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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Institute for NGO Research, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 August 2019]

* Issued as received, in the language(s) of submission only.

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Adopting the IHRA working definition of antisemitism

NGO Monitor, a project of the Institute for NGO Research, an organization in Special Consultative Status with UN ECOSOC since 2013, presents this submission to the UN Office of the High Commissioner for Human Rights (OHCHR). NGO Monitor calls on OHCHR to join a growing number of UN member nations in adopting the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism.¹

The IHRA definition lists core manifestations of antisemitism, including “denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor,” and “applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.”

IHRA was launched in 2000 at the Stockholm International Forum on the Holocaust, and, as of July 2019, had 33 members countries, 8 observers, as well as 7 permanent international partners, including the Claims Conference, the European Union's Agency for Fundamental Rights (FRA), International Tracing Service, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Council of Europe, UNESCO, and the UN.²

The IHRA definition has been widely adopted throughout Europe by national legislative bodies. Canada and Australia too adopted the definition on June 2019. As part of the process, many of these countries have appointed government officials specifically tasked with monitoring antisemitism and have devoted considerable resources to Holocaust education and the preservation of Jewish historical sites.

Multilateral organizations have also recognized the importance of the IHRA definition. On June 4, 2019, Secretary General of the Organization for American States (OAS), Luis Almagro, voiced his support for the IHRA definition and its adoption by the OAS. On December 28, 2018, the European Parliament endorsed the definition.³

In contrast, although the UN is an IHRA observer, it has yet to adopt the IHRA definition in any of its bodies.

On May 28, 2019, OHCHR spokesperson Marta Hurtado released a press briefing condemning recent antisemitic incidents, citing examples in Austria, Germany, and the United States.⁴ Though Hurtado's statement is a positive step in acknowledging the recent global rise in antisemitism, she describes no specific mechanisms for fighting its global rise.

In spring 2019, OHCHR announced that United Nations Special Rapporteur on Freedom of Religion or Belief, Dr. Ahmed Shaheed was preparing a report on antisemitism to be delivered to the UN General Assembly in September 2019. A call for written submissions to Shaheed by interested individuals and organizations requested information on antisemitic incidents, including:

“Incidents of dissemination of antisemitic propaganda, negative stereotyping of Jews, charges that Jews conspire to harm humanity, and other forms of antisemitic hate speech, including Holocaust denial, as enumerated in the International Holocaust

¹ “Applying the Working Definition of Antisemitism,” *Justice* No. 61. (p. 12)[2][3], Fall 2018.

<http://intjewishlawyers.org/justice/nof61/#14/z> see also: Policy Brief: International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism,” CIJA, March 18, 2019.

<https://cija.ca/policy-brief-ihra-defining-antisemitism/>.

² “Permanent International Partners,” International Holocaust Remembrance Alliance (IHRA), 2018.

<https://www.holocaustremembrance.com/membership/permanent-international-partners> ; “Countries & Membership,” International Holocaust Remembrance Alliance (IHRA):

<https://www.holocaustremembrance.com/countries-and-membership>.

³ European Parliament, “IHRA definition of ‘anti-Semitism’ endorsed by the Council,” December 28,

2018. http://www.europarl.europa.eu/doceo/document/E-8-2018-006471_EN.html.

⁴ Spokesperson for the UN High Commissioner for Human Rights Marta Hurtado, “Press briefing notes anti-semitism,” United Nations Human Rights Office of the High Commissioner, May 28, 2019.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24652&LangID=E>.

Remembrance Alliance’s (IHRA’s) Working Definition of Antisemitism, including on the internet.”⁵

Dr. Shaheed’s call for submissions is a positive step in recognizing the importance the IHRA definition plays in identifying and combatting modern day instances of antisemitism.

However, this statement and the forthcoming report, are exceptional. OHCHR rarely condemns antisemitism as a unique form of hatred and has instead allowed for the promotion of antisemitic groups and rhetoric. For instance, the UN “Special Rapporteur on Palestinian territories occupied since 1967” listed Manal Tamimi as a “human rights defender” in a March 2017 report to the UN Human Rights Council. Manal Tamimi frequently utilizes antisemitic and violent rhetoric and imagery on social media. Tamimi was only removed from the report following an official complaint by NGO Monitor, but original versions of the report that promote Tamimi as a “defender” of human right remain on the OHCHR website.⁶ The Rapporteur’s reports also have utilized antisemitic language and imagery, and a number of NGOs that promote antisemitic rhetoric have ECOSOC status.

Furthermore, a number of UN member nations and groups like the Organization of Islamic Cooperation (OIC) have shamefully not only failed to combat antisemitism, but regularly encourage attacks on Jews and disseminate antisemitic propaganda, using the UN stage and UN bodies such as the UN Human Rights Council as a launching point for these attacks.⁷

Antisemitism veiled as “criticism of Israel” has asserted itself in the UN and its affiliated bodies throughout the organization’s existence. In October 1974, Palestine Liberation Organization (PLO) Chairman Yasser Arafat was invited to speak to the UN General Assembly. In addition to a standing ovation for his bellicose call for Israel’s destruction, the PLO received observer status at the UN a month later.⁸

On November 10, 1975, the UN adopted Resolution 3379, which “determine[d] that Zionism is a form of racism and racial discrimination.”⁹ The Soviet Union and its allies had campaigned for a form of this resolution for over a decade prior to its passage. Resolution 3379, singling out only Israel and the right to Jewish self-determination was only revoked in 1991.¹⁰

UN antisemitism reasserted itself during the 2001 UN World Conference Against Racism in Durban, South Africa. This conference marked a new level for NGOs in using a UN forum to actively engage in and promote acts of antisemitism. The atmosphere and rhetoric at the

⁵ United Nations Human Rights Office of the High Commissioner, “Call for written submissions – Report of the United Nations Special Rapporteur on freedom of religion or belief to the General Assembly,” 2019.

<https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/ReportSRtotheGeneralAssembly.aspx>

⁶ The Amuta for NGO Responsibility, “Re: Complaint against Special Rapporteur Michael Lynk for Promotion of Individual Disseminating Antisemitic Imagery and Violent Rhetoric,” March 29, 2017: <http://www.ngomonitor.org/pdf/AmutaComplaintMichaelLynkManalTamimi.pdf>.

⁷ NGO Monitor, “Special Rapporteur on Israel: The UN’s Weakest Lynk,” March 2018.

https://www.ngo-monitor.org/pdf/lynk_report.pdf see also: UN Watch, “The United Nations and Antisemitism: 2008-2017 Report Card,” 2018. <https://www.unwatch.org/wp-content/uploads/2018/07/The-United-Nations-and-Antisemitism-2008-2017-Digital.pdf>.

⁸ United Nations General Assembly, “Question of Palestine,” November 13, 1974.

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/A238EC7A3E13EED18525624A007697EC> see also: Permanent Mission of the Observer State of Palestine to the United Nations, “Status of Palestine,” August 1, 2013. <http://palestineun.org/status-of-palestine-at-the-united-nations/>.

⁹ United Nations General Assembly, “3379 (XXX). Elimination of all forms of racial discrimination,” November 10, 1975.

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/761C1063530766A7052566A2005B74D1>

¹⁰ Dr. Manfred Gerstenfeld and Jamie Berk, “The Moral Relativism of the United Nations,” The Jerusalem Center for Public Affairs, January 13, 2016. <http://jcpa.org/article/the-moral-relativism-of-the-united-nations/>.

NGO Forum featured an extreme level of antisemitic vitriol disguised under the cover of “criticizing” Israel, and reiterating that “Zionism is racism.”¹¹

This vitriol continues in the UN Human Rights Council (UNHRC), where Israel was targeted by five resolutions during its March 2019 session, far surpassing all other nations.¹² In the UN’s 73rd session (2018-2019), 21 resolutions on Israel were introduced to the General Assembly, with just six resolutions were introduced focusing on the rest of the world.¹³

The UN and its human rights bodies, especially OHCHR, must take strong measures to end this practice. By adopting and implementing the IHRA definition of antisemitism, OHCHR can join UN member nations and multilateral organizations in combatting this form of hatred.

¹¹ The Reut Institute, “Durban Conference (2001),” August 20, 2007. <http://reut-institute.org/en/Publication.aspx?PublicationId=2421>

¹² United Nations Human Rights Council, “40th Session of the Human Rights Council,” 2019. <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session40/Pages/ResDecStat.aspx>

¹³ UN Watch, “2018 UN General Assembly Resolutions Singling Out Israel – Texts, Votes, Analysis,” November 15, 2018. <https://unwatch.org/2018-un-general-assembly-resolutions-singling-israel-texts-votes-analysis/>