



Office for Democratic Institutions and Human Rights

Customization Report for France

On implementing ODIHR's publication on *Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities: A Practical Guide*



Warsaw

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Introduction

This report has been prepared to facilitate the implementation of ODIHR's publication on *Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities: A Practical Guide* to the situation in France.¹

This document can be used for the following purposes: (1) to raise awareness of the specific issues related to preventing and responding to anti-Semitic hate crimes and addressing the security needs of Jewish communities in France; (2) as a basis for delivering trainings to law enforcement officials; (3) and as a model for addressing the security needs and experiences of other communities vulnerable to hate crimes. It contains information about the following:

1. Jewish communities in France.
2. The context of anti-Semitic hate crimes in France.
3. The key features of anti-Semitic hate crimes in France.
4. The impact of anti-Semitic hate crimes in France.
5. Domestic legislation.
6. The European Parliament resolution on combating anti-Semitism.
7. The institutional context.
8. Recommendations.
9. Dates of specific significance.
10. Case studies.
11. Summary table.

¹ See: *Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities: A Practical Guide* (Warsaw: OSCE/ODIHR, 2017), <<https://www.osce.org/odihr/317191>>.

Handout 1: Jewish communities in France

The Jewish community in France is the largest in Europe, but constitutes less than one per cent of the total French population.² More than half of French Jews live in Paris and its suburbs (350,000).³ There are other large communities in Marseille (70,000), Lyon (25,000), Toulouse (23,000), Nice (20,000), Strasbourg (16,000), Grenoble (8,000), Metz (4,000) and Nancy (4,000).⁴ In addition, there are a dozen communities, each with some 2,000 Jews, dispersed throughout the country.⁵

Thirty-three cities in France have synagogues,⁶ with the Central Jewish Consistory of France (*Consistoire Central de France, Union des Communautés Juives de France*) overseeing 500 synagogues and religious sites throughout France. A 2015 report to the Senate of the French Republic states that “according to the Central Consistory, there are approximately 600 Jewish religious buildings that belong to departmental consistories, mostly in Alsace and Paris (with about 100 in Paris alone). Some synagogues belong to the municipalities. The Central Consistory also notes the existence of about 200 autonomous places of worship, which do not belong to the municipalities or the consistories.”⁷ France’s oldest active synagogue is found in Carpentras.⁸ Additionally, 408 other sites in France are recognized as Jewish cemeteries by the Jewish cemetery project.⁹

² World Jewish Congress, “France”, <<http://www.worldjewishcongress.org/en/about/communities/FR>>.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Maven Search, “Synagogues in France”, <<http://www.mavensearch.com/synagogues/C3387>>.

⁷ Website of the French Senate, “*Les collectivités territoriales et le financement des lieux de culte* [Local authorities and the financing of places of worship]”, <http://www.senat.fr/rap/r14-345/r14-345_mono.html#toc19>.

⁸ Jewish Virtual Library, “France Virtual Jewish History Tour”, <<http://www.jewishvirtuallibrary.org/france-virtual-jewish-history-tour>>.

⁹ International Jewish Cemetery Project, “France – the Jewish Community”, <<https://www.iajgsjewishcemeteryproject.org/france/index.html>>.

Handout 2: The context of anti-Semitic hate crimes in France

Anti-Semitism is manifest in France in a number of ways, and anti-Semitic incidents continue to be perpetrated throughout the country. In recent years, there have been several violent and deadly attacks on Jewish individuals on French soil, as well as threats against Jewish individuals and institutions. Anti-Semitic incidents have also occurred during public assemblies. Traditional anti-Semitic stereotypes and conspiracy theories often come to the fore in the context of such anti-Semitic attacks, and either drive or accompany them.

Moreover, according to the most recent report of the Jewish Community Protection Service (SPCJ) “extreme violence and terrorism targeting Jews in France often overshadows everyday anti-Semitism. Numerous victims of anti-Semitic verbal attacks or light violence no longer file a complaint. They have grown accustomed to a phenomenon that has been trivialized”.¹⁰

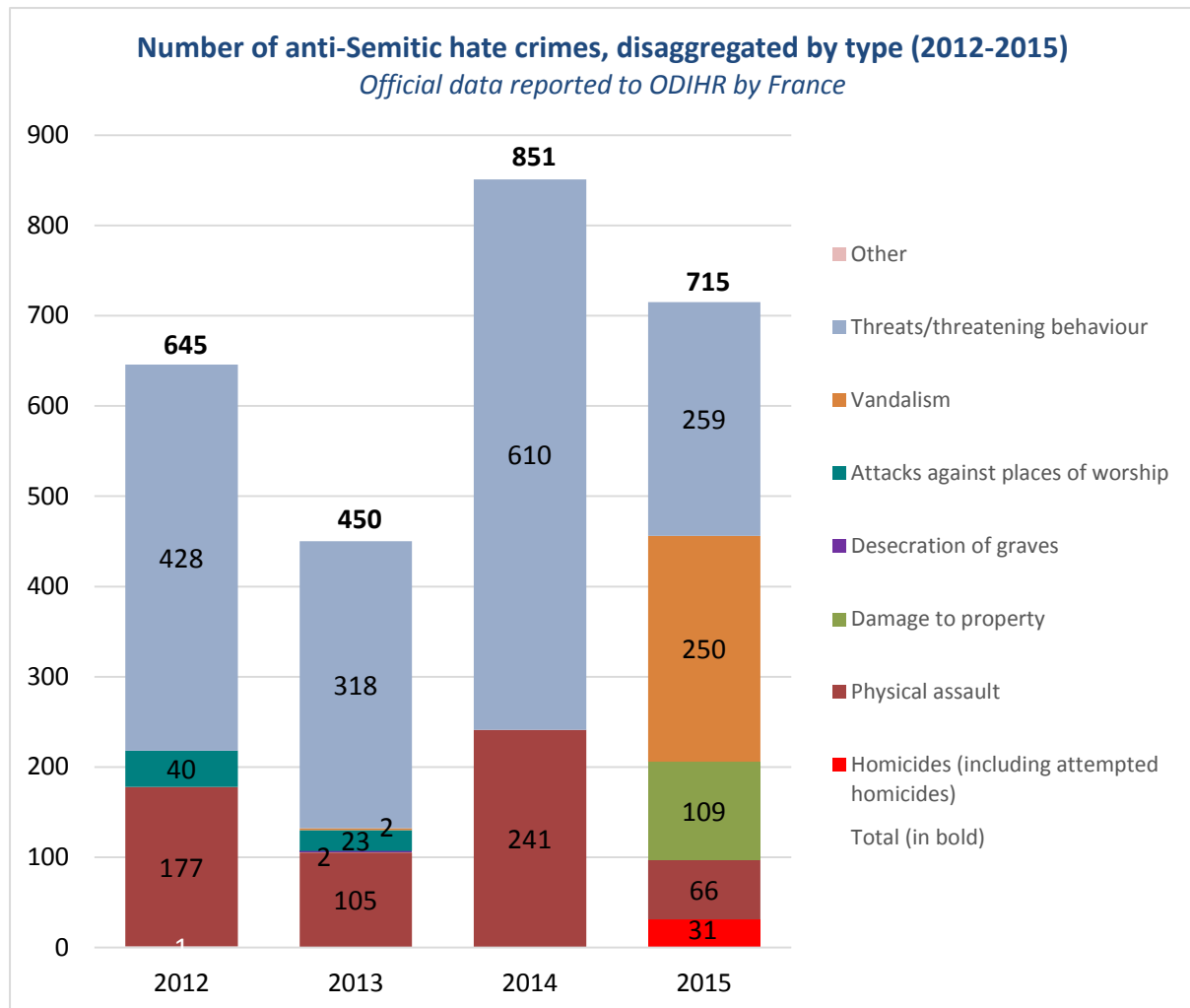
International developments, including those in the Middle East, have a particular impact on the security situation of Jewish communities in France. Finally, the Internet – and, in particular, social media – provides a major vehicle for disseminating anti-Semitic imagery and spreading anti-Semitic hatred. Anti-Semitic discourse also transpired on a number of occasions during the 2017 presidential elections.

¹⁰ “2016 Report on Antisemitism in France”, Jewish Community Security Service (SPCJ), 2016, <<https://www.antisemitisme.fr/dl/2016-EN.pdf>>.

Handout 3: Key features of anti-Semitic hate crimes in France

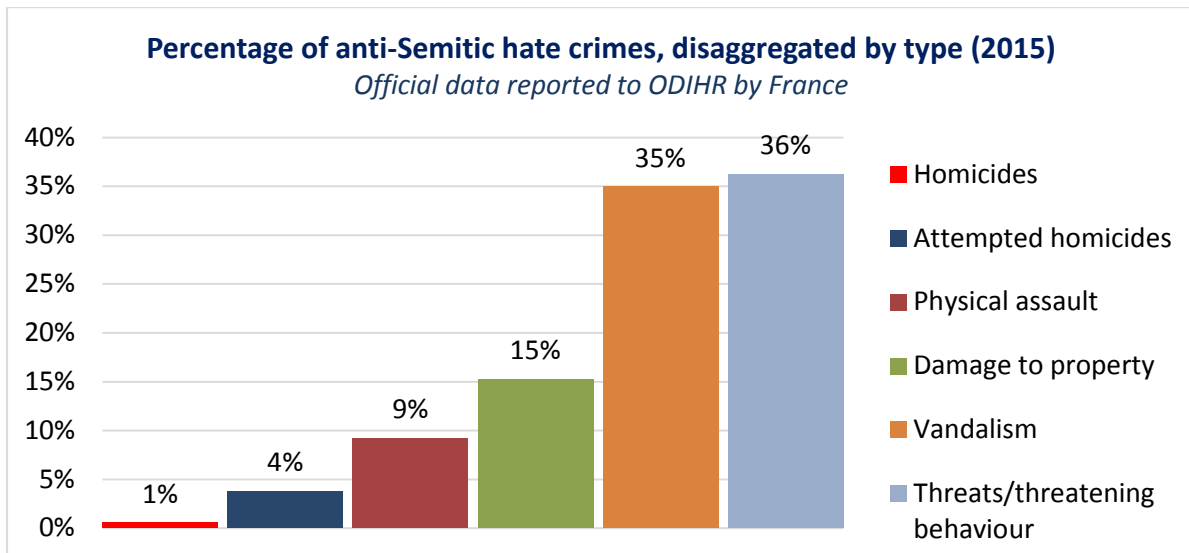
According to ODIHR’s Hate Crime Reporting website,¹¹ 715 anti-Semitic hate crimes were officially recorded in 2015, including four homicides and 27 attempted homicides,¹² 66 physical assaults, 109 cases of damage to property, 250 incidents of vandalism and 259 cases of threats. This excludes information provided by France on cases of discrimination, defamation and public insults (93 incidents). This is a decrease in comparison with figures from 2014, when official data recorded 851 anti-Semitic hate crimes, including 241 that were of a violent nature and 610 that were of a threatening character.

France did not submit official figures on anti-Semitic hate crimes to ODIHR in 2016.



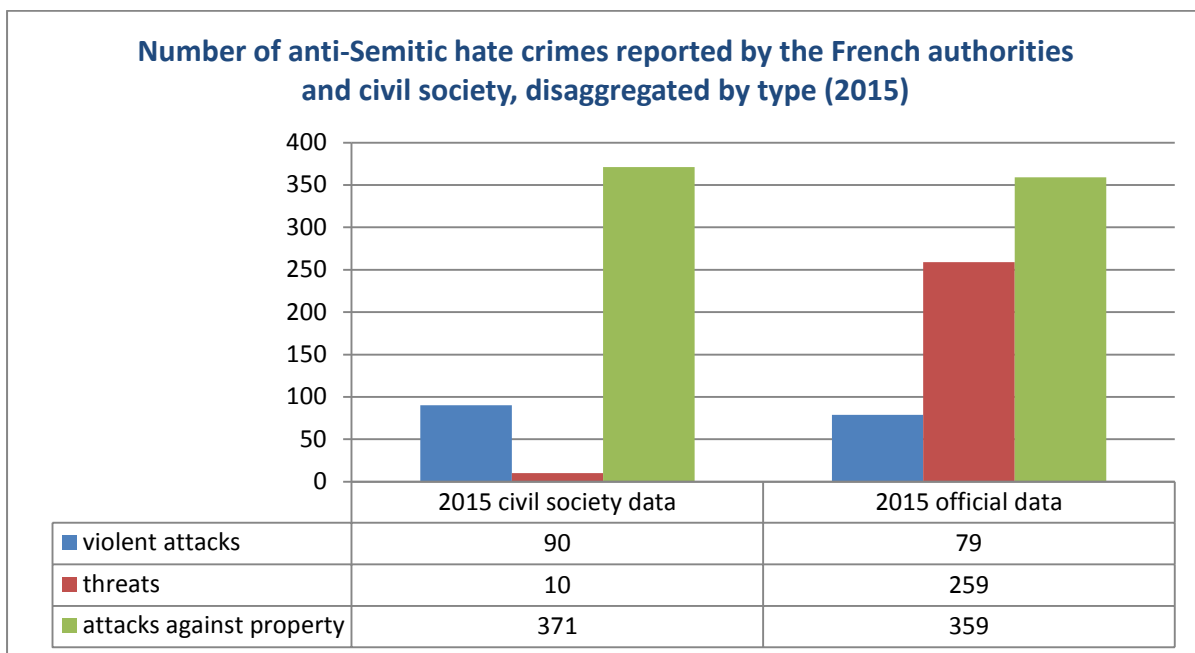
¹¹ OSCE/ODIHR Hate Crime Reporting website, <<http://hatecrime.osce.org/>>.

¹² This figure includes the four murder victims and the 25 hostages held at the kosher supermarket Hypercacher in January 2015. The hostages were all classified by the authorities as attempted homicides. In addition, a further two attempted murders motivated by anti-Semitism took place that year.



Civil society data for 2015 was submitted by the European Centre for Democracy Development, the SPCJ, the Anti-Defamation League (ADL) and the Kantor Centre, which all reported an incident in which four people were murdered and 25 were held hostage in a kosher supermarket in January 2015. The SPCJ and the ADL also both reported a physical assault in which a man was stabbed.¹³

The SPCJ also reported 66 physical assaults and 359 cases of vandalism, including 250 incidents of graffiti and 259 threats. The International League against Racism and Anti-Semitism (LICRA) reported ten physical assaults, including one resulting in a miscarriage; one sexual assault; one attempted physical assault; eight cases of threats; two incidents of burglary; and four incidents of vandalism.¹⁴



¹³ Ibid.

¹⁴ Ibid.

A 2016 survey conducted by the National Consultative Commission on Human Rights (CNCDH), calculated that 335 anti-Semitic incidents occurred in 2016, as compared to 808 the previous year. This constitutes the largest decrease on record since 2001, when the SPCJ documented a 71 per cent decrease to 219 cases.¹⁵ According to the report, the decrease in attacks “is primarily due to security measures applied by the authorities”.¹⁶

Likewise, according to a report published by the SPCJ, anti-Semitic incidents in France fell in 2016 to 335 from 808 in 2015, a reduction of 58 per cent.¹⁷ The SPCJ’s 2016 report details two acts of attempted homicide, 40 violent acts, 35 acts of vandalism and 258 cases of threats. However, the report also notes that many anti-Semitic acts now go unreported, stating that “Numerous victims of Antisemitic verbal attacks or light violence no longer file a complaint”. Moreover, the report notes that “one out of four racist acts committed in France in 2016 targeted a Jewish person, while Jews represent less than one per cent of the population”.¹⁸

Murder

In recent years, individuals have been killed in attacks motivated by anti-Semitism, including in the following attacks:¹⁹

- Paris: In January and February 2006, a young Jewish man was kidnapped, tortured and murdered. The perpetrators subscribed to the view that all Jews are rich and repeatedly contacted the victim’s family demanding large sums of money.
- Toulouse: On 19 March 2012, three children and the father of two of the children were shot and killed outside a Jewish school.
- Paris: On 9 January 2015, 29 people were held hostage at a kosher supermarket; four people were killed.
- Paris: On 4 April 2017, a 67-year-old Jewish woman was severely beaten and hurled to her death from the window of her third-floor apartment. In September 2017, the prosecutor officially characterized the murder as an anti-Semitic hate crime. The proceedings in this case are still on-going and the sentencing is pending.

¹⁵ “Report on the struggle against Antisemitism and homophobia 2016”, Coordination Forum for Countering Antisemitism, 30 March 2017, <<http://antisemitism.org.il/article/113453/report-struggle-against-antisemitism-and-homophobia-2016>>.

¹⁶ Ibid.

¹⁷ SPCJ Report, op. cit.

¹⁸ Ibid.

¹⁹ The incidents listed in this section include alleged anti-Semitic incidents, for which proceedings are still ongoing and, as of October 2018, the final outcome has not been determined by the French authorities.

Other violent attacks

Violent anti-Semitic attacks have occurred in France in recent years. Reported physical assaults have included the following:

- Créteil: On 1 December 2014, a young Jewish couple's home was burgled; the man was assaulted and the woman was raped.
- Nice: On 3 February 2015, three soldiers guarding a Jewish community centre were attacked with a knife.
- Blanc-Mesnil: On 15 July 2015, an elderly Jewish couple and their 42-year-old son were attacked in their own home. They were tied up and beaten while they were robbed. The victims told police that their assailants said, "you are Jewish, so you have money, which is why we decided to attack you."
- Marseille: On 24 October 2015, a rabbi and two Jewish worshipers were stabbed in an attack outside a synagogue.
- Marseille: On 18 November 2015, a rabbinical school professor was stabbed by three individuals who shouted anti-Semitic abuse.
- Bonneuil-Sur-Marne: On 14 December 2015, a chemical irritant was released into a synagogue's intercom, resulting in 14 people requiring medical treatment.
- Marseille: On 11 January 2016, a teacher was attacked by a teenage boy wielding a machete outside a Jewish school.
- Villemomble: On 9 March 2016, a Jewish couple's home was broken into. They were tied up and beaten by five perpetrators, who proceeded to steal property in the house and uttered anti-Semitic slurs.
- Strasbourg: On 19 August 2016, a man attacked and stabbed a 62-year-old Jew wearing a *kippah* in the city centre.
- Bondy: In February 2017, two Jewish men were attacked with a hacksaw after receiving anti-Semitic abuse.
- Livry Gargan: In September 2017, a Jewish family was beaten, held hostage and robbed in their home near Paris.
- Sarcelles: On 10 January 2018, a Jewish teenager wearing her Jewish school uniform was attacked. Her face was slashed by the assailant.
- Sarcelles: On 30 January 2018, an eight-year-old Jewish child wearing a *kippah* was attacked by two young people while leaving school.
- Paris: On 28 February 2018, a 14-year-old Jewish boy was attacked after leaving his synagogue during the Jewish holiday of Purim. During the attack, the perpetrators shouted anti-Semitic remarks such as "dirty Jew" and stole his *kippah*.

Threats

The Jewish community in France has also faced extensive threats of an anti-Semitic nature. Of those that have been reported, the most significant include:

- Paris: On 15 March 2015, an individual threatened Jewish children while pointing a shotgun at them, stating “I’m going to take care of you [...] dirty Jews”.
- Villeurbanne: On 17 April 2015, two Jewish individuals were insulted by two perpetrators who then threatened to “come back with forty people to cut the two Jews’ throats”.
- Aix-En-Provence: On 11 June 2015, an individual addressed soldiers guarding a synagogue, shouting “I’m going to kill all these Jews [...] Death to the Jews”.
- Paris: On 22 July 2015, a patient at a Jewish community-run institution shouted anti-Semitic slurs, including “if I had a Kalashnikov, I would have killed all the Jews”, and “I spit on this cursed race [...] dirty Jews, we’re in France, not in Israel”.
- Tournefeuille: On 15 August 2015, two individuals told military personnel guarding a synagogue that they wanted to plant a bomb in front of the building.
- Paris: On 19 April 2016, a Jewish man received death threats on the phone against him and his family, as well as anti-Semitic slurs and a ransom demand.
- Le Havre: On 12 December 2016, firearm cartridges were found in the mailbox of a synagogue.
- Pantin: On 31 December 2016, a Jewish man and his two sons were threatened while leaving a synagogue by an individual who claimed that he was going “to cut their throats”.

Attacks against Property

Attacks against Jewish properties have also occurred in France in recent years. Of those that have been reported, the most significant include:

- Sarre-Union: On 17 February 2015, a Jewish cemetery was desecrated and 280 gravestones damaged.
- Elbeuf: On 23 February 2015, a synagogue was defaced, with three Stars of David and the word “Jew” painted on the walls.
- Strasbourg: On 5 May 2015, the entrance to a Jewish family’s home was covered with butter and ham.
- Thann: On 23 June 2015, an anti-Semitic slur was painted on memorial plaques and an adjoining wall.
- Bondy: On 23 July 2015, a Jewish family’s home was robbed and defaced with anti-Semitic graffiti.
- Bastia: On 27 December 2015, a synagogue was attacked, and a tire was set on fire and placed against the door of the building.

- Le Havre: On 28 November 2016, bullet holes were found in the facade and mailbox of a synagogue.
- Montreuil: On 25 December 2016, a Jewish school was covered with anti-Semitic graffiti that read “Jews forbidden” and “filthy Jewish and Romani people”.
- Waldwisse: On 30 March 2017, around 40 tombstones at a Jewish cemetery in eastern France were smashed and overturned.
- Bernay: On 5 May 2017, during the French presidential election, the Normandy campaign office of Emmanuel Macron was covered with anti-Semitic graffiti.
- Noisy-le-Grand: On 5 October 2017, anti-Semitic slogans were painted on a Jewish family’s home.
- Creteil: On 9 January 2018, one kosher store in Creteil was targeted in a suspected arson attack which also damaged an adjacent kosher store. This incident occurred on the three-year anniversary of the Hypercacher kosher supermarket attack.

Handout 4: The impact of anti-Semitic hate crimes in France

In recent years, anti-Semitic hate crimes and security challenges have created a widespread sense of fear and insecurity among Jewish individuals and communities in France, affecting Jewish men, women, boys and girls, communities and institutions in many ways.

Contemporary security challenges as a result of anti-Semitism have a particular impact on young people and children. Jewish children in France are often enrolled in private schools that operate under heavy security measures. They grow up with a sense of fear and a consciousness of their own vulnerability which, in turn, has profound psychological repercussions.

Moreover, the need to build or strengthen security perimeters around buildings, schools and places of worship is a financial burden that is often borne by Jewish institutions, diverting funds from religious, cultural and educational activities. While necessary, the enhancement of security measures is also often cited as a reason for Jewish individuals and communities to feel isolated, preventing them from fully engaging and interacting with the wider society.

A wide variety of factors have contributed to the emigration of Jews from France. Experts and members of the Jewish community in France say that family, religious and economic reasons have played a role in decisions to emigrate.²⁰ However, some of those interviewed during ODIHR's needs assessment mission pointed out that, while no data exists on Jews' reasons for leaving France, some may be motivated by fear and anxiety over their physical security. Around 5,000 Jews left the country in 2016, adding to the record 7,900 and 7,231 Jews who emigrated in 2015 and 2014, respectively.²¹ In total, some 40,000 French Jews have emigrated since 2006.²² In recent years, however, the number of departures has decreased. Most of those interviewed by ODIHR concluded that recent terrorist attacks indicate that the entire French society is targeted and that Jewish communities are no longer the primary target.

²⁰ "Antisemitic robbers target Jewish family near Paris, officials say", *The Guardian*, 11 September 2017, <<https://www.theguardian.com/world/2017/sep/11/antisemitic-robbers-target-jewish-family-near-paris>>.

²¹ Ibid.

²² Ibid.

Handout 5: Domestic legislation

France's Law No. 2003-88 of 3 February 2003 on enhancing penalties for offences of a racist, anti-Semitic or xenophobic nature (also referred to as the "Lellouche Law") introduced an aggravating circumstance clause into Article 132-76 of the Criminal Code for offences committed "because of the victim's membership or non-membership, actual or supposed, to a particular ethnic group, nation, race or religion".²³ Moreover, Law No. 2003-239 of 18 March 2003 amended Article 132-77 of the Criminal Code by introducing a penalty enhancement for offences committed "because of the victim's sexual orientation". Gender identity was introduced as a protected characteristic by Law No. 2012-954 of 6 August 2012.²⁴

According to Article 132-76 of the Criminal Code, the aggravating circumstance clause is applied when the offence is preceded, accompanied or followed by written or spoken words, images, objects or actions of any nature that damage the honour or the reputation of the victim, or a group of persons to which the victim belongs, on account of their membership or non-membership, actual or supposed, to a particular ethnic group, nation, race or religion, or on account of their actual or supposed sexual orientation or gender identity.²⁵

Until January 2017, this penalty enhancement applied to the criminal offences of murder (Article 221-4 of the Criminal Code), torture and acts of barbarity (Article 222-3 of the Criminal Code), other acts of violence (Articles 222-8, 222-10, 222-12 and 222-13 of the Criminal Code), theft (Article 311-4 9° of the Criminal Code), threats (Article 222-18-1 of the Criminal Code) and extortion (Article 312-2 3° of the Criminal Code).

However, Law No. 2017-86 of 27 January 2017 regarding Equality and Citizenship has amended Articles 132-76 and 132-77 of the Criminal Code, so that the aggravating circumstance clause is now applicable to all offences that are punishable by imprisonment.

Moreover, Article R645-1 of the Criminal Code prohibits the public display of Nazi uniforms, insignias and emblems.

French legislation does not explicitly criminalize Holocaust denial. However, Law No. 90-615 of 13 July 1990 (also referred to as the "Gayssot Law") makes it an offence to question the existence or extent of crimes against humanity, as defined in Article 6 of the London Charter of 1945, on the basis of which Nazi leaders were convicted by the International Military Tribunal at Nuremberg.²⁶

²³ Legislationline, "Criminal Code of France (excerpts)", <<https://www.legislationline.org/documents/id/15731>>.

²⁴ Ibid.

²⁵ "Penal Code of France", Legifrance, <https://www.legifrance.gouv.fr/content/download/1957/13715/.../Code_33.pdf>.

²⁶ "Loi n° 90-615 du 13 juillet 1990 tendant à réprimer tout acte raciste, antisémite ou xénophobe [Law No. 90-615 of 13 July 1990 on preventing racist, anti-Semitic or xenophobic acts]", Legifrance, <<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000532990&dateTexte=&categorieLien=id>>.

In relation to hate speech, the Law on Freedom of the Press of 29 July 1881 envisages criminal liability for, *inter alia*, the following acts:

- “public incitement to discrimination, hatred or violence against a person or a group of persons by reason of their origin or membership or non-membership in a particular ethnic group, nation, race or religion” (Article 24, paragraph 7, introduced by Law No. 72-546 on the fight against racism of 1 July 1972);
- “public insult by reason of membership or non-membership, actual or supposed, in a particular ethnic group, nation, race or religion” (Article 33, paragraph 3, as amended by the Equality and Citizenship Act of 27 January 2017);
- “public defamation by reason of membership or non-membership, actual or supposed, in a particular ethnic group, nation, race or religion” (Article 32, paragraph 2);
- the “denial of crimes against humanity, crimes of enslavement or exploitation of a person held in slavery, or war crimes (...) when a person has been found guilty of such crimes by a French or International court” (Article 24); and
- the “glorification of war crimes, crimes against humanity, crimes of enslavement or exploitation of a person held in slavery or crimes or major offences of collaboration with the enemy and crimes of enslavement or exploitation of a person held in slavery, including when such crimes have not led to the conviction of the perpetrators” (Article 24, paragraph 5).²⁷

²⁷ “Loi du 29 juillet 1881 sur la liberté de la presse [Law of 29 July 1881 on the freedom of the press]”, Article 24, Legifrance, <<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006070722&dateTexte=vig#LEGIARTI000033975356>>.

Handout 6: European Parliament resolution on combating anti-Semitism

Considering France's EU membership it is appropriate to mention that since the publication of ODIHR's Practical Guide, the European Parliament has adopted a resolution on combating anti-Semitism (2017/2692(RSP)),²⁸ which calls on Member States to, *inter alia*:

- “adopt and apply the working definition of anti-Semitism employed by the International Holocaust Remembrance Alliance (IHRA)²⁹ in order to support the judicial and law enforcement authorities in their efforts to identify and prosecute anti-Semitic attacks more efficiently and effectively;
- “take all necessary steps to actively contribute to ensuring the security of their Jewish citizens and Jewish religious, educational and cultural premises, in close consultation and dialogue with Jewish communities;
- “appoint national coordinators on combating anti-Semitism;
- “encourage the media to promote respect for all faiths and appreciation of diversity, as well as training for journalists concerning all forms of anti-Semitism, in order to address possible bias;
- “provide enforcement authorities with targeted training on combating hate crime and discrimination, and [...] to set up dedicated anti-hate crime units in police forces where such units do not yet already exist;
- “step up efforts to ensure that a comprehensive and efficient system is put in place for the systematic collection of reliable, relevant and comparable data on hate crimes, disaggregated by motivation and including acts of terrorism; and
- “urge online intermediaries and social media platforms to take expeditious action to prevent and combat anti-Semitic hate speech online”.

The resolution further stressed the “important role of civil society organisations and education in preventing and combating all forms of hatred and intolerance”,³⁰ and called for increasing financial support. It also encouraged “members of national and regional parliaments and political leaders to systematically and publicly condemn anti-Semitic statements and to engage in counter-speech and alternative narratives, and to set up cross-party parliamentary groups against anti-Semitism so as to strengthen the fight across the political spectrum”.

²⁸ European Parliament, “Resolution on combating anti-Semitism (2017/2692(RSP))”, adopted on 1 June 2017, <<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+MOTION+B8-2017-0383+0+DOC+XML+V0//EN>>. The resolution was adopted by a simple majority of 479 votes in favour, 101 votes against and 47 abstentions.

²⁹ 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. The definition was adopted by the governments of Austria, Bulgaria, Germany, Romania and the United Kingdom in 2017, and by the governments of the former Yugoslav Republic of Macedonia and Lithuania in 2018. The definition has not been adopted by the OSCE.

³⁰ European Parliament Resolution, op. cit.

Handout 7: Institutional context

France's Ministry of the Interior remains the most important governmental interlocutor for the Jewish community. There are three departments within the Ministry that are responsible for liaising with religious communities in France. The Delegation for Security Co-operation (*Délégation aux Coopérations de Sécurité*) is responsible for administering the funds dedicated to providing security for religious communities. The Delegation for Victims (*Délégation aux Victims*) of the National Police Department is responsible for collecting and cross-checking hate crime data. The Central Office for Religions (*Bureau Central des Cultes*) is responsible for relations with all religious or belief communities.

In terms of securing places of worship and deploying patrols, including military forces, the police and the gendarmerie, the Minister of Interior takes final decisions on the resources deployed on a weekly basis based on the recommendations of regional Prefects of Defence and Security Areas (*Préfets de Zone de Défense et de Sécurité*), who are in charge of security in specific areas.

The Ministry of Justice is another important government body for the Jewish community, as it implements the government's policy on combating racism and discrimination. The Ministry also leads efforts to promote access to the law, including by informing all citizens – especially victims of anti-Semitism, racism and discrimination – of their rights and duties.

Another important actor is the Interministerial Delegation for Combating Racism, Anti-Semitism and anti-LGBT Hate (DILCRAH), which was created in 2012 and placed under the direct supervision of the Prime Minister in 2014. DILCRAH has a mandate to address anti-Semitism, racism and, since 2016, anti-LGBT hate.

The National Consultative Commission on Human Rights (CNCDDH), created in 1947, is the national institution responsible for promoting and protecting human rights. The CNCDDH, in accordance with Law No. 90-615 of 13 July 1990 and in its capacity as the National Rapporteur for Preventing Racism, submits an annual report to the government surveying anti-Semitism, racism and xenophobia in France, as well as the tools adopted by government institutions and civil society to address these issues.³¹

The Jewish community is represented by four main institutions, namely the Representative Council of Jewish Institutions in France (*Conseil Représentatif des Institutions Juives de France*, or CRIF), the Central Jewish Consistory of France (*Consistoire Central de France, Union des Communautés Juives de France*), the United Jewish Social Fund (*Fonds Social Juif Unifié*) and the SPCJ.

³¹ “Report on the Prevention of Racism, Anti-Semitism and Xenophobia”, National Consultative Commission on Human Rights (CNCDDH), 2015, <http://www.cncdh.fr/sites/default/files/les_essentiels_-_report_racism_2015_anglais.pdf>.

CRIF's mandate includes representing French Jewry vis-à-vis the French government, addressing anti-Semitism and promoting human rights, among other roles.³² However, CRIF does not handle religious issues, which are the responsibility of both the Central Jewish Consistory of France and the Chief Rabbinate.³³ In addition, the United Jewish Social Fund finances the needs of the Jewish community.³⁴

The SPCJ – a specialized security body within the Jewish community – was founded in 1980 following the bombing of a synagogue on the Rue Copernic in Paris. According to its 2016 report on anti-Semitism in France, the SPCJ arose out of the joint determination of CRIF, the Jewish United Social Fund and the French Rabbinate to protect the Jewish community.³⁵

³² European Jewish Congress, “Information about the Community”, <<https://eurojewcong.org/communities/france/>>.

³³ Ibid.

³⁴ Ibid.

³⁵ SPCJ Report, op. cit.

Handout 8: Recommendations

The recommendations contained in the Practical Guide are formulated broadly and are primarily intended for law enforcement officials in all 57 OSCE participating States. During its needs assessment mission to France, ODIHR applied the ten-step model provided in the Practical Guide to evaluate the consultation mechanisms and co-operation between local and national authorities and Jewish communities. The Office then formulated a number of recommendations specific to the situation in France.

1. Acknowledging the problem

The starting point for the government to address anti-Semitic hate crimes and ensure the security needs of Jewish communities is to acknowledge that anti-Semitism is a challenge that poses a threat to stability and security, and that anti-Semitic incidents require a prompt response. The French government has recognized this by engaging in dialogue with Jewish communities about the security threats and challenges they face. The French authorities have acknowledged that Jewish communities are targeted by terrorists and include Jewish community facilities in lists of potential targets of terrorist attacks.

This acknowledgement was strengthened in 2014, when the then Prime Minister decided to place DILCRAH under his direct supervision. DILCRAH was tasked with implementing the Action Plan against Racism and Anti-Semitism for 2015-2017, which included a dedicated budget. The Action Plan included measures including the following: conducting hate crime victimization surveys to reveal the scale of unreported hate crime; increasing the visibility of criminal justice efforts to combat hate crime by publishing the information on sentences disaggregated by type of recorded bias; and providing specialized assistance to victims of hate crimes.

On 2 October 2017, the French Prime Minister announced that a new three-year Action Plan against Racism and Anti-Semitism would be elaborated for 2018-2020. DILCRAH remains in charge of elaborating and implementing the plan and for consulting with civil society and government actors in the process.

The Ministry of Justice also plays a role in implementing the National Action Plan against Racism and Anti-Semitism, including by reforming the data recording system to enable a better understanding of racist and anti-Semitic hate crimes, implementing an agreement with the non-governmental organization LICRA to support victims of discrimination and creating anti-discrimination focal points in magistrates' offices.

It is worth noting that parliamentarians in some OSCE participating States have taken the lead in putting challenges related to anti-Semitism on the national agenda, including with

regard to security concerns. This is true in France, where a cross-party study group on anti-Semitism is active in the French National Assembly.

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. In France, efforts to conduct and update the threat and risk assessments for Jewish community facilities is not conducted jointly by law enforcement authorities and Jewish community representatives or security professionals. Instead, the authorities seek information from Jewish community security professionals about potential threats to help improve their risk assessments and focus on issues of particular concern to the community.

There also appears to be transparency in sharing information between government officials and members of the community. The SPCJ receives reports from the government after each threat and risk assessment is completed. The Jewish community is informed whenever a specific threat is identified and when the level of threat changes.

The SPCJ, which enjoys the trust of community members, undertakes specific measures to raise awareness in the community about security issues, including developing security plans, training opportunities, publications, emergency exercises and guidance on the adoption of systematic approaches to ensuring security.

The SPCJ undertakes the above-mentioned measures on the basis of partnership agreements with each facility that it trains, including schools, synagogues, kosher shops, restaurants and other potential targets. Such an approach ensures that such Jewish community institutions are not entirely dependent on the SPCJ, but rather take responsibility for their own security. The security guards and volunteers responsible for securing the premises of these facilities are trained by SPCJ experts but are not employed by the organization. All Jewish schools and synagogues have an external and visible security presence when in use.

In light of the above, ODIHR recommends that the French authorities continue their ongoing dialogue with Jewish community organizations and members to ensure that security measures meet the community's needs and are informed by members' input, ensuring that both women's and men's voices are heard. When developing policing strategies, government officials may 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.

ODIHR also recommends that the French authorities and Jewish community representatives and security professionals jointly conduct and update the threat and risk assessments for Jewish community facilities. Moreover, the French police should work closely 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..

3. Raising awareness

It is important to underscore that anti-Semitic hate crimes do not take place in a vacuum. Anti-Semitic expressions online and offline, in public discourse and everyday situations, form the backdrop to many attacks.

Over the long term, anti-Semitic hate crimes and the security needs of Jewish communities can only be addressed effectively if the underlying, deeply-rooted anti-Semitic stereotypes that drive attacks on Jewish communities and sites are dealt with in a holistic way. This requires 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. It can take many forms, including educational programmes, parliamentary hearings, media campaigns and research. In France, a number of programmes exist that aim to help those involved understand, deconstruct and reject anti-Semitic prejudices.

In this context, it is important to note that the Action Plan against Racism and Anti-Semitism for 2015-2017 states that “education spreads far beyond the classroom: it takes place through culture, visiting remembrance sites, learning about community life, and sport.”³⁶ The Action Plan includes a number of measures such as, for example, creating a scientific committee attached to DILCRAH and establishing a network of advisers on racism and anti-Semitism in higher education establishments.³⁷ On 21 March 2017, DILCRAH launched an online interactive platform that aims to share the resources on combating racism and anti-Semitism with the wider public.

Another example of an important initiative countering anti-Semitism among French youth is “CoExist” – an educational project spearheaded by the Union of French Jewish Students (*l’Union des Etudiants Juifs de France*), the NGO movement *SOS Racisme* and the student network *la Fabrique*³⁸, with the support of the Ministry of Education. “CoExist” provides French pupils aged 13 to 17 with a “safe space” in which to confront and deconstruct their prejudices.³⁹

³⁶ “Mobilizing France against Racism and Anti-Semitism, 2015-2017 Action Plan”, Government of France, 2015, <http://www.gouvernement.fr/sites/default/files/contenu/piece-jointe/2015/05/dilcra_mobilizing_france_against_racism_and_antisemitism.pdf>.

³⁷ Ibid.

³⁸ La Fabrique has recently been replaced by the biggest student union, le FAGE

³⁹ The website of the “CoExist” project, “*Le collectif d’associations* (the collective of associations)”, <<http://www.coexist.fr/le-collectif-dassociations/>>.

In 2015, the Directorate of Criminal Affairs and Pardons of the Ministry of Justice disseminated a circular about including a specific module on racism and anti-Semitism within training materials for applicants for French citizenship, as developed by the Citizens and Justice Federation (*Fédération Citoyens et Justice*).

The Justice Ministry also developed a regional training programme on citizenship for the perpetrators of racist acts. The training programme, which is implemented by the Shoah Memorial, is provided as an alternative to prosecution or sentencing and serves to remind perpetrators of the values of tolerance and respect for human dignity.

In addition to education and training programmes, parliamentary hearings on anti-Semitism can help raise awareness by ensuring that the problem is high on the national agenda.

Moreover, the media can also play a role in raising awareness of anti-Semitism, as they are uniquely placed to inform and mobilize the wider public on the prevalence of anti-Semitism and its impact on Jewish communities.

In this context it is important to note that, in November 2015, a national campaign on the “Great National Cause” was created to promote associations working to address racism and anti-Semitism on French Television.

Finally, while the CNCDH reports that “the violence of the acts committed against the French Jews were arousing an instinctive sense of compassion and solidarity towards them among public opinion”, it also notes that long-standing anti-Semitic prejudices remain in France.⁴⁰

It is, therefore, critical to promote an understanding among the wider public of the specific features of contemporary manifestations of anti-Semitism, and to stress that the French society at large has to take ownership of the work to address anti-Semitism, rather than viewing it as a problem to be solved by Jewish communities.

4. Building trust between the government and Jewish communities

Establishing channels of communication between the government and the Jewish community is especially important for strengthening trust, ensuring the effective exchange of information about potential threats and developing long-term strategies.

Consultation, co-operation and co-ordination channels between the French authorities and Jewish communities are very well established. Jewish community representatives are able to articulate their security needs and concerns on a regular basis, even though this co-operation has not been formally established by a Memorandum of Understanding.

At the national level, monthly meetings between representatives of the Jewish community (including representatives of CRIF, the Central Jewish Consistory of France, the United Jewish Social Fund and the SPCJ) and the authorities (including officials representing the

⁴⁰ CNCDH Report, op. cit.

Ministry of Interior, the Ministry of Defence and the Paris Prefecture, among others) are held to discuss matters pertaining to the security of Jewish communities. Moreover, the leadership of the SPCJ remains in close contact with the Deputy Minister of the Interior, while the SPCJ's regional co-ordinators are in contact with the Department Prefects (*Préfets de département*) and the Prefects of Defence and Security Areas (*Préfets de Zone de Défense et de Sécurité*). Such regular contact allows officials to find out more about challenges related to anti-Semitism and contributes to making sure that government policies and services are relevant to the community.

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 their leadership and security focal points. The frequency of such communication is of paramount importance in building trust.

In France, there is no unified approach to establishing Jewish community liaison officers or single points of contact in all relevant police forces and security services at the local level. The usual practice involves regular contact between the SPCJ's regional co-ordinators and police commissioners. However, there are no routine meetings set up for this purpose, and the contact appears to be direct and of an *ad hoc* nature.

In light of the above, French criminal justice agencies should consider appointing local-level liaison officers to act as special contact points for Jewish communities and to follow up on their concerns related to anti-Semitism. Such liaison officers could have the role of building trust incorporated into their job descriptions and be responsible for developing strategies specifically for this purpose.

Moreover, it would be advisable for criminal justice agencies to invite Jewish community members to conduct training workshops and organize events aimed at introducing law enforcement officers to the community, its history and religious traditions, as well as to the challenges it faces with regard to anti-Semitism. Mayors and police representatives can also visit local synagogues, Jewish cultural centres and key Jewish sites to get to know and learn about the community.

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

It is important to note that many Jewish communities in France, as well as in other OSCE participating States, dedicate substantial resources for security purposes that could otherwise be used for cultural and educational work. It is, therefore, of paramount importance that the

government provides financial resources that can help address the security needs of Jewish communities.

Since 2015, the French Ministry of the Interior, which is responsible for co-ordinating the protection of places of worship, administers funds under a wider plan to combat terrorism. Within the framework of this plan, religious communities receive financial aid for their security equipment (such as CCTV, window and door reinforcements and entry codes, etc.).

According to a Ministry of Interior report to the CNCDH, as of 1 November 2016, the Jewish community received 2,847,020 Euros (for 155 projects), the Christian community received 372,113 Euros (for 26 projects) and the Muslim community received 231,341 Euros (for 25 projects).⁴¹

Financial aid is administered by the Ministry's Delegation for Security Co-operation (*Délégation aux Coopérations de Sécurité*, or the DCS). The communities propose measures that require financing and submit their proposal to the DCS, which reviews the proposals and provides the financial aid accordingly. The Jewish community receives 80 per cent of its budget for security equipment from the DCS, but must obtain the remaining 20 per cent from other sources. The French government does not provide financial resources for the purpose of funding security guards or other staff costs.

In the wake of the January 2015 Île-de-France attacks, the government boosted security at synagogues and Jewish schools through a military operation (titled *Opération Sentinelle*) that deployed 10,000 soldiers and 4,700 police officers and gendarmes to protect various sites from terrorist attacks. The patrols were initially static, but the Ministry subsequently took the decision to make them mobile. The Jewish community was initially concerned about the change, but following discussions with the authorities accepted the decision.

In its 2016 report to the CNCDH, the Ministry of Interior stated that, at the end of 2016, 815 Jewish sites were protected by mobile patrols. In 2015, the average number of protected Jewish sites was 790.⁴²

The Ministry of the Interior produces weekly statistics about the protected sites. The number of patrols and protected sites changes each week depending on when various religious holidays occur. The system of approval for deploying patrols is centralized. The Minister of the Interior takes decisions on what resources to deploy based on the recommendations of the Prefects of Defence and Security Areas (*Préfets de Zone de Défense et de Sécurité*), who are in charge of security in specific areas.

Buildings belonging to the Jewish community that are likely to be targeted during religious festivals are protected by moving patrols. However, during the recent *Hagim* holiday period,

⁴¹ "Rapport 2016 sur la lutte contre le racisme, l'antisémitisme et la xénophobie – Contribution du ministère de l'intérieur [2016 Report on the fight against racism, anti-Semitism and xenophobia]", CNCDH, 2016, <http://www.cncdh.fr/sites/default/files/contribution_ministere_de_linterieur.pdf>.

⁴² Ibid.

when many religious holidays (such as *Rosh Hashanah*, *Yom Kippur* and *Sukkot*) take place, the Jewish community expressed disappointment with respect to the low level of protection provided by the authorities. **Therefore, ODIHR recommends that the authorities discuss the provision of extra protection and other adequate security and safety measures (including traffic and crowd management) during key events, such as Jewish holidays, with the Jewish community, and that the community's suggestions are taken into consideration when deciding what protection measures to undertake.**

Jewish community representatives have further noted that the protection of Jewish sites under *Opération Sentinelle* was gradually reduced in 2017, with the military no longer being deployed. The French government appears to be of the view that, in light of all the recent terrorist attacks, the threat is now spread and that the current level of protection deployed to Jewish sites is not sustainable in the long term. **It would, however, be advisable that any changes in police or military deployment strategies applied to protect Jewish sites are clearly co-ordinated with the Jewish community.**

6. Working with the Jewish community to set up crisis management systems

As a specialized security body, the SPCJ has developed extensive expertise in devising security strategies and crisis management plans. The organization provides psychological, social, religious, legal and medical assistance to victims of attacks. This support is not designed to duplicate the efforts undertaken by the French authorities, but to complement them. The measures undertaken by the SPCJ and the government, therefore, work hand in hand, rather than against each other or in contradictory directions.

In order to strengthen co-operation in relation to crisis management, it is recommended that French government representatives take an active role in workshops and awareness-raising events designed to increase the capacity of Jewish communities to respond to attacks.

It would also be advisable to organize joint drills for law enforcement officials, Jewish community security 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

Recognizing and recording the bias motivation of anti-Semitic crimes is one of the most important ways in which governments can acknowledge the problem and its extent, and also helps to validate the experiences of victims targeted based on their actual or perceived Jewish identity.

As first responders to crimes, the police are usually key to ensuring that hate crimes are classified and recorded as such, as they are responsible for determining and recording the type of crime and whether it involved a possible anti-Semitic bias motivation. The information that the police collect and how they characterize it can be crucial to ensuring that a crime is investigated and prosecuted as an anti-Semitic hate crime. Indeed, how the police respond at the scene of a hate crime can affect the recovery of victims, the community's perception of the government's commitment to addressing hate crimes and the outcome of the investigation.

The quality of information collected by the police is also critical to how the government develops longer-term policies and preventive action measures. It is essential, therefore, that law enforcement agencies are trained to properly recognize and record hate crimes.

As an OSCE participating State, France has repeatedly pledged to address anti-Semitism and has committed to:

- “Introduce or further develop professional training and capacity-building activities for law enforcement personnel, prosecution and judicial officials dealing with hate crimes;
- “Conduct awareness raising and education efforts, particularly with law enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes.”⁴³

With the 2014 Basel Ministerial Council Declaration on “Enhancing Efforts to Combat Anti-Semitism”, the OSCE Ministerial Council rejected and condemned “manifestations of anti-Semitism, intolerance and discrimination against Jews” and called on OSCE participating States, including France 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”.⁴⁴

With this in mind, it should be noted that while the French legislation pertaining to hate crimes appears to largely conform to international human rights standards and OSCE commitments, there is room for improvement in terms of how law enforcement officials and prosecutors recognize and record hate crimes.

Currently, all crimes are recorded strictly according to the relevant criminal code provision. In addition, the current system categorizes crimes by type and according to the protected

⁴³ OSCE Ministerial Council Decision 9/09, “Combating Hate Crimes”, Athens, 2 December 2009, <<https://www.osce.org/cio/40695>>.

⁴⁴ OSCE Ministerial Council Declaration No. 8/14, “Declaration on Enhancing Efforts to Combat Anti-Semitism”, Basel, 5 December 2014, <<https://www.osce.org/cio/130556>>.

characteristics provided for by law, including race, religion, sexual orientation, gender identity and sex. Written instructions have been developed to guide police officers when recording hate crimes.

However, there is no specific system, policy or training programme to ensure that criminal justice officials recognize and record anti-Semitic hate crimes as a distinct category. For example, there is no unified, comprehensive and efficient data collection system that would enable the recording of anti-Semitic hate crimes on incident reporting forms and provide reliable, relevant and comparable disaggregated data on each type of anti-Semitic hate crime. This can lead to a great deal of variation in how and whether hate crimes are recognized and recorded, and it often depends on the experience and expertise of a particular law enforcement official. **It would, therefore, be advisable to set up a unified system for recording and collecting data on hate crime, and to introduce anti-Semitic bias motivation as a sub-category of hate crime in the recording system.**

Moreover, it appears that, despite the fact that DILCRAH has prepared and shared documents designed to help police officers to recognize and record hate crimes, criminal justice agencies are not provided with a set of specific indicators (known as “bias indicators”) to help them identify a potential anti-Semitic bias motivation. It should be noted that, while the presence of bias indicators on a crime scene does not prove that an incident was a hate crime, such guidance can help to facilitate the process of recognizing and recording anti-Semitic hate crimes. If bias indicators are identified, then these should be recorded in the criminal file to inform the further investigation and prosecution of potential anti-Semitic hate crime cases.

It also appears that those responsible for recognizing and recording anti-Semitic hate crimes do not always take the victim’s perception – an important indicator of anti-Semitic bias – sufficiently into account. According to some civil society actors, in some cases complaints are not registered and police officers only take a statement (including in the so-called *main courante* – a record detailing all events taking place each day at the police station). Such an approach may not only have a negative impact on how the community views the government’s commitment to addressing hate crimes but may also affect the outcome of the investigation.

It is recommended that French law enforcement officers take special care to treat low-level offences seriously and work with the community on a day-to-day basis to ensure that anti-Semitic hate crimes are addressed effectively.

When recording anti-Semitic hate crimes, it would also be advisable for French law enforcement officers to rely on a specifically developed list of bias indicators. In doing so, they should place special importance on the victim’s perception of the incident as an indicator, as emphasized by DILCRAH in its trainings and material.

It is further recommended that the practice of taking statements for the *main courante* instead of registering complaints be avoided or discontinued entirely. Police preventive work would benefit from recording all incidents – including less serious anti-Semitic infractions that may not constitute a crime – for the purposes of gathering intelligence and developing policy and prevention efforts.

Moreover, it is recommend that law enforcement personnel, prosecutors and judicial officials are provided with more training and awareness-raising opportunities aimed at strengthening their understanding of the specific features of anti-Semitic hate crimes, including through the study of relevant case studies and scenarios.

It is also recommended that the French government gathers the relevant government and non-governmental actors for meetings aimed at improving hate crime data collection and bringing it in line with domestic law and international human rights standards. Such meetings would serve to ensure a common understanding and categorization of hate crime data, and would be an opportunity for civil society to circulate their reports on anti-Semitic hate crimes and inform government officials of contemporary manifestations of anti-Semitism.

Further, the French government could 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 their respective communities. Similar task forces can also be set up at the local level. The authorities could also consider setting up dedicated hate crime units in police forces where such units do not already exist.

It is recommended that the French government adopt state policies requiring that all law enforcement officers recognize and record the anti-Semitic bias motivations of hate crimes. Finally, it is important that accessible and confidential reporting mechanisms are in place to help facilitate the reporting of anti-Semitic hate crimes.

8. Working with Jewish communities on hate crime data collection to ensure their security needs are met

Collecting data on anti-Semitic hate crimes is crucial to assessing the challenges related to anti-Semitism and ensuring that security measures correspond to the needs of Jewish communities. Government agencies should co-operate with civil society, including Jewish organizations, in sharing, checking and collecting data on anti-Semitic hate crimes with the aim of obtaining more accurate data and statistics and addressing the problems of under-reporting and under-recording.

The SPCJ works closely with the French Ministry of Interior's Delegation for Victims (*Délégation aux Victims*) to verify specific cases on a monthly basis with the aim of enabling

detailed and reliable monitoring. The SPCJ's annual reports list anti-Semitic acts that were reported to the police and the SPCJ, which are then cross-checked with reports from various police precincts and "consolidated" by the Ministry of Interior.

9. Reassuring the community in case of an attack

It is vital that anti-Semitic attacks are acknowledged and condemned by government officials; indeed, an inappropriate official response can help to amplify the negative impact of such attacks. In contrast, strong statements by public officials can help to instil confidence in the community that was targeted by the attack.

French political leaders – including the President, the Prime Minister and the Minister of Interior – have a track record of speaking out strongly and swiftly to condemn incidents of anti-Semitism, visiting the Jewish community in the aftermath and commemorating attacks. The following examples of statements by political French leaders are illustrative of the government's response:

"We have understood, with horror, that anti-Semitism is still alive. And on this issue our response must be uncompromising. France would not be itself if Jewish citizens had to leave because they were afraid." – Emmanuel Macron, President of France (17 July 2017)

"When someone attacks a French citizen because of his background or his beliefs, he attacks France and what it holds most precious: its way of life, its values, its heritage [...] the awakening of anti-Semitism is a symptom of a crisis of democracy." – Edouard Philippe, Prime Minister of France (2 October 2017)

"The French government is determined to do everything to combat every form of racism and anti-Semitism, which have no place in the French Republic." – Gérard Collomb, Minister of the Interior of France (11 September 2017)

It is equally important to provide increased police protection and patrols following an attack, as this can help to reassure the community when it is at its most vulnerable. The French government responded accordingly following the 2015 Île-de-France attacks, when it enhanced security at synagogues and Jewish schools by deploying soldiers, police officers

and gendarmes to protect various sites. It is important that any subsequent decision to ease protection measures are clearly communicated to Jewish community representatives, and the authorities should first obtain the support and understanding of the community leadership and receive their input before taking such a decision.

It should, furthermore, be stressed that civil society also plays a role in managing the impact of major incidents. Publicly and openly demonstrating civic solidarity with Jewish communities, acknowledging the impact on them of anti-Semitic attacks and signalling a zero-tolerance policy towards all manifestations of anti-Semitism have proven to be effective strategies in several countries.

The active engagement and expression of solidarity by the wider public following an attack, including acknowledging the anti-Semitic nature of the incident, can help to reassure the Jewish community. Members of the public can demonstrate their commitment to work towards a society where Jewish people feel safe to publicly express their religion and identity.

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

French government agencies provide valuable assistance to Jewish communities in alleviating the trauma of anti-Semitic incidents and assisting communities to return to their daily lives following an attack.

It is worth pointing out that the Ministry of Justice provides financial support to civil society organizations working specifically to provide assistance to the victims of racist, anti-Semitic and xenophobic acts and threats, and has concluded a number of objectives-based agreements with these organizations. These include the International League against Racism and Anti-Semitism (LICRA), *SOS Racisme*, the Network of Assistance to Victims of Aggression and Discrimination (RAVAD), the Human Rights League, the National Office of Vigilance against Anti-Semitism (*Bureau National de Vigilance Contre l'Antisémitisme*) and the French Victim Support and Mediation Institute (*France Victimes*).

To improve their support to the victims of anti-Semitic attacks, the government should ensure that law enforcement agencies understand the structure of Jewish communities and the responsibilities of their members. 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 is especially relevant when interviewing victims and witnesses, recording evidence and conducting other policing duties. **ODIHR recommends that law enforcement officials, and especially those responsible for providing support to victims, be trained on the specific structure of the Jewish community, Jewish religious practices and Jewish holidays and traditions. In light of the differential impact of security challenges on men and women,**

law enforcement officials should devise and implement gender sensitive policies and practices related to victim support.

Law enforcement officials should also consult Jewish communities and relevant victim support organizations to develop effective strategies for supporting victims and to adopt nuanced approaches following each incident.

Handout 9: Dates of specific significance in France

7-9 January: Charlie Hebdo and Hypercacher Kosher Supermarket attacks

27 January: International Holocaust Remembrance Day

13 February: Death of Ilan Halimi

19 March: Attack at the Ozar Hatorah School in Toulouse

16- 17 July: *Vel' d'Hiv* Roundup (Holocaust Remembrance Day in France)

Handout 10: Case studies

The following case studies can be used when training law enforcement on anti-Semitic hate crimes, in particular on 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?

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 burgled. The attackers demanded money, credit cards and jewellery, all the while making remarks such 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.”

Case study 2

On the night of 8 September 2017, three individuals broke into the house of a family of three. The 72-year-old father of the family heads an organization that represents Sephardic Jews in France. The attackers cut off the electricity in the house and took the family hostage in their own home. The perpetrators, armed with knives, proceeded to assault the victims and steal their property. As they did so, the attackers said, “you are Jews, we know Jews have lots of money, and you are going to give us what you have got.”

Prosecutors swiftly recognized the anti-Semitic element in the case and investigated it as a hate crime. The Interior Minister condemned the incident, expressing his determination “to do everything to combat every form of racism and anti-Semitism.” The perpetrators were not found.

Case study 3

In 2015, a Jewish cemetery was desecrated in a small town near the German border. The attack resulted in the destruction of 250 Jewish graves. A monument to victims of the Holocaust was also destroyed. Prosecutors alleged that the perpetrators performed Nazi salutes and expressed anti-Semitic epithets during the attack, although the perpetrators denied this.

Following the attack, five teenagers were arrested and faced a maximum of seven years in prison. The perpetrators were given suspended prison sentences of 18 months and 140 hours of community service, respectively. In the week following the attack, other cemeteries were desecrated, albeit to a lesser extent. The incident was later condemned by the French President as a “barbaric” act.

Case study 4

In 2016, several incidents of anti-Semitic threats against the Jewish community occurred while congregants were entering or leaving a synagogue in a capital city. One incident involved a Jewish individual and a rabbi being subjected to insults such as “dirty Jews, I’m going to kill you, I will get you, dirty Jews”, as they were leaving a synagogue.

Less than a month earlier, in the same city, a Jewish teenager faced anti-Semitic abuse on his way to the synagogue. The teenager was attacked, called a “dirty Jew”, and his *kippah* was stolen.

Handout 11: Summary table

Type of actor	What can I do to help address the problem?	With whom can I work to address the problem?	How can I use this publication?
Member of the National Assembly or Senator	<p>Request that ODIHR conducts a legal review of draft or existing legislation pertaining 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>Establish a cross-party parliamentary working group on anti-Semitism.</p> <p>Study the recommendations contained in the European Parliament resolution on combating anti-Semitism (2017/2692(RSP)).</p> <p>Use every opportunity to condemn and reject expressions of anti-Semitism.</p> <p>Commission expert opinions and recommendations from academics and researchers to improve understanding of the problem.</p> <p>Promote the implementation in France of ODIHR's police and prosecutor hate crime training programmes – Training Against Hate Crimes for Law Enforcement (TAHCLE) and Prosecutors and Hate</p>	<p>Find out more about the work of international parliamentary bodies regarding anti-Semitism, such as the</p> <p>Inter-parliamentary Coalition for Combating Antisemitism (ICCA), the OSCE Parliamentary Assembly and the European Parliament Working Group on Antisemitism.</p>	<p>Become familiar with the recommendations contained in the European Parliament resolution on combating anti-Semitism (2017/2692(RSP)) and put them on the agenda.</p> <p>Engage with DILCRAH and ODIHR to raise awareness about the Practical Guide and the Customization Report for France.</p> <p>Learn about the specific features of anti-Semitic hate crimes in France to strengthen your own response to anti-Semitism.</p>

	Crimes Training (PAHCT). ⁴⁵		
Civil Servant	<p>Find out how data on anti-Semitic hate crimes are collected in France and address any gaps.</p> <p>Assess and review the mechanisms, policies and measures in place to address the security needs of Jewish communities and provide protection for Jewish sites.</p> <p>Promote the implementation in France of ODIHR’s TAHCLE and PAHCT programmes.</p>	<p>Get in touch with Jewish communities and civil society organizations, such as the SPCJ, to find out more about their reports on anti-Semitic hate crimes in France.</p> <p>Engage with the National Consultative Commission for Human Rights on their annual reports on anti-Semitism in France.</p>	<p>Learn about the different types of anti-Semitic attacks that have occurred in France, paying particular attention to the context in which such attacks take place.</p>
Law Enforcement Officer	<p>When assessing a criminal offence, consider whether it might have been motivated by bias.</p> <p>Make an appointment with local Jewish community representatives to establish contacts and learn about their security concerns and how the community works.</p> <p>Establish a single point of contact for the Jewish community within your police station. Build trust by maintaining regular contact between the PoC and the Jewish community.</p> <p>Strengthen your own understanding of and</p>	<p>When investigating a criminal offence, ask the victim and any witnesses for their perception of the crime.</p> <p>Ask your supervisor(s) to take part in relevant training programmes, such as TAHCLE and PAHCT. Liaise with your supervisor(s) about whether the training programmes could be taken up at the national level.</p> <p>Ask for a contact person at the SPCJ and in the local Jewish community.</p>	<p>Study the recommendations provided in the Customization Report that relate specifically to law enforcement personnel.</p>

⁴⁵ For more information, see: *Training Against Hate Crimes for Law Enforcement: Programme Description* (Warsaw: OSCE/ODIHR, 2012), <<https://www.osce.org/odihr/tahcle>>; and *Prosecutors and Hate Crimes Training (PAHCT): Programme Description* (Warsaw: OSCE/ODIHR, 2014), <<https://www.osce.org/odihr/pahct>>.

	<p>capacity to respond appropriately 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, particularly for security-related incidents.</p> <p>Conduct risk assessments jointly with security professionals from the Jewish community.</p> <p>Become familiar with the structure and customs of the local Jewish community.</p> <p>Establish a hate crime unit within your police force.</p> <p>Call for the implementation of ODIHR's TAHCLE and PAHCT programmes.</p>		
<p>Jewish Community Representative</p>	<p>Start monitoring anti-Semitic hate crimes and encourage the members of your community to report them to the SPCJ and the police. DILCRAH's online interactive platform for reporting incidents of intolerance and discrimination should also be utilized.</p> <p>Form broad-based coalitions of organizations working on human rights issues to address anti-Semitism and broader tolerance and non-</p>	<p>Contact other religious communities, cultural organizations and civil society groups.</p>	<p>Learn more about the international standards that apply to your country.</p>

	<p>discrimination issues.</p> <p>Organize an open-door day and invite relevant government officials and civil society activists to get to know the community.</p> <p>Engage in advocacy to ensure that the government follows up on and implements its international obligations.</p> <p>Reach out to cultural and educational institutions, as well as the media, to share your reports and concerns about anti-Semitism.</p> <p>Promote the implementation of ODIHR's TAHCLE and PAHCT programmes in France.</p>		
<p>Civil Society Activist</p>	<p>Attend significant commemorations, such as the <i>Vel d'Hiv</i>, to demonstrate solidarity with the Jewish community.</p> <p>Call on the government to respond appropriately to hate crimes and anti-Semitism.</p> <p>Join or create a coalition of civil society organizations and Jewish groups aimed at addressing all forms of intolerance and discrimination.</p> <p>Organize an awareness-raising event about anti-Semitism in your community and invite a guest speaker to present an inspiring project about</p>	<p>Reach out to the Jewish community or to a Jewish community organization to find out more about its concerns.</p>	<p>Learn about the impact of anti-Semitic attacks on the everyday lives of Jewish people in France.</p> <p>Learn about the different types of anti-Semitic attacks that have occurred in France, paying particular attention to the context in which such attacks take place.</p>

	<p>civil society coalition building.</p> <p>Start collecting data on hate crimes targeting your community.</p> <p>Promote the implementation of ODIHR’s TAHCLE and PAHCT programmes in France.</p>		
Religious Leader	<p>Start an interfaith initiative that brings together members of your and other communities, including the Jewish community.</p> <p>Organize an awareness-raising event about anti-Semitism in your community and invite a guest speaker to present an inspiring project about civil society coalition building.</p> <p>Start collecting data on hate crimes targeting your community.</p>	<p>Meet with organizations experienced in interfaith work and invite 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>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>
Human Rights Defender	<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>Work closely with Jewish communities and their own community security services (such as the SPCJ) to hear their concerns about law enforcement.</p> <p>Promote the implementation of ODIHR’s TAHCLE and PAHCT programmes in</p>	<p>Consult victim support organizations, the Jewish community and international bodies.</p>	<p>Learn about some of the features of contemporary anti-Semitism and how it impacts Jewish communities.</p>

	France.		
Teacher	<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 and invite pupils to take part in projects such as “CoExist” to give them the opportunity to deconstruct prejudices in a “safe space”.</p>	<p>Consult your colleagues and reach out to Jewish community organizations, and Jewish youth organizations.</p> <p>Seek support from the school leadership on addressing anti-Semitism.</p>	<p>Learn more about some of the features of contemporary anti-Semitism and how it impacts Jewish communities.</p>