of antisemitic material, including in online media and on social media platforms, represents a serious challenge to which policymakers and social media companies have not yet adequately responded.



This report concludes that while governments and other actors have indeed taken some significant steps to implement Dr. Shaheed's recommendations over the past year, much work remains to be done. It also proposes additional steps that governments and political leaders, social media and internet companies, and United Nations officials and entities should take in order to more effectively confront antisemitism in the months and years ahead.

II. Key Trends and Emblematic Antisemitic Incidents from October 2019 to September 2020

A. Persistent Antisemitic Violence and Threats in 2019 and in 2020

Following the publication of Dr. Shaheed's report in September 2019, a number of government and civil society monitors published comprehensive reports confirming what many had suspected: that unprecedented numbers of violent antisemitic incidents were documented in many places around the world in 2019, including an 18 percent increase in reports of antisemitic violence worldwide,² a 25 percent increase in violent antisemitic incidents in the **United Kingdom**,³ a 26 percent increase in antisemitic violence in **New York City**, and a 13 percent increase in antisemitic hate crimes in **Germany**.⁴

Several particularly violent incidents occurred in the weeks and months immediately following the publication of Dr. Shaheed's report. Moreover, while fewer reports of antisemitic violence incidents have come to light in many places in 2020, likely owing to the imposition of lockdown orders and restrictions on mass gatherings by national and local governments in many countries, civil society organizations have continued to report violent antisemitic incidents during the pandemic, particularly as movement restrictions in some countries have been eased. The following troubling violent incidents have been reported since the publication of Dr. Shaheed's report:

• In Germany:

- At the Halle synagogue on October 9, 2019, the Jewish High Holy Day of Yom Kippur, an assailant armed with guns and homemade explosives attempted to force his way into the synagogue and kill worshipers inside. When he was unable to do so, he shot at passersby outside and in a nearby shop, killing two and injuring two.⁵ The attacker, who livestreamed the attack on Twitch, Amazon's gaming platform, professed white supremacist and antisemitic hatred during the attack, in a written manifesto he published online before the attack, and at his subsequent criminal trial.⁶
- o In a number of cases in the last months of 2019, assailants in Berlin assaulted people they believed to be Jewish while using antisemitic language.⁷
- During the first six months of 2020, the Department for Research and Information on Anti-Semitism Berlin (RIAS) documented 410 antisemitic incidents including six physical attacks, only slightly fewer than the 458 incidents documented during the same period in 2019.8
- o In August 2020, a university student attending a party in Heidelberg was assaulted by other partygoers after they realized he was of Jewish ancestry.⁹
- On October 4, 2020, as Jews celebrated the Sukkot holiday, a 29 year-old man, who reportedly had a piece of paper displaying a swastika in his pocket, attacked a 26 year-



old Jewish student wearing a kippah outside a synagogue in Hamburg with a folding shovel, inflicting serious head injuries.¹⁰

• In the **United States**,

- In November 2019, a potential antisemitic attack was averted when federal authorities arrested a man with white supremacist beliefs for attempting to bomb a synagogue in Pueblo, Colorado.¹¹
- On December 10, 2019, two individuals, including a member of an extremist group who had previously posted antisemitic comments online, carried out an armed attack on a kosher supermarket adjacent to a synagogue in Jersey City, New Jersey, killing three people in the supermarket and a policeman.¹²
- On December 28, 2019, a man wielding a machete attacked a Hanukkah celebration at the home of a rabbi in Monsey, New York, and was prevented from continuing the attack at an adjacent synagogue by congregants, who managed to lock him out. Five individuals were wounded in the attack, one of whom later died.¹³
- In the last weeks of December 2019, Orthodox Jewish residents of the Brooklyn, New York, neighborhoods of Williamsburg, Crown Heights, and Borough Park experienced an alarming series of apparently antisemitic assaults.¹⁴
- In April 2020, a homemade incendiary device was discovered at a Jewish assisted living residence in Massachusetts. It was reported that a white supremacist organization had identified the facility on social media as one of two possible locations for committing a mass killing.¹⁵
- o In June 2020, a Jewish man was stabbed by a man shouting "Heil Hitler" in Nevada. 16
- o In July 2020, an Orthodox Jewish man was assaulted in Brooklyn, New York, by unknown assailants shouting antisemitic slurs.¹⁷

• In France:

- In December 2019, a rabbi was physically assaulted by perpetrators shouting antisemitic slurs.¹⁸ In a separate incident, an Israeli student was beaten on the subway after speaking in Hebrew on his phone.¹⁹
- o In August 2020, a Jewish man was beaten by two men who used antisemitic slurs in Paris.²⁰
- In September 2020, a man was robbed and cut with a knife in Aubervilliers by assailants who yelled antisemitic slurs when they saw that he was wearing a Star of David necklace.²¹
- In **Italy**, in November 2019, Senator Liliana Serge, an 89 year-old Holocaust survivor, was placed under police protection after she received antisemitic death threats from far-right extremists because she called for parliament to establish a commission to combat racism and religious intolerance.²²
- In **Austria**, in August 2020, the leader of the Jewish community was attacked by a man with a wooden club outside the Graz synagogue.²³



B. Antisemitic Attacks on Jewish Religious and Cultural Sites

Several antisemitic attacks on Jewish religious and cultural sites and other property were reported during in the last months of 2019. Reports of such attacks continued throughout 2020, notwithstanding the imposition of widespread restrictions on movement and gatherings after the emergence of the COVID-19 pandemic. For example,

- In November 2019, Jewish cemeteries and sites in **Denmark**²⁴ and **Sweden**²⁵ were vandalized on the anniversary of Kristallnacht.
- In December 2019, two Jewish cemeteries were vandalized in **France**. ²⁶
- Between April and September 2020 in the **United States**, synagogues were vandalized in Alabama,²⁷ California,²⁸ Florida,²⁹ Illinois,³⁰ Maryland,³¹ New York,³² Pennsylvania,³³ and Texas.³⁴ A Jewish cemetery was vandalized in Louisiana.³⁵ Holocaust memorials were vandalized in Tennessee,³⁶ California,³⁷ and South Carolina.³⁸ Additionally, a Chabad Center was set on fire at the University of Delaware³⁹ and another was vandalized in Massachusetts.⁴⁰
- On May 14, 2020, in **Iran**, a fire was set at the tomb of Esther and Mordechai, a Jewish holy site located in the province of Hamadan. It occurred several weeks after a Basij paramilitary student group threatened to destroy the tomb as an expression of opposition to the proposed U.S. peace plan for the Middle East.⁴¹
- In September 2020, Holocaust memorials in Ukraine and Russia were vandalized.⁴²
- In 2020, Jewish cemeteries were desecrated in **Germany**, ⁴³ **Poland**, ⁴⁴ **Finland**, ⁴⁵ and **South Africa**. ⁴⁶
- In 2020, synagogues were vandalized in **Canada**, ⁴⁷ **Austria**, ⁴⁸ and **France**, ⁴⁹ and a synagogue in **Russia** was subjected to an arson attack. ⁵⁰

III. Antisemitic Rhetoric Including Conspiracy Theories: Enduring Challenges and New Trends in 2020

In his 2019 report, Dr. Shaheed expressed concern about the prevalence of antisemitic hate speech around the world, noting key trends such as the "increasing use of antisemitic tropes by prominent political figures, along with the politicization of these incidents," a resurgence of classic antisemitism in online chatter and offline political activity being advanced by right-wing supremist groups," and expressions of hostility against Jews based on an "association of all Jews with Israel and its policies" by organizations and individuals aligned with the political "left" and by figures in a number of Muslim-majority countries. The Shaheed expressed particular concern about the increasing frequency and geographic reach of such hate speech on social media and on other internet platforms. In the year that has followed the publication of Dr. Shaheed's report to the General Assembly, these trends have intensified.



A. Persistent Antisemitic Rhetoric Worldwide

Antisemitic rhetoric has remained a persistent phenomenon in some countries. In his 2019 report, Dr. Shaheed noted that in many countries in the Middle East and North Africa, Jews are frequently conflated with Israel and Zionism, and that literature demonizing Jews is prevalent in the media.⁵⁵ These trends have continued in 2020, with high-profile figures advancing antisemitic narratives about Jews in the context of commenting on the conflict in the Middle East, for example in a tweet by **Iran**'s Ayatollah Khamenei in August 2020.⁵⁶ Recent reports revealed that antisemitic content remains prevalent in textbooks in countries including **Qatar**,⁵⁷ and that the Al Jazeera network, which is based there, broadcast antisemitic content including a May interview with a leading Muslim cleric who called for the killing of Jews.⁵⁸

Dr. Shaheed's report also expressed concern about the use of antisemitic rhetoric by right-wing political parties in Eastern Europe.⁵⁹ In 2020, the state-controlled public broadcaster in **Poland**, TVP, repeatedly employed antisemitic tropes in critiquing the opposition candidate in the presidential election, calling him as a "puppet of world Jewry" and asking rhetorically if he would "comply with Jewish demands" after he suggested that the government should negotiate with Jewish groups on the issue of World War II-era property restitution.⁶⁰ In April, far-right Polish politicians petitioned the lower house of Parliament to adopt a draft resolution that would have effectively prevented WWII-era property restitution, but the ruling Law and Justice Party thus far has declined to support it.⁶¹

In **Hungary**, the ruling Fidesz party, government-controlled media, and leaders including President Viktor Orban have promoted antisemitic discourse, including in a September 2020 speech in which Orban stated that European institutions serve the interests of "[Jewish financier and philanthropist] George Soros and his ilk."⁶² In August 2020, the government awarded the Hungarian Order of Merit to historian Erno Raffay, whose scholarship blames Jews for the collapse of the Austro-Hungarian empire in 1918 and who has claimed that there was a "Jewish takeover" of Hungarian institutions in the 1930s.⁶³ In February, the government supplemented the required reading list in the National Basic Curriculum with novels by two Nazi collaborators while removing a novel authored by Jewish Nobel Laureate and Holocaust survivor Imre Kertész.⁶⁴ The government failed to condemn antisemitic comments made by the leader of the far-right party Mi Hazánk at several marches during the year, including one in Budapest on March 1st honoring the centennial of the administration of Admiral Miklos Horthy, under whose administration the deportation of Jews began, and at which the leader of the far-right party reportedly condemned Jews for "ruining Hungary" and called for Jews "to be held accountable" for their role in society.⁶⁵

In **Lithuania**, the government effectively supported efforts to minimize the country's historical responsibility for Nazi-era crimes and its citizens' collaboration in persecuting its Jewish population. The country's parliament dedicated 2021 to celebrating the legacy of Lithuanian nationalist Juozas Luksa-Daumantas despite his leadership of a pro-Nazi militia during World War II and alleged participation in a notorious massacre of Jews in 1941.⁶⁶ In August 2020, shortly following his appointment by Parliament, the new director of the Center for the Study of the Resistance and Genocide of Residents of Lithuania appointed a principal adviser whom the Lithuanian Jewish community publicly criticized as actively engaged in Holocaust distortion and having publicly defended those engaged in antisemitism.⁶⁷



Extremist politicians on the far right and from Islamist parties have engaged in antisemitic rhetoric in other countries as well in the past year, with notable examples occurring in countries including **Canada**, ⁶⁸ **Germany**, ⁶⁹ and **Turkey**. ⁷⁰

There have been cases during the past year in which far-left politicians have engaged in antisemitic rhetoric as well. For example, in **France**, Jean-Luc Mélenchon, leader of the La France Insoumise party, said that Jews and their allegations of antisemitism were to blame for the poor performance of the UK's Labor Party in parliamentary elections in late 2019,⁷¹ and then in July 2020 cited a notorious antisemitic trope blaming Jews for the death of Jesus during a discussion about law enforcement responses to violent protests.⁷²

B. Antisemitic rhetoric in the context of the COVID-19 pandemic

Following the publication of Dr. Shaheed's report, the emergence of the COVID-19 pandemic in early 2020 has created a conducive climate for scapegoating and the promotion of conspiracy theories in which antisemitic rhetoric blaming Jews for the ills of the world has flourished and become widespread. In a number of high-profile cases, public figures, including religious leaders and politicians, have spread antisemitic claims that Jews developed and deliberately spread the coronavirus, or that its spread was an Israeli plot. Similarly, antisemitic commentary has flourished on social media platforms (including Facebook, Twitter, YouTube, Telegram, Gab, and 4chan) in which users – frequently using anonymized accounts – have promoted conspiracy theories that Jews or the government of Israel manufactured the coronavirus for profit or to exert control over global affairs for the benefit of Jews, or that have blamed Jewish communities for the spread of the coronavirus using classic antisemitic rhetoric, reminiscent of age-old tropes blaming Jews for spreading disease.⁷³

The IHRA Working Definition of Antisemitism, which Dr. Shaheed reproduced in full in his report, provides helpful guidance on how to recognize antisemitism by providing a list of illustrative examples of the ways in which antisemitism can manifest. The antisemitic expressions that have proliferated in the context of the COVID-19 pandemic reflect many of the enumerated examples, including:

- Charging Jews with conspiring to harm humanity or blaming Jews for "why things go wrong:"
- Making mendacious, dehumanizing, demonizing or stereotypical allegations about Jews
 as such or about 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;
- Targeting the State of Israel, conceived as a Jewish collectivity;
- Using the symbols and images associated with classic antisemitism (e.g. claims of Jews killing Jesus or "blood libel") to characterize Israel or Israelis;
- 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).⁷⁴



Those responsible for propagating these antisemitic tropes in the context of the COVID-19 pandemic include neo-Nazi and white supremacist provocateurs and fundamentalist Christian religious leaders in the **United States**;⁷⁵ government-run social media accounts in **Iran**,⁷⁶ and official daily papers published by the **Palestinian Authority**.⁷⁷

Antisemitic conspiracy theories blaming Jews, and occasionally specific Jewish individuals, for creating and spreading the coronavirus also appeared in articles published by online media sources in Algeria, ⁷⁸ Canada, ⁷⁹ Iran, ⁸⁰ Iraq, ⁸¹ Jordan, ⁸² Lebanon, ⁸³ Saudi Arabia, ⁸⁴ Spain, ⁸⁵ Turkey, ⁸⁶ Venezuela, ⁸⁷ and Yemen; ⁸⁸ popular videos and posts originating on social media in France, ⁸⁹ Pakistan, ⁹⁰ Russia, ⁹¹ and Switzerland; ⁹² and in cartoons published in countries including Belgium, ⁹³ Brazil, ⁹⁴ Bulgaria, ⁹⁵ and Iran. ⁹⁶

Further, there is evidence that this social media activity has had a real-world impact. Several cases have been reported in which people have attempted to commit violent attacks against Jews, Jewish sites, and the broader public, in circumstances suggesting that their actions resulted from a belief that Jews are spreading the coronavirus. Many reported incidents of this sort have occurred in the **United States**, where the authorities have intervened in cases where individuals attacked visibly Jewish individuals while yelling antisemitic slurs and comments about COVID-19, in Brooklyn, New York,⁹⁷ and where people have been arrested for making threats against Jews on social media platforms or allegedly planning to commit violence against members of visibly Jewish communities, a Jewish assisted living facility, and a hospital, including in New York,⁹⁸ New Jersey,⁹⁹ Massachusetts,¹⁰⁰ and Missouri.¹⁰¹

Moreover, some sources have suggested that public perceptions of Jews have been significantly and negatively impacted as a result of the spread of antisemitic rhetoric and conspiracies online. For example, a survey of 2,500 adults in the **United Kingdom** in May 2020 revealed that 19% agreed at least "a little" with the statement "Jews have created the virus to collapse the economy for financial gain.¹⁰²

C. Rising antisemitic rhetoric amidst heightened political and social tensions

In the year since Dr. Shaheed's report was published, political polarization has continued to deepen in the **United States** and other countries; in turn, the use of antisemitic narratives on both sides of heated debates appears to have increased. In late 2019 and early 2020, for example, as Congress undertook impeachment proceedings against President Trump, a prominent fundamentalist Christian pastor from Florida posted videos on an online news site and YouTube claiming that the impeachment was a Jewish plot and that Jews would carry out mass killings of Christians if the effort succeeded.¹⁰³

Following the emergence of the COVID-19 pandemic, protesters opposing the imposition by local and state authorities of lockdowns, restrictions on gatherings, or face mask mandates have deployed antisemitic imagery and rhetoric equating government restrictions with Nazi-era discriminatory measures, including in Ohio, Illinois, and New Mexico in the **United States**, and in **Germany**. 105

Since June 2020, members of white supremacist groups and right-wing politicians¹⁰⁶ and commentators¹⁰⁷ have exploited the social movement protesting against systemic racism in the **United States** to advance antisemitic narratives, for example by claiming that George Soros is secretly funding the protests and fueling violence in order to advance a Jewish plot to stoke anti-



white hatred among minority communities. White supremacists also fueled antisemitism on the left by using fake Twitter accounts in which they falsely claimed to be Jewish to make allegations that racism is widespread within American Jewish communities and that Jews bear primary responsibility for slavery and its legacy in the United States, using the hashtag #JewishPrivilege. This campaign gained significant visibility on Twitter in the United States and beyond. 108

At the same time, celebrities and public figures in the **United States** have amplified antisemitic conspiracy theories on social media attributing responsibility for racism and police brutality to Jews, insisting that Jews cannot legitimately support racial justice unless they reject Zionism, and advancing other antisemitic narratives that have been promoted by notorious figures like Louis Farrakhan, leader of the Nation of Islam.¹⁰⁹ Such online rhetoric appears to have inspired several antisemitic attacks on Jewish businesses, synagogues, and memorials during protests in recent months. Antisemitic rhetoric along these lines has also been documented in countries including the **United Kingdom** and **France**, where popular figures including the rappers Wiley (Richard Cowie)¹¹⁰ and Freeze Corleone (Issa Lorenzo Diakhaté)¹¹¹ have advanced antisemitic narratives in songs and statements posted on online accounts with large numbers of followers.¹¹²

As the 2020 presidential election in the **United States** has drawn closer, this political polarization has only deepened, creating further opportunities for propagators of antisemitic narratives to insert these into broader debates. One example is the QAnon network, which is advancing a conspiracy that a powerful cabal controlling a "deep state" government is undermining and attacking the Trump administration and that the cabal is dominated by Jewish elites, globalists, and bankers, such as Soros and the Rothschilds. This movement and its adherents effectively are advancing a contemporary variation on the notorious forgery *The Protocols of the Elders of Zion*.¹¹³ Troublingly, some Republican candidates for Congress¹¹⁴ and other influential individuals have expressed support for this movement.

D. Formal barriers to the enjoyment of freedom of religion by Jewish persons

In his 2019 report, in addition to identifying antisemitic acts and rhetoric as posing an obstacle to the enjoyment of rights including the right to freedom of religion or belief by Jewish people, Dr. Shaheed also noted that some countries have adopted legislation that expressly limits Jews' ability to engage in religious rites and practices.¹¹⁵

In **Belgium**, the country's Jewish community has challenged before the European Court of Justice a 2019 law in the Flanders region that bans kosher animal slaughter without stunning, a step several other European countries had previously taken, and which **Poland**'s legislature is also considering for meat intended for export. In August 2020, however, an advocate general for the Court recommended that it strike down the Belgian law as inappropriately infringing on religious freedom. It Jewish communities welcomed this sign as the proliferation of such restrictions would make it increasingly difficult for them to be able to continue adhering to this traditional practice.

In **Denmark**, an ongoing campaign in the country's parliament to enact legislation that would ban circumcision of infant male children, or at least lead to the imposition of cumbersome restrictions on the practice that would effectively prohibit it for infants less than a year old, have alarmed the Jewish community despite the Prime Minister's opposition to the initiative. 118



IV. Implementation of Dr. Shaheed's Recommendations: Identifying Progress and Remaining Gaps

In his 2019 report, Dr. Shaheed directed a number of detailed recommendations to different stakeholders with the capacity and responsibility to acknowledge and take action to combat antisemitism. Many actions in line with these recommendations have been taken over the course of the past year, though significant implementation gaps remain.

A. Governments

1. <u>Understanding Antisemitism: Adopting the IHRA Working Definition of Antisemitism</u>

Dr. Shaheed's 2019 report recognized the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as a key source of "valuable guidance for identifying antisemitism in its various forms," and recommended that States "adopt [it]...for use in education and awareness-raising and for monitoring and responding to manifestations of antisemitism." Dr. Shaheed stressed that the Working Definition's key value is in "communicating to public officials and the public at large widely shared concerns about explicit and implicit forms that contemporary manifestations of antisemitism can take." Since October 2019, Argentina, Cyprus, Greece, Italy, Serbia, Spain, Sweden, and Uruguay have all adopted the Working Definition, with the result that, in total, nearly 30 States have done so. 121

2. Refraining from and Condemning Antisemitic Incidents and Rhetoric

In his 2019 report, Dr. Shaheed calls on governments to take a "robust approach" to combatting antisemitic hate speech in order to ensure that people are able to enjoy their right to have and to manifest their religion or belief, 122 but to do so within the bounds of international human rights law. 123 To this end, Dr. Shaheed stressed the need for "prompt, unequivocal responses from leaders" to antisemitic incidents as well as recognition that "antisemitism poses a threat to stability and security." Similarly, he called on political party leaders to "promptly, clearly and consistently reject manifestations of antisemitism within their parties and in the public discourse." In doing so, he recalled that not only has counter-speech been demonstrated to be effective, but also that numerous UN human rights guidance documents stress that in order to ensure respect for the right to freedom of expression, governments should combat hate speech primarily through counter-speech and education and use criminal and other punitive measures only in very serious cases and as a last resort. 126

Since October 2019, political leaders in many countries and localities where antisemitic incidents have occurred have been outspoken in condemning them. In many cases, public officials in **Canada**, **the United States**, **France**, **and Germany** were quick to condemn antisemitic incidents and rhetoric; ¹²⁷ law enforcement authorities responded promptly to threats and acts of violence against Jewish people and institutions and attempted to monitor and report on antisemitic hate crimes; and national and local government authorities affirmatively acted to establish dialogue and cooperation in reporting antisemitic incidents with Jewish communities. ¹²⁸ For example, in the **United Kingdom**, in the midst of an ongoing investigation by the Equality and Human Rights Commission (EHRC) into numerous allegations of antisemitic discrimination



and harassment within the Labour Party, the party's new leader, Sir Keir Starmer, has apologized to whistleblowers who revealed the problem and fired an official for propagating an antisemitic conspiracy theory.¹²⁹ In another example, in December 2019, UNESCO's Intergovernmental Committee for the Safeguarding of Cultural Heritage removed the Aalst Carnival, an annual costume parade in **Belgium**, from its Representative List of the Intangible Cultural Heritage of Humanity for "recurring repetition of racist and antisemitic representations."¹³⁰ Belgium's Prime Minister condemned the carnival's organizers when antisemitic displays were featured again in 2020.¹³¹

At the same time, certain political leaders have continued to engage in openly antisemitic rhetoric and others have done little to address antisemitic acts and rhetoric when these have been brought to their attention, demonstrating that continued attention is required.

3. Monitoring, Reporting, and Ensuring Accountability for Antisemitic Acts

Dr. Shaheed's report recommends that "States should establish data-collection systems to document information on antisemitic hate crimes," "work with Jewish communities and organizations to strengthen efforts to monitor, document and report on hate crimes and other acts motivated by antisemitism," "invest in preventive security measures, compliant with international human rights law, to deter antisemitic hate crimes," and enact and enforce hate crime legislation that recognizes antisemitism as a prohibited bias motivation and that is clear, concrete, and easy to understand. Dr. Shaheed also recommended that governments should appoint senior officials to oversee efforts to monitor, document, and combat antisemitism to aid in accomplishing these goals.

Since October 2019, States including **Italy** and **Romania** have appointed senior officials with responsibility for coordinating action to combat antisemitism.¹³³ In December 2019, following an attack on a Jewish cemetery, **France**'s Interior Minister announced that the government would create a national hate crimes bureau within the gendarmerie tasked with coordinating with judicial and police authorities in cases where crimes appeared to have been committed with antisemitic or other biased intent.¹³⁴ In 2020, several European countries initiated or made progress on developing national strategies and action plans to combat antisemitism, including **Austria**, **Bulgaria**, **Denmark**, **Estonia**, **Hungary**, and **Romania**.¹³⁵ In **Germany**, an initiative promoted by Federal Coordinator for Combatting Antisemitism Felix Klein resulted in the country's criminal code being amended to include an express reference to antisemitism to a provision governing sentencing enhancements to ensure that antisemitic hate crimes will be punished appropriately.¹³⁶

In the **United States**, a December 2019 Executive Order on Combating Antisemitism mandated the application of federal anti-discrimination legislation focused on educational institutions to prohibit discrimination rooted in antisemitism in any programs or activities receiving federal financial assistance and required federal agencies to consider the IHRA Working Definition of Antisemitism in doing so.¹³⁷ In the U.S. Congress, a bipartisan legislative initiative, the Jabara-Heyer NO HATE Act, has been proposed. If adopted, it would promote and incentivize better hate crime reporting through law enforcement training, the creation of reporting hotlines, increasing resources to liaise with affected communities, and public educational forums on hate crimes.¹³⁸



B. Online Antisemitism

Recognizing the increasing prevalence of antisemitic expression online, Dr. Shaheed's 2019 report stresses that "social media companies should take reports about cyberhate seriously, enforce terms of service and community rules that do not allow for the dissemination of hate messages, provide more transparency of their efforts to combat cyberhate, and offer user-friendly mechanisms and procedures for reporting and addressing hateful content," and that they should "report criminal antisemitic behavior online to relevant local law enforcement agencies." Since October 2019, several of the leading social media platforms – including Facebook, Twitter, and YouTube – have taken actions aimed at countering and removing content amounting to antisemitic hate speech, as have other key companies.

In late June 2020, for example, Facebook founder and CEO Mark Zuckerberg announced that the platform would adopt "new policies to connect people with authoritative information about voting, crack down on voter suppression, and fight hate speech,"140 and would expand its ads policy "to prohibit claims that people from a specific race, ethnicity, national origin, religious affiliation, caste, sexual orientation, gender identity or immigration status are a threat to the physical safety, health or survival of others."141 In August, Facebook announced that it had expanded its policy on "objectionable content" to include content that depicts "Jewish people running the world or controlling major institutions such as media networks, the economy or the government," to which it referred as "implicit hate speech." That month, the platform revealed that it had removed 22.5 million posts that it classified as amounting to "hate speech" between April and June 2020, in part as a result of efforts to enhance both algorithmic and human review of posted content to facilitate more rapid removal of content violating its policies from the platform. 143 A company official also stated in August that its new policy "draws on the spirit and the text—of the IHRA [Working Definition of Antisemitism]."144 In early October, Facebook announced it would proactively seek to identify and remove any group, page or Instagram account that openly associated with QAnon, though it said it would not prohibit individuals from posting about QAnon to their personal Facebook profiles.¹⁴⁵ On October 12, Facebook announced that it would "prohibit any content that denies or distorts the Holocaust," and that beginning later in 2020 it would "direct anyone to credible information off Facebook if they search for terms associated with the Holocaust or its denial on our platform." ¹⁴⁶ A company representative cited the "well-documented rise in anti-Semitism globally and the alarming level of ignorance about the Holocaust, especially among young people," in explaining its decision. 147

While these measures have been welcomed by Jewish advocates and hate crimes monitors as positive steps towards combating online antisemitism, concerns remain that they will nevertheless be insufficient to prevent the spread of antisemitic conspiracies and rhetoric online. Advocates have continued to call for Facebook to adopt the full IHRA Working Definition, as its policies still do not cover all forms of antisemitism contemplated therein. For example, content treating Jews as proxies for the State of Israel would not be considered hate speech, and therefore subject to removal, despite the important policy changes that have been made to date.

Over the past year, Twitter has updated its Hateful Conduct Policy several times, including announcing in July that would block links to hateful conduct and might suspend accounts "dedicated to sharing these types of links." Twitter has also instituted algorithmic flagging of tweets that constitute hate speech or violate its Terms of Service and announced that it aspires to automatically block 90% of prohibited tweets rather than relying on reporting by users. ¹⁵⁰



However, the platform announced in June that while it might mask tweets by politicians constituting hate speech with a warning message and otherwise make them more difficult to find and retweet, it would not delete such tweets if they had a "clear public interest value." ¹⁵¹

Other social media platforms and companies have acted to block the spread of antisemitic rhetoric. In August, TikTok reported that it removed more than 380,000 videos for violating its policies on hate speech since the start of 2020. Apple has blocked Telegram channels encouraging intimidation of or violence against people on the basis of their religion. Companies like Apple and Google have also come under significant criticism for continuing to offer the Telegram app in their app stores at all given the number of instances in which content has been aired on Telegram channels in violation of their policies.

Moreover, a number of easily accessible online platforms – like Telegram, Gab, and 4Chan – have terms of service that generally allow antisemitic content unless it directly incites violence or otherwise violates state law, ¹⁵⁵ and numerous social media platforms on the "Dark Web" which can only be accessed by specialized browsers have no content restrictions at all. ¹⁵⁶

Governments have also reacted to the challenge of attempting to curb online antisemitism in different ways, in part reflecting differing positions on the scope of the right to freedom of expression. In June, **Germany** extended its Network Enforcement Act, first adopted in 2017, by requiring social media platforms to report "suspected criminal content" to the federal police in addition to the existing requirement for social media platforms to remove hate speech within 24 hours. ¹⁵⁷ **France**'s parliament also adopted legislation in 2020 creating a specialized body to monitor online hate speech, though its provisions requiring online platforms to remove hateful content flagged by users were invalidated by the country's Constitutional Council on grounds that they created incentives for platforms to remove excessive content in ways that could unnecessarily restrict the right to freedom of expression. ¹⁵⁸ Since Dr. Shaheed's report was published, other countries have adopted similar legislation or have referred to Germany's laws when proposing legislation imposing duties on social media companies to remove harmful content or "fake news," or criminalize online hate speech. However, several of these have articulated the scope of content that they seek to prohibit in vague terms, going far beyond antisemitism and into areas that constitute expression protected by human rights law. ¹⁵⁹

Over the course of the past year, governments have also taken non-binding efforts to encourage social media platforms to strengthen their ability to identify and remove terrorist and violent extremist content online, including where such content targets Jewish people or sites. Examples of such initiatives include the Christchurch Call to Action, a non-binding initiative of the governments of New Zealand and France launched in 2019 that as of May 2020 had been joined by 48 countries, the European Commission, two international organizations, and eight tech companies. Key impacts of this initiative have been to encourage the participating tech companies to strengthen the independence of the Global Internet Forum to Counter Terrorism, which they created as a self-regulatory initiative in 2017, and to take more coordinated action to suppress violent extremist content online. 160

C. United Nations Experts and Bodies

Dr. Shaheed has continued to raise the alarm about antisemitism and the persistent threat it poses to human rights in the year since his report to the General Assembly was published. In an April



17 statement marking the six-month anniversary of his report on global antisemitism,¹⁶¹ for example, Dr. Shaheed expressed alarm about the apparently dramatic rise in antisemitic hate speech related to the COVID-19 pandemic in the first four months of 2020, a message he repeated in an April 22 statement warning of "an upsurge in incitement to hatred, scapegoating religious or belief communities, including Christians, Jews, and Muslims, for the spread of virus."¹⁶²

Dr. Shaheed also recommended that other UN system entities take "joint action on antisemitism and other forms of hate." Despite the UN's checkered history on this issue, 164 a number of recent actions by UN agencies have demonstrated an increasing sensitivity to and concern about the dangers posed by antisemitism.

In several notable examples, UN experts have explicitly condemned antisemitism and recognized its danger. In January 2019, eight other independent UN human rights experts signed a statement prepared by Dr. Shaheed warning that States around the world were failing to sufficiently counter antisemitic violence, discrimination, and hostility within their societies.¹⁶⁵

UN Secretary-General Antonio Guterres, who had previously spoken out about the danger of rising antisemitism and spoken favorably about the IHRA Working Definition, has taken further action to address rising antisemitism in response to Dr. Shaheed's recommendations. At the UN's January 2020 International Holocaust Remembrance Day program marking the 75th anniversary of the liberation of the Auschwitz concentration camp, the Secretary-General called on the world to address what he called a "global crisis of antisemitic hatred." During the COVID-19 pandemic, the UN Secretary-General, the High Representative for the United Nations Alliance of Civilizations, the Special Adviser on the Prevention of Genocide, and the High Commissioner for Human Rights all condemned reports of rising antisemitic stigmatization, hate speech and hate crimes. Further, UNESCO developed an infographic specifically warning about the rise of antisemitic conspiracy theories in the context of the COVID-19 pandemic as part of its broader "#ThinkBeforeSharing" campaign. Campaign. 168

Additionally, in 2020, Secretary-General Guterres took action in response to Dr. Shaheed's recommendation that he should "consider appointing a senior-level focal point in the Office of the UN Secretary-General with responsibility for engaging with the Jewish communities worldwide, as well as monitoring antisemitism and the response of the UN thereto."169 In 2020, Guterres appointed Miguel Ángel Moratinos, the High Representative of the UN Alliance of Civilizations, as his senior focal point to monitor the response of the United Nations to antisemitism. ¹⁷⁰ In July, Moratinos issued a statement condemning antisemitic social media posts made by former leaders of the charity Islamic Relief Worldwide, 171 and called for civil society organizations to take a "zero-tolerance policy towards antisemitism," and enforce strict codes of conduct for their personnel.¹⁷² In August, he condemned the attack against the President of the Jewish community in Graz, Austria and acts of vandalism targeting the Graz synagogue as "despicable crimes targeting the Jewish community and their place of worship." ¹⁷³ In September, Moratinos convened a webinar on the COVID-19 impact on "the fabric of our societies," including the increased incidence of "anti-immigrant, white supremacist, anti-Semitic and xenophobic conspiracy theories;" among the panelists was AJC Chief Policy and Political Affairs Officer Jason Isaacson, who offered highlights of JBI reporting on COVID-related antisemitic incidents.174



Recommendations

The persistence of antisemitism, and its continued proliferation in the year since Dr. Shaheed published his "historic" report, demonstrate that far more effort is needed to combat this pernicious threat and that the need to do so remains urgent. Not only have Jewish communities continued to face deadly attacks, but antisemitic rhetoric has also continued to proliferate, espoused by speakers ranging from high-profile political and religious figures in traditional media outlets to private individuals from across the political spectrum communicating online. Particularly alarmingly, antisemitic rhetoric appears to have increased as the COVID-19 pandemic has emerged and as political tensions in the United States have deepened over the course of 2020, causing widespread fear and provoking an unprecedented increase in rhetoric scapegoating Jews for the global public health emergency and for mounting social discord. There are a number of cases in which antisemitic rhetoric has fueled discrimination, harassment, and even attempted mass violence; and the risk of additional such cases in the future is increasingly high.

In addition to his call for local authorities to provide Jewish individuals and communities with effective protection from antisemitic violence and discrimination, discussed above, Dr. Shaheed's call for international, regional, national and local actors – officials, social media companies, and others – to carry out greater education, monitoring of and condemnation of antisemitism remains essential.

Governments worldwide should:

- Undertake or enhance their existing efforts to effectively monitor, document, and take effective action in response to antisemitic hate crimes and discrimination, especially by establishing collaborative arrangements with Jewish communities and civil society organizations to address the challenge of persistent underreporting.
- Ensure that all Jewish places of worship, educational, cultural sites, and individuals requiring protection receive it.
- Adopt the IHRA Working Definition of Antisemitism, if they have not already done so, and
 ensure it is incorporated in training for public officials at all levels and in educational
 materials on recognizing antisemitism.
- Appoint national focal points to help coordinate domestic monitoring and educational initiatives on combating antisemitism, if they have not already done so.
- Make reasonable accommodations to general laws in order to allow individuals to manifest their religion or belief where doing so would not give rise to a disproportionate or undue burden or cause harm to the rights of others or to public health or safety, consistent with international human rights law.¹⁷⁵

Public officials, religious leaders, and others in a position of influence should:

Promptly and publicly condemn antisemitic incidents and rhetoric, including antisemitic
conspiracy theories related to COVID-19 and the QAnon movement, and take a zerotolerance approach to such incidents.

Social media companies should:



- Strengthen their capacity and willingness to actively identify and promptly remove antisemitic content and disinformation from their platforms and remove users and public and private groups that repeatedly post such content.
- Eliminate any exceptions to these policies for politicians.
- Use the IHRA Working Definition of Antisemitism in articulating their policies and rules on hate speech and as a training tool for content moderators.
- Correct algorithms that recommend or otherwise amplify antisemitic and other hateful content.
- Regularly disclose information about their moderation systems, including the quantity of human moderators addressing online hate, the training that such moderators receive, and their procedures for reinstating content that has been incorrectly removed.

United Nations experts and officials should:

- Express concern about the threat to human rights posed by antisemitic hate speech and condemn it, building on Dr. Shaheed's April 17 warning about antisemitism during the COVID-19 pandemic.
- Ensure that all UN personnel receive training on how to recognize antisemitism, with reference to the IHRA's Working Definition of Antisemitism, and are instructed to reach out to Jewish communities in the countries in which they work to understand their concerns, consistent with the UN Secretary-General's Plan of Action on Hate Speech (2019)¹⁷⁶ and the Secretary-General's Call to Action for Human Rights (2020).¹⁷⁷
- The Senior UN Focal Point on Antisemitism should collaborate with the Special Rapporteur on Freedom of Religion or Belief in addressing antisemitism and the UN's response thereto and should provide periodic briefings on his activities which are open to the public.

States at the United Nations should:

Continue to take actions reflecting multilateral concern about antisemitism and encouraging
all governments to combat it in ways that are consistent with their human rights obligations,
including by convening discussions about antisemitism at the General Assembly and
convening best-practices sharing meetings of the 'Istanbul Process' on combating religious
intolerance.¹⁷⁸

¹Report of the UN Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, *Elimination of all forms of religious intolerance*, U.N. Doc. A/74/358 (Sep. 20, 2019), https://undocs.org/A/74/358 [hereinafter Report of the Special Rapporteur].

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