

## Open letter to European Commission in anticipation of strategy on combating antisemitism

European Commission  
Vice-president and Commissioner Margaritis Schinas  
Leading the Commission's fight against antisemitism

Cc: Didier Reynders, Commissioner for Justice  
EU Member States

Concerns: Political instrumentalization of the fight against antisemitism

15 June 2021

Dear Commissioner Schinas,

We, civil society organizations from across Europe, attribute the highest importance to the fight against all forms of racism and welcome the Commission's commitment to combat antisemitism.

The Commission has announced it will [present](#) a “comprehensive strategy on combating antisemitism, to complement and support Member States' efforts” at the end of 2021. In anticipation of this strategy, we are writing to you to raise a number of concerns.

As civil society organizations promoting human rights and respect for international humanitarian law in Israel and Palestine, we are alarmed by the expanding conflation of criticism directed at the State of Israel with antisemitism.

While this conflation is primarily promoted by the Israeli government and organizations affiliated with it, the Commission has so far failed to clearly distance itself from it. Worse, the Commission has been giving a political tailwind to this troubling trend, among others through its unqualified endorsement of the “IHRA Working Definition”, which extends to opinions about Israel via several “contemporary examples of antisemitism” attached to it.

While the IHRA definition is advertised as “non-legally binding”, it undeniably has a chilling effect on free speech and is being instrumentalized for that purpose, mostly against advocates of Palestinian rights. The Commission has a positive obligation to protect and to promote freedom of expression, in accordance with Article 10 of the European Convention on Human Rights. It can therefore not remain silent and aloof when the very definition of antisemitism it has embraced is weaponized to undermine that freedom.

Against this background, we have noted with concern the Commission's ambition to operationalize and apply the IHRA definition across multiple policy areas, as also projected by the “[Handbook](#) for the practical use of the IHRA Working Definition of Antisemitism” it published on 7 January 2021. We share the legitimate concerns of the Belgian civil society coalition 11.11.11 about this Handbook, raised in its [briefing paper](#) released on 2 March 2021.

Among others, 11.11.11 deplors that the Handbook is ignorant of and tone-deaf to the growing concerns and criticism worldwide, including among leading scholars of antisemitism, about the instrumentalization of the IHRA definition (as voiced [here](#), [here](#) and [here](#) and mapped [here](#) and [here](#)).

On 25 March 2021, more than 200 scholars presented a new definition of antisemitism, titled the [Jerusalem Declaration on Antisemitism](#), which says in its preamble: “Because the IHRA Definition is unclear in key respects and widely open to different interpretations, it has caused confusion and generated controversy, hence weakening the fight against antisemitism”.

In addition to the Commission’s political and operational entanglement with the IHRA definition, we wish to raise two more concerns. The first relates to the lack of transparency, which has long characterized the Commission’s approach to fighting antisemitism.

The set-up and agenda of the Commission’s “Working Group on combating antisemitism” lacked basic clarity after its establishment in 2019. Only in response to several Freedom of Information [requests](#) did the Commission shed light on the participation of civil society organizations and other non-official stakeholders in this working group. Questions by Members of the European Parliament about the [working group](#) and the [status and promotion](#) of the IHRA definition have been answered by the Commission in a highly evasive manner.

The second concern relates to the Commission’s lack of inclusiveness. After the Commission had [failed](#) in June 2020 to clarify whether “any unofficial organisations and individuals wishing to attend [the working group had] been rejected”, it [admitted](#) in January 2021 that European Jews for a Just Peace (EJJP) had been excluded on the grounds that the “working group addresses antisemitism, not foreign policy issues”. To challenge its exclusion, EJJP has filed a complaint at the European Ombudsman, who has [launched](#) an investigation into the Commission’s conduct. In view of the Commission’s decision to involve in its working group various organizations known for politically shielding the Israeli government, we welcome this investigation.

We have taken note of the Roadmap on the “comprehensive strategy on combating antisemitism”, which the Commission [published](#) on 7 June 2021, and welcome the stakeholder consultation it has launched in that context. The Roadmap sheds light on the format of the upcoming strategy and the process leading towards it. We hope the Commission will take concerns about the political instrumentalization of antisemitism, raised in the context of this consultation, seriously.

In anticipation of the EU’s “comprehensive strategy on combatting antisemitism”, we ask the Commission to:

1. Acknowledge, reject and counter the political instrumentalization of the fight against antisemitism and of the IHRA definition in particular for the purpose of shielding the Israeli government from criticism. Instruct all involved EU officials to refrain from facilitating and legitimizing such instrumentalization.
2. Launch a serious and substantial dialogue with concerned civil society organizations beyond the current consultation (which closes on 5 July 2021), to identify what the Commission needs to do to ensure the upcoming strategy won’t undermine freedom of expression and won’t contribute to the shrinking of civic space for rights-based advocacy and activism on Israel-Palestine.
3. Reaffirm the Commission’s commitment to freedom of expression and to civic space for rights-based advocacy and activism on Israel-Palestine in the upcoming strategy on combating antisemitism and emphasize therein it is not antisemitic to criticise the State of Israel, or to take a particular interest in the policies and actions of the Israeli government, without additional and concrete evidence establishing antisemitic intent.

We kindly request you to answer this letter and to reply to our above requests in writing.

Yours sincerely,



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