

Jewish people's experiences of discrimination and hate crime in European Union Member States

Article 1 of the Charter of Fundamental Rights of the European Union states that human dignity is inviolable. It must be respected and protected. Article 10 guarantees freedom of thought, conscience and religion, and Article 21 the right to non-discrimination, including on the grounds of religion or belief. Article 47 secures the right to an effective remedy and to a fair trial.

Context

Jewish people across the European Union (EU) continue to face insults, discrimination, harassment and even physical violence which, despite concerted efforts by both the EU and its Member States, show no signs of fading into the past. Although many important rights are guaranteed legally, widespread and long-standing prejudice continues to hinder Jewish people's chances to enjoy these rights in reality.

The FRA online survey on Jewish people's experiences of discrimination and hate crime in eight EU Member States reveals widespread fear of antisemitism on the internet and of victimisation; a worrying level of antisemitic discrimination, particularly in employment and education; concern about Holocaust denial and trivialisation, and hate crime. The survey also highlights related problems, such as victims not reporting antisemitic crimes.

Data collection and coverage

Thirteen out of 28 EU Member States gather administrative data on antisemitic crimes, but these data are typically not comparable. The limitations of the data collected make it difficult for policy makers to effectively prevent these crimes and protect potential victims – to do so requires more detailed information on the extent and nature of antisemitic offences. This FRA survey, the first to collect comparable data on Jewish people's experiences and perceptions of antisemitism, hate-motivated crime and discrimination across a number of EU Member States, will contribute to improving this situation.

The research results presented cover Belgium, France, Germany, Hungary, Italy, Latvia, Sweden and the United Kingdom, countries that together are estimated to be home to some 90 % of the EU's Jewish population. The survey was carried out online in September and October 2012, with some 5,900 self-identified Jewish people taking part. The online survey methodology chosen allowed all interested self-identified Jewish people in the survey countries to take part; it does not, however, deliver a random probability sample fulfilling the statistical criteria for representativeness.

Legal context

The Employment Equality Directive (2000/78/EC) and the Racial Equality Directive (2000/43/EC) are the EU's two key legal instruments to combat discrimination. Both provide protection against discrimination for Jewish people – either discrimination on the basis of religion or belief (Employment Equality Directive) or discrimination against Jews as an ethnic group (Racial Equality Directive).

In response to a request from the European Parliament, FRA published an *Opinion on the situation of equality in the European Union 10 years on from initial implementation of the equality directives*. The FRA opinion explores the level of equality achieved in light of FRA's legal and social science research. The opinion is available at: <http://fra.europa.eu/en/opinion/2013/fra-opinion-situation-equality-european-union-10-years-initial-implementation-equality>

Key findings and evidence-based advice

The FRA survey results will help support policy makers and other stakeholders in tackling discrimination and hate crime against Jews across the EU. In light of this, FRA suggests several steps to support EU and national policy makers in developing and implementing measures designed to safeguard the fundamental rights of Jews.

Combating antisemitism

Two thirds of respondents (66 %) consider antisemitism to be a problem across the EU Member States surveyed. Three quarters of respondents (76 %) indicate that antisemitism has worsened over the past five years in the country where they live.

"Unfortunately, the fight against antisemitism is more and more hopeless." (Woman, 60–69 years old, Hungary)

"I feel worried about antisemitism now in a way that I did not 30 years ago. Something that should have disappeared from social acceptability is instead becoming stronger." (Woman, 55–59 years old, United Kingdom)

"I am sometimes shocked that my children who are third-generation Swedes do not feel safe." (Man, 50–54 years old, Sweden)

Overall, 75 % of respondents consider online antisemitism to be a problem in the country where they live. Almost three quarters of respondents (73 %) said that antisemitism online has increased over the last five years.

“Today there is a real danger regarding antisemitism in France. [...] Discussion forums on the internet and comments on YouTube are full of antisemitic and anti-Zionist messages.” (Man, 45-49 years old, France)

Antisemitic comments on the internet emerged as an issue of primary importance to respondents in almost all the EU Member States surveyed. These results prompt further questions as to how to effectively protect fundamental rights in the sphere of the internet, while giving due attention to freedom of expression. Antisemitic comments on the internet could be one of the factors contributing to Jewish people’s feelings of worry about becoming hate crime victims.

In the 12 months before the survey, 26 % of all respondents experienced an incident or incidents involving verbal insult or harassment because they are Jewish – 4 % experienced physical violence or threats of violence.

Those respondents who had experienced any type of antisemitic physical violence or threats were then asked a number of questions concerning the most serious incident, or the one that affected them most personally, in the five years before the survey. One third of the respondents who had been physically attacked or threatened in the past five years said that the most serious antisemitic incident involved both threats of physical violence and actual physical violence. For 10 %, the most serious incident involved physical violence and for 49 %, the incident involved threats of physical violence without the use of actual physical violence.

FRA opinions

To ensure that discrimination and hate crime are addressed in a systematic and coordinated way, the EU and its Member States should make sure that measures to combat antisemitism are integrated into relevant national strategies and action plans across a number of relevant areas – including strategies and action plans on human rights, equality, crime prevention and violence prevention, as well as those drawn up at the local level.

EU Member States should consider taking steps to enhance the legal basis for the investigation and prosecution of hate crime and crime committed with antisemitic motives on the internet. Such measures should include ratifying the Council of Europe’s Additional Protocol to the Budapest Convention on Cybercrime and implementing Article 9 of the Framework Decision on Racism and Xenophobia, which obliges EU Member States to establish jurisdiction in certain cases of cybercrime. [...]

EU Member States should consider establishing specialised police units that monitor and investigate hate crime on the internet and put in place measures to encourage users to report any antisemitic content they detect to the police.

The internet is increasingly important as a communication tool for many Europeans, but the anonymity afforded by it may lead some users to publish offensive or ill-thought-out material online. With the support of the EU, EU Member States should consider developing educational tools and materials concerning good practices when writing for the internet, and including them in school mother-tongue language lesson plans.

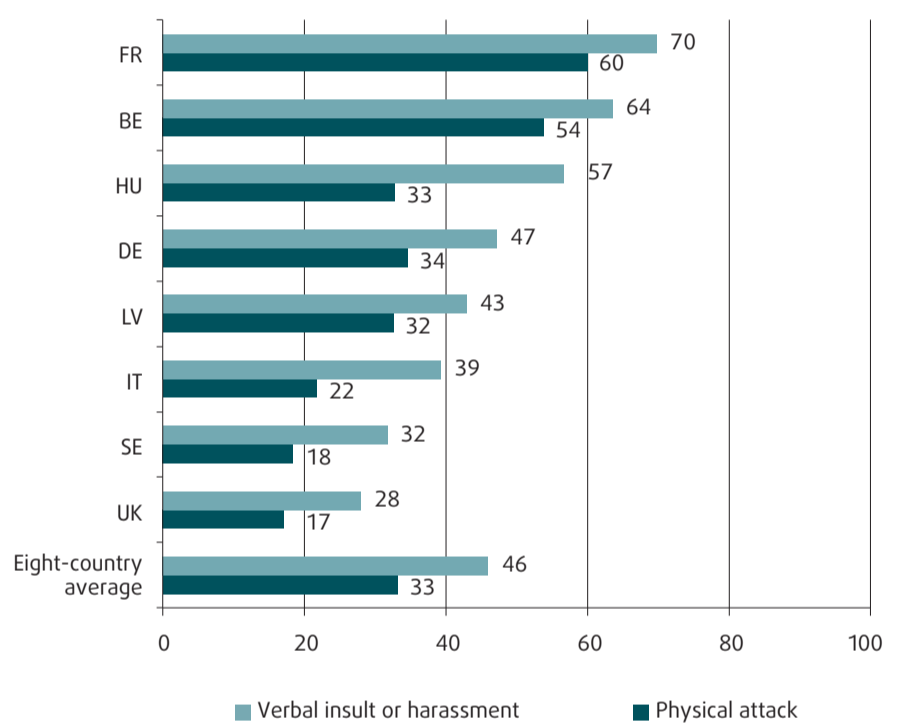
Fear of victimisation

Almost half (46 %) of the respondents worry about becoming the victim of an antisemitic verbal insult or harassment in the next 12 months, while one third (33 %) fear a physical attack in the same period.

Extensive research into fear of crime has documented the negative consequences on people’s lives arising from the fear and worry of becoming a victim. Fear of crime can lead people to restrict their movements and/or activities, which can undermine their well-being.

Close to one quarter (23 %) of the respondents said that they at least occasionally avoid visiting Jewish events or sites because they would not feel safe there, or on the way there, as a Jew. Over one quarter of all respondents (27 %) avoid certain places in their local area or neighbourhood at least occasionally because they would not feel safe there as a Jew.

Figure 1: Worries about becoming a victim of verbal insult or harassment or physical attack in the next 12 months because of being Jewish, by EU Member State (%)



Note: N=5,847.
Source: FRA, 2013

“As long as you keep kippa, festivities etc. private, there seems to be no problem. However, as soon as we, like Christians or Muslims, also want to attach importance to our religion and to openly live our religion, the situation changes dramatically.” (Man, 60-69 years old, Germany)

“There is racism in general; that is the problem in Belgium. Antisemitism is only one aspect.” (Woman, 60-69 years old, Belgium)

“I think antisemitism in Italy is decreasing, albeit slowly.” (Man, 70-79 years old, Italy)

FRA opinion

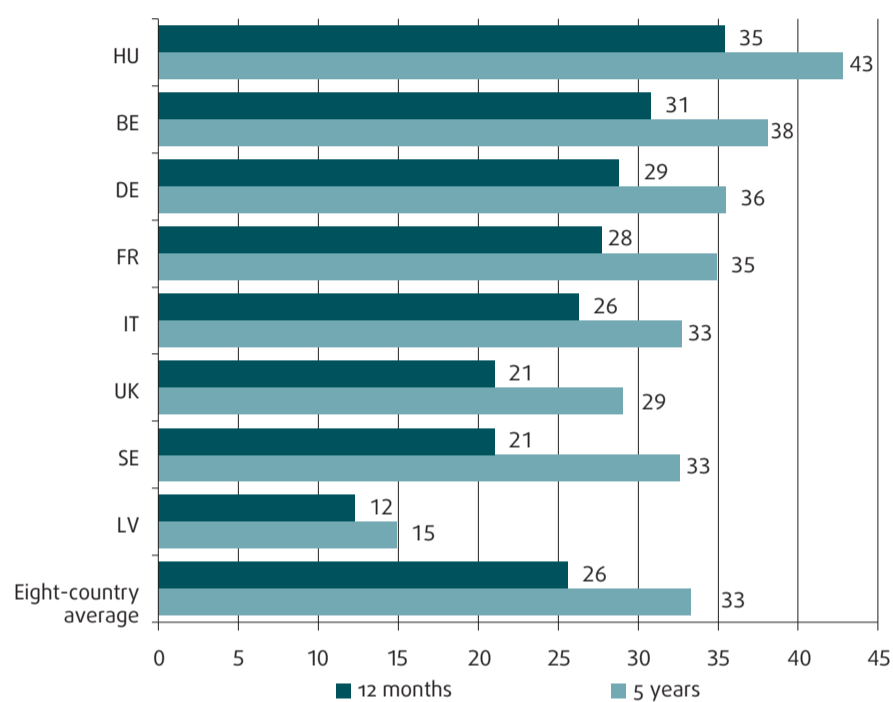
EU Member States are encouraged to collect data in a systematic and effective manner on how Jewish people experience fundamental rights in their daily lives.

As FRA collected data for this survey, antisemitic incidents took place in all of the EU Member States surveyed. The Jewish community in Hungary was targeted in a number of violent incidents. In Malmö, Sweden, a series of attacks culminated in the bombing of a Jewish community centre. In March 2012 the tragic murders at a Jewish day school in Toulouse, France, shocked public opinion.

Harassment

One third of the respondents (33 %) experienced some form of antisemitic harassment in the five years before the survey, while one quarter (26 %) encountered such harassment in the 12 months before the survey.

Figure 2: Experience of antisemitic harassment in the past 12 months and in the past five years, by EU Member State (%)



Note: N=5,847.
Source: FRA, 2013

Of the five forms of harassment listed in the survey, offensive comments in person were the most widespread. Almost one in five respondents (18 %) experienced such comments at least once in the 12 months preceding the survey. Smaller proportions of respondents referred to offensive comments posted on the internet about themselves (10 %) and offensive or threatening emails, text messages or letters (7 %). Offensive comments posted on the internet affected younger respondents more than older age groups – 16 % of 16–29-year-old respondents had found such comments written about them on the internet, compared with 6 % of respondents who were 60 years old or older.

FRA opinion

When crimes are committed with an antisemitic motive, EU Member States should ensure that law enforcement authorities record this motive appropriately and that it is taken into account throughout proceedings, from the initial police investigation through to sentencing by the court.

Discrimination

The survey respondents said that antisemitic discrimination in the 12 months before the survey was most likely to take place at the workplace (11 % of respondents who were working during the period have experienced this), when looking for work (10 % of respondents who have been looking for work) or on the part of people working in a school or in training (for this area respondents could indicate discrimination incidents that happened to them personally or to them as a parent – 8 % of respondents in school or training or whose children were in school or training have felt discriminated against by people working in this area).

Antisemitic discrimination continues to be a problem for some respondents. Discriminatory actions could include the denial of a service or failure to accommodate Jewish people's needs in the workplace, for example, by failing to enable a Jewish person to observe important religious holidays or to respect the Sabbath.

"I left my job at the university where I was teaching because of explicit antisemitism at work, both from colleagues and from students. I am still traumatised by this and incapable of looking for another job."

(Man, 55–59 years old, United Kingdom)

FRA opinion

The EU should monitor the effectiveness of national equality bodies and other mechanisms in their efforts to inform Jewish people about protection from discrimination under their respective mandates and in line with the provisions of the Racial Equality Directive (Directive 2000/43/EC).

EU Member States are encouraged to support trade unions and employers' associations in their efforts to adopt diversity and non-discrimination policies. These policies should include measures which would contribute to better accommodation of Jewish people's needs in the workplace – for example, where possible, through flexible holiday arrangements.

Holocaust denial or trivialisation

In the past 12 months, over half of all survey respondents (57 %) heard or saw someone claiming that the Holocaust was a myth or that it had been exaggerated.

Under the EU's Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, EU Member States must ensure that incitement to hatred based on race, religion or ethnic origin, and denying or trivialising the Holocaust is punishable by criminal law. Despite the measures set out in the Framework Decision many survey respondents in some EU Member States were not aware of laws against denying or trivialising the Holocaust, or laws against incitement to violence or hatred against Jews.

FRA opinion

EU Member States should examine how education about the Holocaust is integrated into human rights education and history curricula. They should also assess the effectiveness of teaching about the Holocaust by reviewing the various competences including social, civic and cultural ones. Furthermore, EU Member States should examine how the European framework for key competences for lifelong learning (2006/962/EC) has been implemented both in schools and in teachers' education and training.

Reporting antisemitic crime

Almost two thirds (64 %) of those who experienced physical violence or threats of violence did not report the most serious incident to the police or to any other organisation. Three quarters (76 %) of the respondents who experienced antisemitic harassment in the past five years did not report the most serious incident. More than four in five (82 %) of those who said that they felt discriminated against in the 12 months before the survey because they are Jewish did not report the most serious incident.

Victims tend not to report to the police or other specialist organisations antisemitic crimes committed against them, even those they consider the 'most serious' or those that most affect them, the survey shows. This result provides yet more evidence that official police or criminal justice statistics represent just the proverbial tip of the iceberg and underestimate the severity of the actual situation. It corresponds to findings from other FRA surveys, such as the survey on discrimination and hate crime against lesbian, gay, bisexual and transgender (LGBT) persons and the EU Minorities and Discrimination Survey (EU-MIDIS).

The lack of reporting renders hate-motivated crimes invisible: perpetrators go unpunished, while victims fail to receive the support and aid to which EU and national law entitle them.

FRA opinion

EU Member States should also address the underreporting of hate crime [...]. 'Third-party reporting' practices, where civil society organisations report, or facilitate reporting of, incidents to the police, could also be considered to improve reporting rates across a number of vulnerable groups – as highlighted by a FRA opinion in the report EU LGBT survey Results at a glance (2013).

Raising rights awareness

About half of the respondents, some 43 %–53 %, depending on the area, are not aware of the legislation that protects Jewish people from discrimination. Respondents are most aware of anti-discrimination legislation in the area of employment and least aware of protection related to goods and services, such as when visiting a shop, restaurant, bar or a nightclub.

Even legislators' best efforts cannot achieve their intended effect if the people concerned are not aware of the protection afforded them by law, or how to find assistance and information to make their cases heard.

FRA opinion

EU Member States should facilitate cooperation between the equality bodies and Jewish community organisations to ensure that Jewish people who face discrimination are informed about their rights and available redress mechanisms.

Further information:

For the FRA report on the survey findings – *Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism* – see: <http://fra.europa.eu/en/publication/2013/discrimination-and-hate-crime-against-jews-eu>

For the online data visualisation tool of the survey results on discrimination and hate crime against Jews in EU Member States, see: <http://fra.europa.eu/en/discrimination-hatecrime-jews-survey-results>

For an overview of FRA's project on discrimination and hate crime against Jews, see: <http://fra.europa.eu/en/project/2012/fra-survey-jewish-peoples-experiences-and-perceptions-antisemitism>

For information on FRA's data collection on antisemitic incidents and hate crime, see:

- *Antisemitism: Summary overview of the situation in the European Union 2001-2012*, <http://fra.europa.eu/en/publication/2013/antisemitism-summary-overview-eu-2001-2012>
- *Fundamental rights: challenges and achievements in 2012* – FRA Annual report, <http://fra.europa.eu/en/publication/2013/fundamental-rights-challenges-and-achievements-2012>

For information on FRA work on Holocaust and human rights education, see: <http://fra.europa.eu/en/project/2006/holocaust-and-human-rights-education>