**Steering Group on anti-Semitism**

**23 April 2015- ENAR Secretariat-Brussels**

**List of participants**

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| Surname | Name | Title, organisation |
| Braden-Golay | Jane | President, European Union of Jewish Students (EUJS) |
| Fernandez | Claire | Deputy Director, Policy - ENAR |
| Friggieri | David | Legal and Policy Officer, European Commission, DG Justice |
| Giebel | Anne | Adviser on Combating Anti-Semitism OSCE ODIHR |
| Hausser | Claudia | EU Advocacy Assistant, Human Rights Watch |
| Hollo | Lanna | Senior Legal Officer, Open Society Justice Initiative, France |
| Isal | Sarah | ENAR Chair, UK |
| Lőrincz | Marcell | Director, Foundation for Subjective Values, Hungary and ENAR Board Member |
| Machacova | Jessica | Project Officer, EQUINET - European Network of Equality Bodies |
| Muller | Guy | Researcher on anti-Semitism, Centre for Information and Documentation on Israel (CIDI), the Netherlands |
| Podemski | Krzysztof | Poland - Open Republic Association |
| Privot | Michael | Director, ENAR |
| Sabatauskaite | Birute | Director, Lithuanian Human Rights Centre |
| Sclafani | Robin | Director, CEJI – A Jewish Initiative for an Inclusive Europe |
| Sobotka | Eva | Programme Manager, EU Fundamental Rights Agency |
| Tawil | Avi | Executive Director, European Jewish Community Centre |
| Uzan | Nehama Dina | Programme Director, European Jewish Community Centre |
| Whine | Michael | Director, Community Security Trust, UK |

**Session 1: Connecting the dots: overview of national and European advocacy opportunities related to combatting anti-Semitism**

**Claire Fernandez - ENAR’s recent activities on anti-Semitism:**

* Goal in 2015: re-affirm the political will and mobilization of civil society and European institutions for the recognition of anti-Semitism.
* Different actions were undertaken:
  + Briefing with CEJI in January 2015 on recent incidents and recommendations
  + Op-eds and media statements (summer 2014) including in NYT + communities’ statement on Holocaust Memorial day
  + Monitoring anti-Semitic hate speech during the EP elections campaigns + 2015 national elections
  + Hate speech in the EP: monitoring + amendments rules of procedures
  + EP’s resolution on counter-terrorism in January (sent amendments on anti-Semitism)
  + Advocated to add anti-Semitism to scope LIBE hearing – June
  + Sent talking points to friendly MEPs ahead of plenary discussion in March on anti-Semitism.
  + Consulted by EC on October colloquium on anti-Semitism and Islamophobia
  + Regular meetings with MEPs from the EP WG on anti-Semitism
* Advocate for an EU framework/national strategies to combat anti-Semitism
* Being developed: a debunking-myth publication, a General Policy paper (network position), an online resource centre

**Anne Gibel/OSCE- ODHIR:**

* Work based on OSCE human dimension commitments to which participating States including EU Member States are committed.
* OSCE/ODIHR has a mandate to collect information on hate crime, and best practices. See the annual report on hate crime in the OSCE area and the data reporting website - data on anti-Semitism crime are published. Currently 10 to 12 over 57 OSCE states report data on anti-Semitic crime to ODIHR.
* ODIHR provides police and prosecutor training programs on hate crime.
* ODIHR helps participating States to understand anti-Semitism and its particularities, the role that the government could play on this issue + develops teaching tools on anti-Semitism
* Activities around Holocaust remembrance.
* Organisation of several political conferences to raise awareness over different challenges. - New project on security needs/hate crime – consultative meeting in Vienna took place to define the legal gaps in addressing security. The meeting was open to delegations (10 delegations attended).
* Organisation of coalition building events on communities victims of intolerance. After Berlin conference, there was a realisation that anti-Semitism should be challenged by a cross community work, not only addressed by Jews.
* Education – joint project with the Anne Frank House in 15 countries. Support on Holocaust remembrance – countering challenges to education.
* The OSCE chairmanship – Serbia (next year: Germany, Austria) organises political conferences. Last year: Berlin + 10 (Berlin declaration anti-Semitism).
* Council declaration, OSCE commitments and outcomes reflected in advocacy work at EU level.
* U.S. Senator Ben Cardin has been nominated the OSCE Parliamentary Assembly Special Representative on Anti-Semitism, Racism, and Intolerance. ODIHR cooperates with him.
* Coalition building event for different communities on intolerance as follow up to Berlin conference.
* It would be a possibility to send a questionnaire on security to participating States but there is no guarantee delegations will answer.

**Eva Sobotka – FRA**

* 2013 Survey on anti-Semitism + EU-MIDIS II on minorities and discrimination (to come in 2017). Roma related findings from EU MIDIS II will be published first.
* There might also be a Fundamental rights survey in 2018.
* FRA-led working party on hate crime with Member States: addressing hate crime at national level focusing on police, capacity building and training.
* On awareness rising: the agency will intensify its work, and will create teaching training on fundamental rights and the Holocaust (with the European Commission). The 2015 attacks raised awareness of fundamental rights respect. FRA is planning to increase its activities in trainings, consultation/engagement events, also to reach a broader public.
* The FRA published two toolkits: one for teacher (looking at different type of discrimination) and another one for EU officials (the notion of responsibility through the example of the Nuremberg trials)
* The FRA annual reports also mention data collection and reporting of anti-Semitism in EU member states

**David Friggieri – DG Justice**

DG Justice has six internal objectives related to anti-Semitism:

1. Increase of security: improve the perception of safety for citizens including Jews. 2015 European Security agenda published in April includes issues such as: society resilience, fight against terrorism, combating radicalisation, cybercrime and border management.
2. Criminalisation of hate crime. Implementation of the 2008 Framework Decision on Racism and Xenophobia; Gaps in implementation of the framework decision have been exposed in EC implementation report. The Commission has started bilateral dialogues with Member States including on hate crime provisions (Article 4) and on jurisdiction (Article 9). The EC participates in the FRA Working party on hate crime, and has its own experts group. The EC is also committed to funding for actions combating anti-Semitism and Islamophobia.
3. Improving victims support: See transposition of the Victims’ rights directive.
4. Combat Incitement to hatred, including online. The Digital single market strategy launched in May also includes measures to best tackle illegal content on the Internet.
5. Promotion of a pluralistic and tolerant society through implementation of Race Equality and Employment Directives and adoption of the Equal Treatment Directive. Holocaust remembrance.
6. Increase visibility and political content of EU’s action, through events such as Commission/Israel events on latest information and challenges, regular EU dialogue with religious bodies or the annual colloquium 1-2 October 2015 on anti-Semitism and Islamophobia.

**Michael Whine – CST and ECRI UK representative**

Work of ECRI:

* Country reports
* General Policy recommendations including on anti-Semitism (2004 GPR on anti-Semitism)
* Work with CSOs and specialized bodies
* ECRI’s plenary session,
* All the country visits will increase coverage of anti-Semitism and the plenary session will also be dedicated to this.
* A new GPR on hate speech is being finalised
* Mai 2015: meeting with specialized bodies, working both with governments and CSOs
* Rising concern: the lack of data on hate crime.
* But ECRI: no sanctions tools, just soft recommendations.

**Claire Fernandez – update on the EP’s work on anti-Semitism**

* Since the last EP last elections the EP working group on anti-Semitism has met twice
* there is also an intergroup on anti-racism and Diversity (ARDI), re-established: 5 co-chairs and 2 vice chairs – currently recruiting a dedicated secretary
* Since Paris and Copenhagen attacks, the EP has adopted a resolution on counter-terrorism.
* There is another report to come on the prevention of radicalisation to come mid-may (Rachida Dati is the rapporteur)
* LIBE committee at the end of June: hearing on anti-Semitism and Islamophobia. A specific resolution should come out of this hearing.

**Jane Braden Golay – EUJS**

* Establishing partnership: Europe of Diasporas project with other communities (Armenian, Roma)
* Open seminars to other youth groups; try to push for more support of youth projects that tackle racism and anti-Semitism
* Muslim Jewish Conference.
* Creating local initiative: helping youth to set up actions after Paris and Copenhagen attacks. Provided resources and network to help them developing their projects.
* Work with ADL: action guide hate online: list of tools that exist to tackle hate speech, bullying and another one on how to report it. CST also worked on this tool, aimed to be an industry wide protocol on on line hate speech, which is tricky due to strict American legislation.
* Raise awareness in Youth Organization Forum

**Birute Sabatauskaite: Lithuanian Human Rights Centre**

* Work closely with Jewish community, asking for input in writing shadow report CERD
* Public reaction to Holocaust denial; protest against public burial of collaborators and the denial of Lithuanian role in the Holocaust
* In Lithuania a WG on holocaust education still has to be established (1st document on this in 2003). Plan to develop Holocaust education
* Hate speech and media monitoring – the organisation can see an increase in anti-Semitism
* Police say hate crime dropping but NGOs report the opposite.
* the centre started an online campaign to react to hate speech on daily basis, which went viral
* The centre will organise the national launch of ENAR shadow report on racist crime

**Guy Muller, CIDI**

* Anti-Semitism monitoring in the Netherlands.
* Work with the police and with teachers on Holocaust education. Organised a Symposium on Holocaust remembrance.
* Participated in the EU level facing facts conference and in International symposium on terrorism
* CIDI’s recommendations on hate speech on Internet were taken on board by the committee on remembrance.
* Advocate for Anti-Semitism and hatred to be central in the Netherlands’ EU 2016 presidency program

**Lanna Hollo – OSJI**

* Mainly work as a bridge from outside to national organisations and strengthen the overall anti-Semitism movement
* Help to build bridges with combating Islamophobia.

**Nehama Dina Uzan - EJCC**

* Started as a community centre but now provide information for non-Jewish people about Judaism, Jewish values, culture.
* Not only working on anti-Semitism. More on Judaism
* Organised seminars in the EP on freedom of speech and religion. Organises inter faith actions, memorial days for Paris and Copenhagen**.** The events made Commissioners realised the importance after the events.
* Provides information to EU officials and organises social events in institutions as well as Holocaust Remembrance Day in the EP or EESC.MEPs attacked them in the beginning as doing ‘propaganda’.

**Robin Sclafani - CEJI**

* Anti-Semitism through education and training programs but also advocacy
* Facing facts project for NGOs to monitor hate crime. Set for 4 years, 50 trainers across the EU
* Mainstream anti-Semitism in wider networks (anti-racism, hate crime, freedom of religion)
* New biweekly news bulletin on European policy developments for Jewish audiences called ‘Kol Europe’.
* Member of advisory board EP WG on anti-Semitism.

**Claudia Hausser - HRW**

* Research based organisation. HRW in Europe as an ad hoc approach on anti-Semitism but would like to support initiatives

**Jessica Machacova – Equinet**

* 2015 report on national equality bodies actions on religious discrimination + Seminar for national equality bodies on religion

**Krzysztof Podemski – Open Republic Association**

* Works on Xenophobia, Islamophobia, Romaphobia, Afrophobia, anti-Semitism. Leaflets/policy paper on extremist organisation, hate crime, speech.
* ‘Platonic racism’ in Poland: racism without minorities. Support to fascist parties low but there is a lot of hate speech and hate crime
* Monitoring and education.

**Marcell Lorinz - Foundation for Subjective values**

* Working on Holocaust denial. Involved in the No Hate Speech Movement
* Training programs, political participation

**Michael Whine - CST**

* Monitor anti-Semitism discourse and incidents
* Regular meetings with police agency. Appointed senior police officer on coordinating police responses on security Jewish communities. Formal contract with the police to exchange data on hate crimes, collaborative approach.
* ICCA: Inter-parliamentary committee on anti-Semitism published a 10 years progress report.
* There is a cross government WG: Ministry of Foreign Affairs, home office, Jewish committee representatives. Oversight of the government’s strategy combating anti-Semitism.
* Website where you can challenge the prosecution/follow the prosecution evolution: Trackmycrime. In the UK, a group of 9 civil society representatives has oversight on prosecution. which is a unique mechanism.
* Work with others: Church watch, Tell Mama, Quilliam Foundation.

**Session 2:** **Towards an EU Framework for national strategies to combat anti-Semitism**

**Group 1: What is the added value of an EU- Strategy?**

* We would need both an EU framework for national strategy and an EU action plan on combatting anti-Semitism (a roadmap for the EU institutions).
* Soft power of the EU. External pressure. In many States, the only reason the Roma communities were consulted in elaboration of NRIS was because of the EU call.
* Should be a clear timeline and monitoring, reporting/mechanism. And data collection foreseen.
* Idea of scoreboards extended to fundamental rights and combating forms of racism
* The potential legal basis for the EU framework: Fundamental rights in general/Charter. EU values.
* Anti-Semitism is wider than Security/Terrorism so should be addressed in a holistic approach.
* Every day anti-Semitic acts could lead to further radicalisation. Connected to education.
* See Ministers of Education initiative on education declaration. It includes obligations for Member States and EC
* The framework should reflect obligations OSCE and CoE standards.

**Group 2: Why is there is a need for specific national strategies to combat anti-Semitism?**

* There is a specific context in each Member State so national strategies make sense.
* Strategies will reflect what is possible and what opportunities there are in Member States.
* There is more legitimacy bottom up and more ownership.
* Evidence based strategies: commit to produce data where there are gaps. and not just ad hoc reports when there are issues.
* There should be strict guidance from the EU framework with key principles and not just national random plans
* There should be a role from civil society – collaborative approach.
* It shouldn’t just be on security
* Lithuania: there is already a non-discrimination strategy but poor and random
* The new French government’s plan on racism and anti-Semitism is very general on anti-Semitism and on education
* Germany: there was a parliamentary expert seminar and one recommendation was to have a specific strategy to combat anti-Semitism.
* Principles: renewable, long-term approach, monitoring
* The strategy should cover inter-institutional aspects, and should not necessarily be assigned to just one minister.

**Group 3: Why is this an economic question as well as an human rights one?**

* Link with EU 2020 goals
* Achieving people’s potential, it makes economic sense.
* By fear of anti-Semitism, businesses owners could move the business somewhere else. Tax loss from government, cities, etc.
* If Jews leave Europe, there would be a loss of human resources
* Jews can be important investor. Ex: Spain and Portugal
* We shouldn’t take for granted however that Member States see the value of combating anti-Semitism as part of fundamental rights and non-discrimination values
* Public spending can be reduced if the Anti-Semitism problem is reduced.
* However, in the short term - all the measures we ask will have a cost something. How do we address this?

**Group 4: Key principles to be respected in devising national/EU strategies on combating anti-Semitism**

* Include awareness raising activities to change attitudes
* Need for inter-institutional cooperation
* Ensure youth participation at all stages
* Civil society involvement
* Clear ttimeline
* Diverse voices within Jewish communities at all stages (initiatives, consultation, implementation). Beyond classical self-proclaimed representative organisations.
* Gender balanced
* Respect for basic rights and charter fundamental rights
* Broader scope of discrimination, inequality, schools, etc. not just hate crime
* Promote alliances and coalition building with other groups while recognising specificities
* Range of specific actions short to long term (legal, data, cultural, education – not just the softer)
* Intersectionality (gender, sexual orientation)
* Respect and inclusive tolerance
* Evidence based, data gathering, follow up procedures (agencies – providing data)
* The FRA works on indicators for Roma inclusion and on indicators related to implementation of NRIS – 2 different type of evidence
* Show and highlight the specify of anti-Semitism in European history and contemporary society – cultural phenomenon and specific needs by the Jewish communities
* Reflect EU CoE OSCE standards
* Acknowledge specifies of anti-Semitism in European history and the contemporary society

**Session 2 (continuation): Identifying priorities**

*Baseline document – table on gaps and recommendations by policy areas (see separate document)*

Additions to the baseline document should include:

Hate crime

* Need for comprehensive disaggregated data
* Data sharing agreements and cooperation between police and civil society
* Victimisation survey, victims support outreach strategy
* Victims support behind the judicial process
* Training law enforcement, prosecutors and judges
* Confidence-building measures for victims
* Bias motivation recorded based on victim’s perception
* Need for more harmonization/definition within the EU
* Call for research on restorative justice for lower offences

Hate speech

* Definition: Distinguish what can be criminalized from what cannot be
* A clear concept of hate speech that people agreed on
* Monitoring online Hate Speech, but also other type of hostile discourses, mapping the all spectrum and connection between stereotyping and action.
* To explore: EU Digital Single Market strategy
* Education on hate speech and on history as a part of prevention
* Train opinion makers: Training by communities or anti-racism organization, on policy decision makers, medias, think tanks
* ECRI GPR on hate speech

Security

* Schools under military and police protection
* Regular meetings between police and Jewish communities
* State’s support to private community security (See ODIHR’s work on this)
* Training of police (why they are posted in front of synagogues)
* Encouraging contacts between Jewish and Muslims communities
* Cooperation of security between Jews and Muslims to protect placed of worship
* Security/lack of freedom of movement issues have impacts on other fundamental rights
* Need reflection on some models of secularism

Education

* Existing EU legislation
* Key competences framework
* Education Ministers’ declaration after Paris
* Lack of education on diversity of public service employees
* Lack of prevention of hate speech in schools. Role models, involvement of public figures
* Lack of development of social competences: critical thinking, conspiracy theories
* Strengthen EU role in education
* Clearer requirements for law enforcer regarding discrimination
* Creation of education scoreboard at the EU level
* Finances for teacher training and exchanges programs on diversity
* European certificate on diversity – EU values
* Action plan to prevent and react to hate speech, including anti-Semitism at schools
* Resources for preventive work
* Education not only Holocaust focused, also needs to be related to contemporary forms of anti-Semitism
* Innovation
* Link to fundamental rights. Schools’ role is to model fundamental rights

Employment and Freedom of belief

* Freedom of belief: cross sectorial issue
* Reasonable accommodation of freedom of practices
* Produce guidelines on reasonable accommodation of religious and cultural diversity and have possibly Council recommendations on reasonable accommodation
* Interpretation of EU law: by not implementing antidiscrimination legislation, for e.g not providing kosher food, this is an indirect discrimination
* Practice of religion at workplace (holidays, practice)
* Circumcision + ritual slaughter: need for more information from specialists
* “Inclusive secularism”

**Session 3 – Moving forward: coordination of the next steps**

* Claire Fernandez to send participants’ email list + power point and table
* Work on the table to have a tool usable in advocacy at all levels
* Mike Whine to feed into the security section
* Avi Tawil to feed in the issues around ritual slaughter/link with rabbis
* Anne Giebel and Mike Whine to link with other fora and to share OSCE documents
* Inform each other’s, act as bridges, complement rather than duplicate
* Consult lawyers and EU law experts on the table/future draft of a strategy (everyone to make proposals, Lanna Hollo to involve colleagues)
* Have an online type of consultation on the draft strategy/certain aspects
* Explore strategic litigation on reasonable accommodation