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**Elimination of racism, racial discrimination,  
xenophobia and related intolerance**

## **Contemporary forms of racism, racial discrimination, xenophobia and related intolerance**

### **Note by the Secretary-General**

The Secretariat has the honour to transmit to the General Assembly the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, E. Tendayi Achiume, pursuant to Assembly resolution [73/157](#).

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\* [A/74/150](#).



## **Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**

### *Summary*

In the present report, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance summarizes State submissions regarding the actions they have taken to combat the glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance. In addition, the Special Rapporteur addresses the resurgence of anti-Semitism in the context of neo-Nazi and related intolerance, and alarming trends of anti-Semitic violence, hate crimes, hate speech and other incidents. She also canvasses States' obligations under human rights law to counter the spread of anti-Semitism.

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## I. Introduction

1. The present report is submitted to the General Assembly pursuant to Assembly resolution [73/157](#) on combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in which the Assembly requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to prepare for submission to the Assembly at its seventy-fourth session a report on the implementation of that resolution.

2. In the present report, the Special Rapporteur summarizes information received from Member States with regard to the implementation of resolution [73/157](#). In a letter dated 7 May 2019, addressed to Member States, the Special Rapporteur requested information on the implementation of the resolution. As at 19 July 2019, she had received replies from Italy, Azerbaijan, Brunei Darussalam, Belarus, Cuba, Lebanon, Serbia, Burundi and the Russian Federation. She thanks these States for their submissions. She also received submissions from two non-governmental organizations, and similarly extends her thanks to these organizations. The substance of the submissions from the non-governmental organizations is incorporated into the “issues in focus” section of the report.

3. In addition to the summary of submissions mentioned above, the mandate holder documents resurgent anti-Semitic violence targeting Jews, their communities and their property in different parts of the world. The alarming rise of anti-Semitic incidents includes hate crimes, hate speech, harassment and intimidation in violation of their fundamental human rights ([A/HRC/38/53](#), para. 18, [A/73/312](#), para. 8, and [A/HRC/41/55](#), paras. 6–7). These incidents are accompanied in some places by the growth in support for neo-Nazism, including the failure of political leaders to take a firm stance against neo-Nazi and related ideology, especially in Europe and North America.

4. The Special Rapporteur also outlines the governing principles and obligations of racial equality and non-discrimination, highlighting their application in combating racist and xenophobic violence targeting, inter alia, individuals and Jewish communities. The report also reviews standards related to vandalism and Holocaust denial. As highlighted in previous reports ([A/38/53](#), [A/73/312](#) and [A/HRC/41/55](#)), the Special Rapporteur reminds Member States of the strong commitment required to tackle the increase in hate crimes and incitement to violence targeting ethnic, racial and religious minorities worldwide.

## II. Summary of Member State submissions

5. The present section summarizes Member State submissions on laws and policies in place to combat Nazism and neo-Nazism, but does not analyse or evaluate them. Indeed, some of the laws and policies summarized below may be or have been subject to review and condemnation for being in contravention of international human rights law by other actors within the United Nations human rights system. The Special Rapporteur underscores that providing summaries of State submissions below does not constitute her endorsement of the content of the submissions. The Special Rapporteur also wishes to make clear that, to the extent that any of the formal policies below violate the applicable international human rights laws and principles outlined in section IV of the present report, Member States must take urgent action to repeal the offending policies.

**Italy**

6. The Government of Italy reported on the legal framework it has enacted in order to prevent racial discrimination and any related intolerance. Article 3 of the Constitution of Italy includes non-discrimination and equality as basic ruling principles that guide the rest of its legal framework. The Government noted several regulations in its domestic legal framework intended to combat discrimination and racism, and recalled its ratification of international and regional instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination and Council framework decision 2008/918/JHA.

7. With respect to implementation activities and interventions, the Government stated that its National Office against Racial Discrimination has been involved in monitoring potential online hate speech on social media through its observatory on media and Internet. The Office receives reports about racial hatred information being released by journalists in newspapers and broadcasts. According to the Government, it has also committed to countering hate speech, and affirmed its support of the European Union Commission with regard to monitoring the implementation of the Code of Conduct on countering illegal hate speech online, signed with Facebook, Microsoft, Google, YouTube and Twitter on 31 May 2016.

8. The Government also stated that it has taken a number of measures in the field of education to counteract the glorification of Nazism. It stated that it has adopted national guidelines to raise awareness on gender equality and counteract all forms of gender-based violence and all forms of discrimination.

**Azerbaijan**

9. The Government of Azerbaijan reported that it does not condone any form of racial discrimination, highlighting its rejection of the association of Islam with violence. It suggested that promoting tolerance and diversity was a way forward in countering rising xenophobia and Islamophobia. It reported that intercultural and interreligious dialogue and multiculturalism were anchored in State policy, and cited the “Baku Process”, a process that aims to strengthen dialogue and cooperation between member States of the Organization of Islamic Cooperation and the Council of Europe, as one such initiative.

10. The Government of Azerbaijan referred to articles 238.1-1 and 283.3 of its Criminal Code, adopted in October 2016, which it stated create criminal offenses for actions committed on the basis of religious hostility, radicalism and fanaticism, as well as for financing such conduct. The Government further stated that article 25 of its Constitution grants everyone equal rights and freedom irrespective of race and religion. It added that the Media Council of Azerbaijan issues recommendations intended to restrict hate speech against any nation or people. Finally, the Government reported that its Ministry of Interior maintains a unified database and registers all offenses related to racial discrimination, and that 11 criminal cases related to religious hatred and hostility were registered between 2016 and 2018.

**Brunei Darussalam**

11. The Government of Brunei Darussalam reported that its Penal Code stipulates the punishment of offenses relating to religion. The Government reported, *inter alia*, that under this code a publication is objectionable if the publication is likely to be injurious to the public good or deals with matters of race or religion in such a manner that the availability of the publication is likely to cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups. According to the Government, the Code further provides that one of the factors to be considered is

whether the publication suggests, directly or indirectly, that members of any particular community or group are inherently inferior to other members of the public or of any other community or groups.

### **Belarus**

12. Noting the recent findings of the Special Rapporteur on the human rights situation in Belarus ([A/HRC/41/52](#), para. 40), the Special Rapporteur reports that the Government of Belarus stated that it takes comprehensive measures to combat Nazism propaganda in the light of various extreme right movements and the vandalism of historical heritage sites by radicals. The Government reported that the House of Representatives of its National Assembly adopted a draft law “on strengthening the fight against the propaganda of Nazism and extremism”, amending existing legislation on 6 December 2018. According to the Government, the bill establishes criminal liability for “deliberate acts to rehabilitate Nazism” on an equal footing with incitement to racial or social enmity or discord. The draft law also amends the Code of Administrative Offences by introducing administrative liability not only for propaganda or the public display of Nazi symbols but also for online propaganda and its storage and acquisition for the purpose of disseminating these symbols and attributes.

### **Cuba**

13. The Government of Cuba stated that it does not stand for any kind of racism, racial discrimination or any other form of intolerance and considers it essential to establish, at both national and international levels, political and legal foundations to successfully counteract the aforementioned issues. The Government expressed the view that neo-Nazism and other violent nationalist ideologies must be condemned worldwide.

14. The Government of Cuba stated that currently, in countries all around the world, including those in the “industrialized North”, forms of racial discrimination continue to manifest themselves in new ways that strengthen supremacist ideals. It reported that the creation of associations and political parties with racist ideologies, the public glorification of Nazism and the destruction of monuments commemorating those who fought against the Nazis, and the adoption of overly broad anti-terrorist laws contribute to the propagation of these prejudiced ideals.

15. The Government highlighted the role of social media in recruitment and the spread of violent messages aimed at marginalizing and harassing at-risk populations such as youth, women and children. It noted that the increase in the number of Internet users has increased exposure to racist websites and forums, which has enabled the further spread of neo-Nazi ideals and discriminatory practices.

16. The Government of Cuba reiterated its commitment to implementing the Durban Declaration and Programme of Action. It also reaffirmed its view that international cooperation is essential in order to properly counteract neo-Nazism.

### **Lebanon**

17. The Government of Lebanon stated that it is the responsibility of the State to ensure equality between all people, whether they be Lebanese or foreign. The Government reported that it recently adopted a national strategy on violent extremism, which will be set up and implemented by its Ministry of Justice. The Government stated that the strategy consists of a set of national objectives that aim to develop an action plan to fight against extremism at both national and local levels, to achieve coordination among the different government organs to this effect and to reduce the root causes of extremism.

## Serbia

18. The Government of Serbia stated that it is a multi-national and multi-cultural State, in which many national minorities live alongside the majority Serb population. It stated a commitment to improving intercultural dialogue in order to create mutual respect among all.

19. The Government noted its Law on Protection of Rights and Freedoms of National Minorities, which it stated aims to protect and develop the identity of national minorities. According to the Government, the law provides for the election of national councils for national minorities. The Government also stated that its Action Plan for the Implementation of the Strategy for Social Inclusion of Roma in the Republic of Serbia for the period 2019–2020 aims to continue the work of the previous Action Plan. The Government of Serbia reported that the new Action Plan will continue to seek improvements in Roma social participation and quality of life, and to continue implementation of measures taken in the fields of health, education and housing for the Roma community initiated by the previous Action Plan. According to the Government, representatives of the Roma community, the National Council of the Roma National Minority, mobile teams, civil society organizations and representatives of local governments participated in the consultation for the preparation of the Action Plan in order to consider the priorities in the field of social inclusion of Roma.

20. Serbia cited several media laws that it stated prohibit hate speech in order to respect fundamental human rights and freedom. It reported that its draft strategy for the development of culture in the Republic of Serbia, although not yet adopted, focuses on a culture of mutual understanding and cultural diversity as a universal human right.

21. The Government reported that, in September 2018, a new Rulebook on the conduct of an institution in cases of suspicion or established discriminatory behaviour and insulting the reputation, honour or dignity of a person (Official Gazette of the Republic of Serbia, No. 65/2018) came into force. According to the Government, this Rulebook aims to provide institutions with tools for addressing and preventing discrimination and intimidation, and for raising awareness about the importance of equality and fairness in education.

22. The Government reported that in order to fight against hate speech online, it has ratified the Council of Europe Convention on Cybercrime, as well as the Protocol to the Council of Europe Convention on Cybercrime, which criminalizes certain acts of a racist and xenophobic nature committed using computer systems. The Government stated that, following these ratifications, it amended article 387 of the Criminal Code. According to the Government, this provision defines the criminal offence of racial and other discrimination and criminalizes the public approval, denial or gross minimization of the severity of genocide, crimes against humanity and war crimes committed against a group of persons or members of the group on the basis of race, skin colour, religion, origin, or State, national or ethnic affiliation. The Government reported that the provision stipulates that such acts causing violence or incitement of hatred constitute criminal offences and are punishable by the final verdict of a court in Serbia or of the International Criminal Court.

23. The Government of Serbia stated its support for projects that commemorate victims of the Holocaust and crimes against humanity committed during the Second World War. It mentioned a project entitled, “Holocaust must not be forgotten, and must not repeat”, organized by a Serbian-Jewish choral association from Belgrade, which educates secondary school students on the Holocaust, including by meeting the few remaining local survivors. The Government also mentioned the “One Šumarice

is enough to the world” programme, organized by the institute that oversees the “Kragujevacki oktobar” Memorial Park in Kragujevac. This programme commemorates the massacre of the civilian population of Kragujevac and surrounding villages committed by soldiers from Nazi Germany from 19 to 21 October 1941. The Government of Serbia stated that a culture of remembrance is important, and in order to sustain such a culture, youth involvement must be a priority.

### **Burundi**

24. The Government of Burundi stated that it has taken both national and international measures in order to fight racism, racial discrimination, xenophobia and all other related intolerance. It reported that several of its constitutional provisions are aimed at combating racial discrimination and xenophobia. Among these provisions is article 13, which the Government stated ensures that all Burundians have equal rights. The Government stated that article 59 of its Constitution specifically extends constitutional protections to foreigners, who are equally entitled to the rights it provides according to limits stipulated in law.

25. The Government stated that it had taken measures to ensure equal participation in Government and Parliament by the Hutu and the Tutsi ethnic groups in order to avoid discrimination against either of these groups. The Government also noted that it is a State party to the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

### **Russian Federation**

26. The Government of the Russian Federation stated that it implements all measures necessary to combat Nazism, the glorification of Nazism and neo-Nazism, and condemns all forms of superiority theories based on racial, ethnic, social or religious background, and acts that incite or encourage such discrimination.

27. According to the Government, its law provides for administrative and criminal liability for offenses and crimes such as the dissemination of propaganda claiming superiority based on race, ethnic, religious or social background, public demonstrations of Nazi paraphernalia, incitement to hatred or enmity and actions taken in the preparation of these acts. The Government further reported that the publication of materials calling for such activities or justifying their existence is prohibited by law.

28. According to the Government, the Criminal Code establishes liability for the destruction and damage of cultural heritage sites as well as the desecration of burial sites that commemorate those who fought against Nazism and fascism or the victims of these ideologies. The Government reported that article 63 (e) of the Criminal Code states that any crime based on political, ideological, racial, national or religious hatred is an aggravating circumstance and entails increased measures of criminal liability.

29. The Government reported measures it stated it had taken to prevent manifestations of extremism, racism, neo-Nazism and other types of intolerance during sporting events such as the 2018 World Cup, which was held in the Russian Federation.

30. The Government also highlighted the use of social media as a means to recruit and spread Nazi and racist propaganda. In response to this trend, the Government reported that it had taken preventive measures to tackle this issue by identifying and eliminating the causes and conditions conducive to the publication of extremist materials on electronic platforms, specifically on the largest Russian media content platforms. According to the Government, article 15.3 of Federal Law No. 149-FZ of 27 July 2006 on information, informational technologies and the protection of

information provides that, if information detected on a telecommunications network calls for extremist activities, including incitement to racial or religious discord, once a claim has been made the federal executive body responsible for mass media must take action to limit access to and restrict the spread of this information.

31. The Government stated that education of youth is a key element of preventing the spread of extremist ideologies. The Government reported that it had adopted several policies in that regard, including the Patriotic Education of Citizens of the Russian Federation: 2016–2020 programme. The Government further reported that it wishes to pay greater attention to youth in order to preserve and transmit historical memory as well as the truths about the Second World War. It also emphasized the importance of promoting inter-ethnic and interfaith harmony among youth.

### III. Issue in focus: anti-Semitic violence and related acts of racism and intolerance

#### A. Upsurge of anti-Semitism in Europe and North America

32. The Special Rapporteur expresses grave concern at the alarming rise of anti-Semitism, especially in Europe and North America. Anti-Semitism is not a new phenomenon, but in her report submitted pursuant to General Assembly resolution [72/156](#), the Special Rapporteur noted with concern alarming increases in anti-Semitic incidents tied to neo-Nazi groups and affiliated white supremacist and white nationalist groups ([A/HRC/38/53](#), paras. 16–21).

33. Contemporary right-wing populist anti-Semitic rhetoric has its roots in some of the oldest traditions of hatred found in Europe. The long-standing stereotype of Jews as disloyal to nations/States intensified in the nineteenth century in Europe, setting the stage for the horrors of the early twentieth century. Anti-Semitic conspiracy theories about Jewish power and worldwide economic and political manipulation remain a concern in Europe and other parts of the world, in some contexts exacerbated by national economic anxieties fuelled by the failure of government policy.<sup>1</sup>

34. Numerous studies indicate that anti-Semitism connected with right-wing populism in different regions of Europe is not uniform and does not share defined characteristics.<sup>2</sup> The interplay among different histories related to Jews in Eastern, Central and Western Europe, and other national specifics such as political system, culture and economic conditions determines in part the position of right-wing populist parties on anti-Semitism.<sup>3</sup> Nonetheless, there are similarities in the ways right-wing populists capitalize on anti-Semitism. As blatant anti-Semitic discourse has been discarded from the public sphere and mainstream politics, contemporary anti-Semitism appears in stereotypes, language choices or jokes and insults in the public debates and speeches of right-wing populist parties.<sup>4</sup> In France, the right-wing populist party the National Rally, known as the National Front until June 2018,

<sup>1</sup> Ruth Wodak, “The radical right and anti-Semitism”, in *The Oxford Handbook of the Radical Right*, Jens Rydgren, ed. (New York, Oxford University Press, 2018); Gervase Phillips, “Anti-Semitism: how the origins of history’s oldest hatred still hold sway today” (discussing the historical roots of anti-Semitism and the revival of stereotypes of Jews), available at <https://antisemitism.org.il/en/145847/>.

<sup>2</sup> Thomas Greven, “The rise of right-wing populism in Europe and the United States” (Friedrich Ebert Stiftung, 2016); see also Wodak, “The radical right and anti-Semitism”.

<sup>3</sup> Wodak, “The radical right and anti-Semitism”, p. 9.

<sup>4</sup> Ruth Wodak and John E. Richardson, eds., *Analysing Fascist Discourse: European Fascism in Talk and Text* (London, Routledge, 2013); see also Olaf Glöckner and Haim Fireberg, eds., *Being Jewish in 21st Century Germany* (Berlin, Degruyter, 2015).

formally distanced itself from anti-Semitism. The party moved away from explicit anti-Semitism as part of its platform during the 1980s and 1990s, but anti-Semitism continues to permeate the speeches and interviews of its leaders.<sup>5</sup> Examples of more subtle but nevertheless anti-Semitic language include use of the dated and disfavoured word “Israelite” when referring to Jews, as well as references to cosmopolitanism that call back to the history of anti-Semitism noted above.<sup>6</sup> Such language reshapes and reasserts anti-Semitism in a code decipherable by those who understand the language of anti-Semitism in the cultural context.

35. Anti-Semitism is marginalized in Germany; by and large, anti-Semitic views are not accepted in public discourse. However, groups on the extreme right have long been associated with anti-Semitism, frequently espousing a revisionist position on the Second World War. Some extreme right organizations openly support the use of violence triggered by hatred and use violence themselves.<sup>7</sup> The extreme right is responsible for most anti-Semitic crime in the country: approximately 90 to 95 per cent of anti-Semitic crimes and 80 per cent of violent anti-Semitic incidents are carried out by the extreme right.<sup>8</sup> Extreme right groups also engage in rallies, publications and neo-Nazi subculture, such as music, as a component of neo-Nazi propaganda that incites hatred and violence against Jews.<sup>9</sup>

## B. Anti-Semitic violence, hate crimes, hate speech and other incidents

36. Violent and non-violent anti-Semitic crime is on the rise. A recent survey of experiences and perceptions of anti-Semitism in Europe indicates that 89 per cent of the respondents living in Austria, Belgium, Denmark, Germany, France, Hungary, Italy, the Netherlands, Poland, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland feel anti-Semitism has increased over the past five years.<sup>10</sup> Some 24 per cent replied that they had witnessed other Jews being verbally insulted, harassed and/or physically attacked in the past 12 months.<sup>11</sup> One fifth of respondents replied that they knew family members or other people close to them who had been subjected to anti-Semitic verbal or physical attacks.<sup>12</sup>

37. Submissions by two non-governmental organizations paint a similar picture. The World Jewish Congress reported an increase in neo-Nazi marches throughout Europe that promote anti-Semitism, xenophobia and Nazi glorification, and an increase in the proliferation of Nazi symbols. It noted that violent and non-violent hate incidents are also common neo-Nazi practices, and emphasized that social media is the main medium used to spread neo-Nazi ideology. One submission noted that the glorification of neo-Nazism and the promotion of its symbols has increased in Lithuania. The submission reported that Nazi symbols and related chants are common during two annual ethnonationalist youth marches. According to the source, police do

<sup>5</sup> Brigitte Beauzamy, “Continuities of fascist discourses, discontinuities of extreme-right political actors? Overt and covert anti-Semitism in the contemporary French radical right”, in *Analysing Fascist Discourse: European Fascism in Talk and Text*, Ruth Wodak and John E. Richardson, eds., pp. 169 and 177.

<sup>6</sup> *Ibid.*, p. 168.

<sup>7</sup> Günther Jikeli, “Anti-Semitism within the extreme right and Islamists’ circles”, in *Being Jewish in 21st Century Germany*, Olaf Glöckner and Haim Fireberg, eds., p. 190.

<sup>8</sup> *Ibid.*, p. 189.

<sup>9</sup> *Ibid.*, p. 192; see also [A/HRC/41/55](#), pp. 4–5.

<sup>10</sup> European Union Agency for Fundamental Rights, *Experiences and perceptions of antisemitism – Second survey on discrimination and hate crime against Jews in the EU* (Luxembourg, Publications Office of the European Union, 2018), p. 11.

<sup>11</sup> *Ibid.*, p. 32.

<sup>12</sup> *Ibid.*, pp. 15 and 32.

not take any action to stop the anti-Semitic and pro-Nazi ideology present in these marches.

38. Anti-Semitic crime in France has risen to a level of violence unique in Europe, bearing greater similarity to the levels of anti-Semitic violence in the United States of America. The Ministry of the Interior of France reported an 84 per cent increase in violent anti-Semitic attacks from 2017 to 2018, with incidents against individuals increasing by 170 per cent during the same time frame.<sup>13</sup> The Hypercacher kosher supermarket shooting in 2015 and the attack against a Jewish school in Toulouse in 2012 each resulted in the murder of four Jewish victims.<sup>14</sup>

39. In Germany and Austria, although the number of anti-Semitic incidents fluctuated in the early 2010s, there has been a steady increase since 2015. The Federal Ministry of the Interior of Germany reported an annual increase of 13.5 per cent in anti-Semitic incidents in 2018,<sup>15</sup> with violent incidents increasing nearly 37 per cent.<sup>16</sup> The rise of anti-Semitism in Germany should be understood in the broad context of xenophobic and anti-migrant discourse led by the extreme right. The increased presence of right-wing movements in the public sphere is part of a worrying trend. This trend was manifest in mainstream politics in the recent European parliamentary election in May 2019. The extreme right party AfD (Alternative für Deutschland) gained considerable status by securing 11 seats in the European Parliament, an increase from 7 seats in 2014.<sup>17</sup> The Austrian Office for the Protection of the Constitution and Counter-terrorism (Bundesamt für Verfassungsschutz und Terrorismusbekämpfung) suggests that it is difficult to present clear causes for rising anti-Semitism but partly attributes the upsurge to increased migration to Austria.<sup>18</sup>

40. Anti-Semitic incidents in the United Kingdom reached a record high in 2018 with a total of 1,652 incidents. A study found that the annual totals in 2016, 2017 and 2018 represent a sustained pattern of historically high anti-Semitic incidents in the country, with no single trigger event causing the increasing trend over the past three years.<sup>19</sup> The study indicates that the months with the highest total incidents in 2018 correlate to periods when the Labour Party's political and media debates over allegations of anti-Semitism were most intense. During these periods, such debates

<sup>13</sup> France, Ministry of the Interior, "Lutte contre la haine, la discrimination, le racisme et l'antisémitisme", available at [www.interieur.gouv.fr/Actualites/Communiqués/Lutte-contre-la-haine-la-discrimination-le-racisme-et-l-antisemitisme](http://www.interieur.gouv.fr/Actualites/Communiqués/Lutte-contre-la-haine-la-discrimination-le-racisme-et-l-antisemitisme); European Union Agency for Fundamental Rights, *Antisemitism – Summary overview of the situation in the European Union 2002–2012 (November 2013)* (Luxembourg, Publications Office of the European Union, 2013), p. 29, available at [https://fra.europa.eu/sites/default/files/fra-2013\\_antisemitism-update-2002-2012\\_web\\_0.pdf](https://fra.europa.eu/sites/default/files/fra-2013_antisemitism-update-2002-2012_web_0.pdf).

<sup>14</sup> Service de protection de la communauté juive, "2015 report on antisemitism in France" (2016), p. 37. Available at [www.antisemitisme.fr/dl/2015-EN.pdf](http://www.antisemitisme.fr/dl/2015-EN.pdf).

<sup>15</sup> Bundesministerium des Innern, für Bau und Heimat, "Straf- und Gewaltdaten im Bereich Hasskriminalität 2017 und 2018" (2019), available at [www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2019/pmk-2018-hasskriminalitaet.html](http://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2019/pmk-2018-hasskriminalitaet.html); *ibid.*, "Übersicht 'Hasskriminalität' – Entwicklung der Fallzahlen 2001–2017" (2018), p. 5, available at [www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2018/pmk-2017-hasskriminalitaet-2001-2017.html](http://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2018/pmk-2017-hasskriminalitaet-2001-2017.html).

<sup>16</sup> Bundesministerium des Innern, für Bau und Heimat, "Straf- und Gewaltdaten im Bereich Hasskriminalität 2017 und 2018".

<sup>17</sup> Unabhängiger Expertenkreis Antisemitismus, "Antisemitismus in Deutschland – aktuelle Entwicklungen" (2017). Available at [www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/heimat-integration/expertenkreis-antisemitismus/expertenbericht-antisemitismus-in-deutschland.html](http://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/heimat-integration/expertenkreis-antisemitismus/expertenbericht-antisemitismus-in-deutschland.html).

<sup>18</sup> Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, "Verfassungsschutzbericht 2017" (2017), p. 24. Available at [www.bvt.gv.at/bmi\\_documents/2202.pdf](http://www.bvt.gv.at/bmi_documents/2202.pdf).

<sup>19</sup> Community Security Trust, "Anti-Semitic incidents report 2018" (2019). Available at <https://cst.org.uk/publications/cst-publications/antisemitic-incident-reports>.

have drawn attention to the issue of anti-Semitism, and have contributed to an increased number of anti-Semitic incidents by emboldening offenders.<sup>20</sup>

41. A common challenge in Eastern Europe is the lack of reliable data on anti-Semitic violence. Some data show a decrease in anti-Semitic incidents across Eastern Europe. In Hungary, anti-Semitic violence against Jewish individuals and property has decreased since 2014. Seventeen per cent of Hungarian Jews reported receiving threatening and anti-Semitic comments in 2018, a 10 per cent decrease from the 27 per cent of respondents who reported such comments in 2012.<sup>21</sup> The Russian Federation also shows a significant decrease in the occurrence of right-wing and neo-Nazi violence since 2012.<sup>22</sup> In particular, the incidents of racist and neo-Nazi attacks against Jews have decreased since 2007 in the Russian Federation.<sup>23</sup> Despite this apparent decrease in reported anti-Semitic incidents, the political climate is increasingly conducive to the growing acceptance of anti-Semitism in the public sphere. As seen elsewhere in Europe in 2018, the Russian Federation harbours the conditions for a potential resurgence of anti-Semitic crime. In addition, official statistics often suggest lower numbers of incidents than those recorded by non-governmental organizations, which provide mechanisms for victims to report incidents directly online.

42. In the United States, hate crimes based on race or ethnicity accounted for 60 per cent of total hate crimes recorded in 2017. Religious-based hate crime comprised about 20 per cent of the total incidents.<sup>24</sup> Jewish people and institutions were most frequently targeted, constituting about 58 per cent of religious-based hate crime incidents.<sup>25</sup> A statistic released by a civil society organization revealed an alarming increase of anti-Semitic incidents in 2018, the third-highest year on record since the organization started tracking the data in the 1970s.<sup>26</sup> This includes a mass shooting at the Tree of Life synagogue in Pittsburgh, Pennsylvania that resulted in 11 murders. Although most of these crimes in the United States were not committed by extremists, the statistics corroborate connections between the rise of extremist movements in the country and a spike in anti-Semitic crime. Known extremist groups or individuals inspired by extremist ideology were responsible for 249 anti-Semitic incidents in 2018, accounting for 13 per cent of total incidents – the highest level of

<sup>20</sup> Ibid., p. 4.

<sup>21</sup> European Union Agency for Fundamental Rights, *Experiences and perceptions of antisemitism*, p. 51.

<sup>22</sup> Natalia Yudina and Vera Alperovich, “The ultra-right shrugged: xenophobia and radical nationalism in Russia, and efforts to counteract them in 2013” (2014), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2014/03/d29236/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2014/03/d29236/); *ibid.*, “Calm before the storm? Xenophobia and radical nationalism in Russia, and efforts to counteract them in 2014” (2015), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2015/04/d31818/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2015/04/d31818/); *ibid.*, “The ultra-right movement under pressure: xenophobia and radical nationalism in Russia, and efforts to counteract them in 2015” (2016), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2016/04/d34247/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2016/04/d34247/); *ibid.*, “Old problems and new alliances: xenophobia and radical nationalism in Russia, and efforts to counteract them in 2016” (2017), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2017/05/d36995/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2017/05/d36995/); Natalia Yudina, “Xenophobia in figures: hate crime in Russia and efforts to counteract it in 2017” (2018), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2018/02/d38830/#\\_Toc379209516](http://www.sova-center.ru/en/xenophobia/reports-analyses/2018/02/d38830/#_Toc379209516); *ibid.*, “Far right and arithmetic: hate crime in Russia and efforts to counteract it in 2018” (2019), available at [www.sova-center.ru/en/xenophobia/reports-analyses/2019/02/d40603/](http://www.sova-center.ru/en/xenophobia/reports-analyses/2019/02/d40603/).

<sup>23</sup> *Ibid.*

<sup>24</sup> Federal Bureau of Investigation, “2017 hate crime statistics”. Available at <https://ucr.fbi.gov/hate-crime/2017>.

<sup>25</sup> *Ibid.*

<sup>26</sup> ADL, “Anti-Semitic incidents remained at near-historic levels in 2018; assaults against Jews more than doubled”, 30 April 2019. Available at [www.adl.org/news/press-releases/anti-semitic-incidents-remained-at-near-historic-levels-in-2018-assaults](http://www.adl.org/news/press-releases/anti-semitic-incidents-remained-at-near-historic-levels-in-2018-assaults).

anti-Semitic incidents with known connections to extremists or extremist groups since 2004.<sup>27</sup>

43. As highlighted in the previous reports of the mandate holder (A/HRC/26/50 and A/HRC/29/47), Holocaust denial – an attempt to negate the established facts of the Nazi genocide of European Jews, Roma, gays and lesbians, and political opponents – contributes to perpetuating long-standing anti-Semitic prejudices and stereotypes of Jews that were instrumental in laying the groundwork for the Holocaust. The Special Rapporteur expresses deep concern over the rise in Holocaust denials, anti-Semitic vandalism and the use of anti-Semitic symbols. A recent study shows a dramatic increase in the number of Holocaust denials observed on social media from January 2016 to January 2018.<sup>28</sup> The study reveals that from 1 to 24 January 2018, an average of 108 posts per day denied the Holocaust. During this period, 2,600 posts outright denied the Holocaust or insisted that Jews exaggerated the Holocaust and the number of victims, while 13,200 other posts used symbols or signs related to the Holocaust or Nazis. Some countries, including Germany, France, Belgium, Poland, Czechia, Hungary and Romania, criminalize Holocaust denial directly or through legislative provisions prohibiting hate speech. However, many countries have yet to enact such laws.<sup>29</sup>

#### IV. Applicable racial equality framework

44. The Special Rapporteur recalls that international human rights law is based on the premise that all persons, by virtue of their humanity, should enjoy all human rights without discrimination on any grounds. Article 1, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination prohibits racial discrimination, and defines it as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights have reiterated that the rights outlined in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights must be guaranteed to everyone, including non-citizens and persons belonging to racial, ethnic and religious minorities.<sup>30</sup> The Special Rapporteur highlights that the prohibition on racial discrimination in international human rights frameworks aims to guarantee substantive equality rather than a formal approach to equality,<sup>31</sup> therefore requiring States to take action to combat intentional or purposeful racial discrimination, as well as de facto or unintentional racial discrimination.

45. With respect to anti-Semitic violence, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on

<sup>27</sup> Ibid.

<sup>28</sup> World Jewish Congress, “Anti-Semitic symbols and Holocaust denial in social media posts” (2018). Available at [www.worldjewishcongress.org/download/3KVjYgi8FNOTxdWd5HeFPw](http://www.worldjewishcongress.org/download/3KVjYgi8FNOTxdWd5HeFPw).

<sup>29</sup> ECIVIS and others, “Comparative study on legislation sanctioning hate speech and discrimination in the member states of the European Union” (2014). Available at <http://discursfaradiscriminare.ro/wp-content/uploads/2014/10/Comparative-Study.pdf>.

<sup>30</sup> See Human Rights Committee, general comment No. 15 (1986) on the position of aliens under the Covenant, paras. 1–2; *ibid.*, general comment No. 23 (1994) on the rights of minorities, paras. 4–5; Committee on Economic, Social and Cultural Rights, general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, paras. 24 and 30.

<sup>31</sup> Committee on the Elimination of Racial Discrimination, general recommendation No. 32 (2009) on the meaning and scope of special measures in the Convention, paras. 6–10.

Civil and Political Rights require States parties to take immediate action to end and remediate violent attacks against Jews. Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination creates an obligation for States parties “to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law” in the enjoyment, inter alia, of “the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution”. Article 9 of the International Covenant on Civil and Political Rights also grants everyone the right to liberty and security of person. The Human Rights Committee has stated that “the right to security of person protects individuals against intentional infliction of bodily or mental injury, regardless of whether the victim is detained or non-detained”, and that the Covenant requires States parties “to protect individuals from foreseeable threats to life or bodily integrity proceeding from any governmental or private actors”.<sup>32</sup> Furthermore, the Human Rights Committee has stated that “States parties must take both measures to prevent future injury and retrospective measures, such as enforcement of criminal laws, in response to past injury”.<sup>33</sup>

46. The International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Civil and Political Rights both impose strong limitations on the propagation of racist and xenophobic ideas, and outlaw the advocacy of national, racial or religious prejudices that amount to incitement to discrimination, hostility or violence. Speech that constitutes advocacy of anti-Semitic racial and religious prejudices that amount to incitement to discrimination, hostility or violence is therefore unlawful and prohibited under the applicable legal frameworks.

47. Article 2, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination stipulates that States parties should not participate in, sponsor or defend persons or organizations espousing racial superiority and intolerance. Article 4 of the Convention requires States parties to condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form. This means that States parties must take action to prohibit organizations that meet the conditions articulated in article 4 (b), including in contexts in which such organizations use anti-Semitic fervour to attempt to mainstream their extreme ideologies or racial, ethnic or religious hatred and intolerance. Legislation alone is not sufficient. Article 6 of the Convention makes clear that effective protection from and remedies for racial discrimination are just as important as formal provisions.

48. Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination also requires States parties to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination, and to make punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin. The Committee on the Elimination of Racial Discrimination has recommended concrete guidance for States parties on the adoption of legislation combating racist speech falling under article 4, and the Special Rapporteur encourages States to review general recommendation No. 35 (2013) on combating racist hate speech in order to benefit from that guidance. The Committee highlights a number of factors that should

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<sup>32</sup> Human Rights Committee, general comment No. 35 (2014) on liberty and security of person, para. 9.

<sup>33</sup> Ibid.

inform the practice of Member States. Significantly, the Committee recalls that the proscription of racist hate speech and the flourishing of freedom of expression are complementary and not the expression of a zero-sum game. In paragraph 45 of the general recommendation the Committee affirms that, instead, the rights to equality and freedom from discrimination, and the right to freedom of expression, should be fully reflected in law, policy and practice as mutually supportive human rights, as discussed in more detail below.

49. Article 19 of the International Covenant on Civil and Political Rights protects freedom of opinion and of expression, which may be restricted only as provided by law and when such restrictions are necessary for respect of the rights or reputations of others or for the protection of national security or of public order, or of public health or morals. Any restriction on freedom of speech must not only be a matter of necessity, but must be proportionately tailored to achieve the legitimate end that warrants the restriction.<sup>34</sup> Article 20 of the Covenant specifically obligates States parties to prohibit, by law, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. The Human Rights Committee and a number of other human rights mechanisms have interpreted this provision as creating a high threshold, because limitations on speech must remain exceptional. However, when individuals or groups meet this high threshold – including in the context of anti-Semitic hate speech – States must hold these actors to account for their violations of international human rights law.

50. Freedom of expression is also enshrined in the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee on the Elimination of Racial Discrimination has reiterated that freedom of expression is integrated into the Convention, and that the Convention contributes to a fuller understanding of the parameters of freedom of expression under international human rights law. To determine what racist expression should be punishable by law, the Committee stresses the importance of context, which includes: (a) the content and form of the speech; (b) the economic, social and political climate; (c) the speaker's position or status; (d) the reach of the speech; and (e) the objectives of the speech.<sup>35</sup> Member States, and even private actors such as the technology companies that often directly interface with racist and xenophobic content online, must remain vigilant in their identification of racist expression in national climates in which certain groups, including neo-Nazis, are openly committed to spreading and enforcing intolerance. The Committee warns that racist speech may sometimes rely on indirect language to disguise its targets or objectives, and may rely on coded symbolic communication to achieve its ends. Even incitement may be express or implied, through actions such as displays of racist symbols or the distribution of materials as well as words.<sup>36</sup>

51. Member States must take urgent action to ensure that racist expression violating the standards set out in the International Convention on the Elimination of All Forms of Racial Discrimination are made punishable by law. The Committee on the Elimination of Racial Discrimination has recommended that the criminalization of forms of racist expression be reserved for serious cases, to be proven beyond reasonable doubt, that the application of criminal sanctions be governed by the

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<sup>34</sup> Human Rights Committee, general comment No. 34 (2011) on the freedoms of opinion and expression, paras. 33–35. See also, for example, *Velichkin v. Belarus* (CCPR/C/85/D/1022/2001).

<sup>35</sup> Committee on the Elimination of Racial Discrimination, general recommendation No. 35 (2013) on combating racist hate speech, paras. 4 and 15.

<sup>36</sup> *Ibid.*, paras. 7 and 16.

principles of legality, proportionality and necessity, and that less serious cases should be dealt with using non-criminal sanctions.<sup>37</sup>

52. Unfortunately, sometimes Member States use concerns about racist or intolerant speech as a pretext for illegitimately quashing expression that is compliant with human rights. The Committee on the Elimination of Racial Discrimination has observed with concern that broad or vague restrictions on freedom of speech have been used to the detriment of groups protected by the Convention. The Special Rapporteur endorses the Committee's position that international human rights law prohibits States from using measures to monitor and combat racist speech as a pretext to curtail expressions of protest at injustice, social discontent or opposition.<sup>38</sup> Overly broad defamation and slander laws that target minority religious groups, political opponents, academics, human rights defenders or others who appropriately exercise their freedom of expression should not be tolerated. The Special Rapporteur also strongly condemns attempts by public and private actors to co-opt the language of equality and non-discrimination as a means of stifling legitimate expression. Similarly, she further condemns attempts by public and private actors to use the language of freedom of expression or association as a means of, or cover for, violating the rights of others to equality and non-discrimination.

53. The Committee on the Elimination of Racial Discrimination has highlighted that, although article 4 has operated as the principle vehicle for the prohibition of racist speech, the Convention contains other provisions essential for fulfilling the objectives articulated in that article. Article 4 expressly invokes article 5, which guarantees the right to equality before the law and the right to be free from racial discrimination in the enjoyment of rights, including freedom of expression. Article 6 requires the provision of effective remedies for violations of rights enshrined in the Convention, as indicated above, and article 7 underscores the importance of education in promoting equality and tolerance.

54. In paragraph 84 of the Durban Declaration, the participants at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance condemned the persistence and resurgence of neo-Nazism, neo-fascism and violent nationalist ideologies based on racial or national prejudice. In paragraph 85 of the Declaration, they condemned political platforms and organizations based on, among other things, doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, highlighting that they were incompatible with democracy and transparent and accountable governance. Furthermore, participating States reaffirmed, in paragraph 94 of the Declaration, that the stigmatization of people of different origins by acts or omissions of public authorities, institutions, the media, political parties or national or local organizations was not only an act of racial discrimination but could also incite the recurrence of such acts, thereby resulting in the creation of a vicious circle that reinforces racist attitudes and prejudices and requires universal condemnation.

55. The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence also contains a high threshold for restrictions on freedom of expression.<sup>39</sup> It outlines a six-part threshold test in keeping with the approach of the Committee on the

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<sup>37</sup> Ibid., para. 12. See also Human Rights Committee, general comment No. 34 (2011), paras. 22–25 and 33–35.

<sup>38</sup> Committee on the Elimination of Racial Discrimination, general recommendation No. 35 (2013), para. 20.

<sup>39</sup> For details about the Rabat Plan of Action and its consultation process, see [www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx](http://www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx).

Elimination of Racial Discrimination, taking into account the following factors: context; speaker; intent; content and form; extent of the speech act; and likelihood, including imminence. The consultative process undertaken in the context of creating the Plan of Action was aimed at enhancing understanding of the relationship between freedom of expression and incitement to hatred. In paragraph 11 of the Plan of Action, concern was expressed that perpetrators of incidents that were in violation of article 20 of the International Covenant on Civil and Political Rights were often not punished and, at the same time, that de facto persecution persisted, through the abuse of vague domestic legislation, jurisprudence and policies. It was also found that anti-incitement laws in countries worldwide were at times excessively narrow or vague. It was recommended in paragraph 21 of the Plan of Action that domestic legal frameworks on incitement to hatred expressly refer to article 20, paragraph 2, of the Covenant and include robust definitions of key terms such as “hatred”, “discrimination”, “violence” and “hostility” as defined in the Camden Principles on Freedom of Expression and Equality.<sup>40</sup>

56. With respect to remedial measures for victims of anti-Semitic hate crimes and hate speech, article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination and article 2 of the International Covenant on Civil and Political Rights require States parties to ensure that everyone within their jurisdiction has access to effective protection and remedies through competent tribunals and other State institutions. As mentioned above, article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination further states that victims of racial discrimination must also have the right to seek adequate reparation or satisfaction for any discrimination they experience.

57. Finally, the Special Rapporteur notes that international human rights law underscores the role of education in promoting tolerance. Article 26, paragraph 2, of the Universal Declaration of Human Rights stipulates that education shall promote understanding, tolerance and friendship among all nations, racial or religious groups. Article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination requires States parties “to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups”. Paragraph 95 of the Durban Declaration recognizes that education is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance, promoting tolerance and respect for diversity in societies and friendship among all nations, racial or religious groups. Paragraph 97 of the Declaration spells out the importance of human rights education, especially among children and young people, in the prevention and eradication of all forms of intolerance and discrimination.

## V. Recommendations

**58. The Special Rapporteur recommends that Member States take concrete actions to combat and to prevent manifestations of anti-Semitism in accordance with international human rights standards, and to provide effective remedies to those who have experienced anti-Semitic human rights violations.**

**59. The Special Rapporteur calls upon States to elaborate legal or constitutional provisions to prohibit organizations and associations that incite**

<sup>40</sup> Article 19, “Camden Principles on Freedom of Expression and Equality” (2009). Available at [www.article19.org/resources/camden-principles-freedom-expression-equality/](http://www.article19.org/resources/camden-principles-freedom-expression-equality/). See also E/CN.4/1996/39, annex, and A/67/357, paras. 39–45.

racial, religious and national hatred and propagate extreme ideologies, and to do so in a manner that respects the human rights to freedom of expression and speech. She also urges States to comply fully with their obligations as enshrined in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, and reiterates her encouragement to those States that have made reservations to article 4 of the Convention to withdraw these reservations and commit to its obligation to tackle hate speech and incitement to violence.

60. With respect to expression in particular, she reiterates her recommendation that Member States should implement the concrete recommendations that other United Nations bodies, especially the Committee on the Elimination of Racial Discrimination, have made that pertain to combating racist and xenophobic expression (A/73/305, para. 63). General recommendation No. 35 (2013) is particularly vital in this regard. Owing to space constraints, its practical guidance is not recapitulated here, but is instead incorporated by reference.

61. The Special Rapporteur would like to stress the importance of reliable disaggregated data and statistics on racist, xenophobic and anti-Semitic crimes. The collection of data regarding the ideological affiliations of perpetrators, as well as the identity of victims, in cases involving suspected or alleged hate crimes is vital for understanding the prevalence of hate incidents and for designing measures to combat them. Data are also vital for monitoring racist crimes and assessing the impacts of measures taken to address such crimes. A lack of consistent and reliable reporting on anti-Semitic violence and other hate incidents is an issue in almost every country examined, and official statistics are often much lower than those reported by non-governmental organizations, which allow direct reporting on the Internet. The discrepancy in data and unreported incidents reveals the need for more comprehensive, accessible, safe and dependable networks for reporting anti-Semitic violence. Civil society must continue and strengthen its role in collecting data and working with victims, who may not feel safe reporting incidents to authorities.

62. The Special Rapporteur highlights the need to develop and implement effective, inclusive and comprehensive frameworks complemented by other means to combat racism. In this regard, collaboration with civil society and international, regional and national human rights mechanisms can reinforce the efforts to counter anti-Semitism and extremist movements and groups, including neo-Nazis. In particular, civil society can play a vital role in collecting information on racist crimes, working with victims and raising awareness. The Special Rapporteur encourages robust coordination between governmental structures and civil society entities to amplify efforts to develop and implement relevant legislation and policies.

63. The World Jewish Congress has highlighted a number of good practices for countering neo-Nazism and anti-Semitism established by various actors. The first is incident-reporting hotlines. It reported that Germany, Hungary and New York State have established incident-reporting hotlines that allow civilians to report anti-Semitic activity. This practice is not exclusive to States: various organizations and communities have also opted for this mechanism, including the Union of Italian Jewish Communities, the Community Security Trust, the Coordination Forum for Countering Anti-Semitism and the Anti-Defamation League. As social media is one of the main sources of anti-Semitic activity, the World Jewish Congress also highlighted the value of guidelines for combating Holocaust denial online, referring to developments in the European Union, Germany, France and Australia.

**64. Education is critical to stemming the rise of Holocaust denial. This rise can clearly be seen online, including in social media. Member States must take urgent and active measures to ensure that educational systems develop the necessary content to promote truthful accounts of the past and promote tolerance and other international human rights principles.**

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