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Combating anti-Semitism in Europe

Report
Political Affairs Committee
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Summary

This report seeks to raise public awareness of the persistence and escalation of anti-Semitic phenomena throughout Europe.

Anti-Semitism, which appears in a variety of forms and is becoming relatively commonplace in all Council of Europe member states, is a threat to the fundamental values upon which the Organisation is built. It constitutes a serious violation of both fundamental rights and freedoms and of the principles of democracy.

The fight against anti-Semitism presents democracies with a dilemma, as they must guarantee political rights and freedoms and at the same time protect themselves against a phenomenon which undermines their core values.

The draft resolution calls for resolute action against anti-Semitic manifestations, and suggests a number of concrete measures which would constitute a common European response to this growing threat.

A. Draft resolution

1. The Parliamentary Assembly remains deeply concerned about the persistence and escalation of anti-Semitic phenomena and notes that no member state is shielded from, or immune to, this fundamental affront to human rights.

2. Far from having been eliminated, anti-Semitism is today on the rise in Europe. It appears in a variety of forms and is becoming relatively commonplace, to varying degrees, in all Council of Europe member states. This upsurge should prompt Council of Europe member states to be more vigilant and tackle the threat which anti-Semitism represents for the fundamental values which it is the Council of Europe's role to defend.

3. Anti-Semitism, conveyed frequently – but not exclusively - by both extreme-right movements and extreme-left political factions, is reflected in hostility towards the Jews, their religion, their culture or their collective identity. Such hostility, which may extend to overt hatred, is expressed through behaviour and actions of varying types: desecration, vandalism, publications, insults, threats, aggression or outright murder.

4. The Assembly naturally recognises that the Middle East conflict has had an impact on the growth of anti-Semitism in Europe. Although it is not the sole cause, the Israeli-Palestinian conflict continues to fuel anti-Semitic violence in Europe. This is especially the case among immigrants in European cities. This new form of anti-Semitism is a reason for angry reaction among the majority of the population and will cause hatred against immigrants in general, thereby inducing xenophobia.

5. Anti-Semitism represents a danger for all democratic states as it serves as a pretext and justification for violence. It splits the national community by placing one category of individuals against another and one religion against another. It constitutes a serious violation of both fundamental rights and freedoms and the principles of democracy. The political and civilian authorities therefore have a duty to do all they can to halt this growing threat.

6. The Assembly is aware that the fight against anti-Semitism presents democracies with a dilemma, as they must on the one hand guarantee freedom of expression, freedom of assembly and association and allow for the existence and political representation of the full spectrum of political views and on the other, defend and protect themselves against a phenomenon which undermines their core values.

7. The Assembly, referring to Recommendation 1222 (1993) on the fight against racism, xenophobia, anti-Semitism and intolerance and Resolution 1345 (2003) on racist, xenophobic and intolerant discourse in politics, is convinced that states must combat any trivialisation of anti-Semitism and take resolute action against its manifestations by applying or, where such do not exist, adopting all necessary political and legislative measures to preserve the rule of law based on respect for democratic principles and human rights.

8. The Assembly also notes that civil society, with its grass roots experience, is often the first to become aware of the rise of phenomena such as anti-Semitism, and therefore has an important role to play in mobilising public response to it.

9. The Assembly considers that the principles enshrined in the European Convention on Human Rights, the United Nations International Convention on the Elimination of all forms of Racial Discrimination and in the general policy recommendations of the European Commission against Racism and Intolerance (ECRI), in particular Recommendation No. 9 on combating anti-Semitism, adopted in June 2004, represent fundamental elements which should guide member states in their fight against anti-Semitism.

10. Accordingly, the Assembly invites the governments of the Council of Europe member states to:

- 10.1. prosecute public and political figures suspected of being guilty of anti-Semitic statements, including those which incite violence;
- 10.2. prosecute any political party which puts forward anti-Semitic arguments in its activities, manifestos or publications;
- 10.3. suspend or withdraw public financing for organisations and associations promoting anti-Semitism;
- 10.4. reinforce their legislation to punish anti-Semitic acts and see to it that such acts constitute an aggravating factor in criminal cases;
- 10.5. intensify teaching of the history and culture of the main religions in schools, in order to promote tolerance and to combat ignorance which is so often the source of intolerance; education and training are among the most basic and lasting ways of guarding against anti-Semitism;
- 10.6. promote intercultural and inter-faith dialogue between different communities;
- 10.7. acquire the means of punishing anti-Semitic statements on the Internet;
- 10.8. not endorse the construction of monuments or the holding of ceremonies celebrating those guilty of genocide or crimes against humanity during the second world war;
- 10.9. take resolute action against any anti-Semitic act in sport;
- 10.10. encourage the media to exercise self-discipline, even in the case of stereotypes which have entered everyday speech;
- 10.11. encourage broadcasting corporations to be scrupulous in filtering the various television and satellite programmes likely to promote anti-Semitic views;
- 10.12. continue the implementation of Recommendation Rec(2001)15 of the Committee of Ministers, in preparing and organising a "Holocaust Memorial and prevention of crimes against humanity Day" in their schools, in order to contribute to global action for the promotion of tolerance, human rights and the fight against all forms of racism;
- 10.13. make use of the European Commission against Racism and Intolerance (ECRI) to alert the public authorities to anti-Semitic activities;
- 10.14. co-operate more actively with civil society and NGOs and support them in the fight against anti-Semitism;
- 10.15. support the activities of ECRI, whose role is to combat racism, xenophobia, anti-Semitism and intolerance throughout Europe and to ensure that member states give practical follow-up to its recommendations.
- 10.16. actively and vigorously condemn all states sponsoring anti-Semitism, Holocaust denial and incitement to genocide.

B. Explanatory memorandum by Mr Mikhail Margelov, Rapporteur

I. Historical foreword

1. Anti-Semitism is present to varying degrees in the social and political life of all the Council of Europe's member states. It is defined as a hostile attitude towards Jews, both individually and collectively. However, the term "anti-Semitic" is incorrect, since it refers to Semitic peoples, that is to say Arabs and Jews alike. But in common parlance today it is taken to mean only Jews. Anti-Semitism is characterised by societal behaviour and acts of vary degrees of violence against persons and property of Jewish origin or culture. The term was coined in Germany in 1879 by the German journalist Wilhelm Marr (1819-1904), who spoke of "*Antisemitismus*" on the occasion of the founding of an Anti-Semitic League. From the outset, the term "anti-Semitism" sought to assert the inferiority of the Jewish "*race*" and called for the expulsion of the Jews to Palestine.

2. Anti-Semitism and anti-Zionism are often confused, the latter meaning more or less violent opposition to the political ideology calling for the establishment of a Jewish state in Palestine and the recognition and presence of that state in the Middle East. Obviously, anti-Zionism can also provide the basis for latent anti-Semitism, as is evidenced, for example, by the statement by the Iranian President Mahmoud Ahmedinajad that "*Israel must be wiped off the map*". In fact, this wholly deplorable anti-Zionist outburst conceals deep-seated anti-Semitism, illustrated by denial of the Shoah: "*They [westerners] have invented the myth of the massacre of the Jews and set it above God, religions and the prophets*".¹

3. The history of anti-Semitism did not begin when the term we are familiar with today was coined. Since ancient times there had been anti-Jewish sentiments, but of a quite different kind. The concept of race did not exist at that time: rather, Jews were persecuted because of their religion. So it is preferable to call this phenomenon anti-Judaism, illustrated in particular by the Jewish wars under the Roman Empire (66-70 and 132-135 A.D.). Anti-Semitism took shape at the end of Antiquity and in the early Middle Ages in finding the Jews guilty of the persecution and death of Christ, who was himself a Jew. Social anti-Semitism came into being: Jews were barred from certain occupations and the first violent persecutions, known as pogroms, claimed many victims.

4. Until the end of the 19th century, Jews occupied positions in banking and finance that were later to feed a great deal of prejudice, and were treated with respect and sometimes even ennobled. At the close of the 19th century, however, the return of anti-Semitism went hand-in-hand with the crisis of the nation-state as a model. The rise of nationalism and of the concept of race made Jews the enemy within. The Dreyfus case in France and Count Gobineau's racial theories reflected this growing hatred of a religion which was politically organised around Theodor Herzl and his Zionist plan for a Jewish state in Palestine. While Jews had been little involved in the world's political affairs, anti-Semitism was characterised by violent publications inventing the theory of the Jewish conspiracy.

5. Anti-Semitism then took a more dramatic turn with the coming to power of various fascist regimes in Europe (Germany, Italy, Romania, Hungary, and Spain). Jews were once again excluded from a number of professions. In 1935 Jews were completely marginalised by the so-called Nuremberg laws "*for the protection of German blood and honour*" and "*on citizenship of the Reich*". Racist policies brought strict segregation (in housing and public transport and the dispossession of individual firms) and led to violent behaviour on the part of the state (Kristallnacht, 9-10 November 1938).

6. Anti-Semitism reached its most ignoble paroxysm during the Second World War with what has been called the Shoah ("*catastrophe*" in Hebrew) or Holocaust – the systematic, planned destruction of all European Jews. Decided on at the Wannsee Conference in January 1942, but in essence contained in Adolf Hitler's *Mein Kampf* and practiced since 1939, the Shoah was organised around a network of extermination camps, most of them located in central Europe and with the collaboration of regimes more or less controlled by the Third Reich. A total of between five and six million Jews, two-thirds of Europe's Jewish population, perished.

¹ "The Iranian President's negationism on the Shoah brings little reaction in Arab states", *Le Monde*, 17 December 2005.

7. The shock caused by the revelation of the Shoah and the creation of the state of Israel in 1948 did not mean the end of anti-Semitism. It continued to exist above all in the Soviet bloc and in particular the USSR. Stalin took up the theme of the enemy within to combat the Jews. They were accused – and the accusation still persists today – of being disloyal to the country in which they lived and of supporting Israel and the United States. Wide-ranging anti-Semitic policies were pursued in the USSR – destruction of the Jewish culture, purges in the administration, the army, the press and the judiciary, arrest of Jewish writers and artists like Solomon Mikhoels and Peretz Markish. The Six Day War which saw Israel victorious over the Arabs (the USSR's allies) accentuated this anti-Semitism. So a huge media campaign was launched against the Jews.

8. In western Europe anti-Semitism was above all anti-capitalist, voiced by terrorist groups of the extreme left such as the Baader-Meinhof group in Germany or Italian radical groups, while several intellectual movements referred to as revisionist or negationist, led by Otto Ernst Remer, David Irving or Roger Garaudy, sought to minimise or deny the Shoah.

9. Perestroika and the collapse of the USSR brought greater freedom of expression where there had been tight control, but it also brought with it a new upsurge of anti-Semitism from nationalist groups whose ideology had replaced communism. In western Europe, the rise in social inequalities and mass unemployment also helped to reinforce anti-Semitism in which the Jewish conspiracy and anti-Semitic prejudice of the most traditional kind found renewed vigour. Thus Jews were depicted as rich, community-centred and selfish, profiting from the social and economic hardships of their fellow-citizens. This anti-capitalist anti-Semitism has been fostered in recent years by certain anti-globalisation movements of the extreme left. This “new” anti-Semitism, as it should be called, is also encouraged by fundamentalist Muslim groups, prompted by the frustrations of the Middle East conflict to regard every Jew as an ally of the United States, and even more as an opponent of the Palestinian cause.

II. Forms of anti-Semitism

10. The first thing that needs to be said is that anti-Semitism is not a uniform, monolithic phenomenon, but, on the contrary, something heterogeneous which takes on quite different forms depending on the state or region concerned. Only where there is a large Jewish community do we find a high degree of anti-Semitism. Thus the three Council of Europe member states in which the Jewish diaspora is largest, France (700 000), the Russian Federation (500 000) and the United Kingdom (300 000) are also the states where anti-Semitism is assuming worrying proportions. On the other hand, states with a small Jewish population also face this problem. So it cannot be said that “the fewer Jews there are, the less anti-Semitism there is” – which would almost be tantamount to ascribing anti-Semitism to the presence of Jews, confusing the victim and the offender and in a way minimising the phenomenon of anti-Semitism. In Poland, for example, where the Jewish community is extremely small (between 5 000 and 10 000), anti-Semitism may be observed. One then talks of “anti-Semitism without Jews” or “virtual” anti-Semitism according to the European Commission against Racism and Intolerance (ECRI).²

11. Depending on the national situation, it is possible to identify a number of main ideological trends underlying anti-Semitism. The most widespread and most violent is the traditional anti-Semitism of the far right which has its roots in nostalgia for a nationalist past and is often attached to the memory of an authoritarian regime, whether or not linked to Nazism. It is moreover rather interesting to observe that this form of anti-Semitism persists in states which lived under either regimes directly inspired by national-socialism or German forces of occupation during the Second World War. This is the case of Germany (Hitler's NSDAP), Romania (Ion Antonescu's Iron Guard), France (the Vichy Government) and Hungary (Admiral Horthy's regime, followed by Ferenc Szalasi's Arrowed Crosses). Acts of violence (vandalism, desecrations, and aggressions) are often committed by extreme-right neo-Nazi groups, skinheads who moreover attack not only Jews but people from North Africa, the Middle East or the Indian sub-continent.

12. Still on the right of the political spectrum, anti-Semitism is also related to the profound aversion felt by some Christians towards Jews. Some fundamentalist Christians who take this attitude blame the Jews for having killed Christ, and regard the Jewish people as murderers

² ECRI: Third report on Poland (17 December 2004).

of God). Even though Pope John XXIII in 1959 removed the wording *Oremus et pro perfidis judaeis* ("Let us pray for the perfidious Jews") from the liturgy for Good Friday, the day of Christ's crucifixion, this anti-Semitism is still alive in certain countries with a strong Christian tradition. For example, anti-Semitic acts committed in certain towns and regions of western Russia with a strong Orthodox tradition, such as the repeated desecration of Jewish sites in Kazan and Vladimir, and in states where Catholicism is still very present (Poland, Italy) can also be linked to this type of anti-Semitism. This religious aspect of anti-Semitism is borne out by a survey conducted by the European Monitoring Centre on Racism and Xenophobia (EUMC) and contained in its report³. To the question "In your opinion, are direct acts of violence against European Jews the result of anti-Jewish or anti-Israeli sentiments?" the European Union respondents replied most strongly that they were the result of anti-Jewish sentiments were indeed Poland (34%) and Italy (32%), two countries with a strong Catholic tradition. In Poland, for example, anti-Semitic publications can be found in bookshops even inside some churches, and priests sometimes express anti-Semitic views in their sermons. But this religious anti-Semitism is not exclusive: it may be combined with anti-Semitism of the far right, with hatred of Jews being taken up by groups of skinheads.

13. Finally, a new form of anti-Semitism has appeared in recent years. This "new anti-Semitism" is mainly the work of anti-globalisation movements of the far left, opposed to present-day economic globalisation. It is very much in evidence in the countries of western Europe (France, Denmark, Belgium, Germany, Sweden, and Netherlands) and is characterised by anti-capitalism in which Jews are associated with the United States. It is often accompanied by anti-Zionism, with criticism of Israel frequently serving as a pretext for anti-Semitic criticism. This "new anti-Semitism" is accordingly also voiced by fundamentalist Islamic organisations in Europe, which take advantage of the situation of conflict in the Middle East and the rise of these extreme-left movements to engage in often violent anti-Semitism, as illustrated for example by the sermons preached in certain British mosques (Finsbury Park in particular).

III. The role of the Middle East conflict

14. The conflict in the Middle East between Israel and the Palestinians, and to a lesser extent in Iraq, plays a major role in anti-Semitism in Europe. That conflict is not the main or sole cause of anti-Semitic incidents (vandalism, desecration, verbal and physical aggression), but it acts as a catalyst. The Middle East conflict fosters the growth of anti-Semitism without being the source of it. Thus, the start of the second Intifada, known as the Al-Aqsa Intifada, which began in September 2000 following Ariel Sharon's visit to the Mosques Esplanade in Jerusalem, saw a corresponding upsurge in anti-Semitic violence in western Europe and the development of this "new anti-Semitism" generated by movements of the far left and by Islamic fundamentalism. Peaks in Middle East tension are often reflected in fairly high levels of anti-Semitic acts. For example, the assassination of Sheik Yassin, the spiritual leader of Hamas, by the Israeli army on 22 March 2004 was followed by violent anti-Semitic caricatures in Spanish, Greek and Norwegian newspapers.

15. The impact of the conflict in the Middle East is to be seen mainly in the European Union states, both in those where the level of anti-Semitism is high (France, Germany, United Kingdom) and in those where it is low (Denmark, Greece, Sweden, Netherlands). In this situation, anti-Semitism is wholly synonymous with virulent anti-Zionism which sets out to attack the policy of Israel, its inhabitants and, by association, Jews in general. A country like Denmark is emblematic of such an attitude: in the survey quoted above, the persons questioned say that violence against European Jews is 61% the result of anti-Israeli sentiments and only 10% of anti-Jewish sentiments. This anti-Zionism also permits the expression of certain anti-Semitic opinions considered taboo in western societies. But as Thomas Hammarberg, Human Rights Commissioner at the Council of Europe, points out, "aggression against a Jew cannot be justified by the actions of Israel or its army. But that does not mean that every criticism of Israel's methods or military actions is anti-Semitic."⁴

16. The example of the caricature in the Greek newspaper *Eleftherotypia* depicting Ariel Sharon as a Nazi illustrates an image which seeks to liken Israel to Nazi Germany and the Palestinians to the German Jews in the 1930s, Israel now being represented as a colonial, racist and almost genocidal

³ EUMC, Anti-Semitism, summary overview of the situation in the European Union (2001-2005), available on the website www.eumc.at/eumc/index.php.

⁴ Speech to the World Jewish Congress in Paris, 12 November 2006.

state. As the German journalist Josef Joffe very properly observes, *“while the Jews are no longer perceived as a threat to nations and persecuted for that, on the other hand conceptual anti-Semitism is on the march. It consists in accusing Israel and the Jews who support it of embodying imperialism, colonialism, a desire to dominate and pervert mankind”*⁵.

17. Under cover of anti-Zionism, this anti-Semitism also sets out to be violent anti-American in its perception of the conflict in the Middle East. Jews are attacked or insulted because of the close links between the geostrategic and economic policies of Israel and the United States. And the typical prejudice expressed against Jews, like the Zionist conspiracy theory according to which the American Jewish lobby controls the world, readily feeds an anti-Semitism which seeks to be anti-American and anti-globalisation. Thus many NGOs recording anti-Semitic acts in Europe report fairly widespread ideas suggesting that the war in Iraq serves mainly to defend Zionist interests.

18. The increase in anti-Semitic violence directly linked to the conflict in the Middle East often stems from groups of the far left, but also from young Muslims born of the first and second generations of immigrants and perfectly well integrated. Lacking direct contact with events that are often foreign to them, they are influenced by forceful anti-Semitic propaganda encountered on the Internet and certain Arab television channels. But it is also interesting to note that very often extreme-right groups take advantage of these anti-Semitic acts perpetrated by young Muslims to lump Arabs and Jews together in the same hated category.

IV. The situation in the member states

19. Anti-Semitism is present in all Council of Europe member states, but to varying degrees. At all events one thing is certain: no state is immune to the problem. Even more significant is the geographical location of the phenomenon: strictly speaking, there are no clearly defined anti-Semitic regions or areas. The degree of anti-Semitism is heavily dependent on the social context and history of each state and its ethnic and religious make-up. So in western Europe, anti-Semitism can differ from one country to another, even between neighbours. However, it is possible to identify more or less worrying levels depending on the country. These levels are basically determined by recorded anti-Semitic acts, ranging from insults and violent aggression resulting in death, via public statements and acts of vandalism, to terrorist outrages. Lastly, the many follow-up reports by ECRI and NGOs such as Human Rights First, the Anti-Defamation League or the Stephen Roth Institute for the Study of Contemporary Anti-Semitism and Racism make it possible to assess the situation with regard to anti-Semitism in Europe, even though all observers agree that the studies and projects on this subject remain insufficient overall.

20. In western Europe, the anti-Semitism situation is especially worrying in France, Germany and the United Kingdom. In these countries Jews have been the victims of violent assault, sometimes leading to death, as in Paris with the abduction of Ilan Halimi in January 2006 and his death following torture. His abduction – for base material gain - had an anti-Semitic connotation, being motivated by the widespread preconceived idea that Jews are rich. In the United Kingdom, Jews have been stabbed or beaten with metal bars, while in Germany violent assaults are likewise on the increase. Places of worship, art exhibitions focussing on Jewish culture (Berlin, 2002) and Jewish schools (Gagny, 2003) are set on fire or inflammable objects are thrown at them. By way of example, the EUMC in 2004 recorded 1316 anti-Semitic incidents in Germany, 974 in France and 532 in the United Kingdom, far ahead of other countries such as Denmark (37) or Belgium (34).

21. The other countries of western Europe (Italy, Netherlands, Belgium, Denmark, Sweden, Spain, and Greece) are also confronted with anti-Semitism, often due to extremist groups and increasing with the intensity of the Middle East conflict. But even though it remains a problem and raises grave concerns, anti-Semitism does not reach the levels found in France, Germany and the United Kingdom. Yet the survey carried out in 2006 in Sweden by the “Forum for living history”, a public body tasked with studying the Shoah and the conclusions drawn and discrimination against minorities, shows that 40% of persons questioned have a negative or partly negative opinion of Jews, and 25% would not want a Jewish prime minister in Sweden.

⁵ Colloquy entitled «Old demons, new debates » organised by Yivo (Jewish research institute) in New York (11-14 May 2003).

22. At the other end of Europe, in Ukraine and the Russian Federation, the situation is particularly worrying. In these countries anti-Semitism is an integral part of a more general phenomenon of racism and xenophobia. During the year 2006 alone, all of Ukraine's big towns and the majority of big towns in western Russia saw desecrations of synagogues or acts of vandalism perpetrated against graves and memorials. These states are also prominent for a high number of assaults on Jews, often perpetrated by young nationalist skinheads. For example, on 11 January 2006, a young 20-year-old skinhead, Alexander Koptsev, stabbed nine Jews in a Moscow synagogue. He was sentenced to 16 years' imprisonment in September 2006. That case is symptomatic of the anti-Semitic climate that reigns in these countries and is reflected in numerous public anti-Semitic declarations and the proliferation of anti-Semitic websites and publications. And as ECRI observes in its latest report on the Russian Federation, the situation is tending to deteriorate: *"Anti-Semitism remains a problem in Russian society. ECRI finds it alarming to learn that, according to experts on anti-Semitism, the situation has deteriorated over recent years. It seems that racist attacks against Jewish persons or Jewish property are becoming more frequent and more violent... Anti-Semitic statements are now uttered not only by members of marginal extremist movements but also by journalists or politicians from mainstream parties."*⁶

23. The anti-Semitism situation is also disquieting in the Baltic states. In Lithuania, Estonia and Latvia alike, efforts still need to be made to pass legislation outlawing anti-Semitic acts. Incitement to racial hatred, including hatred of Jews, very often goes unpunished and any reference to the Shoah is always tainted by a form of revisionism. In Latvia, as well as desecrations, a monument has been erected to the glory of SS soldiers during the Second World War. Finally, Latvia still maintains an ethnic approach, because Jews are regarded as an ethnic group just as Russians and Latvians are, and this discriminatory classification is even a mandatory entry on every citizen's passport.

24. Finally, in central and eastern Europe with the exception of Slovenia, which is very little affected by anti-Semitism, the problem remains a recurrent one in most states and especially in Hungary, Poland and Romania. Anti-Semitism is still firmly rooted in society and it is not uncommon to find anti-Semitic writings or products – for example, in February 2007 one found sugar packets bearing the portrait of Adolf Hitler together with anti-Semitic jokes in Croatia. Extreme right, neo-Nazi groups are still very numerous and very active in these countries, and nationalist politicians openly display their anti-Semitism. Here again, despite the existence of much legislation outlawing anti-Semitic statements or acts, few legal proceedings are brought to punish such acts.

V. Anti-Semitism in social and political life

i. Political and public life

25. Anti-Semitism is present in the political and public life of the member states. In many of them it filters down from the summit of the state into the population. It is not uncommon to find numerous political leaders from extremist political movements and so-called government parties making anti-Semitic statements and so giving anti-Semitic acts a kind of credibility. In Germany, on 27 June 2005 in an interview for Syrian TV, a Green and later FDP German MP of Syrian origin, Jamal Karsli, stated that *"Germans are unable to express their views freely for fear of the Zionist lobby, and when you talk to them they look around, and if someone else is close by they don't say anything"*. In the Russian Federation, the nationalist MP General Albert Makachov described Jews as *"drinkers of blood"* in 1998. In 2006, the Bulgarian Euro MP Dimitar Stoyanov, a member of the nationalist group Attack Coalition, declared that *"there are many powerful Jews with lots of money who pay the media to attract people's attention"*. So many political leaders occupying important functions are known for their anti-Semitic opinions. In Poland the Euro MP Maciej Giertych is one of the leaders of the League of Polish Families, a party which has its origins in ENDECJA, an extremist nationalist party of the 1930s. Maciej Giertych is the author of a book entitled *Civilizations at war in Europe*, in which he refers to Jews in the following terms: *"the fact that they stick to their own community, their own civilization, their own separateness, results in biological difference developing"*.

26. Strong anti-Semitism of the far right is often the result of well organised violent groups like skinheads or neo-Nazis. It is also possible to observe that the strength and capacity for action of these groups are reinforced by the electoral and political base of far-right political movements or

⁶ ECRI, 3rd report on the Russian Federation (16 December 2005).

parties whose security services or youth organisations are sometimes infiltrated by these same neo-Nazi groups or skinheads. The states where anti-Semitism is rife are very often those where there is strong backing for the political far right and where these parties are well represented politically. Anti-Semitic excesses are then abundant and conveyed by the media. The anti-Semitic comments of these political parties, often for the purpose of winning votes or support, give a measure of legality and credibility to the phenomenon, while at the same time de-dramatising it.

27. In parallel, many politicians of the Jewish faith or who are close to the Jewish community fall victim to anti-Semitic insults or assaults. When an elected MP is the victim of this kind of stigmatisation and hate, the injury is to the entire state. A publication by Human Rights First⁷ described the campaign waged in 2003-2004 by a neo-Nazi group called Combat 18 against Lord Triesman, former Secretary General of the Labour Party in the United Kingdom, who describes himself as a "non-practising Jew". The problem of anti-Semitism in public life is so important that the Labour MP John Mann recently declared: "Anti-Semitism is again in fashion. It used to be just a problem of the far right, but that is no longer the case. We have to accept that anti-Semitism is a virus which mutates in order to adapt to its environment. It is not only a Jewish problem, just as racism is not only a problem for Blacks. It affects the whole of society".

28. There are also social causes that explain these violent phenomena. The far-right groups or sections of the population that commit these anti-Semitic acts are frequently to be found in the underprivileged social classes, very often suffering extreme poverty, unemployment and a precarious existence, who regard the Jews as being responsible for their condition. These people are vulnerable to the influence of anti-Semitic groups who often recruit their members from these sections of the population. In Germany, anti-Semitism is most rife in the eastern regions where unemployment is high, just as in France, where the perpetrators of anti-Semitic acts are often youths of North African origin living in urban estates and themselves victims of racism and discrimination.

ii. Education and culture

29. Anti-Semitism remains very active in the fields of education and culture. Very often, too many anti-Semitic allegations and statements persist, both in education policies and in structures. Xenophobic and anti-Semitic tendencies are tolerated and nothing is done to promote tolerance and respect: quite the contrary. The most symptomatic example is of course, the Inter-regional Staff Management Academy, or MAUP, in Ukraine, which is a private university known for its many anti-Semitic excesses (sale of numerous anti-Semitic publications including the *Protocol of the Sages of Zion* and the holding of anti-Semitic colloquies). In June 2005, the establishment even held a congress entitled *Dialogue of civilisations: Zionism is the greatest threat to modern civilisation*, which concluded with a number of assertions including "warn all the world's peoples of the danger of Jewish racism represented by the state of Israel" and "warn the world that a third world war is approaching, for which Israel and the fascist Jewish organisations are already prepared".

30. Surveys clearly show that a great many anti-Semitic acts are committed by teenagers and young adults who know little or nothing about Jewish culture. So education, the teaching of history and Jewish culture would also help to remedy this ignorance which often generates incomprehension, fear and violence. However, these educational shortcomings apply both to pupils and to teachers who, sometimes without realising it, transmit anti-Semitic prejudices and opinions to their pupils.

31. In this context, inter-religious dialogue is vital in combating all forms of intolerance and hatred, of Jews in particular. But such dialogue all too often remains a vain hope, and many reports⁸ stress persistent shortcomings and anti-Semitic tendencies.

32. Culture is the principal vehicle of education and the basis of everyone's knowledge. It is regrettable to find that in many countries culture is tainted with traces of anti-Semitism. There are still many countries in which anti-Semitic writings (Adolf Hitler's *Mein Kampf* or the *Protocol of the Sages of Zion*), or DVDs of fundamentalist Muslim preachers, are freely on sale (United Kingdom, Poland,

⁷ Michael McClintock, Judith Sunderland, "Anti-Semitism in Europe, a challenge to official indifference", Human Rights First, 2004.

⁸ "Religion and changes in central and eastern Europe" (doc. 9399, 27 March 2002), Mihai Baci, Romania, Socialist Group; "Freedom of expression and respect for religious beliefs" (doc. 107970, 24 June 2006), Sinikka Hurskainen, Finland, Socialist Group.

Serbia, Bosnia-Herzegovina, Romania, Ukraine, Turkey). Even publications that are recognised for their seriousness and quality sometimes lapse into anti-Semitism, showing the extent to which it is deeply rooted in certain cultures to the point where it has become ordinary and unremarkable. The most striking example is the definition of the word "Jew" given in 2005 by the French language dictionary "le Petit Littré": "*Jew... To be as rich as a Jew. Fig. and Informal. A person who lends at usurious rates of interest or sells at exorbitant prices; in general, anyone who seeks to make money avariciously.*"

33. Many writers or researchers known to be revisionist or negationist continue to enjoy a certain readership despite having been convicted. Their works minimising the scale of the Holocaust are sometimes easily obtainable. This is true of the British author David Irving, the French academic Robert Faurisson who took part in the revisionist conference on the Holocaust in Teheran in December 2006, and the German illustrator Ernst Zundel.

34. Finally, external cultural signs of an anti-Semitic kind, especially in architecture, also demonstrate a lack of political will to tackle the problem. There are still monuments glorifying the perpetrators of war crimes or soldiers who collaborated with the Nazis during the Second World War. In Romania, at Cluj and Targu Mures, several streets and statues honour Ion Antonescu, who was responsible for the deaths of nearly 300,000 Jews during the second world war. In Estonia, a memorial to the dead was erected in honour of Alfons Rebane, an SS military commander. When the state gives recognition to symbols of this kind, it makes anti-Semitism seem unimportant.

iii. Sport

35. Sport, and football in particular, is also faced with anti-Semitism. Receiving less media attention than racism, anti-Semitism in football is often the work of the same groups of skinheads and hooligans who poison other events. Both on the pitch and in the stands, anti-Semitism remains a real problem. The Netherlands and Belgium are especially hard hit by it, but they are not the only countries (Hungary). In its 2nd report on the Netherlands (15 December 2000), ECRI considered that "*football vandalism and Internet propaganda are among the main focal points of anti-Semitic activities in the Netherlands*". Ajax Amsterdam football club, which was built in the Jewish quarter of Amsterdam, is regularly the victim of anti-Semitic slogans. In Belgium in November 2005, at a National Division 2 football match between KV Mechelen and Royal Antwerp FC, an Israeli Antwerp player, Sam Lavan, was insulted by Patrick Goots, a Mechelen striker, in these terms: "*Apparently they didn't do enough to the Jews in the gas chambers during the Second World War*".

iv. Media

36. The printed media as well as radio and television remain areas of social life in which anti-Semitism is most virulent. It is not uncommon to find anti-Semitic allegations or statements in newspapers or on various radio stations. The Council of Europe and its different organs have, on numerous occasions, appealed to the media to scrupulously respect the codes of good practice and guidelines that exist to prevent any anti-Semitism. Both the Assembly in its recommendations⁹ and the Committee of Ministers¹⁰ have strongly emphasised the fact that such respect is very often lacking.

37. Printed media frequently carried anti-Semitic stereotypes, or even comparisons putting Jews together with Nazis, especially during acute phases of the Middle East conflict. The many caricatures or articles which have appeared in newspapers with large circulations such as *Le Soir* in Belgium, *Eleftherotypia* in Greece, *Sabah* in Turkey or other newspapers and magazines in Norway, Spain, Lithuania and Ukraine merely foster lamentable prejudice and feed distrust of the Jewish community in the country concerned.

38. Many radio stations also repeat anti-Semitic opinions. For example, in Poland the Maryja radio station, founded by a Catholic priest, has distinguished itself by the violence of its statements and has even come in for criticism from the Catholic authorities.

⁹ Recommendation 1768 (2006) on the image of asylum seekers, migrants and refugees in the media.

¹⁰ Recommendation n°R (97) 21 on the media and the promotion of a culture of tolerance.

39. Finally, television is also the vehicle for numerous prejudices and accusations against Jews. Very often such anti-Semitic prejudice is conveyed by television stations in the Middle East which are known for their fundamentalist attitudes. Thanks to cable networks they can be received in numerous countries, and through their broadcasts or fiction programmes they propagate anti-Semitic ideas among a target population which is frequently North African or Middle Eastern in origin. This applied in particular to the Al-Manar television station, affiliated to Hezbollah, which broadcast during Ramadan a serial entitled "Diaspora", repeating the Jewish conspiracy theory. In other states, national TV stations often allow themselves a quite deplorable margin of interpretation where the culture and history of Judaism are concerned. In November 2005 the first Russian channel broadcast a TV series on the poet Sergei Essenin, in which it was stated that his suicide in 1925 had been organised by a group of Jewish Bolsheviks on Trotsky's orders.

v. *Internet*

40. It is on the Internet that anti-Semitism is most widespread, most violent and least sanctioned. The virtual absence of network regulation and the internationalisation of exchanges mean that the Internet is a huge forum on which anti-Semitic insults and statements spread unchecked. Very often the Internet masks the interface for on-line anti-Semitic journals, extreme right groups and fundamentalist Muslim organisations, and sites devoted to the Jewish conspiracy theory or historical negationism.

41. Anti-Semitism via the Internet is growing in most of the Council of Europe's member states. With the Internet increasingly becoming one of the main sources of information for adolescents and young adults, it is becoming imperative for monitoring legislation to be set in place to prevent the circulation of any incitement to anti-Semitism. With this in mind, many of the speakers at the OSCE conference on anti-Semitism¹¹ considered it urgently necessary to pass legislation making it possible to prosecute the authors of insults on the Internet as well as the providers of websites circulating such material.

VI. The responses of the member states

42. Faced with growing anti-Semitism in Council of Europe member states, the latter's responses vary. Either they are non-existent or legal instruments already exist but are little used or not at all, or else they express a real political will to eradicate this phenomenon of hatred and violence. According to the Venice Commission, 39 of the Council of Europe's (then) 46 member states have passed legislation to outlaw discriminatory or hate-based attacks on religions. However, the responses to anti-Semitism in Europe remain inadequate and marked by a lack of overall co-ordination.

43. Several states have indicated a willingness to acknowledge their involvement in the Holocaust and the massacre of Jewish populations living in their territory during the Second World War. France and Croatia, for example, through their presidents, have recognised their states' involvement in the deportation and death of Jews. In 2001, the Polish President Kwasniewski publicly apologised for the participation of some Poles in the massacre of Jews committed by Germans at Jedwabne in 1941. In September 2006, his Ukrainian counterpart Victor Yushchenko commemorated the massacre at Babi Yar, where nearly 34,000 Jews went to their deaths.

44. With this in mind, several states have chosen 27 January as the date on which to commemorate the victims of the Holocaust, in accordance with the United Nations Assembly Recommendation of 1 November 2005¹² proclaiming 27 January the international day of commemoration of Holocaust victims. This date, on which USSR military forces liberated the extermination camp at Auschwitz-Birkenau, has since been adopted by a number of Council of Europe states (Italy, Greece, France, Estonia, and Denmark). However, it has not been adopted everywhere, and would serve in particular as a reminder to populations of member states of where anti-Semitism can lead.

45. Many countries have passed legislation condemning all forms of anti-Semitism and put monitoring bodies in place with the task of informing the authorities of the situation with regard to anti-

¹¹ OSCE conference on anti-Semitism (Vienna, 19-20 June 2003).

¹² Ref. A/RES/60/7

Semitism. The states which face worrying levels of anti-Semitism (France, Poland, Turkey, Austria, Estonia, Lithuania, and Germany) have introduced legislative provisions to outlaw racial hatred, xenophobia and anti-Semitism. Finland has even set up an advisory body, the commission against racism, xenophobia, anti-Semitism and intolerance. However, a fairly restrictive interpretation of anti-Semitic acts, or criminalisation of only one type of anti-Semitic act, very often results in inaction and impunity. In its general policy recommendation n° 9, ECRI called, in particular, for the efficient collection of data on anti-Semitism and the training of judicial personnel in this type of offence, but above all for the racist and especially anti-Semitic nature of the criminal offence to be considered as an aggravating factor. This idea was also taken up by the Council of Europe's Human Rights Commissioner Thomas Hammarberg when he addressed the World Jewish Congress in November 2006.

46. In its 2004 report¹³, Human Rights First showed that of the fifteen EU states, only five (Denmark, France, Italy, Sweden and the United Kingdom) were in conformity with the European Union Directive on the implementation of the principle of equality of treatment between persons regardless of race or ethnic origin.

47. Revisionism and negationism are not always unanimously denounced. Many states have brought proceedings against various authors denying the Shoah, but other states have not prosecuted the authors of such comments on the mere basis of freedom of expression. Denmark is an illustration here. It is where almost 90% of all the revisionist documents sold in Europe, and in particular, in the Russian Federation, are published and produced. So in the name of freedom of expression, Denmark declines to consider revisionism as an offence. At the OSCE conference on anti-Semitism in Vienna in June 2003, the various representatives of the member states, international organisations and civil society agreed that anti-Semitism could not be regarded as a manifestation of freedom of expression or speech.

48. Education being the prime vehicle of either tolerance or hatred, there are wide variations in the relevant educational policies of Council of Europe member states. The importance attached to educational work (at school and university) on the Holocaust or Jewish culture is a factor for reducing the anti-Semitic phenomena observed in those countries (Armenia, Italy, Slovenia and Sweden in particular) which implement such policies. In contrast, its absence or rarity is an aggravating factor (Denmark, Estonia, and Romania). Education is a central element, almost the cornerstone of the fight against anti-Semitism. As we are reminded by Adriana Goldstaub of the Fondazione Centro di Documentazione Ebraica Contemporanea (CDEC) in Milan, "*there is a close correlation between superficial – or even non-existent – knowledge of the historical context in which the state of Israel came into being and a profound aversion to that state*".¹⁴ Very often, acts of anti-Semitism are perpetrated by individuals with a very low standard of education and in particular little or no knowledge of Jewish culture or the state of Israel. Accordingly, many states have decided to introduce educational programmes on the subject. For example, Poland organises every year in its schools a competition on the history and culture of the country's Jewish community. Armenia finances seminars to train teachers in "tolerance and the lessons of the Holocaust". And in Recommendation 1720 (2005)¹⁵ the Parliamentary Assembly of the Council of Europe encourages the wholly objective teaching of religion in order to combat ignorance.

49. Too few Council of Europe member states work together with civil society and NGOs in fighting anti-Semitism. Because civil society is in daily contact with anti-Semitic violence, its expertise must be used to inform states about the actual situation with regard to anti-Semitism. In its various national reports, ECRI has noted the inadequacy of such co-operation. Only Sweden associates civil society fully with its thinking on the subject.

VII. Council of Europe instruments dealing with anti-Semitism

50. The Council of Europe has stated on numerous occasions its opposition to all forms of anti-Semitism. Its various organs have taken a stance on these shameful manifestations of hatred and intolerance. As far back as 1969 the Parliamentary Assembly of the Council of Europe expressed

¹³ Michael McClintock, Judith Sunderland, op. cit.

¹⁴ Seminar on « Europe, against anti-Semitism and for a Union in diversity », 19 February 2004.

¹⁵ Recommendation 1720 (2005) on education and religion.

alarm at the treatment accorded to the Jewish community in European non-member states and the USSR. Recommendations 632 (1971), 722 (1974) and 778 (1976) and Resolutions 412 (1969), 679 (1978), 740 (1980), 795 (1983) and 845 (1985) noted "with anxiety the anti-Semitism which still existed in many areas of Soviet life". The Parliamentary Assembly has consistently emphasised its opinions on various applications for accession by new member states the obligation on them to combat all forms of anti-Semitism. Since the early 1990s the Assembly has tackled the problem more specifically. In 1993 it adopted the first recommendation specifically concerning the fight against racism, xenophobia, anti-Semitism and intolerance (Recommendation 1222). It condemns expressions of hatred spread by the media and calls on all states to punish anyone making anti-Semitic comments. But above all, it requests the Committee of Ministers to "set up supervisory and consultative bodies of either an ombudsman or committee type on the problems of racism, xenophobia, anti-Semitism, and all religious and other forms of intolerance, with the authorisation to examine individual complaints, and to enhance the mandate of such bodies in cases where they already exist".¹⁶ Since 1993 it has intervened on many occasions to reassert its determination to combat anti-Semitism in every possible field: Recommendation 1291 (1996) on Yiddish culture, Recommendation 1346 (1997) on human rights education, Resolution 1344 (2003) on the threat to democracy by extremist parties and movements in Europe, Resolution 1345 (2003) on racist, xenophobic and intolerant discourse in politics.

51. Within the Assembly, the Committee on Culture has spoken out for intercultural and inter-religious dialogue in order to defeat anti-Semitism and racism and enable different cultures and religions to become better acquainted and to combat hatred between them. Among the Committee's initiatives, it is important to mention the excellent report by Mrs Sinikka Hurskainen (Finland) of the Socialist Group on freedom of expression and respect for religious beliefs (June 2006) and the colloquy on questions relating to the state and religion, held in Strasbourg on 27 February 2007, in the framework of that same inter-religious dialogue.

52. The Committee of Ministers has also taken a stance, on many occasions, to condemn anti-Semitism in Council of Europe member states. Recommendations R (97) 20 on "hate speech" and R (97) 21 on the media and promotion of a culture of tolerance, stress that "*the governments of the member states, public authorities and public institutions at the national, regional and local levels as well as officials, have a special responsibility to refrain from statements, in particular to the media, which may reasonably be understood as hate speech, or as speech likely to produce the effect of legitimising, spreading or promoting racial hatred, xenophobia, anti-Semitism or other forms of discrimination or hatred based on intolerance.*"

53. But the principal instrument of this combat against anti-Semitism in the Council of Europe obviously remains the ECRI, which was created in 1993 by the 1st Summit of Heads of State and Government of Council of Europe member states. This body, which has set itself the task of combating racism, xenophobia, anti-Semitism and intolerance, regularly publishes quite detailed reports on each member state of the organisation, in which ECRI takes stock, as it were, of anti-Semitism and the action taken in each state to combat it, and makes recommendations. More specifically, ECRI proposes general policy recommendations on xenophobia, racism, intolerance and anti-Semitism. There are nine such general policy recommendations. Nos 1 (1996), 2 (1997), 6 (2000) and 9 (2004) deal largely with combating anti-Semitism. General policy recommendation no. 9 on combating anti-Semitism, adopted on 25 June 2004, gives a pertinent account of the complexity of the problem in social and political life and provides an effective basis on which to draw up an initial assessment of this scourge.

¹⁶ Recommendation 1275 (1995).

Reporting Committee: Political Affairs Committee

Reference to Committee: Ref. 3226 of 2 May 2006

Draft resolution adopted by the Committee on 22 May 2007

Members of the Committee: Mr Abdülkadir Ateş (Chairman), Mr Konstantion Kosachev (Vice-Chairman), Mr Zsolt Németh (Vice-Chairman), Mr Giorgi Bokeria (Vice-Chairman), Mr Miloš **Aligrudić**, Mr Birgir Ármannsson, Mr Claudio Azzolini, Mr Andris Bērziņš, Mr Alexandër Biberaj, Ms Raisa Bohatyryova (alternate: Ms Olena **Bondarenko**), Mr Luc Van den Brande, Ms Cornelia Cazacu, Mr Lorenzo Cesa, M. Muro Chiaruzzi, Ms Elvira Cortajarena (alternate: Ms Maria **Aburto**), Ms Anna **Čurdová**, Mr Noel Davern, Mr Dumitru Diacov, Mr Michel Dreyfus-Schmidt, Ms Josette **Durrieu**, Mr Joan Albert Farré Santuré, Mr Pietro Fassino (alternate: Mr Pietro **Marcenaro**), Mr Per-Kristian Foss (alternate: Mr Vidar **Bjørnstad**), Ms Doris Frommelt, Mr Jean-Charles **Gardetto**, Mr Charles Goerens, Mr Andreas Gross, Mr Jean-Pol Henry, Mr Serhiy **Holovaty**, Mr Joachim Hörster, Mrs Sinikka Hurskainen, Mr Tadeusz **Iwiński**, Mr Miloš Jeftić, Mrs Corien W.A. Jonker, Ms Darja Lavtižar-Bebler, Mr Göran **Lindblad**, Mr Younal Loutfi, Mr Mikhail Margelov, Mr Tomasz **Markowski**, Mr Dick Marty, Mr Frano Matušić, Mr Murat **Mercan**, Mr Jean-Claude Mignon, Mr Marko Mihkelson, Ms Nadezhda Mikhailova, Mr Aydin Mirzazada (alternate: Mr Sabir **Hajiyev**), Mr João Bosco Mota Amaral, Ms Natalia **Narochinskaya**, Mrs Miroslava Nemcova, Mr Grygoriy **Nemyrya**, Mr Fritz Neugebauer, Mr Theodoros Pangalos, Ms Elsa Papadimitriou, Mr Christos Pourgourides, Mr Gordon Prentice (alternate: Mr John **Austin**), Mr Gabino Puche (alternate: Mr Pedro **Agramunt**), Mr Lluís Maria **de Puig**, Mr Jeffrey Pullicino Orlando, Mr Andrea **Rigoni**, Lord **Russell-Johnston**, Mr Oliver Sambevski, Mr Ingo Schmitt, Ms Hanne **Severinsen**, Mr Samad Seyidov, Mr Leonid **Slutsky**, Mr Rainer Steenblock, Mr Zoltán **Szabó**, Baroness Taylor of Bolton, Mr Mehmet Tekelioğlu, Mr Tigran Torosyan, Mr Mihai Tudose (alternate: Mrs Florentina **Toma**), Mr José Vera Jardim, Ms Biruté **Vesaitė**, Mr Björn Von Sydow, Mr Harm Evert Waalkens, Mr David **Wilshire**, Mr Wolfgang Wodarg, Ms Gisela Wurm, Mr Boris **Zala**, Mr Krzysztof Zaremba (alternate: Mr Karol **Karski**).

Ex-officio: MM. Mátyás Eörsi, Tiny Kox

N.B.: The names of the members who took part in the meeting are printed in **bold**

Head of the Secretariat: Mr Perin

Secretaries to the Committee: Mrs Nachilo, Mr Chevtchenko, Mrs Sirtori-Milner, Mrs Pieter, Mr Alarcón