



# Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities

*A Practical Guide*

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# Foreword

In recent years, deadly anti-Semitic attacks in Toulouse, Brussels, Paris, Copenhagen and elsewhere have created a widespread sense of fear and insecurity among Jewish communities and have underscored the urgent need for greater efforts to address anti-Semitism.

Violent anti-Semitic acts targeting Jewish individuals or persons perceived to be Jewish challenge the values of free, democratic and inclusive societies. Crimes such as the desecration of cemeteries, attacks on synagogues, Jewish cultural centres, Holocaust memorials or Israeli institutions can affect Jewish life throughout the OSCE region. In some participating States, these hate crimes have damaged or destroyed the few remaining traces of Jewish culture that survived the Holocaust.

The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) is mandated to support participating States with their efforts to counter anti-Semitism. Most recently, in 2014, the OSCE Basel Ministerial Council Declaration on "Enhancing Efforts to Combat Anti-Semitism" called on ODIHR to offer participating States best practices on efforts to counter anti-Semitism.<sup>1</sup> Earlier, the OSCE Kyiv Ministerial Council Decision on Freedom of Thought, Conscience, Religion or Belief called on governments to endeavour to prevent, and protect against, attacks on religious communities.<sup>2</sup>

In this guide, ODIHR offers concrete recommendations to turn these commitments into practical action. We offer our thanks to experts from across the region who have provided input on good practices developed and implemented in various OSCE participating States. We encourage participating States to use this practical guide as a starting point for an open and thoughtful assessment of the problem of anti-Semitism and consideration of policies and measures to address it.

This publication is part of ODIHR's Words into Action Project, generously funded by the German Ministry of Foreign Affairs. It acknowledges the need to engage with the specific challenges posed by anti-Semitism through an approach firmly anchored in the framework of international human rights and OSCE commitments. We hope it might also be used as a model for addressing the security needs and experiences of other communities vulnerable to hate crimes.

*Michael Georg Link*  
Director of ODIHR

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1 OSCE Ministerial Council Declaration No. 8/14, "Declaration on Enhancing Efforts to Combat Anti-Semitism", Basel, 5 December 2014, <<http://www.osce.org/cio/130556?download=true>>.

2 OSCE Ministerial Council Decision No. 3/13, "Freedom of Thought, Conscience, Religion or Belief", Kyiv, 6 December 2013, <<http://www.osce.org/mc/109339?download=true>>.





# Executive Summary

## **What are the challenges?**

Anti-Semitic harassment, violence or discrimination targets Jewish women, men, boys and girls and people perceived to be Jewish across the OSCE region. Jewish institutions, including synagogues, schools and cemeteries, as well as entities or events related to Israel, are also targeted for violence and vandalism.

Hate crimes and threats motivated by anti-Semitism have a profound impact, not just on the victims of specific attacks, but also on the daily lives of Jewish individuals and communities in a range of ways:

- Fear of attending worship services, entering synagogues or wearing distinguishing religious attire or symbols negatively affects the right of individuals and communities to manifest their religion or belief;
- Out of fear, Jewish individuals may abstain from identifying publicly as Jews, expressing their cultural identity or attending Jewish cultural events – practically excluding Jews from public life;
- In school, the workplace, social settings or on social media, Jewish people often self-censor and could cause them to be reticent to express empathy or support for Israel to avoid being stigmatized;
- Anti-Semitic violence has forced Jewish schools and youth activities in many OSCE participating States to operate under heavy security measures. Even the youngest children grow up with a sense of fear and a consciousness of their vulnerability; and
- The need to build or harden security perimeters is a financial burden often borne by Jewish institutions instead of governments, diverting funds from religious, cultural and educational activities.

As a result, anti-Semitic violence threatens both the physical security of Jewish communities and infuses a sense of fear and insecurity among individuals within those communities.

## **Why is this of concern to participating States?**

OSCE participating States have committed themselves to recognize, record and report the anti-Semitic bias motivation of hate crimes and have supported efforts by OSCE institutions to develop effective and comprehensive responses to hate crimes.

States have an obligation under international human rights law to prohibit by law any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence.<sup>3</sup> OSCE participating States have committed themselves to “endeavour to prevent and protect against attacks directed at persons or groups based on thought, conscience, religion or belief.”<sup>4</sup>

## What can governments do?

Governments can take a range of measures to address the problem of anti-Semitism. They can:

- **Acknowledge** that anti-Semitism is a problem that poses a threat to security and stability and needs to be addressed consistently by governments;
- **Assess risk and prevent attacks** by enhancing co-operation between law-enforcement agencies and the Jewish community through formal lines of communication, transparency and joint planning and action;
- **Raise awareness** by helping political leaders, criminal justice officials, civil society and the wider public understand anti-Semitism, its adverse impact and how to challenge it through capacity-building and awareness-raising measures;
- **Build trust** by developing and institutionalizing working partnerships with Jewish community institutions and individuals;
- **Improve protection** for Jewish communities and sites, including through enhanced police patrols and providing financial assistance;
- **Take into account the Jewish community expertise when setting up crisis management systems**, to ensure the best possible joint planning and response to emergency situations; and
- **Recognize and record** any anti-Semitic bias motivation when investigating and prosecuting criminal acts, sensitizing law-enforcement agencies to the specific features of anti-Semitic hate crimes, including situations where criticism of Israel develops into anti-Semitic action;<sup>5</sup>
- **Provide evidence of the security needs** of Jewish communities by working with those communities to collect disaggregated data, including by gender, and sharing information on anti-Semitic crimes and threats;
- **Reassure** the Jewish community by demonstrating solidarity in case of an attack and/or a threat. This can be done, for example, through special police patrols and by publicly condemning all anti-Semitic hate crimes and setting a tone for a societal

3 United Nations General Assembly, Resolution 2200A (XXI), “International Covenant on Civil and Political Rights”, 16 December 1966, entry into force 23 March 1976, Article 20.2, <<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>>.

4 MC Decision Kyiv 3/13, *op.cit.*, note 2.

5 *Hate Crime Data-Collection and Monitoring Mechanisms, A Practical Guide* (Warsaw: OSCE/ODIHR, 2014), <<http://www.osce.org/odihr/datacollectionguide?download=true>>.

response that discredits, rejects and marginalizes anti-Semitism and other forms of intolerance or discrimination;

- **Provide support to victims** and assist communities in returning to their daily lives after an attack; and
- **Send a message** to the broader public that hate crimes, intolerance and discrimination against any group are a threat to all of society.



# Introduction

## Background

In April 2004, the German government hosted a high-level OSCE conference in Berlin dedicated to contemporary challenges related to anti-Semitism. The resulting “Berlin Declaration” stressed that anti-Semitism has assumed new forms since the Holocaust and poses a threat to security and stability in the OSCE region.<sup>6</sup> It also underscored that developments in the Middle East never justify anti-Semitism.

In June 2013, ODIHR and the Ukrainian Chairmanship of the OSCE convened an expert meeting entitled “Addressing the security needs of Jewish communities: challenges and good practices” to highlight the security challenges facing Jewish communities. The expert meeting resulted in a set of comprehensive recommendations.<sup>7</sup>

In November 2014, political leaders, representatives of governmental and intergovernmental organizations, and civil society organizations gathered in Berlin to explore contemporary manifestations of anti-Semitism in the OSCE region and to reassess the “Berlin Declaration” ten years later. Summarizing the event, known as the “Berlin Plus Ten Conference,” the Swiss Chairmanship of the OSCE concluded that anti-Semitism remains a challenge to stability and security in the OSCE region and urged, “law-enforcement agencies to address the very real threats to Jewish community security.”<sup>8</sup>

Building on these conclusions, as well as on the recommendations developed by civil society, a Ministerial Council Declaration on “Enhancing Efforts to Combat Anti-Semitism” was adopted at the OSCE’s 2014 Basel Ministerial Council. It called upon participating States to “increase efforts to implement existing OSCE commitments related to monitoring hate crimes and collecting relevant data, including motivated by anti-Semitism.” The Declaration called on ODIHR to support OSCE participating States in their efforts to “facilitate co-operation between governmental officials and civil society on issues related to anti-Semitism, including hate crime.”<sup>9</sup>

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6 “Berlin Declaration”, Bulgarian OSCE Chairmanship conclusions, Information provided by the Bulgarian OSCE Chairmanship 2004, < <http://www.osce.org/cio/31432?download=true>>.

7 “Expert Conference on Addressing the Security Needs of Jewish Communities in the OSCE Region: Challenges and Good Practices”, OSCE/ODIHR, 13 June, 2013, p. 5, < <http://www.osce.org/odihr/105253?download=true>>.

8 10th Anniversary of the OSCE’s Berlin Conference on Anti-Semitism High-Level Commemorative Event Berlin, Swiss OSCE Chairmanship conclusions, Information provided by the Swiss OSCE Chairmanship 2014, 12-13 November 2014, <<http://www.osce.org/odihr/126710?download=true>>.

9 MC Declaration Basel 8/14, *op. cit.*, note 1.

## Why is this guide necessary?

Anti-Semitic harassment, violence and discrimination have a negative impact on the daily lives of Jewish individuals and communities and their enjoyment of human rights and fundamental freedoms. The threat level against some Jewish communities in the OSCE region is high and immediate. Jewish communities lack the necessary resources and capacity to fully address the security challenges they face. More importantly, ensuring the safety of Jewish communities is the responsibility of governments. Law-enforcement authorities bear a primary responsibility for ensuring the security of Jewish communities, just as they do in regard to all other individuals or groups. When Jewish communities face greater threats than others, their protection merits greater attention from police and other law-enforcement bodies.

“Governments have a basic obligation to provide for the security of their citizens. They also affirm a bedrock commitment to the free exercise of religion. And yet the security needs and the financial burdens that many Jewish communities now face seriously call these principles into question. So it is that these quite elemental challenges of a decidedly practical nature ultimately pose an existential threat to the future of Jewish life in the OSCE region.” – *Rabbi Andrew Baker, Personal Representative of the OSCE Chairperson-in-Office on Combating Anti-Semitism*

This guide lays out practical steps that governments are recommended to take to address the security needs of Jewish communities in co-operation and partnership with these same communities. The guide is designed to help governments take stock of security risks and needs with the goal of improving the capacity of law-enforcement officials and institutions to address the security needs of Jewish communities. In addition, this guide deals with related issues, such as the problem of the underreporting and recording of anti-Semitic hate crimes.

## What is the scope and purpose of this guide?

This publication focuses especially on what can be done by those responsible for addressing anti-Semitic hate crimes and the security needs of Jewish communities. ODIHR’s programmatic work in the area of combating anti-Semitism through addressing hate crime, education and coalition-building complements this publication.<sup>10</sup>

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<sup>10</sup> ODIHR supports government officials in designing and developing monitoring mechanisms and data collection on hate crime. Moreover, ODIHR capacity building programmes include: *Training Against Hate Crimes for Law Enforcement (TAHCLE): Programme Description*, (Warsaw: ODIHR, 2012), <<http://www.osce.org/odihr/tahcle>> and *Prosecutors and Hate Crimes Training (PAHCT) Programme Description*, (Warsaw: ODIHR, 2014) <<http://www.osce.org/odihr/pahct>>; and a number of ODIHR Teaching Materials to Challenge anti-Semitism available at <[www.osce.org/odihr/120546](http://www.osce.org/odihr/120546)>, including: *Addressing Anti-Semitism: Why and How? A Guide for Educators* (Warsaw: ODIHR, 2007), <<http://www.osce.org/odihr/29890?download=true>>; and *Education on the Holocaust and on Anti-Semitism: An Overview and Analysis of Educational Approaches* (Warsaw: ODIHR, 2006), <<http://www.osce.org/odihr/18818?download=true>>.

While this practical guide is designed primarily for government officials and political representatives, it should also be of use to civil society and the broader public. It aims to:

- Raise awareness about the security challenges faced by Jewish communities;
- Build the capacity of government officials (both policy-makers and front-line law-enforcement officials) and security experts to understand the specific features of anti-Semitic hate crimes and identify practical steps that could be undertaken to address the security needs of Jewish communities;
- Support law-enforcement officials in their efforts to recognize, record and respond to anti-Semitic hate crimes;
- Facilitate the sharing of best practices from various OSCE participating States, especially focusing on models for partnerships between law-enforcement and Jewish communities;
- Promote dialogue and co-operation between local law-enforcement officials and members of the Jewish community, including Jewish community security professionals and volunteers, and present practical suggestions to create robust partnerships in the fight against anti-Semitism; and
- Support civil society advocacy efforts by providing both guidance and an overview of relevant government obligations that they can draw on when dealing with governments about security concerns related to anti-Semitism.

## **How was this guide developed?**

This guide was developed through an extensive consultative process with broad participation by international and national experts and law-enforcement officials. ODIHR held a series of working-level meetings in Vienna, Warsaw, Toulouse and Kyiv to identify key issues and good practices arising within regional and country-specific contexts.

## **How is this guide structured?**

**Part One** provides an overview of the contexts of criminal acts motivated by anti-Semitism in the OSCE region, as well as key features of these hate crimes. It also lays out the impact of anti-Semitic hate crimes and security challenges on the everyday lives of Jewish individuals, communities and institutions.

**Part Two** explains that governments should respond to anti-Semitic hate crimes and address the security challenges Jewish communities face, and how they can do so effectively. Drawing on OSCE commitments and other international human rights standards, it lists key government obligations and presents principles that should underpin governmental policies and initiatives in this area. Finally, the third section of Part Two suggests ten practical steps that governments can take to respond to anti-Semitic hate crimes and the security needs of Jewish communities.



The annexes provide supplementary information to assist governmental officials and others dealing with anti-Semitic attacks. **Annex 1** gives an overview of bias indicators that can help officials determine when a crime should be viewed and dealt with as an anti-Semitic hate crime. **Annex 2** set outs case studies that can be used to build the capacity of government officials and others to recognize anti-Semitic hate crimes, to build partnerships with Jewish communities on security issues, and to develop responses based on respect for human rights standards and commitments. **Annex 3** provides a table with suggested actions for key stakeholders. This table can be a useful tool for raising awareness among key target groups such as parliamentarians, religious leaders and civil servants about the security concerns faced by Jewish communities. **Annex 4** is an abridged version of *A Police Officer's Guide to Judaism* developed by the Community Security Trust (CST). **Annex 5** is a calendar of Jewish festivals. **Annex 6** is the “Working Definition of Antisemitism” adopted by the International Holocaust Remembrance Alliance (IHRA).

## PART ONE

# Understanding the Challenge

### I. Anti-Semitic hate crimes in the OSCE region: context

Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people. All hate crimes have two distinct elements: (1) they are acts that constitute an offence under criminal law and (2) in committing the crime, the perpetrator acts on the basis of prejudice or bias.<sup>11</sup> Anti-Semitism is one of the bias motivations that turn a crime into a hate crime.

Anti-Semitism may be the only motivation for a hate crime or one of several. For example, a robbery may be motivated by greed. But, if the victim was selected specifically because he or she is Jewish, the incident may qualify as a hate crime.

Anti-Semitic bias motivation may also intersect and be intertwined with other biases, notably racism or sexism. For example, an anti-Semitic hate crime may be based on stereotypical assumptions about Jews and the perpetrator's perception of Jews as racially inferior. Similarly, stereotypical assumptions about gender roles and sexual identity may intersect with prejudiced opinions about Jews and contribute to motivating an attack. For example, an attack on a person who is both Jewish and gay may have two bias motivations, if the attacker selected the victim because of these characteristics.

OSCE governing bodies, institutions and participating States have acknowledged that anti-Semitism and anti-Semitic hate crimes remain serious – and in some instances, increasing – concerns in the OSCE region. A declaration issued by the OSCE Chairmanship at the Berlin Plus Ten Conference, for example, expressed deep concern about violent and deadly attacks on Jewish individuals, threats against Jewish communities and institutions, anti-Semitic expressions online and in other settings, and Holocaust denial and trivialization.<sup>12</sup>

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11 For a more complete discussion of the nature of hate crimes, see: *Preventing and responding to hate crimes*, (Warsaw: ODIHR, 2009), p.15-26, <<http://www.osce.org/odihr/39821?download=true>>.

12 Berlin Plus Ten Conference, *op. cit.*, note 8.

In some instances, the anti-Semitic aspect of a hate crime may be clear. Other cases may require a nuanced understanding of anti-Semitic stereotypes and codes, which may not be obvious to the average person.

## The prevalence and longevity of anti-Semitic stereotypes

Anti-Semitism has existed in the area that comprises the OSCE for many centuries. OSCE participating States have recognized “the role that the existence of anti-Semitism has played throughout history as a major threat to freedom.”<sup>13</sup> Though officially rejected and condemned by OSCE participating States, anti-Semitism continues to manifest itself in both overt and concealed ways. Traditional anti-Semitic stereotypes and conspiracy theories may come to the fore in the context of anti-Semitic attacks, either driving or accompanying an attack. These may include such smears as that “the Jews” are rich and greedy, that they conspire to control the world, or that “the Jews” are the killers of Jesus Christ. Such slanders remain common in the OSCE region. A survey in 42 participating States conducted by the Anti-Defamation League showed that one in four respondents agreed with a majority of negative stereotypes put forward about Jews.<sup>14</sup>

In an effort to provide guidance on what constitutes anti-Semitism, the International Holocaust Remembrance Alliance (IHRA) adopted a “Working Definition of Antisemitism” that states, “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.”<sup>15</sup>

## The conflict in the Middle East as a justification for anti-Semitic hate crimes

With the 2004 Berlin Declaration participating States recognized that “international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism.”<sup>16</sup> This is one of many OSCE documents to make this point. Nevertheless, the policies and actions of the Israeli government are still used in parts of the OSCE region as a pretext to commit criminal acts motivated by anti-Semitism. In the declaration issued by the OSCE Chairmanship ten years later, OSCE participating States acknowledged that “anti-Zionism is frequently a mask for anti-Semitism.”<sup>17</sup> They noted that the “Working Definition of Anti-Semitism, disseminated by the EUMC in 2005 and employed by monitoring organizations in various OSCE participating States, remains a useful document for governments and civil society in explaining

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13 OSCE Ministerial Council Decision No. 6/02, “Porto Ministerial Declaration”, Porto, 6-7 December 2002, <<http://www.osce.org/mc/40521?download=true>>.

14 ADL Global 100, “An Index of Anti-Semitism”, <<http://global100.adl.org/>>.

15 IHRA Plenary in Bucharest decision to adopt a non-legally binding Working Definition of Antisemitism. Information provided by the IHRA Romanian Chairmanship, 26 May 2016, <[https://www.holocaustremembrance.com/sites/default/files/press\\_release\\_document\\_antisemitism.pdf](https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf)>. The entire text of the Working Definition can be found in Annex 6.

16 Berlin Declaration, *op. cit.*, note 6.

17 Berlin Plus Ten, *op. cit.*, note 8.

how anti-Zionism is frequently a mask for anti-Semitism, and Jewish communities are often targets for anti-Israel animus.”<sup>18</sup> Such incidents may be more likely to occur when tensions mount in the Middle East.

Threatening or assaulting a person because of his or her actual or perceived Jewish identity constitutes an anti-Semitic act. Threatening or assaulting a person because of his or her Israeli identity may also be an anti-Semitic act. Such an incident may be incorrectly presented as an act that was motivated by a political opinion rather than anti-Semitism and as such, law-enforcement officials have an obligation to thoroughly investigate the bias motivation of such an attack. If a victim in such a case is very clearly selected because of a protected characteristic – his or her real or perceived religious, ethnic or national identity – the incident should be considered a hate crime.<sup>19</sup>

What might seem to be, or is presented as, criticism of the actions of the Israeli government may in fact be informed by anti-Semitic assumptions and beliefs that are simply applied to Zionism, Israel and the Israeli-Palestinian conflict. This can often be evidenced by the anti-Semitic slogans and insults that accompany such crimes. Anti-Semitic propaganda circulated online is a key source for these manifestations of anti-Semitism.

### Anti-Semitic hate crimes and Holocaust remembrance

Anti-Semitism found its most brutal expression in the Holocaust. The Jewish populations of what are now OSCE participating States were almost entirely expelled and murdered during the Holocaust. However, reminders of Jewish life from before the Holocaust – such as synagogues and Jewish cemeteries – still exist in these participating States. Anti-Semitic hate crimes that damage, deface and destroy these reminders of Jewish life are a special concern because they point to the continued existence of anti-Semitism in countries where countless Jewish people were killed because of anti-Semitism. The same logic applies to attacks that target monuments erected to honour Jewish victims of the Holocaust. Such attacks may be seen as attempts to retroactively exclude Jews from society. By attacking Jewish history, the perpetrators send a chilling message of hate and exclusion to Jewish people. Denying the Holocaust and suggesting that “the Jews” seek to benefit from the Holocaust is a common feature of contemporary anti-Semitism. Some anti-Semitic hate crimes directly attack people or events which promote Holocaust remembrance. Symbolically, many anti-Semitic hate crimes are committed on Holocaust Memorial Days, such as 27 January. The Holocaust is also a frequent point of reference in anti-Semitic attacks targeting individuals and property. Slogans such as “Hitler was right” are not only offensive, but can be understood as implicit threats of

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18 *Ibid.* The “working definition” disseminated by the European Monitoring Centre on Racism and Xenophobia (EUMC) is substantially similar to the Working Definition adopted by the International Holocaust Remembrance Alliance, as provided in Annex 6.

19 A “protected characteristic” is a characteristic shared by a group, such as race, language, religion, ethnicity, nationality, or any other similar common factor that is specifically designated as protected by a country’s laws. For further information on protected characteristics, see *Hate Crime Laws, a Practical Guide*, (Warsaw: OSCE/ODIHR, 2009), <<http://www.osce.org/odihr/36426?download=true>>.

violence. Holocaust denial is anti-Semitic and in some OSCE participating States entails criminal liability.

## II. Anti-Semitic hate crimes in the OSCE region: key features

Jewish individuals can be attacked for many reasons. They may be especially vulnerable as a result of cultural or societal factors that make them identifiable, for example if they:

- Wear religious dress, such as the *kippah* (head covering);
- Wear a Jewish symbol, such as the Star of David;
- Are publicly known or identifiable as representing a Jewish or Israeli organization;
- Are in the vicinity of a synagogue, a Jewish community building, a Jewish school, or kosher grocery store or restaurant;
- Participate in a Jewish public event;
- Celebrate a Jewish holiday;
- Speak Hebrew in public;
- Openly identify with Israel;
- Have installed a *mezuzah* on the door of their home or business; and<sup>20</sup>
- Visit tourist sites that are of special significance for Jewish communities.

Criminal acts motivated by anti-Semitism also target people who are perceived to be Jewish, because they may shop in a kosher supermarket, visit a Jewish institution, or have friendships or social relationships with Jews. Anti-Semitic attacks can target activists or experts who fight against anti-Semitism, promote Holocaust remembrance or raise awareness about Jewish history and culture without themselves being Jewish.

The spectrum of criminal offences motivated by anti-Semitism is very broad, ranging from high profile attacks to minor incidents, which, if not addressed properly, can escalate. Based on ODIHR's hate crime reporting, the following sections set out some of the types of anti-Semitic offenses that have been observed in the OSCE region.

### **Murder**

In recent years, individuals have been killed in the OSCE region in attacks motivated by anti-Semitism, including in:

- Toulouse: On 19 March 2012, three children and the father of one of the children were shot and killed outside a Jewish school;

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<sup>20</sup> A mezuzah is a piece of parchment inscribed with specified Hebrew verses from the Torah and affixed to a doorpost.

- Burgas: On 18 July 2012, a suicide bomber detonated a bomb on a bus at Burgas airport in Bulgaria, killing seven and injuring 32 Israeli citizens;
- Overland Park, Kansas: On 13 April 2014, three people were killed at a Jewish community centre;
- Brussels: On 24 May 2014, four people were killed during an attack on the Jewish Museum of Belgium;
- Paris: On 9 January 2015, 29 people were held hostage at a kosher market, four of whom were killed; and
- Copenhagen: On 15 February 2015, a security officer was killed and two police officers were wounded during an attack on a synagogue.

### **Other violent attacks**

Violent anti-Semitic attacks have occurred in many OSCE participating States. Such physical assaults have included:

- The use of weapons, such as firearms, explosive devices, knives and baseball bats;
- Attempting to run over victims with a vehicle;
- Beatings; and
- Grabbing, pushing, slapping, spitting or similar assaults.

Violent anti-Semitic assaults may cause serious physical and psychological injuries, with victims requiring hospitalization, medical treatment and counselling.

### **Threats**

The Berlin Plus Ten Conference in 2014 highlighted participating States' deep concerns about threats against Jewish people and institutions.<sup>21</sup> Anti-Semitic threats have been directed at individuals, high-profile community leaders, Jewish institutions and Jewish-owned businesses. Threats of violence can include death threats and bomb threats. They may be conveyed by mail, email or social media, over the phone, in person, through graffiti on Jewish institutions or by other means. Threats may contain anti-Semitic slogans and symbols, as well as references to the Holocaust (e.g., "Jews to the gas chambers") as shorthand for anti-Semitic violence, murder and destruction.

Anti-Semitic threats may also be communicated through objects, for example:

- A pig's head placed in front of the property of a Jewish person or institution; and
- Rat poison sent to a Jewish institution by mail.

<sup>21</sup> Berlin Plus Ten, *op. cit.*, note 8.

## **Attacks against property**

Any case in which an anti-Semitic slogan or symbol is used to damage and vandalize property may be considered an anti-Semitic incident, regardless of whether or not the property concerned is affiliated with the Jewish community, a Jewish institution or individual.

Common targets of property attacks include:

- Synagogues;
- Jewish schools and nurseries;
- Jewish welfare organizations, such as hospitals and old age homes;
- Jewish cemeteries;
- Jewish cultural centres or research institutions;
- Kosher food stores, kosher restaurants and other businesses owned by Jews;
- Commemorative sites, including:
  - ◆ Holocaust sites, such as former concentration camps or killing sites;
  - ◆ Holocaust memorials, including commemorative plaques; and
  - ◆ Monuments that honour rescuers of Jews during the Holocaust or are related to Jewish history or culture before or after the Holocaust;
- Publicly placed menorahs; and
- Private homes and cars of Jewish individuals.

As in the case of attacks targeting people, anti-Semitic attacks against property may also target property perceived as being affiliated with Israel.

Anti-Semitic attacks against property may include:

- Arson;
- Throwing explosives, such as Molotov cocktails;
- Throwing stones through windows;
- Drawing graffiti on walls, doors or graves;
- Damaging menorahs, synagogues, pilgrimage sites or Holocaust-related mass graves;
- Overturning tombstones or otherwise damaging cemeteries; and
- Engraving swastikas.

The word “Jew” is inherently neutral. However, in a given context, it may be intended by the perpetrator as an epithet and used in a way intended to give offense. This is particularly likely to be the case in the context of an actual criminal offence.

### **III. Anti-Semitic hate crimes in the OSCE region: impact**

Each anti-Semitic hate crime is a reminder of the prevalence and pervasiveness of anti-Semitism in a given society. Since every anti-Semitic hate crime is motivated by bias, each attack also challenges the human rights principles of non-discrimination and the dignity of all human beings. Endorsing, accepting or ignoring manifestations of anti-Semitism is thus incompatible with longstanding OSCE commitments on tolerance and non-discrimination.

Every anti-Semitic incident sends a message of hate and exclusion to Jewish people and communities. Every anti-Semitic hate crime gives rise to a sense of fear and insecurity at both the individual and community level. Anti-Semitic hate crimes, in conjunction with other factors, such as the lack of support from the government or lack of adequate funds for security measures, can create wider security challenges for Jewish communities. Jewish people who just want to go about their daily lives – go to school, go to work, go on holiday – and worshippers who just want to practice their religion freely – wear their religious dress, go to synagogue, celebrate Jewish holidays – have to worry about anti-Semitic hate crimes and the security challenges caused by anti-Semitism.

#### **The impact of security challenges on religious life**

Anti-Semitic hate crimes and security challenges may affect Jewish religious life and practice in many ways, including the following:

- Fearing an attack, Jewish people may refrain from wearing religious clothing, which impacts their right to manifest their religion;
- Fear of hate crimes has a psychological impact and may cause Jewish people to call into question their religious identity and their participation in Jewish religious life;
- Since Jewish people have been targeted on their way to or when gathering at synagogues, fear of or the actual experience of anti-Semitic hate crimes impacts their sense of security when participating in religious practice; and
- Fear of anti-Semitic hate crimes may cause Jewish people to refrain from attaching a mezuzah to the doorways of their homes or displaying menorahs or other symbols.

#### **The impact of security challenges on expressing Jewish identity**

The OSCE participating States have expressed deep concerns about reports that indicate Jewish people no longer feel safe to visibly express their religion and publicly identify



as Jews in parts of the OSCE region.<sup>22</sup> Beyond religious dress and symbols, anti-Semitic hate crimes and security challenges impact the willingness of individuals to express their Jewish identity. Jewish people may refrain from:

- Acknowledging in conversations that they are Jewish;
- Wearing a Jewish symbol on a necklace;
- Joining a Jewish organization;
- Participating in a Jewish public event;
- Openly supporting or identifying with Israel; and
- Speaking Hebrew or Yiddish in public.

In 2012, the European Union Agency for Fundamental Rights (FRA) conducted a survey of eight Jewish communities in Europe – in Belgium, France, Germany, Hungary, Italy, Latvia, Sweden, and the United Kingdom – to assess the impact of anti-Semitism on these communities.<sup>23</sup> While results from the FRA survey varied among countries, the average findings for the eight countries included:

#### ***Worry about becoming a victim***

- Forty-six per cent of respondents worried about being the victim of an anti-Semitic verbal insult or harassment over the next 12 months; and
- Thirty-three per cent worried about being the victim of an anti-Semitic physical attack over the next 12 months.

#### ***Avoidance of certain places***

- Twenty-three per cent of those surveyed avoided Jewish events or sites, at least occasionally, out of concerns for safety;
- Of those who had experienced an anti-Semitic incident over the past year, 49 per cent avoided certain places in their neighbourhoods where they did not feel safe; and
- Twenty-one per cent of those who had not experienced an anti-Semitic incident also avoided such places.

#### ***Avoidance of wearing, carrying or displaying certain things (kippah, Star of David, mezuzah, etc.) that could identify them as Jewish***

- Twenty per cent of respondents avoid all the time;
- Eighteen per cent avoid frequently;
- Thirty per cent avoid occasionally;

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<sup>22</sup> *Ibid.*

<sup>23</sup> European Union Agency for Fundamental Rights (FRA), “FRA survey of Jewish people’s experiences and perceptions of discrimination and hate crime in European Union Member States”, fra.europa.eu, <<http://fra.europa.eu/en/project/2012/fra-survey-jewish-peoples-experiences-and-perceptions-discrimination-and-hate-crime>>.

- Thirty-two per cent never avoid; and
- In three of the surveyed countries, 45 to 60 per cent of respondents answered “always” or “frequently”.

### **The impact of security challenges on Jewish cultural institutions**

In recent years, Jewish cultural institutions and museums have had to take special security precautions, especially following the attack on the Jewish Museum in Brussels. Setting up a security infrastructure requires resources that could otherwise be used for cultural and educational work.

### **The impact of security challenges on young people**

Contemporary security challenges motivated by anti-Semitism have an impact on young people and children. In particular, if boys and girls attend a Jewish school that requires armed protection and other precautions, they are confronted with an atmosphere of insecurity and anxiety. The danger of an anti-Semitic attack can limit the extent to which Jewish children are able to engage in outside activities.

Research shows that youth are particularly affected by anti-Semitism and are more likely to:

- Experience verbal anti-Semitic insults, harassment and physical attacks;
- Witness an anti-Semitic attack or experience anti-Semitic discrimination;
- Be threatened in person, attacked online, or followed in a threatening way because they are Jewish; and
- Avoid certain local areas or consider moving because they fear for their safety as a Jew.<sup>24</sup>

### **The impact of security challenges on emigration**

In the FRA survey cited above, respondents were asked whether they had considered emigrating over the past five years due to not feeling safe living as a Jew in their country. Almost one third – 29 per cent – answered that they had considered emigrating. In three of the surveyed countries, 40 to 48 per cent answered affirmatively.

### **The different impact of security challenges on men and women**

Research conducted by the Institute for Jewish Policy Research showed that, in general, Jewish women are more likely to change their behaviour in response to anti-Semitism, while Jewish men are more likely to experience anti-Semitic incidents.

<sup>24</sup> Graham, D. and Boyd, J., “Understanding more about antisemitic hate crime: Do the experiences, perceptions and behaviours of European Jews vary by gender, age and religiosity?”, Institute for Jewish Policy Research, 2017. This research was prepared in response to a request from and financed by ODIHR. The information covers the period 2008-2012.

Jewish women are slightly more likely than Jewish men to:

- Avoid visiting Jewish sites or events, at least on occasion, because they feel unsafe there as Jews (24 per cent women and 21 per cent men); and
- Avoid displaying their Jewish identity in public because they feel unsafe (55 per cent women and 50 per cent men).

Jewish men, on the other hand, are slightly more likely than Jewish women to have:

- Experienced verbal anti-Semitic insults or harassment (22 per cent men and 19 per cent women) and physical attacks (2.1 per cent men and 1.1 per cent women);
- Witnessed anti-Semitic attacks (27.4 per cent men, 25.9 per cent women); and
- Personally experienced anti-Semitic discrimination (20 per cent men and 18 per cent women).<sup>25</sup>

The following charts, reproduced from the same research, highlight how anti-Semitism may affect men and women differently.

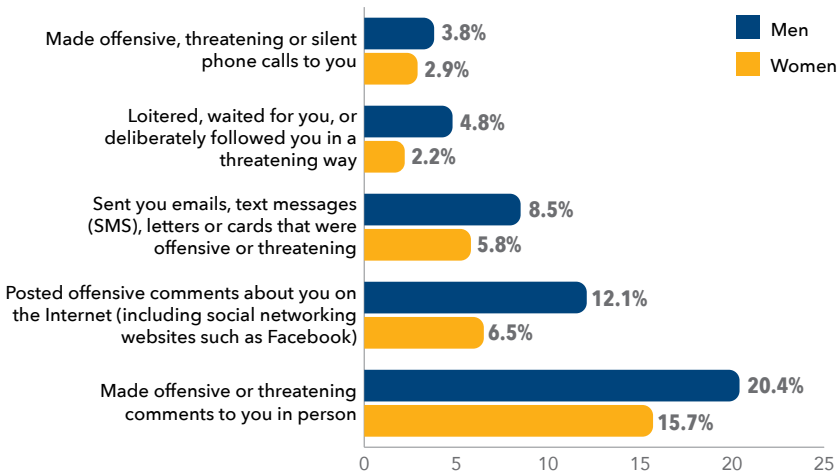


Figure 1. Proportions of Jewish men and women who have experienced various types of anti-Semitic incidents in the past 12 months. People surveyed were asked if they had experienced the above incidents.

<sup>25</sup> *Ibid.*

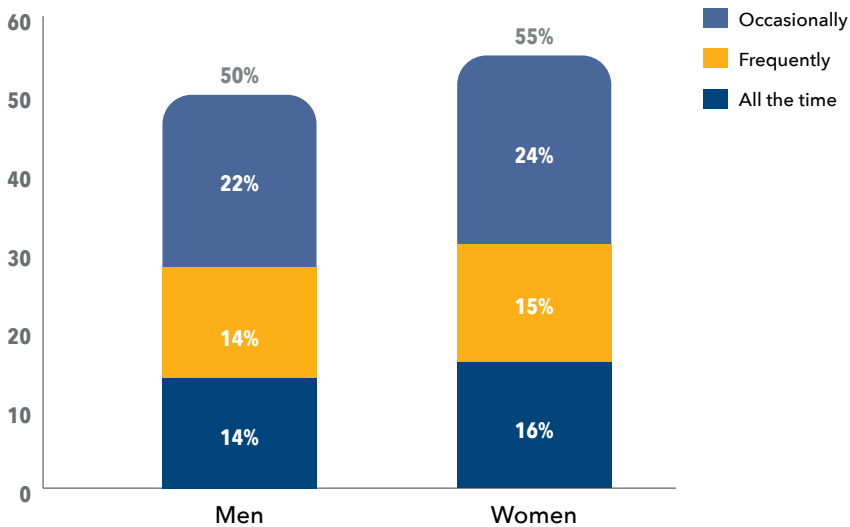


Figure 2. Proportions of Jewish men and women who conceal their Jewish identity in public at least occasionally. (Question: “Do you ever avoid wearing, carrying or displaying things that might help people recognize you as a Jew in public, for example wearing a kippa/skullcap, Magen David/Star of David or specific clothing, or displaying a mezuzah?”)

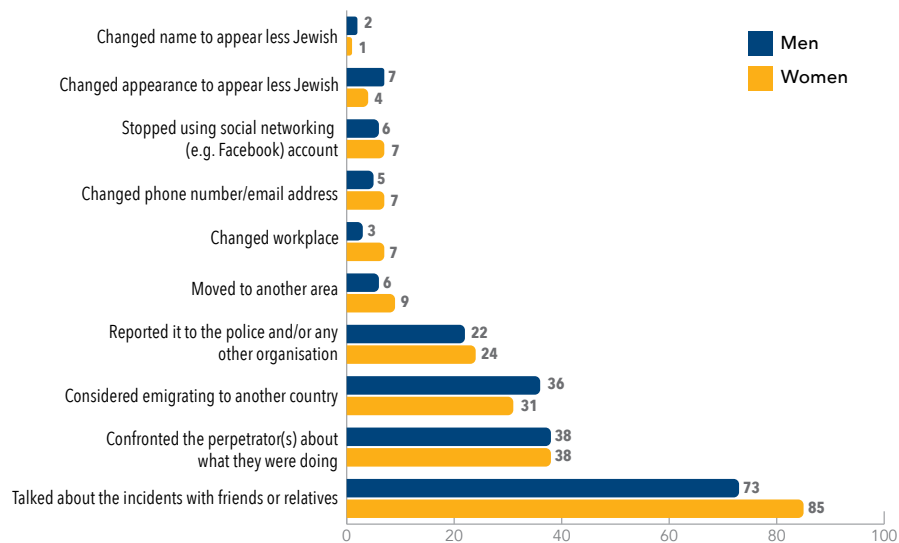


Figure 3. Proportions of men and women who have taken various actions following an anti-Semitic experience.

## PART TWO

# Developing effective government responses

## I. Commitments and other international obligations

### OSCE human dimension commitments

OSCE participating States have repeatedly condemned and pledged to address anti-Semitism, beginning with the Copenhagen Document of the Conference on Security and Co-operation Europe in 1990, before the OSCE was even formally established as an organization.<sup>26</sup> In 2007, they acknowledged that, “the primary responsibility for addressing acts of intolerance and discrimination rests with participating States, including their political representatives.”<sup>27</sup> In 2004, the OSCE participating States committed themselves to:

- “Strive to ensure that their legal systems foster a safe environment free from anti-Semitic harassment, violence or discrimination in all fields of life...;
- Combat hate crimes, which can be fuelled by racist, xenophobic and anti-Semitic propaganda...; and
- Collect and maintain reliable information and statistics about anti-Semitic crimes.”<sup>28</sup>

OSCE Ministerial Council Decisions in 2006 and 2007 relating to tolerance and non-discrimination:

- Called for “continued efforts by political representatives, including parliamentarians, strongly to reject and condemn manifestations of...anti-Semitism, discrimination and intolerance, including against...Jews...as well as violent manifestations of extremism associated with aggressive nationalism and neo-Nazism, while continuing to respect freedom of expression;”<sup>29</sup>

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26 “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, 29 June 1990, Paragraph 40, <<http://www.osce.org/odihr/elections/14304?download=true>>.

27 OSCE Ministerial Council Decision 10/07, “Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding”, Madrid, 30 November 2007, <<http://www.osce.org/mc/29452?download=true>>.

28 OSCE Permanent Council Decision 607, “Combating anti-Semitism”, 22 April 2004 <<http://www.osce.org/pc/30980?download=true>>.

29 MC Decision 10/07, *op.cit.*, note 27.

- Reaffirmed “the need for determination by the participating States in combating all acts and manifestations of hate, including hate crimes, recognizing that the efforts required to address them often involve a common approach, while at the same time recognizing the uniqueness of the manifestations and historical background of each form.”<sup>30</sup>

Various OSCE Ministerial Council Decisions have acknowledged the need to develop comprehensive responses to the broad range of hate crimes, including anti-Semitic hate crimes. For example, in 2009, participating States committed themselves to:

- “Collect, maintain and make public, reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, including the numbers of cases reported to law-enforcement personnel, the numbers prosecuted and the sentences imposed;
- Enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes;
- Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents states from devising efficient policies. In this regard, explore, as complementary measures, methods for facilitating the contribution of civil society to combat hate crimes;
- Introduce or further develop professional training and capacity-building activities for law-enforcement personnel, prosecution and judicial officials dealing with hate crimes;
- In co-operation with relevant actors, explore ways to provide victims of hate crimes with access to counselling, legal and consular assistance, as well as effective access to justice;
- Promptly investigate hate crimes and ensure that the motives of those convicted of hate crimes are acknowledged and publicly condemned by the relevant authorities and by the political leadership;
- Ensure co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent organized hate crime; and
- Conduct awareness raising and education efforts, particularly with law-enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes.”<sup>31</sup>

At the Kyiv Ministerial Council meeting in 2013, OSCE participating States emphasized “the link between security and full respect for the freedom of thought, conscience,

30 OSCE Ministerial Council Decision 13/06, “Combatting Intolerance and Discrimination and Promoting Mutual Respect and Understanding”, Brussels, 5 December 2006, <<http://www.osce.org/mc/23114?download=true>>.

31 OSCE Ministerial Council Decision 9/09, “Combating Hate Crimes”, Athens, 2 December 2009, <<http://www.osce.org/cio/40695?download=true>>.

religion or belief” and expressed their deep concern for “continuing acts of intolerance and violence against individuals and religious or belief communities on the basis of thought, conscience, religion or belief around the world.” The Ministerial Council called on participating States to:

- “Aim to prevent intolerance, violence and discrimination on the basis of religion or belief, including against...Jews..., condemn violence and discrimination on religious grounds and endeavour to prevent and protect against attacks directed at persons or groups based on thought, conscience, religion or belief;
- Promote dialogue between religious or belief communities and governmental bodies, including, where necessary, on issues related to the use of places of worship and religious property; and
- Adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction.”<sup>32</sup>

With the 2014 Basel Ministerial Council Declaration on “Enhancing Efforts to Combat Anti-Semitism”, participating States expressed their “concern at the disconcerting number of anti-Semitic incidents that continue to take place in the OSCE area and remain a challenge to stability and security.” The Ministerial Council also rejected and condemned “manifestations of anti-Semitism, intolerance and discrimination against Jews.” The Ministerial called on OSCE participating States to:

- “Increase efforts to implement existing OSCE commitments related to monitoring hate crimes and collecting relevant data, including motivated by anti-Semitism; and
- Investigate effectively, promptly and impartially acts of violence motivated by anti-Semitism and prosecute those responsible”.<sup>33</sup>

## **International human rights law and United Nations standards**

The Universal Declaration of Human Rights sets out the fundamental human rights to be universally protected.<sup>34</sup> Various manifestations of anti-Semitism challenge, undermine, or violate the fundamental human rights principles enshrined in the Declaration, such as the dignity of all human beings, freedom of religion or belief, and non-discrimination. Under international human rights law, governments have an obligation to respect, protect and fulfil human rights. They have taken on these obligations through the ratification of international human rights treaties such as the International

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32 MC Decision Kyiv 3/13, *op. cit.*, note 2.

33 MC Declaration Basel 8/14, *op. cit.*, note 1.

34 UN General Assembly, “Universal Declaration of Human Rights”, 10 December 1948, 217 A (III), <[http://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)>.

Covenant on Civil and Political Rights (ICCPR)<sup>35</sup> and the European Convention on Human Rights (ECHR).<sup>36</sup> The obligation to respect means that states themselves must not abridge human rights. The obligation to protect means that states have a positive duty to protect individuals and groups against human rights abuses. The obligation to fulfil means governments must take positive action to facilitate the provision of human rights to all.<sup>37</sup> These obligations relate directly to state responsibilities in addressing anti-Semitism.

International human rights treaties contain a number of provisions that are especially relevant to addressing anti-Semitism. The preamble of the ICCPR, for example, highlights “the inherent dignity of the human person” and the ideal of “freedom from fear”, both of which are affronted by anti-Semitic attacks. The ICCPR and the ECHR each incorporate the principle of non-discrimination, including specifically on the basis of religion, which is a key precept in addressing anti-Semitism.

Both the ICCPR (Article 6) and the ECHR (Article 2) obligate states to protect by law the right to life. These provisions are especially relevant to the worst types of anti-Semitic attacks, those which take or threaten the lives of individuals.

States also have an obligation under the ICCPR (Articles 18 and 27) and the ECHR (Article 9) to respect, protect and fulfil the right to freedom of religion or belief for all. The United Nations Human Rights Committee, the supervisory body for the ICCPR, has made clear that freedom of religion includes a broad range of acts, including building of places of worship, the use of ritual formulae and objects, the display of symbols, the observance of holidays, and the wearing of distinctive clothing or head coverings.<sup>38</sup> States’ obligations to fulfil these rights, of course, apply to Judaism, as well as to other religions. The United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief stipulates that states should “take all appropriate measures to combat intolerance on the grounds of religion or other beliefs,” which denotes a responsibility to combat anti-Semitism.<sup>39</sup>

Article 20.2 of the ICCPR prescribes that “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” The Human Rights Committee, in its General Comment 22 on the

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35 UN General Assembly, “International Covenant on Civil and Political Rights”, 16 December 1966, <<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>>.

36 Council of Europe, “European Convention for the Protection of Human Rights and Fundamental Freedoms”, 4 November 1950, <<http://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680063765>>.

37 Office of the United Nations High Commissioner for Human Rights, “International Human Rights Law”, ohchr.org, <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>>.

38 UN Human Rights Committee, “General Comment 22, Article 18 (Forty-eighth session, 1993)”, umn.edu, <<http://hrlibrary.umn.edu/gencomm/hrcom22.htm>>.

39 UN General Assembly, Resolution 36/55, “UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief” paragraph 4, 25 November 1981, <<http://www.un.org/documents/ga/res/36/a36r055.htm>>. As a General Assembly resolution, the declaration is not legally binding on States, although it does create an international standard for action.



ICCPR, stated that this provision is an important safeguard against infringement of the rights of religious minorities, and against acts of violence or persecution directed towards those groups.<sup>40</sup> The United Nations Special Rapporteur on Freedom of Religion or Belief noted, “States have an obligation under international law and jurisprudence... to guarantee the right of minorities to freedom of religion and the practice of religion, within internationally agreed limits. The State remains responsible even when abuses are committed against minorities by non-State entities such as extremist groups. States are also required to create conditions for promoting the identity, including the religious identity, of minorities.”<sup>41</sup>

Under Article 2.3 of the ICCPR and Article 13 of the ECHR, states also have obligations to ensure that effective remedies are available to people whose human rights are violated. The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power<sup>42</sup> states that victims of crimes – which would include victims of anti-Semitic crimes – should:

- Be treated with compassion and respect for their dignity;
- Be entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered; and
- Be provided proper assistance throughout the legal process.

In addition, the Declaration stipulates that victims should receive compensation. When compensation is not fully available from the offender or other sources, states should endeavour to provide financial compensation to victims and their families. The Declaration includes other provisions that can be of particular relevance in addressing anti-Semitic attacks, including:

- Police, justice, health, social service and other personnel concerned should receive training to sensitize them to the needs of victims, and guidelines to ensure proper and prompt aid; and
- In providing services and assistance to victims, attention should be given to those who have special needs because of the nature of the harm inflicted.

States also have certain responsibilities with regard to prevention of crime, although most of these are not enshrined in international human rights treaties. The United

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40 *Ibid.*, paragraph 9.

41 UN Special Rapporteur on Freedom of Religion or Belief, “Interim report by the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of intolerance and of discrimination based on religion or belief”, 8 September 2000, paragraph 138, p.29, <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/637/11/PDF/N0063711.pdf?OpenElement>>.

42 UN General Assembly, Resolution 40/34, “Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power”, 29 November 1985, <<http://www.un.org/documents/ga/res/40/a40r034.htm>>.

Nations Guidelines for the Prevention of Crime<sup>43</sup> set out recommendations for effective crime prevention, which include:

- “It is the responsibility of all levels of government to create, maintain and promote a context within which relevant governmental institutions and all segments of civil society can better play their part in preventing crimes;
- ‘Crime prevention’ includes addressing fear of crimes;
- Community involvement, and co-operation/partnerships represent important elements of the concept of crime prevention;
- Crime prevention strategies should consider the special needs of vulnerable members of society;
- The active participation of communities and other segments of civil society is an essential part of effective crime prevention;
- Government structures should foster partnerships with non-governmental organizations for crime prevention; and
- Governments should promote the capacity of communities to respond to their needs.”

## II. Key principles

The following principles should underpin governmental responses to anti-Semitic hate crimes and addressing the security needs of Jewish communities. Participating States’ approaches to anti-Semitic hate crimes and security challenges should be:

### 1. Rights-based

A human rights-based approach is a conceptual framework based on international human rights standards and directed at promoting and protecting human rights.<sup>44</sup> With regard to anti-Semitism, such an approach would acknowledge that manifestations of anti-Semitism challenge, undermine or violate fundamental human rights principles, such as the dignity of all human beings, freedom of religion or belief, and non-discrimination. Combating anti-Semitism is integral to promoting and protecting the human rights of affected individuals and communities.

A human rights-based approach to addressing the security challenges faced by Jewish communities, therefore, should be based on the understanding that OSCE participating States are under an obligation to protect religious communities from attacks under

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43 ECOSOC Resolution 2002/13, “The United Nations Guidelines for the Prevention of Crime, Economic and Social Council”, 2002, annex, <[https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution\\_2002-13.pdf](https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf)>.

44 Office of the United Nations High Commissioner for Human Rights, “Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation”, New York and Geneva, 2006, p.15, <<http://www.ohchr.org/Documents/Publications/FAQen.pdf>>.

various international legal provisions, as outlined above. Such an approach ensures that all measures designed to address anti-Semitic attacks are fully aligned with international human rights standards and related norms.

## 2. Victim-focused

The OSCE participating States have adopted a victim-focused approach to addressing hate crime and discrimination.<sup>45</sup> A victim-focused approach puts the victim of an anti-Semitic hate crime in the centre, recognizing the victim's perception and experience and giving special importance to the victim's rights and needs. The victim-focused approach emphasizes awareness of the impact anti-Semitic hate crimes have on Jewish individuals and communities. Even if the target of an anti-Semitic crime is property, the message is sent to the entire community.

The United Nations has also recognized the importance of a victim-centred approach to preventing human rights violations. The High Commissioner for Human Rights, for example, has recommended that provisions should be in place to provide effective remedies for victims and has underlined the importance of establishing effective monitoring mechanisms to check for actual and potential violations.<sup>46</sup>

Moreover, European Union Directive 2012/29/EU, establishing minimum standards for the rights, support and protection of victims of crime, stipulates that persons who have fallen victim of crime should be treated with respect and receive proper protection, support and access to justice.<sup>47</sup>

## 3. Non-discriminatory

Under international human rights treaties, states are obligated to ensure that all individuals within their territories and subject to their jurisdictions can enjoy their human rights without distinction or discrimination of any kind.<sup>48</sup> The state must, therefore, ensure that government officials do not engage in biased or discriminatory acts or omissions towards Jewish individuals or communities. It would be incompatible with the principle of non-discrimination to deny protection to Jewish communities because of biased assumptions about Jews; to fail to recognize, record and report anti-Semitic hate crimes because of biased assumptions about Jews; or to question the credibility of a Jewish victim or witness because of biased assumptions about Jews.

## 4. Participatory

Creating opportunities to hear the voices of victims of anti-Semitism is essential when developing a government response to anti-Semitic hate crimes and when assessing the

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45 MC Decision 9/09 Athens, *op. cit.*, note 31.

46 United Nations High Commissioner for Human Rights, "The Role of Prevention in the Promotion and Protection of Human Rights", A/HRC/30/20, 16 July 2015.

47 "Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA", 25 October 2012, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>>.

48 See, for example, ICCPR, Article 2.1 and ECHR, Article 14.

security needs of Jewish communities. Key stakeholders impacted by anti-Semitic hate crimes and security threats should play an active role in developing and improving policies by sharing their experiences, articulating their needs and commenting on draft measures and relevant action plans. The voices invited to participate in this process should be diverse and pluralistic, reflecting a broad spectrum of stakeholders that provides for an equal voice for women and men, represents all age groups and takes into account all points of view.

## 5. Shared

The starting point for the development of government and civil society responses should be the recognition that anti-Semitism is a shared concern. While anti-Semitism's strongest impact is on the lives of Jewish people, the problem needs to be recognized and addressed by societies as a whole, rather than simply by the targeted community. Addressing anti-Semitism is a human rights issue jointly owned by a range of government and non-governmental stakeholders. Strong coalitions that gather a variety of civil society groups and official institutions are best placed to combat anti-Semitism as a specific challenge that can be addressed alongside other shared concerns, such as racism and xenophobia.

## 6. Collaborative

The partnership principle is an important pillar of any effort to address bias and respond to hate crimes. Different stakeholders – notably government and Jewish community experts – can build on each other's expertise and join forces in addressing the problem from different perspectives at the international, national and local levels. Establishing channels of communication, co-ordination and co-operation with civil society should be integral to any government policy designed to respond to anti-Semitic hate crimes and address the security needs of Jewish communities.

## 7. Empathetic

An empathetic response to anti-Semitism acknowledges the vulnerability of Jewish individuals and validates their experience as victims. A street that seems safe to a non-Jewish person may pose a security challenge to a person who can be identified as a Jew. Being empathetic means acknowledging and trying to understand the sense of insecurity and vulnerability Jewish people may feel in light of anti-Semitic attacks.

Anti-Semitic attacks have an emotional impact on victims, their families and their communities. When responding to an attack, government officials should bear in mind the perspective of those that have been targeted and victimized. Officials should understand that the anti-Semitic hate crime in question may be just the latest of several ways in which the victim has experienced anti-Semitism. Training and awareness-raising measures for government officials can offer them the chance to learn more about the impact anti-Semitism has on the lives of victims.

## 8. Gender-sensitive

Government measures to address anti-Semitic hate crimes and the security needs of Jewish communities should be gender sensitive. They should seek to treat men and women equally and be mindful of the gender implications of any measures undertaken. It is important to take into account that men and women may experience anti-Semitic hate crimes and their impact in different ways. Similarly, some hate crimes may be motivated both by a gender-bias and by anti-Semitism. Furthermore, some types of anti-Semitic offenses may be more commonly committed against men than against women, and vice versa.

## 9. Transparent

Governments should be clear and transparent about how they intend to address anti-Semitism and anti-Semitic hate crimes. Sharing relevant action plans and status reports with the affected communities and the wider public is one way of making government efforts transparent. Making hate crime data readily available in accessible formats is another element of transparency. Regular consultations between law-enforcement agencies and Jewish communities, especially at the local level, can ensure that police strategies are transparent and that the communities targeted by hate crimes are kept fully informed of plans and developments. This may include sharing relevant threat assessments with Jewish communities. Consultations also enable communities to provide feedback and participate in making government responses to hate crimes more effective. Transparency is also a key guiding principle for government efforts to work with civil society to increase the reporting of hate crimes as a step to addressing the problem more effectively.

## 10. Holistic

OSCE participating States have recognized the importance of a comprehensive approach to addressing intolerance, including anti-Semitism.<sup>49</sup> In light of this, it is clear that addressing anti-Semitic hate crimes and the security challenges faced by Jewish communities is only part of the solution. Investing in specific educational initiatives to prevent anti-Semitism and fostering civil society coalition-building are also significant components of a long-term solution. A complex problem such as anti-Semitism requires a comprehensive and holistic approach.

Furthermore, fighting anti-Semitism should form part of a broader, holistic approach to addressing all forms of intolerance and discrimination. Acknowledging and engaging with the specific history and contemporary manifestations of anti-Semitism should be seen and used as a means to promote the freedom and dignity of all human beings. Focusing on anti-Semitism does not mean abandoning a holistic approach to the broader problems of intolerance and discrimination. At the same time, many of the elements of an effective government policy toward anti-Semitic hate crimes can also be applied to hate crimes based on other biases.

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<sup>49</sup> MC Decision 10/07 Madrid, *op.cit.*, note 27.

### III. Practical steps

#### 1. Acknowledging the problem

The starting point for governments to ensure the security needs of Jewish communities and address anti-Semitic hate crimes is to acknowledge that anti-Semitism is a challenge that poses a threat to stability and security, and that anti-Semitic incidents need a prompt response. This acknowledgement should be based on an understanding of the many ways in which anti-Semitism manifests itself.

Civil society, including academic experts and researchers, can support governments by providing independent expert advice and insights on the prevalence and manifestations of anti-Semitism, as well as on effective ways to counter it. By officially recognizing the problem, governments make clear that it is not the responsibility of Jewish communities to prevent, counter and address anti-Semitism. At the same time, this recognition can also serve as an encouragement to the Jewish community to share concerns related to anti-Semitism.

#### **Recommendation:**

While governments may recognize the problem of anti-Semitism, they sometimes lack data to develop an evidence-based response. Governments can fund research to provide statically sound data on the prevalence of anti-Semitism, as well as on effective ways to counter it.

#### **Good practice examples:**

The Action Plan against anti-Semitism 2016-2020 of the Norwegian government envisages that the "Ministry of Local Government and Modernisation will allocate funds for a research programme on anti-Semitism and Jewish life in Norway today. The objective is to strengthen the general research on the topic."<sup>50</sup>

In Germany, an independent group of experts on anti-Semitism has been established by a decision of the German Bundestag, in order to combat anti-Semitism and foster Jewish life in Germany. The group has produced a report that elaborates on the manifestations of anti-Semitism in Germany, explains the nuanced nature of anti-Semitism and contains recommendations for government action. The recommendations contained in the report serve as guidance for the federal government in pursuing policies pertaining to combatting anti-Semitism.<sup>51</sup>

Acknowledging that anti-Semitism is a challenge can also serve as the basis for a critical review and assessment of existing prevention and response mechanisms.

50 "Action plan against antisemitism 2016-2020", Norwegian Ministry of Local Government and Modernisation, December 2016, <<https://www.regjeringen.no/contentassets/dd258c081e6048e2ad0cac9617abf778/action-plan-against-antisemitism.pdf>>.

51 "Expertenkreis Antisemitismus" [Experts on anti-Semitism], bmi.bund.de, <[http://www.bmi.bund.de/DE/Themen/Gesellschaft-Verfassung/Gesellschaftlicher-Zusammenhalt/Expertenkreis%20Antisemitismus/expertenkreis-antisemitismus\\_node.html](http://www.bmi.bund.de/DE/Themen/Gesellschaft-Verfassung/Gesellschaftlicher-Zusammenhalt/Expertenkreis%20Antisemitismus/expertenkreis-antisemitismus_node.html)>.

Acknowledgement of the problem can trigger a discussion of additional steps that can be taken to address the security needs of Jewish communities and respond to anti-Semitic hate crimes more effectively.

It is important for governmental authorities at all levels to acknowledge the problem. While the front-line police officer is likely to be the first respondent to an anti-Semitic attack, an effective, holistic response will require action also by civil servants and political leaders.

*"Anti-Semitism will be challenged without exemption wherever we find it"*  
- Amber Rudd, United Kingdom Home Secretary

In some OSCE participating States, parliamentarians have taken the lead in putting challenges related to anti-Semitism on the national agenda, including with regard to security concerns. Other countries have made the issue a priority by setting up cross-governmental working groups to address different aspects of the challenge and ensure coordination and build trust among Jewish communities, political representatives and civil servants. Another option is to establish a standing forum that includes government officials, security services, civil society and community leaders to identify concerns related to anti-Semitism.

*"OSCE participating States committed themselves to undertake a range of actions to address anti-Semitism and foster a safe environment free from anti-Semitic violence. To this end, it is important that government leaders speak out strongly and quickly when anti-Semitic incidents and other hate crimes occur. They are best placed to send a message to the general public that anti-Semitism and other forms of intolerance have no place in our societies".*  
- Doris Barnett, Member of the German Bundestag, Treasurer of the OSCE Parliamentary Assembly

There are various other ways for governments and parliamentarians to acknowledge challenges related to anti-Semitism:

- Demonstrating awareness that anti-Semitism can be expressed in subtle and coded ways and ensuring that such manifestations are recognized, exposed and condemned;
- Commissioning expert opinions and recommendations from academics and researchers to improve the government's understanding of the problem;
- Acknowledging that Jewish communities are targeted by terrorists and including Jewish communities and institutions in lists of potential soft targets of terrorist attacks;
- Establishing a legal framework that enables the government to effectively address the security challenges faced by Jewish communities – in co-operation with Jewish communities.

The Council of Europe's European Commission against Racism and Intolerance (ECRI) recommends that the governments of the member States:

- give a high priority to the fight against antisemitism, taking all necessary measures to combat all of its manifestations, regardless of their origin;
- ensure that actions aimed at countering antisemitism are consistently given their due place amongst actions aimed at countering racism;
- ensure that the fight against antisemitism is carried out at all administrative levels (national, regional, local) and facilitate the involvement of a wide range of actors from different sectors of society (political, legal, economic, social, religious, educational) in these efforts.<sup>52</sup>

Engaging in dialogue with Jewish communities about the security threats and challenges they face is another way in which governments can signal their acknowledgement that Jewish institutions and communities have in the past been targeted in attacks and are thus in need of protection.

## 2. Assessing security risks and preventing attacks

A collaborative process that includes the Jewish community can be the most effective approach to assessing the community's security risks and preventing attacks. Establishing channels of communication is important not only to ensure an effective exchange of information about potential threats, but also to developing long-term strategies.

Well-established channels of communication can also be vital when responding to emergencies. Transparency in sharing information can help build trust among officials and members of the community. Information from the community can help the security services improve their risk assessments and focus on issues of particular concern. At the same time, information shared by the security services can help the community take appropriate preventive steps.

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<sup>52</sup> ECRI General Policy recommendation No 9, "The fight against antisemitism", 25 June 2004, <[https://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation\\_N9/Rec.09%20en.pdf](https://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N9/Rec.09%20en.pdf)>.



**Recommendation:**

Governments should consider establishing a collaborative process that includes the Jewish community to assess the community's security needs and formulate ways of preventing attacks.

**Good practice example:**

The United Kingdom Government and Police have established close and collaborative approaches to combating anti-Semitism by working closely with the Community Security Trust (CST).

In April 2016, CST signed an Information Sharing Agreement with the National Police Chief's Council to share data on anti-Semitic incidents and crimes. CST is also a member of the Cross-Government Working Group on Anti-Semitism, which brings together representatives of relevant government departments and Jewish bodies, and manages the government grant that funds guards at Jewish schools.

The Police and CST also share security threat assessments and work together by conducting joint patrols, training exercises, investigating anti-Semitic hate crimes and holding regular consultations.

Establishing formal institutions or informal platforms for Jewish community representatives to articulate their security needs and concerns on a regular basis can both reassure the community and assist the security authorities. It can also be one step toward fulfilling governmental obligations to protect the human rights of Jewish communities. Working together, government officials and Jewish community representatives can better assess the security needs of the community and its institutions, such as schools and synagogues, and take the necessary steps to provide adequate protection to potential targets.

There are various practical steps governments can undertake to ensure a communication flow with Jewish communities on security issues:

- Make use of the available hate crime data to identify crime patterns and “hotspots” for attacks;
- Consult Jewish communities to monitor tensions with a view to pre-empting anti-Semitic violence;
- Establish a Jewish-community liaison officer in all relevant police forces and the security services;
- Inform the Jewish community whenever a specific threat has been identified and when the level of threat has changed;
- Engage in dialogue with Jewish community organizations to ensure that security measures make sense to the community and are informed by their input; and

- Conduct and update, as necessary, threat and risk analysis for Jewish community facilities, and use these as a basis for policing.

When developing policing strategies, government officials may also consult local Jewish communities and civil society organizations about specific contexts that may trigger anti-Semitic attacks, without concluding that such attacks may occur only in these given contexts. Civil society groups committed to monitoring anti-Semitism may also be important interlocutors for governments to identify challenges and potential threats.

Police should work with the local Jewish community and their designated security personnel to recommend and help implement preventive security measures appropriate to the assessed level of threat, such as ensuring that:

- Community buildings (such as synagogues, schools or offices) are searched prior to use;
- Jewish schools and synagogues have an external and visible security presence when in use;
- Community security personnel and police remain alert for suspicious individuals, objects and activities in the vicinity of community buildings;
- Access to car parks is controlled and restricted to known vehicles only. All should remain locked when not in use;
- All external doors are closed and secured from unauthorized access, while ensuring easy access in case of an emergency evacuation;
- Internal doors are closed and secured when not in use, while ensuring easy exit in case of an emergency evacuation;
- Staff and visitors are prevented from congregating outside community buildings, and visitors and participants are encouraged to disperse as quickly as possible;
- Locking up procedures ensure that all windows and doors are securely locked;
- Security equipment – alarms, exterior lighting and closed circuit television (CCTV) – is regularly checked and CCTV lenses are clean and video equipment is recording;
- CCTV is monitored when buildings are in use; and
- Post and deliveries are carefully checked before opening, including through the use of x-ray and other metal-detection devices.

### 3. Raising awareness

Over the long term, anti-Semitic hate crimes and the security needs of Jewish communities will only be addressed effectively if the underlying prejudices that drive attacks on Jewish communities and sites are dealt with in a holistic way. This will require a focus not only on the effects of anti-Semitism, but also on an awareness of how perpetrators

are exposed to, and why they subscribe to, anti-Semitic beliefs. Awareness-raising is thus a key element of addressing anti-Semitic attacks.

Awareness-raising can take many forms. Educational programmes can be especially important. Such programmes can be aimed at youth, government officials and the wider public. Education and training can help those involved to understand, deconstruct and reject anti-Semitic prejudices. At a higher level, parliamentary hearings on anti-Semitism can raise awareness by putting the problem on the national agenda.

**Recommendation:**

Develop programmes aimed at government officials, youth and the general public to raise awareness and understanding of anti-Semitism.

**Good practice example:**

In Germany, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has designed a nation-wide programme for "Fostering Tolerance – Strengthening Competence" that promotes the commitment to tolerance and diversity at the local, regional and national levels. The programme supports local action plans where local communities and civil society actors – such as religious or belief communities, associations and youth – work closely together to develop strategies against xenophobic and anti-Semitic tendencies. Moreover, the programme supports over 50 model projects that focus on thematic areas of historical and contemporary anti-Semitism, as well as dealing with diversity and difference in elementary and primary education among other things. These projects develop and test new ideas and methods in preventive work with the aim of promoting tolerance among children and youth.<sup>53</sup>

The media can be key partners in raising awareness of anti-Semitism. Media outlets are uniquely placed to inform and mobilize the wider public on the prevalence of anti-Semitism and its impact on Jewish communities. Strategically engaging the media as partners in government efforts to counter and condemn anti-Semitism can yield substantial benefits in terms of public awareness of the problem.

Targeted training and capacity-building programmes and roundtables organized at the local, national and international levels can contribute to awareness-raising.

Awareness-raising campaigns and measures might be aimed at:

- Helping promote an understanding of the specific features of contemporary manifestations of anti-Semitism, including in relation to Israel. Whereas awareness-raising measures targeting law-enforcement officers may focus on specific aspects of

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53 "Das Bundesprogramm "TOLERANZ FÖRDERN - KOMPETENZ STÄRKEN" [Fostering Tolerance – Strengthening Competence], bmfsfj.de, 24 January 2014, <<https://www.bmfsfj.de/bmfsfj/aktuelles/alle-meldungen/das-bundesprogramm--toleranz-foerdern---kompetenz-staerken-/88656?view=DEFAULT>>.

identifying and addressing anti-Semitic hate crimes, those targeting the wider public may focus on the broad spectrum of manifestations of anti-Semitism;

- Conveying that anti-Semitic hate crimes do not take place in a vacuum. Rather, anti-Semitic expressions online and offline, in public discourse and everyday situations form the backdrop to many attacks. A key message might be that everybody can contribute to building a climate that ensures that anti-Semitic expressions are challenged;
- Highlighting that manifestations of anti-Semitism challenge key values and human rights principles essential to free and democratic societies. A key message might be to call on societies at large to take ownership of the work to end anti-Semitism, rather than viewing it as a problem to be solved by Jewish communities. An important point would be to signal that anti-Semitism affects everyone;
- Focusing on personal stories to illustrate the impact anti-Semitism has on the everyday lives of Jewish youth, men and women, whether or not they actively practice their religion;
- Publicly highlighting little-known human stories that can serve as inspiring examples for how to take action against anti-Semitism; and
- Drawing attention to the vibrant cultural, religious and educational life of the local Jewish community, which requires a safe environment to flourish.

#### **4. Building trust between the government and Jewish communities**

Some of the steps set out in previous sections – acknowledging the problem of anti-Semitism, assessing security risks in co-operation with the Jewish community, and raising public awareness – are also important in building trust between Jewish communities and governments. At the same time, many other steps can contribute to building trust. Establishing channels of consultation, co-operation and co-ordination can be especially important. Formally institutionalizing such co-operation, for example by virtue of a Memorandum of Understanding, can be an effective way to build trust.

**Recommendation:**

Build trust by establishing formal channels of co-operation between Jewish communities and governments.

**Good practice example:**

In Hungary, a National Co-operation Statement between the Hungarian Government and the Hungarian Jewish Community underpins the co-operation between the Jewish community and the government. It states that the government adopts the principle of zero tolerance in relation to anti-Semitism and declares that the government bears the responsibility for ensuring the security of the Jewish community. The statement also envisages regular communication between the government and the Jewish community through roundtables where issues of security often feature on the agenda.

Moreover, the co-operation entails the government's financial support for the community's new control room and technical equipment, police support during religious events and Jewish holidays, and regular police patrols in the vicinity of Jewish institutions in Budapest.

The police also provide permanent protection to the Dohany Street Synagogue - the largest synagogue in Europe. Moreover, a permanent police station is located within the Jewish community's headquarters.

One of the most important steps government officials can take to build trust is to visit Jewish institutions and liaise regularly with Jewish-community experts. Such contact will enable officials to find out more about challenges related to anti-Semitism and can contribute to making sure that government policies and services are relevant to the community. Regular contacts build confidence in the government's willingness to address the problems of most concern to the communities. Visiting a Jewish community in the aftermath of a violent anti-Semitic attack or after the desecration of a Jewish site can be an important sign of solidarity, but it should not be the first time a government official reaches out to the Jewish community, including both at the leadership and local levels.

Consultation, co-operation and co-ordination are particularly important when it comes to law-enforcement agencies at both the national and local levels. Law-enforcement officials at all levels, from senior leadership to frontline police officers, have a vital role in establishing lasting and collaborative relationships with Jewish communities, including leadership and security focal points. Establishing these channels of communication is not only important for building trust, but can also contribute to ensuring that strategies and day-to-day operations are more effective and are aligned with the needs of the victims, especially at the local level. The frequency of such communication is of paramount importance in building trust; sporadic contact will not suffice. Taking low-level offences seriously and working with the community on a day-to-day basis to ensure that anti-Semitic hate crimes are addressed effectively can help create effective procedures

and reinforce connections. There are several other measures that can be implemented to build trust between government bodies and Jewish communities:

- Criminal justice agencies can appoint a liaison officer, who acts as a special contact point for the community and has the mandate to follow up on concerns related to anti-Semitism. Such a liaison officer could have the objective of building trust incorporated into her/his job description and be responsible for developing strategies specifically for this purpose;

**Recommendation:**

Criminal justice agencies can appoint a liaison officer to the Jewish community as a contact point and to follow up on concerns related to anti-Semitism.

**Good practice example:**

In Belgium, there is a dedicated Single Point of Contact (SPOC) within the Antwerp police force, whose responsibility is to facilitate communication between the uniformed police and the various leaders and institutions of the local Jewish community. The SPOC's contact details are distributed widely within the community, and the police officer in civilian clothing appointed for this purpose is available by phone 24/7.

The SPOC has bi-weekly meetings with the community to co-ordinate the best allocation of police resources for the protection of the community and attends many of the main community events to reinforce a sense of security and develop trust in the police force. The SPOC is also involved with training Jewish community volunteers, and organizes regular emergency exercises.

- Mayors and police representatives can visit the local synagogue or Jewish cultural centre to get to know members and representatives of the community, as well as key Jewish sites;

**Recommendation:**

Police representatives and political figures can build trust by visiting local Jewish institutions and meeting community members.

**Good practice example:**

In The Hague, new local police officers working in areas where Jewish institutions are located, as well as officers of the Protection and Security Division and the Royal Netherlands Marechaussee - a gendarmerie force performing military and civil police duties - are invited to visit the synagogue and learn from the Jewish community about Jewish customs and practices.

- Criminal justice agencies can invite Jewish communities to conduct workshops for law-enforcement officers;

**Recommendation:**

Criminal justice agencies can participate in workshops developed by the Jewish community focused on the specific security needs of the community.

**Good practice examples:**

In cities across the United States, the Anti-Defamation League (ADL) partners with local, state or federal law-enforcement agencies to provide security training tailored to the needs of Jewish institutions, schools and institutions of learning at all levels. These training sessions involve a broad range of community service professionals.

Similarly in Europe, CEJI-A Jewish Contribution to an Inclusive Europe, offers in-person and online courses designed to give law-enforcement officers the tools they need to identify, record and monitor hate crimes against specific target groups in their own region.

- Criminal justice agencies can organize training and events that help introduce law-enforcement officers to the community, its history and religious traditions, as well as to the challenges it faces with regard to anti-Semitism;
- Government bodies, notably Interior and Justice ministries, can seek independent advice and feedback from Jewish communities on government responses to hate crimes, including with regard to national curricula on training to address hate crimes;<sup>54</sup>
- Governments can organize national hate crime task forces made up of civil society representatives, academics, law-enforcement liaison officers and prosecutors that meet regularly to discuss bias-motivated incidents in the communities. Such task forces can also be set up at the local level.

## 5. Providing protection to Jewish communities and sites, including during special events

There are various practical steps governments can undertake to protect synagogues, Jewish schools, Jewish cemeteries and other sites, such as Holocaust memorials:

- Providing police protection to sites that may be targeted in anti-Semitic attacks, including not only Jewish schools and synagogues, but also less obvious potential targets, such as kosher supermarkets or restaurants;
- Using available hate crime data to identify “hot spots” that may merit more intensive police patrols. This may include locations where a number of anti-Semitic hate crimes have occurred;
- Ordering police to regularly patrol sites, such as Holocaust memorials or cemeteries, that may be targeted;

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<sup>54</sup> TAHCLE/PAHCT, *op. cit.*, note 10.

- Providing financial resources that can help address the security needs of Jewish communities, for example, funding a security guard or installing security equipment. It is important to note that many Jewish communities dedicate substantial resources for security purposes that could otherwise be used for cultural and educational work; and
- Providing extra protection and other adequate security and safety measures (including traffic and crowd management) at key moments, such as during Jewish holidays.

**Recommendation:**

Governments should consider undertaking increased security and safety measures to protect Jewish institutions at key moments, such as during Jewish holidays.

**Good practice example:**

In the Czech Republic, in response to a planned neo-Nazi rally that was scheduled to take place in the Jewish quarter of Prague to commemorate the 1938 pogrom against Jews in Nazi Germany (Pogromnacht, or sometimes referred to as Kristallnacht, in English 'the night of the broken glass'), Jewish communities, in close co-operation, communication and co-ordination with the Czech authorities, undertook a wide array of joint security measures prior to and during the rally.

The Jewish community gathered intelligence prior to the event, set up strategies and mechanisms to respond to potential incidents and developed emergency plans. These were clearly communicated to the police units to make sure that measures undertaken by the community and the police were complementary. Both sides shared insights with regard to their respective procedures and routines. In light of the threat posed by the event, the Czech police provided protection by deploying extra resources.

The extensive co-operation also entailed setting up, testing and running a joint control room, joint briefings, sharing intelligence before and during the event, erecting barriers and closing roads, as well as setting up and jointly monitoring checkpoints. The mutual endeavour provided an opportunity to build trust between both parties and avoid the duplication of efforts.

**6. Working with Jewish communities to set up crisis management systems**

Many Jewish communities in the OSCE region have installed a security officer and developed a security strategy and a crisis management plan. Specialized bodies within many Jewish communities who enjoy the trust of community members, undertake measures to raise awareness among their members about security issues, including through training, publications and emergency exercises. Such measures are not designed to duplicate the efforts undertaken by governments or lessen the responsibility of governments, nor should they be interpreted as a sign of distrust. Rather, such measures are designed to complement the efforts undertaken by governments.



To address their security needs and prepare adequately for crisis scenarios, Jewish communities need strong government partners – especially at the local level. As noted above, engagement, communication and co-ordination are vital elements of this partnership. The measures undertaken by communities and those undertaken by the government should work hand in hand, rather than against each other or in contradictory directions.

Government agencies are best placed to provide vital support to Jewish communities in setting up strategies and mechanisms to respond to an attack and to develop emergency plans and crisis management systems:

- Government agencies can provide security and emergency planning assistance to Jewish communities by conducting voluntary assessments and security surveys, and by providing feedback on the community’s security plans;
- Government representatives can actively take part in workshops and awareness-raising events designed to increase the capacity of Jewish communities to respond to attacks;
- Government agencies can share experiences and insights with regard to their procedures and routines. This makes it possible to ensure that the emergency measures put in place by the community are complementary to those put in place by the authorities; and
- Government agencies can organize joint drills for Jewish community focal points and first responders to ensure the best possible response to various emergency scenarios.

## 7. Recognizing and recording the anti-Semitic bias motivation of hate crimes

As explained in Part One of this Guide, all hate crimes are motivated by bias. Anti-Semitism is one of the biases that is frequently at the root of hate crimes. Recognizing and recording the specific bias motivation of a hate crime, including anti-Semitic bias, ensures that the crime is classified as a hate crime as well as a “common offence”. Collecting accurate data is essential for effective action against hate crimes, enabling law-enforcement authorities to understand the scope of the problem, discern patterns, allocate resources and investigate cases more effectively. Policymakers can also use data to make sound decisions and to keep communities informed.<sup>55</sup>

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<sup>55</sup> *Hate Crime Data-Collection and Monitoring Mechanisms, op. cit.*, note 5.

### **Hate Crime Data Collection**

Hate crime victims from all backgrounds share the damaging emotional experience of being targeted for their membership, or perceived membership, in a particular group. However, different groups are also likely to experience different crime patterns and varying levels of confidence in reporting offences. It is, therefore, useful to collect and analyze data on different bias motivations as separate categories so that each can be addressed most effectively in terms of law-enforcement and allocation of resources for victim support and crime prevention. OSCE participating States have recognized a range of bias motivations that may form the basis of hate crimes, including anti-Semitism.<sup>56</sup>

Recognizing and recording crimes on the basis of anti-Semitic motivation is one important way for governments to acknowledge the problem and its extent, and to validate the experiences of victims targeted because of their actual or perceived Jewish identity. Police, as first responders to crimes, generally play the most important role in ensuring that hate crimes are classified and recorded as such, by making the initial determination on how to record a crime and whether to include anti-Semitism as a possible bias motivation.

### **Recommendation:**

In line with their OSCE commitments, governments should collect data on hate crimes, including specifically those motivated by anti-Semitism, and make the data available to the public. Police, as first responders to crimes, should ensure that anti-Semitic hate crimes are classified and recorded as such.

### **Good practice example:**

In the OSCE region, Denmark, France, Germany, Poland, Spain, Sweden, the United Kingdom and the United States, all have data-collection mechanisms that enable law-enforcement agencies to consistently record the anti-Semitic bias of hate crimes and disaggregate the collected data on hate crimes according to bias motivations.

The information police collect and how they characterize it can be crucial to ensuring a crime is investigated and prosecuted as an anti-Semitic hate crime. How police react at the scene of a hate crime can affect the recovery of victims, the community's perception of governmental commitment to addressing hate crimes and the outcome of the investigation.<sup>57</sup> The quality of information collected by the police is also critical in the development of longer-term policies and government preventive action. Building the capacity of law-enforcement agencies to recognize and record hate crimes is, therefore, of pivotal importance.

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<sup>56</sup> *Ibid.*, page 14. For bias indicators see Annex 1.

<sup>57</sup> *Preventing and Responding to Hate Crimes, op. cit.*, note 11.

“...Lack of systematic data collection contributes to gross under-recording of the nature and characteristics of anti-Semitic incidents. What is more, it also prevents policymakers from developing informed and targeted measures to tackle anti-Semitism.” - *Michael O’Flaherty, FRA Director*

### **Anti-Semitic hate crime reporting in the OSCE region 2009 to 2015**

Since 2009, the following participating States have submitted information on anti-Semitic hate crimes:

<b>Austria</b>	<b>Germany</b>	<b>Serbia</b>
<b>Belgium</b>	<b>Greece</b>	<b>Spain</b>
<b>Canada</b>	<b>Ireland</b>	<b>Sweden</b>
<b>Croatia</b>	<b>Italy</b>	<b>Ukraine</b>
<b>Czech Republic</b>	<b>Moldova</b>	<b>United Kingdom</b>
<b>Denmark</b>	<b>Netherlands</b>	<b>United States of America</b>
<b>France</b>	<b>Poland</b>	
<b>Total: 20<sup>58</sup></b>		

There are several practical steps that can be undertaken to record the anti-Semitic bias motivation of hate crimes:<sup>59</sup>

- Enact and enforce hate crime legislation and put systems, routines and training in place to ensure that relevant officials recognize anti-Semitic hate crimes and record them as such;
- Set up a data-collection system that enables recording of anti-Semitic hate crimes on incident reporting forms and provides disaggregated data on each type of anti-Semitic hate crime;
- Demonstrate political leadership at the highest level of government, by adopting policies requiring law-enforcement officers to recognize and record the anti-Semitic bias motivations of hate crimes;
- Supply law-enforcement agencies with a set of specific indicators (known as “bias indicators”, see Annex 1) that can help them identify the anti-Semitic bias motivation of hate crimes, while recognizing that the existence of such indicators does not, in itself, prove that an incident was a hate crime;<sup>60</sup>

58 The list includes OSCE participating States that have submitted the information at least once during the indicated period.

59 *Hate Crime Data-Collection and Monitoring Mechanisms, op. cit.*, note 5.

60 *Preventing and Responding to Hate Crimes, op. cit.*, note 11.

- Organize training and awareness-raising events for law-enforcement officers to build their capacity in understanding the specific features of anti-Semitic hate crimes by working with relevant case studies and scenarios;

**Recommendation:**

Governments should provide training for law-enforcement personnel to enhance their capacity and understanding of anti-Semitic hate crimes, how to record them, and how to respond to them.

**Good practice example:**

In Bulgaria and Poland, ODIHR has implemented the Prosecutors and Hate Crimes Training (PAHCT) and the Training against Hate Crimes for Law Enforcement (TAHCLE). PAHCT is designed to increase the skills of prosecutors in recognizing, investigating and prosecuting the full range of hate crimes, including those motivated by anti-Semitism. The training allows participants to increase their understanding of the concept, context and impact of hate crimes, to consolidate their knowledge of international standards and domestic hate crime laws and to improve their ability to prove hate crimes in court. TAHCLE is a programme designed to improve police skills in recognizing, understanding and investigating hate crimes. It also seeks to improve police skills in preventing and responding to hate crimes, interacting effectively with victim communities, and building public confidence and co-operation with law-enforcement agencies.

- Host meetings focused on data collection, gathering relevant government and non-governmental stakeholders, aimed at improving data collection and ensuring common understanding and categorization of the available data;
- Circulate and share reports about anti-Semitic hate crimes developed by civil society organizations to raise awareness among government officials about how contemporary anti-Semitism manifests itself;
- Based on collected data, commission studies that can provide insights into how anti-Semitism manifests itself;
- Encourage law-enforcement officers to take the victim's perception into account when recording and investigating hate crimes, that is, if the victim perceives a crime to be motivated by anti-Semitism, the police automatically register it as a hate crime;<sup>61</sup>

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<sup>61</sup> *Hate Crime Data-Collection and Monitoring Mechanisms*, *op. cit.*, note 5, page 15.

**Recommendation:**

When recording crimes, law-enforcement officials should take the victim's perception into account, recognizing that if the victim perceives a crime to be motivated by anti-Semitism, then this perceived bias motivation should be on the record and should form part of the investigation.

**Good practice example:**

The United Kingdom takes a broad approach to using perception as a basis to record hate crimes. If any offence is perceived by the victim or any other person as a hate crime with a specified bias motivation, it will be recorded by police as a possible hate crime, and will be investigated as such.

- Facilitate reporting of anti-Semitic hate crimes through the provision of accessible and confidential reporting mechanisms; and
- Raise awareness within the Jewish community as to where and how to report incidents.

**ODIHR's capacity building programmes**

OSCE participating States have tasked ODIHR with the development of programmes to assist them in combating hate crimes. To this end, ODIHR has developed the Training against Hate Crimes for Law Enforcement (TAHCLE) programme. TAHCLE has been implemented in a number of countries and is customized to meet the needs of each country. It is available to all OSCE participating States, upon request, and aims to help police forces in:

- Ensuring the effective investigation and prosecution of hate crimes;
- Understanding the basis, context and special attributes of hate crimes;
- Solidifying knowledge of domestic legislation related to hate crimes;
- Contributing to crime prevention;
- Encouraging public co-operation with and respect for police forces;
- Building constructive ties with marginalized or threatened groups in society; and
- Ensuring that police practices serve to protect and promote human rights and non-discrimination.<sup>62</sup>

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62 TAHCLE, *op. cit.*, note 10.

## 8. Provide evidence of the security needs of Jewish communities by working with them to collect hate crime data

### Evidence-based policy

Accurate and reliable data are essential for effective action against hate crimes. Well-designed mechanisms to record and compile data enable law-enforcement agencies to gather intelligence about local hate crime patterns, assist in the allocation of resources, and support more effective investigation of specific types of cases. Policymakers can then rely on this information to make sound decisions and to communicate with affected communities and the wider public about the scale of hate crimes and responses to them.<sup>63</sup>

Collecting data on anti-Semitic hate crimes is a crucial way for governments to assess challenges related to anti-Semitism and gather evidence of the security needs of Jewish communities. Not collecting such data may be perceived as minimizing the problem or denying its existence.

### Recommendation:

Data on anti-Semitic hate crimes should be collected to enable governments to assess more accurately the security needs of Jewish communities and to allocate resources more effectively.

### Good practice example:

In Sweden, hate crime data are initially captured by regular police recording mechanisms. Police prepare a written report on all incidents in their digital crime-recording system, where they can be marked as a “suspected hate crime”. The incidents recorded can encompass a victim reporting to the police, online reports, anonymous telephone calls or police reporting at the scene of a crime.

After crime reports are entered into the system, the Swedish National Council for Crime Prevention uses a keyword search (e.g., “synagogue”) in the narrative for all police reports regarding specific crime categories to identify possible hate crime cases for inclusion in official figures. This method can yield information that can be analyzed to understand the types of criminal offences that are being committed and their related bias motives.

In many OSCE participating States, civil society organizations have developed significant expertise in the area of hate crime data collection. While official data in some countries may suggest that anti-Semitic hate crimes are not a problem, civil society data indicate that anti-Semitic hate crimes are a reality that cannot be denied.

<sup>63</sup> *Hate Crime Data-Collection and Monitoring Mechanisms, op. cit.*, note 5.

In some countries, government agencies co-operate with Jewish communities in sharing, checking and collecting data on anti-Semitic hate crimes, based on a clear and shared definition of what constitutes a hate crime. If police and community organizations exchange data, the data are usually anonymized to ensure the protection of personal data.

Sharing government and non-governmental data not only makes the data more accurate and allows for a more complete picture, it also addresses under-reporting and under-recording. Sharing is even more effective if the co-operation between government and non-governmental actors is formalized through memoranda or protocols. Government and non-governmental experts working together can maximize the effective use of the data collected to analyze trends and formulate policies. Sharing data also helps to increase communities' trust in the authorities.

**Recommendation:**

Government agencies can co-operate with civil society, including Jewish organizations in sharing, checking and collecting data on anti-Semitic hate crimes, to develop more accurate statistics and avoid under-reporting and under-recording.

**Good practice example:**

The Jewish Community Security Service (SPCJ) in France works closely with the French Ministry of Interior's Victims Unit to verify specific cases on a monthly basis, with the aim of enabling detailed and reliable monitoring. SPCJ's annual reports list anti-Semitic acts that were reported to the police and SPCJ, which are then cross-checked with reports from various police precincts and "consolidated" at the Interior Ministry.

Working with Jewish community organizations to collect data can also help:

- Address under-reporting, as Jewish community representatives can play a role in encouraging their members to use mechanisms such as reporting an incident online, over the phone or via a third party to the police. They can also work as intermediaries between victims and the authorities; and
- Government officials to better understand the context in which hate crimes occur and the impact they have on Jewish communities. Hearing first-hand accounts of the range of incidents that Jewish communities record can improve the understanding government officials have of the prevalence of anti-Semitism, and thus contribute to improving government responses to the problem.

## 9. Reassuring the community in case of an attack

Every anti-Semitic attack needs to be acknowledged and condemned by government officials and civil society, whatever the nature or gravity of the crime. Even low-level offences can escalate quickly if they are not addressed. Expressions of anti-Semitism

in public discourse can also cause anxiety in Jewish communities if they are not condemned and addressed promptly.

The impact of an anti-Semitic attack is even stronger if there is an inappropriate response by the government. In contrast, statements by public officials can have a strong influence on community confidence. To ensure that the longer-term response is appropriate, government officials should co-ordinate with and consult community leadership.

To reassure the Jewish community after an attack, government officials and political representatives might:

- Issue a press or social media statement condemning the anti-Semitic attack;
- Visit the Jewish community following the attack to take part in a service or commemorative ceremony;
- Order increased police protection and patrols to send a message of reassurance to the community, following an attack; and
- Reach out to the Jewish community to consult them on what kinds of initiatives could be taken to follow up on and prevent future attacks. Government officials should not only consult leaders, but also other community representatives while ensuring that women and youth are among those consulted.

Civil society also plays a role in managing the impact of major incidents, including in co-operation with parliamentarians and government officials. Publicly and openly demonstrating civic solidarity with Jewish communities, acknowledging the impact anti-Semitic attacks have on Jewish communities, and signalling that there is a zero-tolerance policy towards all manifestations of anti-Semitism have proven to be effective strategies in several countries.

**Recommendation:**

Civil society can play an important role in reassuring the Jewish community after an attack, including in co-operation with parliamentarians and government officials and other communities, by publicly demonstrating solidarity and signalling a zero tolerance policy towards anti-Semitism.



**Good practice examples:**

After the French Chief Rabbi called on Jews to wear the *kippot* (traditional head covering) in order to show a “united front” against anti-Semitism, an Italian newspaper distributed *kippot* with its daily edition on International Holocaust Remembrance Day, as a sign of solidarity with Jewish communities in Europe in the face of rising anti-Semitism.

In the United States in March 2017, *the Leadership Conference on Civil and Human Rights and 155 civil and human rights groups released an open letter, calling upon the Executive Branch to respond more quickly and forcefully to hate-based incidents, in response to an alarming increase in accounts and reports of hate-based acts of violence and intimidation. The statement referred to multiple incidents, such as the shooting of a Hindu Indian-American; the burning of four mosques; numerous bomb threats against Jewish Community Centers, synagogues, and ADL offices around the country; the shooting of a Sikh American outside his home; an attack on a Latino man and a Hispanic woman because of their ethnicity; and the murders of seven transgender women of colour. The statement said that no one should face acts of violence or intimidation because of their race, ethnicity, religion, sexual orientation, gender, gender identity, disability or national origin.*

The wider public might help reassure the Jewish community following an attack by acknowledging the anti-Semitic nature of the incident and sending a strong signal in support of religious and cultural diversity. Members of the public can demonstrate their commitment to work towards a society where Jewish people feel safe to publicly express their religion, identity and relationship with Israel.

## 10. Providing support to the victims of anti-Semitic attacks

### **European Union Minimum standards on the rights, support and protection of victims of crime**

Victims of crime should be recognized and treated in a respectful, sensitive and professional manner without discrimination of any kind based on any grounds, such as race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership in a national minority, property, birth, disability, age, gender, gender expression, gender identity, sexual orientation, residence status or health. In all contacts with a competent authority operating within the context of criminal proceedings, and any service coming into contact with victims, such as victim support or restorative justice services, the personal situation and immediate needs, age, gender, possible disability and maturity of victims of crime should be taken into account while fully respecting their physical, mental and moral integrity. Victims of crime should be protected from secondary and repeat victimisation, from intimidation and from retaliation. They should receive appropriate support to facilitate their recovery and should be provided with sufficient access to justice.<sup>64</sup>

Government agencies can provide valuable assistance to Jewish communities in minimizing damage after a traumatic event and assisting communities to return to their daily lives after an attack.

To improve their support to the victims of anti-Semitic attacks governments can:

- Work with national human rights institutions, academics, NGOs and international organizations to conduct surveys that help clarify the needs of victims of anti-Semitic attacks;
- Consult Jewish communities and relevant victim support organizations to develop effective strategies in support of victims;
- Ensure that law-enforcement agencies are equipped to understand the structure of Jewish communities and the responsibilities of their members;
- Adopt nuanced approaches following each incident (sometimes psychological support social services may be sufficient and law enforcement's involvement may not be needed); and
- Ensure that those who provide support to victims are trained on specific characteristics of the Jewish community.

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<sup>64</sup> EU Parliament Directive, *op. cit.*, note 47.

As first responders to anti-Semitic hate crimes, law-enforcement officers should be mindful of the victim's religious practice and needs. Being aware and mindful of Jewish religious practice and of Jewish holidays and traditions might be relevant when interviewing victims and witnesses, recording evidence and conducting other policing duties.

### **Practical Policing Issues during the Sabbath**

The Sabbath, also referred to as *Shabbat* (Hebrew) or *Shabbos* (Yiddish), is one of the most important aspects of the Jewish faith. From sunset on Friday to sunset on Saturday, Jews are required to refrain from "work" on the Sabbath, in commemoration of God's cessation of work on the seventh day of creation. Jews traditionally attend synagogue services with family on the Sabbath and celebrate the day in the company of family and friends with a celebratory meal.

Non-emergency crimes will not usually be reported until after the Sabbath or the festival has ended because orthodox Jews will be unwilling to write statements or sign their names and will not use the telephone.<sup>65</sup>

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65 See Annex 4.

# Annexes

# Annex 1

## Overview of bias indicators

Anti-Semitic hate crimes are hate crimes motivated by bias against Jews. “Anti-Semitic bias motivation” means that the perpetrator chose the target of the crime based on a biased perception that he, she or it is Jewish or associated with Jews. The target may be a person or property correctly or falsely associated with Jews. A victim does not necessarily have to be Jewish to experience an anti-Semitic hate crime. This includes targets that are related to Israel, Jewish history and the Holocaust.

Bias indicators are one or more facts that suggest that a crime may have been committed with a bias motivation. They provide objective criteria by which to judge the probable motive, but do not necessarily prove that an offender’s actions were motivated by bias.

Bias indicators are useful for police, prosecutors and NGOs to analyze whether a reported crime might be a hate crime. Their purpose is to trigger the process of finding the evidence through skilful questioning or thorough investigation. A bias indicator could be, but does not necessarily have to be, evidence in a courtroom.

A non-exhaustive list of bias indicators for anti-Semitic hate crimes follows.

### Victim/witness/expert perception

If a victim or witnesses perceives that a criminal was motivated by anti-Semitism, then it should be investigated as such. A third party, such as a civil society or Jewish community organization that records anti-Semitic incidents or an independent expert, might also be able to identify a bias motivation that was not evident to the victim or witnesses.

### Comments, written statements, gestures or graffiti

Perpetrators of hate crimes frequently make their prejudices clear before, during or after the act. *The crucial evidence in most hate crimes consists of the words or symbols used by the perpetrators themselves.* Those who commit hate crimes generally want to send a message to their victims, their victims’ communities and to society at large. These messages, from shouted insults to graffiti, are powerful evidence of bias motivation. The following questions can help determine whether an anti-Semitic bias motivation was involved in a crime:

- Did the suspect make comments or written statements about Jews, Israel and the Holocaust, the victim’s membership or perceived membership in the Jewish community or the victim’s real or perceived Israeli nationality? *In this regard, it is important to recall that anti-Semitic statements or slogans may wrongfully be presented as merely critical of Israel or anti-Zionist. Furthermore, it is important to note that anti-Semitism may be expressed through codes and in camouflaged ways.* For example, references to “Khaibar” evoke the story of the Jews of Khaibar, who were massacred in the Arabian Peninsula 1400 years ago, and “88” is a white supremacist numerical code for “Heil Hitler”.
- Were drawings, graffiti, cartoons or works of art that depict and demonize Jews left at the scene of the incident? Were Nazi-era symbols or symbols that can be considered hate symbols in the context of the country concerned left at the scene? *It is important to remember that not every incident where a swastika is drawn automatically constitutes an anti-Semitic incident. The swastika has also been used in the context of hate crimes that were motivated by other biases, but it is often used as indicator of anti-Semitism.*
- If the target was a place with religious or cultural significance, was an object offensive to Jews (such as pork flesh or blood) left at the scene?
- Was a Jewish symbol, such as, the Star of David left at the scene or made on a wall?

### The context of the crime

Religious or other differences between the perpetrator and victim are not in themselves a bias indicator. The questions below however, can help shed light on the context of a crime and might provide hints as to whether anti-Semitism could have been a motive.

- Does the perpetrator support a group that is known to be hostile to Jews? Does the available evidence suggest that the perpetrator thought that the conflict between Israel and the Palestinians legitimizes attacks on Jews?
- Are Jews overwhelmingly outnumbered by members of another group in the area, where the incident occurred?
- Was the victim visibly identifiable as a Jew, for example, by wearing a *kippah*, by wearing a necklace with the Star of David or a football jersey of a Jewish football team, or a team that is widely perceived to be Jewish team?
- Did the crime target a person who has visibly stood up for the rights of the Jewish community?
- Was the victim engaged in activities organized by the Jewish community, an organization affiliated with the Jewish community or an organization that could be perceived as being linked to Israel or the Jewish community at the time of the incident?

## Organized hate groups<sup>66</sup>

While not all hate crimes are perpetrated by organized groups, members or associates of such groups are often involved in the commission of such crimes. Affirmative answers to the following questions would be bias indicators:

- Were objects or items left at the scene that suggest the crime was the work of neo-Nazis, other extremist nationalist organizations, or an international terrorist organization?
- Has the offender demonstrated any support for or openly condoned the action or mission of a terrorist organization that has targeted Jews?
- Did the actions of the perpetrator mirror the actions of terrorists targeting Jewish communities?
- Has the offender expressed support on social media for an anti-Semitic group?
- Is there evidence that such a group is active in the area (e.g., anti-Semitic posters, graffiti or leaflets)?
- Did the offender use behaviour associated with membership in a hate organization, such as using Nazi salutes or other gestures associated with right-wing anti-Semitic movements or make statements that deny or trivialize the Holocaust?
- Did the offender have clothing, tattoos or other insignia associating her or him with an extremist or hate group?
- Did a hate or neo-Nazi group recently make public threats towards the Jewish community, for example on social media?

## Location and timing

The location and timing of a crime can also be an indicator of anti-Semitic bias. Answers to the following questions could reveal bias indicators:

- Did the incident occur in the context of an escalation of the conflict in the Middle East involving Israel?
- Did the incident occur on a date of particular significance? Such as:
  - ◆ Religious holidays (Yom Kippur, Rosh Hashanah, Pesach, etc.);
  - ◆ Holocaust Memorial Days, such as, 27 January, 19 April or 9 November, or the anniversary of a pogrom or an event of significance with regard to the local and national history of the Holocaust; and

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<sup>66</sup> As an example, ADL's Hate Symbol Database provides an overview of many symbols used by hate groups primarily in the United States: "Hate on Display Hate Symbols Database", adl.org, <<https://www.adl.org/education/references/hate-symbols>>.

- ◆ A day of significance to nationalists that extremists and right-wing groups may use to organize rallies and marches.
- Did the incident occur on a day of significance to neo-Nazis? These may include:
  - ◆ 12 January: birth of Alfred Ernst Rosenberg and Hermann Göring;
  - ◆ 30 January: Adolf Hitler named Chancellor of Germany;
  - ◆ 13 February: bombing of Dresden;
  - ◆ 20 April: birth of Adolf Hitler;
  - ◆ 30 April: death of Adolf Hitler;
  - ◆ 6 June: D-Day is used by some neo-Nazi groups to renew their loyalty to Nazism;
  - ◆ 21 June: summer solstice is celebrated by many neo-Nazi groups with solstice fires;
  - ◆ 22 June: launch of Nazi Germany's invasion of the Soviet Union during World War II;
  - ◆ 29 July: Hitler proclaimed leader of the National Socialist German Workers' Party;
  - ◆ 17 August: Death of Rudolf Hess
  - ◆ 15 October: Death of Hermann Göring
  - ◆ 9 November: The day of the "Beer hall Putsch rebellion" was declared a holiday in Nazi Germany and dedicated to the 16 Nazis who did not survive the failed coup attempt of Adolf Hitler to seize power in Munich on 8 and 9 November 1923. Also, 9 November is the anniversary of the Pogrom Night of 1938 (Pogromnacht).
- Did the incident occur on a day of significance regarding the conflict in the Middle East?
- Did the incident occur in the context of an ongoing public debate about an issue related to the Jewish community – for example, about circumcision or restitution?
- Did the incident occur on the eve of Shabbat, i.e., on Friday evening?
- Was the victim in or near a synagogue, a Jewish school, a Jewish cemetery or a Jewish community building when the incident occurred?
- Was the victim attacked close to a place associated with Jews, such as a Jewish Museum, a Jewish restaurant, an Israeli Embassy or the site of a Jewish cultural festival?
- Was property damage inflicted on an object of religious or cultural significance to Jews, such as a Menorah?
- Did the perpetrator target only Jews?



## Patterns/frequency of previous crimes or incidents

Hate crimes sometimes are not single events but form part of a broader pattern. In seeking bias indicators, it is therefore relevant to ask:

- Have there been other anti-Semitic incidents in the same area?
- Has there been a recent escalation of anti-Semitic incidents, from low-level harassment and non-criminal activity to more serious criminal conduct, such as vandalism or assault?
- Has the victim or the Jewish community or the victim's organization recently received threats or other forms of intimidation, such as phone calls or mail?

## Nature of the violence

As hate crimes tend to be message crimes, the degree of violence, damage and brutality tend to be serious. The following questions can reveal bias indicators:

- Did the attack show a *modus operandi* typical for an organized hate group or a terrorist organization?
- Might the action have been inspired by and seek to replicate a high-profile anti-Semitic offense?
- Did the incident involve unprovoked and extreme violence or degrading treatment?
- Was the incident carried out publicly or in a way to make it public, such as recording and posting on the Internet?

# Annex 2

## Case studies

The following case studies can be used in capacity-building contexts to practice working with bias indicators.

The following questions should be asked when discussing the case studies:

- What would you ask if you were to investigate this incident?
- What enquiries would you make?

### 1. Burglary and rape

#### Case Study 1

On 10 December 2014, in a suburb of a capital city with a large Jewish community, three masked men forced their way into the apartment of a young Jewish family. The young man was tied up, the young woman was raped, and the apartment was burglarized. The attackers demanded money, credit cards, and jewellery, all the while making such remarks as “you Jews, you have money” and “you Jews, you keep the money at home, not in the bank.”

The attackers were arrested and charged two days later. Shortly thereafter, the then Interior Minister made a public statement deploring the attack and declaring that the, “anti-Semitic connection seems proven.” He added that an initial investigation indicated that the assailants chose their targets “based on the idea that being Jewish means having money.”

## 2. Incidents targeting an activist promoting Jewish culture

### Case Study 2

A director of a cultural institution that focuses on issues of cultural heritage and, in particular, the Jewish past of the city in question, although not Jewish himself, has been targeted for years with anti-Semitic speech and violence. In separate incidents, stones painted with swastikas were thrown through his windows, a bomb squad was called to dismantle an explosive device left outside his house and for years posters were plastered around the city bearing his face, with Jewish symbols and anti-Semitic threats.

In all instances, the perpetrators were never identified and prosecuted and criminal proceedings were discontinued.

## 3. Anti-Semitic insults

### Case Study 3

In 2012, several incidents of anti-Semitic insults and prejudice against the Jewish community took place in a capital city. A former chief rabbi was insulted in public by a man who told him "I hate all Jews." In a separate incident, a man repeatedly shouted anti-Semitic remarks through the door of a Jewish prayer house in the south of the city. On 5 October 2012, the same man returned to the Jewish prayer house, kicked a Jewish man in the chest, hit him in the head, and shouted "you rotten Jews will die."

The offender was arrested, tried in fast-track proceedings on a specific, bias-motivated charge of committing violence against a member of a community, as well as causing minor physical injury. He was sentenced to a two-year prison term.

## 4. Desecration of a Jewish cemetery

### Case Study 4

In 2014, a Jewish cemetery on the outskirts of the small town with no Jewish population was desecrated with anti-Semitic graffiti. Such slogans as "Filthy Jews", "The Holocaust didn't happen, but it will" and "Holo-lies" were spray-painted onto the tombstones.

The perpetrators specifically chose a cemetery that was abandoned and not under surveillance. The spray-painted slogans were commonly used on anti-Semitic and Holocaust denial websites.

Both local and national authorities condemned the incident. The police recorded the incident as an anti-Semitic hate crime but were unable to identify and prosecute the perpetrators.

## 5. Attack on a Holocaust Memorial

### Case Study 5

A Holocaust Memorial Monument has been subject to numerous attacks over a number of years.

In 2015, on the occasion of the first night of Rosh Hashanah (Jewish New Year) unknown perpetrators put tires around the Monument, poured a flammable liquid over them and set them alight. The incident constituted the sixth attack against the site in 2015.

The perpetrators were not found.

## 6. Shooting at the Jewish Community Centre

### Case Study 6

In 2014, on the occasion of Passover eve, a former leader of the defunct white supremacist organization committed two separate shootings at the Jewish Community Centre and a Jewish retirement community, respectively.

A total of three people were killed in the shootings. All three persons killed were non-Jewish.

The killer was arrested following the attack, and tried and convicted of capital murder, attempted murder and assault and weapons charges. During the trial, the attacker stated that he shot his victims because he wanted to kill Jewish people before he died.

# Annex 3

## Summary Table

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<p><b>Member of Parliament</b></p>	<p>Enact specific, tailored legislation to address hate crimes, providing for effective penalties that take into account the gravity of crimes motivated by bias.</p> <p>Request a legal review from ODIHR on legislation or laws related to hate crimes.</p> <p>Initiate a parliamentary enquiry and look into whether more needs to be done to address the security needs of Jewish communities.</p> <p>Reach out to the Jewish community in your constituency to find out about their concerns.</p> <p>Use every opportunity to condemn and reject expressions of anti-Semitism: online and offline, violent and non-violent, and seek expert advice on identifying coded expressions of anti-Semitism.</p>	<p>Join forces with other parliamentarians from your own and different parties.</p> <p>Find out more about the work of international parliamentary bodies with regard to anti-Semitism.</p> <p>Work closely with civil society activists and religious leaders in your community to build a coalition against anti-Semitism.</p>	<p>Become familiar with the international obligations that apply to addressing the problem.</p> <p>Check if there is a way for you to initiate, support and get involved in one of the concrete practical initiatives listed.</p> <p>Learn about the specific features of anti-Semitic hate crimes to strengthen your own response to anti-Semitism.</p>

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<b>Civil servant</b>	<p>Initiate the development of training on anti-Semitic hate crimes for civil servants, especially those supervising and shaping training for criminal justice personnel.</p> <p>Depending on your role and mandate, initiate an awareness, raising campaign about the need to counter anti-Semitism.</p> <p>Interior/Justice: find out how your country is doing in the area of collecting data on anti-Semitic hate crimes and address data gaps if they exist.</p> <p>Interior/Justice: assess and review whether mechanisms, policies and measures are in place to address the security needs of Jewish communities and provide protection to Jewish sites.</p>	<p>Enquire with academic experts or research institutes, as well as with civil society organizations experienced in delivering such training.</p> <p>Work with local authorities, civil society organizations and media partners.</p> <p>Get in touch with Jewish communities and civil society organizations to find out more about their reports on anti-Semitic hate crimes.</p> <p>Contact the Jewish community and get in touch with its security body.</p>	<p>Familiarize yourself with the spectrum of anti-Semitic attacks in the OSCE region and with the key contexts that form the backdrop to these attacks.</p> <p>Understand why raising awareness about this issue is so important.</p> <p>Access relevant resources and ideas with regard to the significance of hate crime data collection.</p> <p>Review the practical suggestions on why and how government officials can co-operate with Jewish communities on security issues.</p>

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<b>Law-enforcement officer</b>	<p>Assess whether a criminal offense you are recording and investigating might have been motivated by bias.</p> <p>Make an appointment with your local Jewish community to establish contacts and see what their security concerns are and how the community works.</p> <p>Build your capacity in understanding and responding to anti-Semitic hate crimes.</p> <p>Assess how you can co-operate with the Jewish community to collect data on anti-Semitic hate crimes.</p> <p>Co-ordinate emergency communication procedures with the Jewish community.</p>	<p>Ask the victim and any witnesses for their perception.</p> <p>Join forces with some of your colleagues to make these appointments.</p> <p>Ask your supervisor to take part in a training programme, such as TAHCLE and PACTH.</p> <p>Liaise with your supervisors about whether this would be something that could be taken up at the national level.</p> <p>Ask for a contact person at the Jewish community security service.</p>	<p>Check the overview of bias indicators listed in Annex 1 and see if it helps you establish a bias motivation.</p> <p>Learn more about how law-enforcement agencies can work with Jewish communities on security issues.</p> <p>Consult the list of resources and training programmes offered, such as ODIHR's TAHCLE programme and our Ten Best Steps to Data Collection Guide.</p> <p>Look at good practices from different OSCE participating States.</p>

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<p><b>Jewish community representative</b></p>	<p>Start monitoring anti-Semitic hate crimes and encourage the members of your community to report them.</p> <p>Form broad-based coalitions of organizations working on human rights issues to address anti-Semitism and broader tolerance and non-discrimination issues.</p> <p>Organize an open-door day at the Jewish community and invite relevant government officials and civil society activists to get to know the community.</p> <p>Advocate for your government to follow up on and implement its international obligations.</p> <p>Reach out to cultural and educational institutions, as well as to the media, to share your reports and concerns about anti-Semitism.</p>	<p>Reach out to relevant international civil society networks.</p> <p>Contact other religious communities, cultural organizations and civil society groups to win their support for this idea.</p> <p>Join forces with other civil society organizations to organize such a day.</p> <p>Contact relevant community members, as well as other civil society organizations with experience in this area.</p>	<p>Find out more about training programmes and resources offered by civil society and inter-governmental organizations, such as ODIHR’s training for civil society on hate crime and resource guide for civil society.</p> <p>Find out more about the international standards that apply to your government.</p>



<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<b>Civil society activist</b>	<p>Check if there is anything your organization can do to show solidarity with the Jewish community in light of anti-Semitic attacks.</p> <p>Plan a joint cultural event with the Jewish community to foster tolerance and build coalitions against anti-Semitism.</p> <p>Identify shared goals with Jewish communities to jointly advocate for better hate crime data collection and, thus, build coalitions.</p> <p>Organize training on anti-Semitism within your own organization.</p>	<p>Reach out to the Jewish community or to a Jewish community organization to find out more about its concerns.</p> <p>Contact the Jewish community and other civil society and community organizations working on hate crimes.</p> <p>Enquire with academic experts or research institutes, as well as with civil society organizations experienced in delivering such training.</p>	<p>Learn about the impact anti-Semitic attacks have on the everyday lives of Jewish people.</p> <p>Find out more about the international standards that apply to your government.</p> <p>Familiarize yourself with the spectrum of anti-Semitic attacks in the OSCE region and with the key contexts that form the backdrop to these attacks.</p>

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<b>Religious leader</b>	<p>Start an interfaith initiative that brings together members of your and other communities, including from the Jewish community.</p> <p>Organize an awareness-raising event about anti-Semitism in your community and invite a guest to present an inspiring project about civil society coalition-building.</p> <p>Start collecting data on hate crimes targeting your community.</p>	<p>Seek advice and support from organizations experienced in interfaith work and invite some other members of your community to join you.</p> <p>Reach out to civil society and academic experts.</p> <p>Reach out to the Jewish community's security professionals and see if there is a way for you to co-operate with them in the area of hate crime data collection.</p>	<p>Learn about some interfaith events and initiatives that have taken place across the OSCE region in response to anti-Semitic attacks.</p> <p>Familiarize yourself with contemporary manifestations of anti-Semitism and learn why it is so important to overcome them through a collaborative and human rights-based approach.</p> <p>Learn more about existing good practices.</p>
<b>Ombudsman</b>	<p>Initiate a victimization survey to find out more about the security needs of Jewish communities and their experience with anti-Semitic hate crimes.</p>	<p>Consult victim support organizations, the Jewish community and international bodies.</p>	<p>Learn more about some of the features of contemporary anti-Semitism and how it impacts Jewish communities.</p>

<b>I am a</b>	<b>What can I do to help address the problem?</b>	<b>Whom can I work with to address the problem?</b>	<b>How can I use this publication?</b>
<b>Teacher</b>	<p>Check whether the Jewish students in your school experience any harassment, threats or violence on the way to and from school, as well as in school.</p> <p>Create opportunities for students to learn about Judaism.</p> <p>Support and get involved in training about contemporary forms of anti-Semitism.</p> <p>Ensure that Holocaust education programmes in your school adequately and effectively address anti-Semitism and the Holocaust.</p>	<p>Consult your colleagues, reach out to Jewish community organizations, and Jewish youth organizations.</p> <p>Seek support from the school leadership.</p>	<p>Learn more about some of the features of contemporary anti-Semitism and how it impacts Jewish communities.</p>

# Annex 4

## Community Security Trust: A Police Officer's Guide to Judaism<sup>67</sup>

(abridged and edited by ODIHR)

The following text constitutes an abridged and edited version of the *Community Security Trust: A Police Officer's Guide to Judaism*. This Guide is a good example of an existing resource that law-enforcement officials can use to better understand certain Jewish traditions and customs, especially those that may have implications in matters of practical security and/or co-operation with law enforcement. It should be noted that the practices highlighted in this Guide are described in a generic way, and cannot possibly do justice to the diversity of customs and traditions that exist within the worldwide Jewish community. Law-enforcement officials are, therefore, encouraged to work closely with the members of their Jewish communities, in order to become better acquainted with their history and religious traditions, as well as with the challenges that they face with regard to anti-Semitism.

### WHAT IS JUDAISM?

Judaism is the religion of the Jewish people and, at almost 4,000 years old, is one of the oldest religious traditions still practised today. Its values and history are a major part of the foundations of Christianity and Islam. There are approximately 12 million Jewish people in the world, six million of whom live in Israel.

#### Denominations:

##### Orthodox Judaism

Orthodox Jews believe the *Torah* (the primary source of Jewish law and ethics) was given to Moses by God on Mount Sinai nearly 4,000 years ago. The *Torah* is part of the *Tanakh* (Holy Scriptures), which Christians refer to as the Old Testament. Orthodox Jews are also guided by a corpus of legal literature, including the *Talmud*, which is the source from which the code of Jewish Halakhah (law) is derived.

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67 *A Police Officer's Guide to Judaism*, (London: Community Security Trust, 2010), <<https://cst.org.uk/data/file/b/e/Police-Officers-guide-to-Judaism.1425054129.pdf>>.

While all Orthodox Jews observe the Sabbath and religious traditions, **Haredi Jews** (Strictly Orthodox) are easily identifiable due to their distinctive clothing. **Modern Orthodox Jews** tend to dress in a more contemporary manner. They often are more integrated into mainstream society and would not be as easily identifiable as a distinctive group, although many men wear a small *kippah* (skull cap) as headwear.

### Conservative (Masorti), Reform and Liberal

Members of these movements do not observe the faith in the same way as Orthodox Jews. For example, Orthodox Jews usually wear a head covering that they believe shows respect for God. Conservative, Reform and Liberal Jews do not believe this is always necessary, and may also have a different interpretation of Sabbath observance or the dietary laws. In addition, women can become Rabbis and men and women may sit together in the synagogue.

There are also many people who are not affiliated to any denomination or do not observe any of the traditional laws, but who still identify as Jews.

## 1. THE SABBATH

The Sabbath, also referred to as *Shabbat* (Hebrew) or *Shabbos* (Yiddish), is one of the most important parts of the Jewish faith. Many Jews refrain from various acts of “work” on the Sabbath, in commemoration of God’s cessation of work on the seventh day of creation. Jews traditionally attend synagogue services with family on the Sabbath and celebrate the day in the company of family and friends with festive meals.

### Practical policing issues

Non-emergency crimes will not usually be reported until after the Sabbath or the festival has ended because:

- Orthodox Jews will be unwilling to write statements or sign their names; and
- Orthodox Jews will not use the telephone.

### What is considered “work”?

Taken in a modern context, on Sabbath, Orthodox Jews generally refrain from activities such as:

- All types of business transaction (shops and businesses are closed);
- Driving and travelling;
- Using electronic equipment (including telephones, computers, radio and TV);
- Handling money;
- Writing; and

- Carrying anything outside of the home in areas without a religious boundary marker (Eruv).

For observant Jews the Sabbath laws are binding in all circumstances except in the case of danger to life.

### **The timing of the Sabbath**

The Sabbath starts on Friday about one hour before nightfall, or 15 minutes before sunset. Therefore, Orthodox Jews need to leave work or school in sufficient time to arrive home before the onset of the Sabbath.

### **Life-threatening emergencies**

Where there is danger to life either through a medical or other emergency, Sabbath laws must be disregarded in order to save lives. The emergency services should be called in this instance as on any other day.

## **2. JEWISH FESTIVALS**

### ***Practical policing issues***

Festival laws are almost indistinguishable from Sabbath laws, and exactly the same policing issues will apply:

- Many people who do not usually attend services during the rest of the year will do so for festivals. The synagogues will therefore be full and the nearby streets will often be very busy.
- Each festival may have specific policing requirements. The Jewish calendar has a number of festivals and special days, either commemorating major events in Jewish history or celebrating certain times of the year.

### **Rosh Hashanah (Jewish New Year)**

Rosh Hashanah takes place over two days either in September or October, and is considered one of the most important periods in the Jewish calendar. It is an opportunity for reflection the previous year.

### ***Practical policing issues on Rosh Hashanah***

- Many synagogues will have additional overflow services either on the premises or nearby.
- Members of Reform and Liberal communities will often drive to synagogue services, and there may be significant congestion and parking issues. Even in Orthodox communities there may be an increase in traffic.

- On the afternoon of the first day (or the second day if the first falls on the Sabbath), many Jewish people will walk to a river to symbolically “cast away” their sins. This ceremony is called *tashlich*.

### **Yom Kippur (Day of Atonement)**

This festival is the most solemn day in the Jewish calendar and involves praying for forgiveness for sins committed in the past year and demonstrating repentance. Every Jewish person, except children and those who are ill, is expected to abstain from food and drink for 25 hours from sunset on the previous evening until nightfall the next day.

#### ***Practical policing issues on Yom Kippur***

- Synagogues are open all day and are extremely busy, especially for the evening services.
- Many people will walk home during the day for a short break from prayers. There is likely to be a continuous flow of people on the streets throughout the day.
- Since most Jewish families will be in synagogue for the opening and concluding services of Yom Kippur, their homes may be more vulnerable to burglars.

### **Succot (Tabernacles)**

This festival begins five days after the end of Yom Kippur and commemorates the temporary booths that the Israelites constructed in the wilderness after their exodus from Egypt. During this eight-day festival, observant Jews may eat and sleep in a similar booth, known as a *succah*. The intermediate days of this festival are regular working days.

#### ***Practical policing issues on Succot***

- Many Jewish people will carry long boxes containing palm tree leaves to and from synagogue. These are ritual items used as part of the holiday.
- Synagogues will have a *succah* on their premises.

### **Shemini Atzeret and Simchat Torah (Rejoicing of the Law)**

Immediately following Succot are Shemini Atzeret (Eighth Day of Assembly) and Simchat Torah, one of the most joyous festivals in the Jewish calendar. Many synagogues hold parties after the service.

#### ***Practical policing issues on Simchat Torah***

- Many families and children will attend synagogue services on this day, and there will often be outdoor festivities.
- Synagogue services will usually last a lot longer during the day, and many communities will also hold a communal luncheon. Therefore, synagogues may not close until mid-afternoon.

### **Pesach (Passover)**

This eight-day festival, which often coincides with the Easter weekend, recalls the freedom of the Jewish people from slavery in Egypt. To remember the haste with which they escaped, no leavened food such as bread, cereals or beer may be consumed or owned during this festival.

### **Shavuot (Pentecost)**

Shavuot takes place seven weeks after Pesach (usually around late May/early June) and celebrates the Jewish people receiving the Torah. The festival lasts for two days and it is traditional to eat dairy products.

#### ***Practical policing issues on Shavuot***

- It is traditional to study through the night on the first evening of this festival and there may be many people on the streets and in synagogues.

### **Chanukah (Festival of Lights)**

This joyous festival is celebrated by lighting a candelabra (called a *chanukiah*) every night for eight nights. Other traditions include eating food cooked in oil such as doughnuts and potato pancakes, giving presents and holding parties.

#### ***Practical policing issues on Chanukah***

- It is traditional for families to display the (sometimes expensive) candelabra in their front windows. Therefore burglaries and fires can occur, and the community leaders should be given the appropriate advice.
- Some Jewish communities will hold Chanukah ceremonies in public places.

### **Purim (Festival of Lots)**

This one-day festival recalls the story of Esther, a Jewish queen in Persia who foiled a plot by one of the king's advisors to kill all the Jews. As well as the story being read in synagogue from a special scroll called a *megillah*, it is a day for parties and communal celebrations.

#### ***Practical policing issues on Purim***

- This is a day of joy and fun, and fancy dress costumes are traditionally worn, even in public places.
- It is traditional for many people to walk through the local neighbourhood collecting for charity and delivering food parcels to friends.
- This is one of the few occasions in the year in which the consumption of alcohol is encouraged. This can lead to isolated instances of antisocial behaviour.



### 3. FOOD

Jewish dietary laws govern the way kosher food is manufactured and served. Jews who observe the dietary laws of Kashrut will eat only food, manufactured or cooked, which bears a reliable seal of approval by a rabbinical authority. This includes meat products, baked foods and dairy foods. For observant Jews, all cooking utensils, crockery and cutlery must only be used for kosher foods. Dairy food and meat foods must be kept separate and cooked and served in different saucepans and dishes for each. Observant Jews will eat only in restaurants that are supervised by a recognized Kashrut authority.

### 4. JEWISH CLOTHING AND HOMES

Observant Jewish men cover their heads at all times, usually with a small skullcap known as a *yarmulke* or *kippah*. Some may also wear a tasseled garment, called *tzitzit*, as an undergarment and this may be visible below their waist.

Married Orthodox Jewish women cover their hair or wear a wig at all times as a sign of modesty. They will only wear modest clothing and many will not wear trousers, short skirts or short sleeves.

All traditional Jewish homes can be identified by looking for a *mezuzah*. This is a small box containing two biblical texts, which is affixed to the right-hand doorpost of most rooms in a Jewish home, including the front door.

### 5. SYNAGOGUE AND PRAYER

#### *Practical policing issues*

It is not necessary for male police officers to wear a hat when entering a synagogue, but the gesture of covering the head will nevertheless be appreciated as a sign of respect

- Discretion should be used if taking pictures, videos or using tape recorders in a synagogue during the Sabbath and festival services.

Traditionally, all men and boys over the age of 13 are expected to pray three times a day. While this can be performed individually, many men prefer to attend synagogue and pray with at least ten men present. Such a prayer group, called a *minyán*, is particularly important when a person is in a period of mourning.

- Daily morning prayers generally take place between 6:00 am and 9:00 am, and last about 45 minutes. Phylacteries (small leather boxes containing biblical texts known as *tefillin*) and a prayer shawl are worn during prayer.

- Daily afternoon and evening prayers usually take around 15 minutes. Women also pray, but they are not required to wear phylacteries or shawls during prayer.

Synagogue etiquette varies depending on the denomination of Judaism to which a person belongs.

- In Orthodox synagogues, women sit separately from men, either upstairs in the gallery or to the side of men. Men wear the traditional head covering. Married women cover their heads with hats, wigs or scarves and are expected to dress modestly.
- At Conservative, Reform and Liberal synagogues, men and women will usually sit together during the service.

Hebrew is the traditional language of Jewish prayer, and is used to varying degrees in the services and celebrations of each denomination.

## 6. THE JEWISH LIFE CYCLE

### Birth

Jewish boys are circumcised in a ceremony called *brit milah*. This takes place when the baby is eight days old, or as soon as possible thereafter if there are medical reasons for a delay. The circumcision is performed by a *mohel*, a trained Jewish practitioner who may also be a registered medical doctor. The boy's name is frequently not announced until the circumcision.

Girls are usually named in the synagogue, often on the Sabbath following the birth.

### Bar mitzvah / bat mitzvah

With regard to many religious rituals, boys are recognized as full adult members of the community at age 13, when they celebrate their *bar mitzvah* (literally “son of the commandments”). Girls reach this stage at 12 when they celebrate their *bat mitzvah*. Both boys and girls have a period of intense study leading up to the occasion.

### Weddings

Jewish weddings can occur any day of the week except the Sabbath, Jewish festivals and particular mourning periods in the Jewish calendar. A Jewish wedding may take place in any location, but is commonly held inside or outside a synagogue. It is traditional for the couple's friends and family to organise celebratory meals during the week after the wedding.

### Burial and mourning

The body should never be left unaccompanied, and it is vital that there is as little interference with the body as possible:

- Eyes and jaws should be closed and the body covered with a white sheet.

- The funeral should take place as soon as possible following the death, often on the same day.
- In Orthodox communities, there may be large crowds in the streets to mourn the deceased.

When a Jewish person dies, it is crucial that the body is treated with care and extreme reverence at all times. There are special rules for the preparation of the body for burial, and the body should not be left unattended at any time. Post-mortems are not permitted in Jewish law except where required under civil law. Cremation is practised in some Reform and Liberal communities, but is strictly prohibited in Orthodox Jewish communities. After the funeral, the immediate family of the deceased mourn at home for seven days. This is known as the shiva period.

# Annex 5:

## Jewish Festivals 2017-2022

### 2017

Pesach (Passover)	April 11-18
Shavuot	May 31-Jun 1
Tisha B'Av	August 1
Rosh Hashanah	September 21-22
Yom Kippur	September 30
Sukkot	October 5-6
Simchat Torah	October 13
Hanukkah	December 13-20

### 2018

Rosh Hashanah	September 10-11
Yom Kippur	September 19
Sukkot	September 24-30
Simchat Torah	October 2
Hanukkah	December 3-10
Tu Bishvat	January 31
Purim	March 1
Pesach (Passover)	March 31- April 7
Shavuot	May 20- 21
Tisha B'Av	July 22

## 2019

Rosh Hashanah	September 30 - October 1
Yom Kippur	October 9
Sukkot	October 14-20
Simchat Torah	October 22
Hanukkah	December 23-30
Tu Bishvat	January 21
Purim	March 21
Pesach (Passover)	April 20- 27
Shavuot	June 9-10
Tisha B'Av	August 11

## 2020

Rosh Hashanah	September 19-20
Yom Kippur	September 28
Sukkot	October 2-9
Simchat Torah	October 11
Hanukkah	December 11-18
Tu Bishvat	February 10
Purim	March 10
Pesach (Passover)	April 9- 16
Shavuot	May 29-30
Tisha B'Av	July 30

## 2021

Rosh Hashanah	September 7-8
Yom Kippur	September 16
Sukkot	September 21-27
Simchat Torah	September 29
Hanukkah	November 29 -December 6
Tu Bishvat	January 28
Purim	February 26
Pesach (Passover)	March 28-April 4
Shavuot	May 17-18
Tisha B'Av	July 18

## 2022

Rosh Hashanah	September 26-27
Yom Kippur	October 5
Sukkot	October 10-16
Simchat Torah	October 18
Hanukkah	December 19-26
Tu Bishvat	January 17
Purim	March 17
Pesach (Passover)	April 16- 23
Shavuot	June 5-6
Tisha B'Av	August 7

# Annex 6

## “Working Definition of Antisemitism” adopted by the International Holocaust Remembrance Alliance (IHRA)

### **WORKING DEFINITION OF ANTISEMITISM ADOPTED BY THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE (IHRA)**

“On 26 May 2016, the IHRA Plenary in Bucharest 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.<sup>68</sup>

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68 IHRA Plenary decision to adopt working definition of antisemitism, *op. cit.*, note 15.



