



Ladies and Gentlemen,

Thank you for the opportunity to describe from a German perspective what measures the German Federal Government has taken in the fight against anti-Semitism.

First of all, I would like to mention the strict legislation against incitement to hatred. Incitement to violence and hatred against persons or groups on the basis of nationality, race, religion or ethnicity is prohibited in Germany under the Criminal Code (§ 130 German Criminal Code). This includes, for example, Holocaust denial. However, anti-Semitism is not explicitly mentioned here. We are currently endeavoring to have "anti-Semitism" explicitly included in the legislation.

In addition, for around two years now, there has been the offense of inciting insult, which we, the Central Council of Jews, have long campaigned for. The legal regulation (192a of the German Criminal Code) is intended to protect people and groups who are insulted, slandered or disparaged because of their national, religious or ethnic origin, their disability or their sexual orientation. The criminal offense of incitement to hatred also applies to messages sent directly to those affected. Previously, incitement to hatred was only given if the message was publicly disseminated, for example in leaflets, on social networks or in speeches. This did not apply to emails or letters, and so, for example, hate mail that we as an organization received was not punishable despite its content until this regulation.

In German jurisprudence, anti-Semitic motives are regarded as an aggravating circumstance: If a perpetrator acts out of anti-Semitic motives or aims, this should have an aggravating effect on the punishment. The characteristic "anti-Semitic" was therefore expressly included in the sentencing regulations in 2021.

Another means for the combat against Anti-Semitism is the ban of associations. Associations can be banned if their purpose or activities violate criminal law or are directed against the constitutional order and the idea of international understanding. Hizb ut-Tahrir (Islamic Liberation Front) has been banned since 2003, Hezbollah's activities were banned in Germany in 2020, and Hamas and its affiliated network Samidoun were banned from operating in Germany in November 2023 following Hamas' terrorist attack on Israel.

Apart from punitive measures, the federal government and the state governments of the 16 federal states ensure the protection of Jewish communities and their facilities. Since the attack on the synagogue in Halle on Yom Kippur 2019, protection has been increased and funds have been approved for structural measures to increase the

protection of Jewish communities, which are administered by the Central Council of Jews.

In 2018, the German government has appointed a commissioner for Jewish life and against anti-Semitism, who is committed to combating anti-Semitism. He is also responsible for coordinating interdepartmental measures by the Federal Government to combat anti-Semitism. Under his leadership, the German government developed a so-called "National Strategy against Anti-Semitism and for Jewish Life" in 2022. In doing so, it complied with a requirement of the EU Commission. It pursues a holistic approach to researching, preventing and combating antisemitism and promoting Jewish life as a cross-cutting task across all policy areas and levels. It also aims to support cooperation between various government agencies, civil society organizations and religious communities.

Some of the public prosecutors' offices have also appointed commissioners against anti-Semitism who are available as a point of contact for questions relating to the criminal prosecution of anti-Semitism. In cases in which the courts are unable or unwilling to recognize an aggravation of punishment due to anti-Semitism or an anti-Semitic motivation, the anti-Semitism commissioners can be called in.

If we turn our attention to the field of education, we can state that it is compulsory for schools to deal with National Socialism and the Holocaust. In two federal states, trips to concentration camp memorials are compulsory for school classes. In 2016, the Standing Conference of the Ministers of Education and Cultural Affairs and the Central Council of Jews in Germany adopted a joint declaration on the teaching of Jewish history, religion and culture in schools, which should ensure a broader understanding of Judaism which is often taught in German schools in connection with the Shoah, anti-Semitism and Israel or the conflict in the Middle East.

In 2021, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and the Central Council of Jews, together with the Joint Federal and State Commissioners of Anti-Semitism, adopted a joint recommendation on dealing with anti-Semitism in schools in order to tackle the rise in anti-Semitism at a structural level. Among other things, it was suggested that historical and contemporary anti-Semitism be included in teacher training.

The German government and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth have set up funding programs dedicated to combating anti-Semitism and promoting civil society initiatives, among other things. Although these are not state initiatives, they are state-funded projects. These include "Meet a Jew", a project of the Central Council. The aim is for Jewish pupils to meet in school classes



or sports clubs with peers and talk about their Jewish identity. We are convinced that low-threshold contact can prevent anti-Semitism.

The state-funded initiatives also include the so-called Anti-Semitism Competence Network. The aim of the network is to bundle and further develop services in the areas of anti-Semitism prevention, anti-Semitism-critical educational work, counseling and the documentation and analysis of anti-Semitic incidents through cooperation and knowledge transfer. Finally, there is the Coordination Office for German-Israeli Youth Exchange (ConAct), a service center for youth contacts between Germany and Israel, which manages funding for German-Israeli youth exchange on behalf of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and implements projects to establish a German-Israeli youth network. This can also have a preventative effect against anti-Semitism.

I want to conclude my remarks with challenges and failures the German government faced.

The German government has adopted the International Holocaust Remembrance Alliance's (IHRA) international working definition of anti-Semitism. Various state governments and local authorities have also adopted it and made it the basis for their actions.

In 2019, the German Bundestag decided to condemn the BDS campaign and the call to boycott Israeli goods, companies, scientists, artists or athletes and not to financially support any organizations that question Israel's right to exist and any projects that call for a boycott of Israel or actively support the BDS movement. It called on the federal states, cities and municipalities to adopt this stance.

Originally, the resolution stipulated that premises and facilities under the administration of the Bundestag should not be made available to organizations that make anti-Semitic statements or question Israel's right to exist. Local authorities have also implemented this, but have been obliged by the courts to withdraw the bans. Local authorities must therefore make public facilities available for events, even if they call for a boycott of Israel.

Recently, an attempt by the Berlin Senate for Culture to introduce an anti-discrimination clause when awarding funding for cultural and integration projects failed. It envisaged adding a clause to the funding guidelines stating that all funding recipients should commit to a diverse society and against all forms of anti-Semitism in accordance with the definition of anti-Semitism of the IHRA and its extension by



the German government which states – quote - "In addition, the state of Israel, which is understood as a Jewish collective, can also be the target of such attacks."

It was attacked in particular from the cultural scene (also internationally) to such an extent that it was withdrawn "for legal reasons". It is now to be legally reviewed and possibly implemented throughout the Berlin Senate at a later point.

Thank you.

