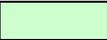


## ANTISEMITISM: IHRA DEFINITION AND LABOUR CODE OF CONDUCT

IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
<p><b>In what follows below:</b></p> <p> LP Text copies IHRA Text verbatim</p> <p> LP Text modifies meaning of IHRA Text</p> <p> LP Text diverges from IHRA Text</p>	<p>Introduction</p> <p>1. Clause 2.I.8 of the Party’s 2018 Rule Book contains the basic conduct rules applicable to all Party members:</p> <p><i>“No member of the Party shall engage in conduct which in the opinion of the NEC is prejudicial, or in any act which in the opinion of the NEC is grossly detrimental to the Party. The NEC shall take account of any codes of conduct currently in force and shall regard any incident which in their view might reasonably be seen to demonstrate hostility or prejudice based on age; disability; gender reassignment or identity; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation as conduct prejudicial to the Party: these shall include but not be limited to incidents involving racism, antisemitism, Islamophobia or otherwise racist language, sentiments, stereotypes or actions, sexual harassment, bullying or any form of intimidation towards another person on the basis of a protected characteristic as determined by the NEC, wherever it occurs, as conduct prejudicial to the Party.”</i></p> <p>2. Where a complaint is made, and an investigation by the NEC or a CLP under Chapter 6 of the Rule Book results in a reference to the NCC, it is for the NCC to determine whether the member has breached that provision.</p> <p>3. This is the Code of Conduct on antisemitism. It applies to all cases of conduct alleged to be in breach of Clause 2.I.8 because it constitutes an “incident involving antisemitism” or any other kind of hostility, prejudice or racist behaviour directed against Jews. In this Code, “antisemitism” refers to all conduct in those categories. The adoption of Codes of Conduct addressing antisemitism and other forms of racism was a key recommendation of the Chakrabarti Report. The NEC has adopted the Chakrabarti Report and agreed to implement it.</p>

IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
	<p>4. This Code supplements the brief “Code of Conduct: Antisemitism and other forms of racism”, reproduced in Appendix 9 to the 2018 Rule Book. Future Codes of Conduct are likely to address other kinds of racism, in particular Islamophobia. Meanwhile some of the principles set out in this Code are likely to be relevant to cases involving racist behaviour other than antisemitism. This Code should to that extent be taken into account when dealing with such cases.</p>
<p><b>On 26 May 2016, the IHRA Plenary in Bucharest decided to:</b> adopt the following non-legally binding working definition of antisemitism:</p> <p>“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.”</p>	<p>Antisemitism: principles</p> <p>5. Labour is an anti-racist party. Antisemitism is racism. It is unacceptable in our Party and in wider society. To assist in understanding what constitutes antisemitism, the NEC has endorsed the definition produced by the International Holocaust Remembrance Alliance (IHRA) in 2016. This reads:</p> <p>“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.”</p>
<p>To guide IHRA in its work, the following examples may serve as illustrations:</p> <p>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.</p>	<p>6. The IHRA definition captures the idea of hostile conduct towards individuals and institutions on the ground that they are Jewish. In some cases it will be obvious that a member’s conduct falls into this category: for instance, denying or belittling the Holocaust (including accusing Jewish people of inventing or exaggerating it); and repeating familiar antisemitic tropes such as an international “conspiracy” of Jewish interests (the outlook identified long ago as the ‘socialism of fools’) or supposed negative character traits associated with Jewish people. But many cases are less obvious. The IHRA text is not a legal definition, and on its own does not provide clear guidance about the circumstances in which particular conduct should or should not be regarded as anti-Semitic. The publication of the IHRA definition was accompanied by a series of examples to guide IHRA in its intergovernmental work.</p>

<b>IHRA DEFINITION</b>	<b>LP CODE OF CONDUCT: ANTISEMITISM JULY 2018</b>
	<p>7. An area of particular difficulty, and the subject of much academic and legal debate around the IHRA definition, is the relationship between antisemitism and criticism of the state of Israel in the context of the long-running and complex dispute about political relations in the region. This is a dispute about which people have widely diverging and deeply held opinions, which can be closely bound with questions of personal identity. The expression of opinions on this topic can easily offend or upset people holding an opposite opinion. The European Court of Human Rights has long recognised that the principle of freedom of expression protects views which “offend, shock or disturb” society or a section of it. But the Court has also emphasised that the principle does not protect the expression of racist views or “hate speech”. Nor, as Chakrabarti made clear, should the party tolerate the expression of views in a manner simply intended to upset or offend. A “civility of discourse” is essential. In general terms, the expression of even contentious views in this area will not be treated as antisemitism unless accompanied by specific antisemitic content (such as the use of antisemitic tropes) or by other evidence of antisemitic intent. In short, the Party will encourage considered and respectful debate on these difficult topics, but will not tolerate name-calling and abuse.</p>
	<p>8. What follows is a series of guidelines designed to help all those involved with the Party and its disciplinary processes understand what kind of behaviour is likely to be considered antisemitic, and – where a complaint is made – decide whether breach of Clause 2.I.8 has occurred. The guidelines draw on a number of sources, including the IHRA working examples, the Home Affairs Select Committee report of October 2016, the Chakrabarti Report itself and other contemporary material. They are not exhaustive or decisive. As the text of the IHRA examples points out, it is necessary to take into account the overall context in which the behaviour takes place. For example, a comparison or an argument made in a work of analysis or scholarship constitutes a different context to a curt social media post. The guidelines should be read in the light of the discussion and recommendations in the Chakrabarti Report under the headings “Explicit abusive language”, “Stereotyping”, “Insensitive and incendiary</p>

IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
	language, metaphors, distortions and comparisons” and “Zionism and Zionists”, which were framed with the context of the Labour Party’s rules and disciplinary procedures in mind.
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:	Antisemitism: guidelines  9. The following are examples of conduct likely to be regarded as antisemitic. They are in part derived from the IHRA working examples:
1 Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.	9a. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2 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.	9b. 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.
3 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.	9c. 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.
4 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).	9d. Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of Nazi Germany and its supporters and accomplices during World War II (the Holocaust).
5 Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.	9e. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
6 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.	See §14
7 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.	See § 12 and § 13
8 Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.	See § 13
9 Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.	9f. Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis. Classic antisemitism also includes the use of derogatory terms for Jewish people (such as “kike” or “yid”); stereotypical and negative physical depictions/descriptions or character traits, such as references to

IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
	wealth or avarice and -- in the political arena -- equating Jews with capitalists or the ruling class.
10 Drawing comparisons of contemporary Israeli policy to that of the Nazis.	<b>See § 16</b>
11 Holding Jews collectively responsible for actions of the state of Israel.	<b>9g. Holding Jews collectively responsible for actions of the state of Israel.</b>
	10. To those examples the Party would add the making of unjustified reference to the protected characteristic of being Jewish. This practice, often a disguised form of racism or racial stereotyping, is well-known in relation to other kinds protected characteristic. For example, well into the 1970s, media reports of alleged crime would routinely refer to the race of a “black” suspect when no equivalent reference would be made to the race of a white suspect.
	11. Discourse about the state of Israel raises two issues that can cause particular difficulty in the context of deciding whether language or behaviour is anti-Semitic: Israel’s description (of itself, and frequently by others) as a “Jewish state”; and the use of the term “Zionism” and “Zionist”.
7 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.	12. Article 1(2) of the 1948 UN Charter refers to “respect for the principle of equal rights and selfdetermination of peoples”. The Party is clear that the Jewish people have the same right to self-determination as any other people. To deny that right is to treat the Jewish people unequally and is therefore a form of antisemitism. That does not, of course, preclude considered debate and discourse about the nature or content of the right of peoples to selfdetermination.
7 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.  8 Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.	13. In contrast, discussion of the circumstances of the foundation of the Israeli state (for example, in the context of its impact on the Palestinian people) forms a legitimate part of modern political discourse. So does discussion of – including critical comment on -- differential impact of Israeli laws or policies on different people within its population or that of neighbouring territories. It is not racist to assess the conduct of Israel – or indeed of any other particular state or government – against the requirements of international law or the standards of behaviour expected of democratic states (bearing in mind that these requirements and standards may themselves be contentious).

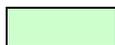
IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
<p>6 Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.</p>	<p>14. However, care must be taken when dealing with these topics. The fact of Israel’s description as a Jewish state does not make it permissible to hold Jewish people or institutions in general responsible for alleged misconduct on the part of that state (see paragraph 9.g.). In addition, it is wrong to apply double standards by requiring more vociferous condemnation of such actions from Jewish people or organisations than from others – a form of racist treatment also all too common in other contexts, eg. holding Muslims or Muslim organisations to a higher standard than others as regards condemnation of illegal or violent acts by self-defining “Islamic” organisations or states (such as Saudi Arabia or Pakistan). It is also wrong to accuse Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.</p>
	<p>15. The term “Zionism” is intimately bound up in the history of Israel’s foundation as a state and in its role in international relations more generally. It is inevitable that the expressions “Zionism” and “Zionist” will feature in political discourse about these topics. The meaning of these expressions is itself debated. It is not antisemitism to refer to “Zionism” and “Zionists” as part of a considered discussion about the Israeli state. However, as the Chakrabarti Report advised, it is not permissible to use “Zionist” (and still less any pejorative abbreviation such as ‘zio’ which the Chakrabarti report said should have no place in Labour Party discourse) as a code word for “Jew”. Chakrabarti recommended that Labour Party members should only use “the term ‘Zionist’ advisedly, carefully and never euphemistically or as part of personal abuse”. Such language may otherwise provide evidence of antisemitic intent.</p>
<p>10 Drawing comparisons of contemporary Israeli policy to that of the Nazis.</p>	<p>16. Discourse about international politics often employs metaphors drawn from examples of historic misconduct. It is not antisemitism to criticise the conduct or policies of the Israeli state by reference to such examples unless there is evidence of antisemitic intent. Chakrabarti recommended that Labour members should resist the use of Hitler, Nazi and Holocaust metaphors, distortions and comparisons in debates about Israel-Palestine</p>

IHRA DEFINITION	LP CODE OF CONDUCT: ANTISEMITISM JULY 2018
	<span style="background-color: #90EE90;">in particular</span> In this sensitive area, such language carries a strong risk of being regarded as prejudicial or grossly detrimental to the Party within Clause 2.I.8.
<b>Antisemitic acts are criminal</b> when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).	
<b>Criminal acts are antisemitic</b> 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.	
<b>Antisemitic discrimination</b> is the denial to Jews of opportunities or services available to others and is illegal in many countries.	

Notes:



LP Text copies IHRA Text verbatim



LP Text modifies meaning of IHRA Text



LP Text diverges from IHRA Text

Of the 11 IHRA “examples”, the LP Code reproduces eight in full and verbatim. With the other three, it diverges slightly from the sentiment of one of them (10 Drawing comparisons of contemporary Israeli policy to that of the Nazis.), and from the first half of another (7 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.)

It takes a different line from the sentiments expressed in the second part of example 7 and example 8 Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation. However, paragraph 13 of the code endorses a sentiment expressed by the IHRA in the introduction to its own “examples”: “However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic”.