

Cheltenham Borough Council

Council – 17th February

Recommendation to adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism

Accountable member	Steve Jordan
Accountable officer	Louise Forey
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	A letter from the Secretary of State for Housing, Communities and Local Government, received in October 2019, encourages CBC to urgently adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism.
Recommendations	That the IHRA Working Definition on antisemitism be adopted for use across the Council ensuring that this is reflected in its Equality and Diversity Scheme and other relevant policies.

Financial implications	None
Legal implications	There are no specific legal implications arising from the report. The adoption of the IHRA definition would however support the Authority in continuing to meet its legal obligations under the Equality Act 2010 and Human Rights Act 1998. One Legal – legal.services@tewkesbury.gov.uk
HR implications (including learning and organisational development)	HR will work with the team to ensure full HR & legislative processes are followed & reviewed particularly around the Equality Act, induction & relevant training for CBC staff. Contact officer: Corry Ravenscroft, HRBP corry.ravenscroft@publica.org.uk, 07827 895624
Key risks	Failure to adopt the IHRA definition could have a significant impact on the council's reputation and relationships with communities in Cheltenham, in particular the Jewish communities. There is a clear steer from central government for local authorities to adopt the definition in their work.
Corporate and community plan Implications	None

Environmental and climate change implications	None
Property/Asset Implications	None

1. Background

1.1 The International Holocaust Remembrance Alliance (IHRA) is an intergovernmental body, comprising 31 member nations whose purpose is to place political and social leaders' support behind the need for Holocaust education, remembrance and research both nationally and internationally. The new definition of anti-Semitism was adopted during their plenary meetings in Bucharest in May 2016.

1.2 On 26 May 2016, the Plenary in Bucharest decided to adopt the following non-legally binding working definition of antisemitism:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

1.3 To guide IHRA in its work, the following examples may serve as illustrations:

1.4 Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

1.5 Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- 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.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.

- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
 - Holding Jews collectively responsible for actions of the state of Israel.
- 1.6 **Antisemitic acts** are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).
 - 1.7 **Criminal acts** are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.
 - 1.8 **Antisemitic discrimination** is the denial to Jews of opportunities or services available to others and is illegal in many countries.
 - 1.9 The UK government adopted the working definition on 12 December 2016
 - 1.10 Police forces already use a version of the IHRA definition, which is described as a useful tool which assists officers identify what could constitute anti-Semitism.
 - 1.11 In October 2019 a letter from the Secretary of State for Housing, Communities and Local Government, was received by Steve Jordan, encouraging Cheltenham Borough Council to take urgent action; to adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism. The secretary's predecessor had also written to the council in early 2017 encouraging the same.
 - 1.12 "It is in this context that I write to you again, to strongly urge you to formally adopt the IHRA definition and use it on all appropriate occasions. The definition is not designed to be legally binding, but it is an invaluable tool for public bodies to understand how antisemitism manifests itself in the 21st century. It demonstrates a commitment to engaging with the experiences of Jewish communities and supporting them against the contemporary challenges they face... Eradicating antisemitism is not a task that the Government can achieve on our own. We need local authorities to show leadership, alongside our partners in civil society and community activists. The Government has adopted the IHRA definition of antisemitism, as we recognise this is one of the strongest signals we can give our Jewish communities. It demonstrates that we hear and understand their concerns and are ready and willing to act in response" Rt Hon Robert Jenrick MP.

2. Criticisms of the IHRA definition

- 2.1 Some groups have expressed concerns that the IHRA definition restricts freedom of speech by prohibiting legitimate criticism of Israeli government action in the Palestinian territories.
- 2.2 The government, and other public bodies that have adopted the definition and its examples, believe that references within the definition stating that "criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic" are sufficient to ensure freedom of speech. It is worth noting that an earlier version of the definition is being used by the police and forms part of the National Police Chief's Council Hate Crime Manual for officers. The Government believe that the definition is a useful tool for criminal justice agencies and other public bodies to use to understand how anti-Semitism manifests itself in the 21st century.

3. Reasons for recommendations

- 3.1 Not adopting the definition would have a significant impact on our reputation and relationship with communities in Cheltenham, in particular the Jewish communities. There is a clear and urgent steer from central government for the council to adopt the definition in its work.

- 3.2 We work with organisations across Cheltenham to promote a clear and consistent message that prejudicial views or behaviour that could result in hate incidents or crimes are not tolerated or condoned. We work with communities to ensure people are treated with dignity and respect and the causes of unfairness are understood and addressed.
- 3.3 Cheltenham Borough Council has robust anti-discrimination policies including tackling racism. We work with the Cheltenham Hebrew Congregation and Gloucestershire Liberal Jewish Community to hold an annual act of remembrance on national Holocaust Memorial Day at the Council Offices and provide small grants to support this. We have good relationships with the community in Cheltenham. CBC is also represented on the county Hate Crime and Incident Strategic Group and recently held staff and councillor training on hate crime.

4. How this initiative contributes to the corporate plan

4.1 Supporting Cheltenham’s Place Vision “Our vision is that Cheltenham is a place where all people and communities thrive”

- 4.1.1 We ensure that all our residents, businesses and visitors feel safe
- 4.1.2 We build strong, healthy and inclusive communities

5. Consultation and feedback

- 5.1 Jennifer Silverston, Cheltenham Hebrew Congregation – “I think the given IHRA definition should be supported to show solidarity with a minority group that has a long history of persecution. It would also give CBC a firm basis to support anyone affected by antisemitism. And, yes, it does happen in Cheltenham.
- 5.2 Not all appreciate that anti-Semitism is a problem at all, especially in an area with few Jews like Cheltenham, this makes it more important for CBC to take a responsible position on behalf of a local minority group not just for residents but also for temporary residents such as students and our visitors.
- 5.3 Some individuals use hateful anti-Semitic language very lightly and say that they meant no offence or that they were only joking. What they are doing though is against the law and likely to reinforce stereotyping and prejudice.
- 5.4 It should be noted that Israel can be criticized like any other country. Like any other country though. It is a country where 25% of the population is not Jewish and all faiths can live peacefully, protected by Israeli laws”

6. Performance management –monitoring and review

- 6.1 Once adopted the definition will be in use across all the areas of the Councils work and services will consider its implementation where relevant to the work that they deliver.

Report author	Contact officer: Louise Forey; louise.forey@cheltenham.gov.uk 01242 264297
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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Letter from Secretary of State
Background information	

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	There is a CBC reputational risk if the working definition is not adopted	Cllr Steve Jordan	11/11/2019	3	4	12	Reduce	Adopt the IHRA working definition	16/12/2019	Louise Forey	

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close