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From:	Presidency
On:	19 October 2020
To:	Delegations
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Subject:	Draft Council Declaration on Mainstreaming the fight against antisemitism as a cross-cutting issue in all policy areas

Following the comments received from a number of Member States, delegations will find in Annex a revised draft of the Council Declaration on Mainstreaming the fight against antisemitism as a cross-cutting issue in all policy areas.

The Presidency invites delegations to examine the draft text in view of the FREMP meeting on 22 October 2020.

Mainstreaming the fight against antisemitism as a cross-cutting issue in all policy areas**1. Preamble: antisemitism is an attack on European values**

The European Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. The EU's aim is to promote peace, its values and the well-being of its peoples (see Article 2 and 3 of the Treaty on European Union). It respects diversity and supports solidarity.

Any form of antisemitism, intolerance or racist hatred is incompatible with the values and aims of the European Union and its Member States and must be addressed through decisive action at European and national level.

2. Reaffirming the Council declaration of 6 December 2018

The Member States reaffirm their commitment to the Council declaration of 6 December 2018 on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions in Europe, which was welcomed by the European Council in its conclusions of 13 and 14 December 2018. The declaration provides a comprehensive basis for fighting antisemitism in a holistic way. In practice, this should be done through national strategies to prevent and fight all forms of antisemitism, or within the framework of existing national strategies and/or action plans on preventing racism, xenophobia, radicalisation and violent extremism.

3. Protecting Jewish life and making it more visible as part of Europe's identity

Judaism and Jewish life have contributed considerably to shaping European identity and enriching Europe's cultural, intellectual and religious heritage. It is a clear European victory that 75 years after the Holocaust, Jewish life, in all its diversity, is deeply rooted and thriving again in Europe. It is our permanent, shared responsibility to actively protect and support Jewish life.

4. Combating antisemitism head-on in all its forms, including in the context of the COVID-19 pandemic

The increase in threats to Jewish Europeans, including the resurgence of conspiracy myths and public expressions of antisemitism and an increase in antisemitic incidents and hate crime, as shown by data provided by the European Agency for Fundamental Rights (FRA) and Eurobarometer 484, is highly alarming. The situation has worsened during the COVID-19 pandemic.

Antisemitic hate speech and narratives are increasingly influential and are shared online, often without legal consequences for the perpetrators. What is illegal offline is also illegal online and must be prosecuted. Illegal hate speech must be removed promptly and consistently by internet service providers.

The road from antisemitic conspiracy myths to hatred and hate speech, violence and hate crime is short. Ensuring the security of Jewish communities and institutions must therefore be given utmost priority in all Member States. This includes continuous dialogue with the Jewish community with a view to ensuring appropriate levels of security awareness, provide training for security staff, and implement security measures.

The Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (2008/913/JHA) must be fully transposed and effectively implemented by the Member States, including for crimes committed on the internet. Furthermore, judicial and law enforcement authorities must be adequately equipped for their action against such crimes, including for criminal investigations and victim support. In this regard, the experience of specialised prosecution authorities and dedicated investigation units, where they exist, could be shared with their European counterparts.

We, the Member States of the European Union, also support policy initiatives at European level that aim to combat incitement to antisemitic hatred and violence and the dissemination of antisemitic conspiracy myths online. Antisemitism, in all its forms, can never be acceptable and must be counteracted, including, where necessary, through legal measures at European level.

5. Applying useful tools in the fight against antisemitism

On 10 September 2020, in the context of the Presidency conference 'Working together to fight antisemitism in Europe: structures and strategies for a holistic approach', Member States had an exchange of views on structures, strategies, tools and best practices to be used to prevent and combat antisemitism.

Consistent use of the non-legally binding working definition of antisemitism employed by the International Holocaust Remembrance Alliance (IHRA) to identify bias indicators can help government agencies and non-governmental organisations alike to respond more sensitively and identify and address antisemitism more reliably.

We welcome the fact that 18 Member States have already followed up on the Council declaration of 6 December 2018 by endorsing the IHRA working definition as a useful guidance tool in education and training. Member States that have not yet done so are invited to join the other Member States and endorse the IHRA definition as soon as possible.

The systematic reporting and recording of antisemitic incidents, including those that do not constitute a criminal offence *prima facie*, has proven to be an appropriate measure to obtain a comprehensive picture of the situation and be able to respond to new developments. The systematic collection and analysis of data on antisemitism can help attain a better understanding of the phenomenon. Fact-based policy making and data collection are essential to develop, implement and monitor progress on tailored prevention strategies and education instruments, which must be accompanied by systematic prosecution of antisemitic crimes.

6. Mainstreaming the fight against antisemitism

The Member States of the European Union agree to mainstream preventing and countering antisemitism in all its forms. The fight against antisemitism is a cross-cutting issue involving various levels of government and policies at local, national and European level. Awareness of antisemitism therefore needs to be increased across policies and responsibilities.

Finding new ways to remember the Holocaust in a meaningful way will be essential to keeping the memory alive. Education about the Holocaust, antisemitism and Jewish life remains one of the most important tool to prevent antisemitic prejudices. Sharing good practices to foster media literacy and awareness of conspiracy myths – not only, but especially, among young people – will be key.

The fight against antisemitism needs to be considered consistently in the decisions taken by the institutions of the European Union and in particular be reflected in the measures tabled by the European Commission and the High Representative.

The Member States of the European Union explicitly welcome the European Commission's decision to make the fight against antisemitism a priority, as well as the strengthening of the institutional basis of the Coordinator on combating antisemitism and fostering Jewish life. The European Commission is invited to advance the fight against antisemitism along the same lines at European level, for example by supporting the work of the Coordinator, through its High Level Group on combating racism, xenophobia and other forms of intolerance and its Working Group on combating antisemitism and by bringing supporting measures together in an overarching European strategy on antisemitism.

In this context, we also welcome the European Commission's adoption of the EU anti-racism action plan 2020-2025 and the appointment of an anti-racism coordinator. These steps can bring tangible synergies to the fight against antisemitism.
