

## **Council – 20<sup>th</sup> September 2021**

### **Adoption of the International Holocaust Remembrance Alliance definition of Anti-Semitism**

#### **1. Summary of report**

- 1.1 That the Council considers adopting the IHRA definition of anti-semitism. All local authorities are being encouraged to adopt the definition as a clear message that anti-semitism will not be tolerated due to concern over a reported rise in anti-semitic incidents.

#### **2. Recommendations**

- 2.1 That Council adopts the International Holocaust Remembrance Alliance Working Definition on antisemitism for use across the Council, together with the worked definitions of anti-semitism.

#### **3. Background**

- 3.1 Antisemitism, alongside Islamophobia, racism, homophobia and other forms of discrimination, remain a significant national challenge, impacting upon cities and towns across the UK and our communities. The council, through its work on the equality, diversity, inclusion and the cohesion agenda is working to eradicate all forms of discrimination. Adopting the International Holocaust Remembrance Alliance (IHRA) definition on antisemitism is one important element in a much wider programme of work to do this.
- 3.2 A record number of anti-Semitic incidents were recorded in the UK for the first six months of 2019 by the Community Security Trust. There were 892 reported incidents between January and June 2019, a 10% increase on the same period of 2018 – which also had a record high. The number of violent anti-Semitic assaults rose from 62 in the first half of 2018 to 85 in the same period of 2019. There were 38 incidents of damage and desecration of Jewish property; 710 of abusive behaviour, including verbal abuse, graffiti, abuse via social media and one-off cases of hate mail; 49 direct threats; and 10 cases of mass-mailed leaflets or emails. Sixty-two public figures became targets, as well as 102 Jewish community organisations, events and commercial premises. The CST's figures reflect the Home Office official statistics from October 2019 which show that 18% of religiously motivated hatred is targeted at Jewish people – up from 12% in 2018 – and that, per capita, Jewish people were most likely to report experiencing hatred.
- 3.3 The International Holocaust Remembrance Alliance (IHRA), founded in 1998, is an inter-governmental body that unites governments and experts to strengthen, advance and promote Holocaust education, research and remembrance and to uphold the commitments to the 2000 Stockholm Declaration. The United Kingdom has been member of the IHRA since it was founded in 1998.

- 3.4 On 26 May 2016 in Bucharest, the Plenary of the International Holocaust Remembrance Alliance (IHRA) adopted the following non-legally binding working definition of antisemitism along with supporting examples that may serve as Illustrations:

*“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

“Manifestations of anti-Semitism might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. 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.”

- 3.5 The IHRA definition specifies eleven ‘contemporary examples of antisemitism’ in public life, the media, schools, the workplace, and in the religious sphere which could, taking into account the overall context, include but are not limited to:

1. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
3. 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.
4. 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).
5. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
6. 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.
7. Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
8. Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.

9. Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
  10. Drawing comparisons of contemporary Israeli policy to that of the Nazis.
  11. Holding Jews collectively responsible for actions of the state of Israel
- 3.6 In December 2016 the British Government adopted the IHRA definition and the then Home Secretary, Sajid Javid, wrote to all council Leaders in January 2017 requesting that the definition be adopted at a local authority level. In October 2019 a letter from the Secretary of State for Housing, Communities and Local Government was sent to all Councils encouraging them to take urgent action; to adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism. “It is in this context that I write to you again, to strongly urge you to formally adopt the IHRA definition and use it on all appropriate occasions. The definition is not designed to be legally binding, but it is an invaluable tool for public bodies to understand how antisemitism manifests itself in the 21st century. It demonstrates a commitment to engaging with the experiences of Jewish communities and supporting them against the contemporary challenges they face... Eradicating antisemitism is not a task that the Government can achieve on our own. We need local authorities to show leadership, alongside our partners in civil society and community activists. The Government has adopted the IHRA definition of antisemitism, as we recognise this is one of the strongest signals we can give our Jewish communities. It demonstrates that we hear and understand their concerns and are ready and willing to act in response” Rt Hon Robert Jenrick MP.
- 3.7 Some groups have expressed concerns that the IHRA definition restricts freedom of speech by prohibiting legitimate criticism of Israeli government action in the Palestinian territories. The government, and other public bodies that have adopted the definition and its examples, believe that references within the definition stating that “criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic” are sufficient to ensure freedom of speech. It is worth noting that an earlier version of the definition is being used by the police and forms part of the National Police Chief’s Council Hate Crime Manual for officers. The Government believe that the definition is a useful tool for criminal justice agencies and other public bodies to use to understand how anti-Semitism manifests itself in the 21st century.
- 3.8 It is reported that as of January 2020 only 136 out of 343 councils had adopted the IHRA definition of anti-Semitism. This figure has increased to 260 councils which is about 75% of all local Authorities. The West Midlands Combined Authority, of which Walsall MBC is a constituent body adopted the definition on the 24<sup>th</sup> July 2020.
- 3.9 Walsall for All have commissioned a local partner to carry out some work relating to hate crime. This work includes:

- Training hate crime ambassadors.
- Review of hate crime reporting processes.
- Creation of a hate crime pledge for public sector partners.
- A restorative justice pilot.
- Some internally focused awareness building for Council staff.

This work is linked into the Community Safety Partnership through one of their six priorities - **Prevent Violent Extremism** - Increase ability to prevent and strengthen relationships with our communities and challenge hate crime. Anti-Semitism will be added to the commission and progress will be reported to the Community Safety Partnership on a quarterly basis. Our community partners organise annual events, such as the Holocaust Memorial Day, which could be used for raising awareness about anti-semitism. This event took place on 27 January 2020.

#### 4. Risk Management

- 4.1 There is a potential for reputational risk if the council does not adopt the IHRA definition of anti-semitism. The MCHLG have suggested previously that they will publicise a list of those councils who have failed to adopt the IHRA definition.

#### 5. Legal Implications

- 5.1 Whilst the IHRA definition of Anti-Semitism is not legally binding its adoption will support the Council's obligations under the Equality Act 2010, and its responsibilities under the Public Sector Equality Duty, to demonstrate due regard and to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not

- 5.2 Characteristics of (inter alia) race, religion and belief are protected characteristics under the legislation and duty.

- 5.3 The IHRA definition serves, therefore, as a complementary measure that addresses equalities issues though seeking to deepen the understanding of anti-Semitism.

- 5.4 The proposal does not constitute a law. Britain, is built on free speech. Therefore, the Council would always uphold the rights of citizens to engage in reasoned debate. Therefore, non-anti-Semitic criticism of the policies of the government of Israel is entirely legitimate, as is the case with any country's government. The right to express such criticism is not restricted by this proposal. Article 10 of the Human Rights Act provides that:

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

## **6. Health and wellbeing implications**

- 6.1 None directly relating to this report.

## **7. Staffing implications**

- 7.1 The Council will need to review Employment Policy and Procedures if it decides to adopt this definition particularly in relation to the Code of Conduct for Employees, and the use of Social media policy.

## **8. How will this action reduce inequality?**

- 8.1 As an equal opportunity employer the council should follow relevant legislation, and all its policies and procedures in employing people. The Council's Corporate Plan sets out the Council's purpose along with the priorities that we believe will help to reduce inequalities and maximise potential.

## **9. Consultation**

- 9.1 The Council has consulted with the party group leaders.

**Anthony Cox**

**Director of Governance**

**7<sup>th</sup> September 2021**