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Canadian Handbook on the  
IHRA Working Definition of Antisemitism

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Canada

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# **Canadian Handbook on the IHRA Working Definition of Antisemitism**

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The drafting of this Handbook benefitted greatly from a series of consultations. Consultations were held in Vancouver, Winnipeg, Ottawa, Toronto, Montreal and Edmonton. Over 150 individuals were consulted, including Jewish community leaders, the Canadian Delegation to the IHRA, rabbis, academics and teachers, lawyers, civil servants and political staff, and law enforcement personnel. Numerous experts on antisemitism were included in the consultations.

The Canadian Handbook on the IHRA Working Definition of Antisemitism does not supersede, modify, or direct an interpretation of any existing federal, provincial, or municipal statute or regulation. It does not constitute a binding directive on any government department or agency requiring the IHRA Definition to be implemented or used in a particular manner.

Case studies provided in the handbook are representative of examples of antisemitism that exist in Canada at time of publication.

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## Foreword

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Antisemitism is described as the world’s “oldest hatred,” having existed in various forms for thousands of years. It is also known as the “canary in the coal-mine” for all forms of hatred and intolerance. In other words, antisemitism often leads to and intersects with other forms of prejudice and hate. No forms of racism and hate are tolerable in Canada’s inclusive and diverse society, as reflected in the Canadian Anti-Racism Strategy and Canada’s Action Plan on Combatting Hate. Antisemitism is a threat not only to Jewish individuals and the Jewish community, but to society as a whole.

Canada is not immune to the scourge of antisemitism, and in recent years, it has risen dramatically across the country. In one of his final public addresses, in November 2023, the late Prime Minister Brian Mulroney remarked that “in the wake of the Holocaust... firewalls were thrown up, and the bonfires of antisemitism were for a time reduced to flickering embers. But those firewalls, weakened by the passage of time and willful neglect, have been breached. Cloaked in the armour of free speech, fuelled by hate and stoked by the oxygen of the internet and social media, those fires now burn out of control.”<sup>1</sup>

The first step to combatting antisemitism is defining it. In 2019, the Government of Canada adopted the non-legally binding International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA Definition) as part of Canada’s Anti-Racism Strategy.<sup>2</sup> While other definitions of antisemitism exist, the IHRA Definition is the most authoritative, comprehensive, and representative definition of antisemitism in the world today.<sup>3</sup> It is the product of a 16-year-long democratic, iterative process, and as of the date of publication, has been adopted by 42 other countries and multiple international organizations. Notably, a motion reaffirming the importance of the Ottawa Protocol – considered a precursor to the IHRA Definition and which included the Illustrative Examples – received unanimous consent by every major Canadian political party and was adopted by Parliament.<sup>4</sup>

In October 2021, at the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism, Canada, alongside other IHRA member countries, made a series of “pledges.” Canada’s pledges included a commitment to “continue to enhance the adoption and implementation of the IHRA working definition of antisemitism.”<sup>5</sup>

In furtherance of that pledge, in January 2022, on International Holocaust Remembrance Day, Prime Minister Justin Trudeau announced that the Government of Canada would develop

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<sup>1</sup> “‘We Must be Saved By Faith’: Rt. Hon. Brian Mulroney on Accepting the Herzl Award,” *Policy Magazine*, November 9, 2023. <https://www.policymagazine.ca/rt-hon-brian-mulroney-accepting-the-theodore-herzl-award/>

<sup>2</sup> Also see the most recent iteration of Canada’s Anti-Racism Strategy, *Changing Systems, Transforming Lives: Canada’s Anti-Racism Strategy 2024–2028*, which incorporates the IHRA Definition

<sup>3</sup> “Irwin Cotler: To combat antisemitism, we must first agree how to define it,” *National Post*, February 14, 2023. <https://nationalpost.com/opinion/irwin-cotler-to-combat-antisemitism-we-must-first-agree-how-to-define-it>

<sup>4</sup> Canada, Parliament, *House of Commons Debate* 41st Parl, 2nd Sess, Vol 147, No 179 (25 Feb 2015) at 11676, <https://www.ourcommons.ca/documentviewer/en/41-2/house/sitting-179/journals>.

<sup>5</sup> Government of Canada, “Canada’s Pledges on Holocaust Remembrance and Combatting Antisemitism.” <https://www.canada.ca/en/canadian-heritage/services/canada-holocaust/canada-pledges.html>

and publish this Handbook.<sup>6</sup> The Handbook is intended to be an evergreen, guiding resource that, in the words of Prime Minister Trudeau, will “support the adoption, understanding, and practical use of the [IHRA] definition across Canada.”<sup>7</sup>

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<sup>6</sup> Government of Canada, “Statement by the Prime Minister on International Holocaust Remembrance Day.” <https://www.pm.gc.ca/en/news/statements/2022/01/27/statement-prime-minister-international-holocaust-remembrance-day>

<sup>7</sup> Government of Canada, “Statement by the Prime Minister on International Holocaust Remembrance Day.” <https://www.pm.gc.ca/en/news/statements/2022/01/27/statement-prime-minister-international-holocaust-remembrance-day>

# Executive Summary

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## Introduction

In 2019, as part of Canada’s Anti-Racism Strategy, Canada formally adopted a definition of antisemitism.<sup>8</sup> **Canada’s official definition of antisemitism** is the non-legally binding International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA Definition). The IHRA Definition is the leading definition of antisemitism worldwide,<sup>9</sup> the product of a 16-year-long democratic, iterative process. As of the date of publication, it has been adopted or endorsed by 43 countries, multiple international organizations, and multiple governments and entities within Canada.

The **IHRA Definition** is a resource for recognizing antisemitic expression, behaviour, intention and impact. The **purpose of this Handbook** is (1) to help people in Canada understand what the definition means and how to use it, and (2) to provide guidance on how to apply the definition, such that it can be used as an effective resource in efforts to address and combat antisemitism while recognizing existing legal and policy frameworks.

## The IHRA Definition Explained

The IHRA Definition is **comprised of four parts** – (a) the Core Definition, (b) the Preamble, (c) the Illustrative Examples, and (d) the Postscript. To understand the definition, the four parts must be read and interpreted together.

The **Core Definition** is intentionally broad, in order to capture the breadth of antisemitic manifestations and variations, as well as their mutation over time.

The **Preamble** is comprised of three subsections. The **first subsection** explains that the Illustrative Examples are guides for recognizing common forms of antisemitism. The **second subsection** addresses the relationship between antisemitism and the State of Israel, clarifying that “criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.” Conversely, criticism of Israel that is different, for example in terms of its nature, magnitude, severity or suggested remedy, than that leveled against any other country is presumptively antisemitic, because it is discriminatory. The second subsection also describes how antisemitism often manifests through conspiracy theories, myths and conspiratorial thinking, as well as scapegoating. Antisemitism is broadly anchored in the notion that Jews are “the enemy of all that is good and the embodiment of all that is evil,” depending on what is

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<sup>8</sup> The International Holocaust Remembrance Alliance Working Definition was reaffirmed in Canada’s Anti-Racism Strategy 2024-2028: <https://www.canada.ca/en/canadian-heritage/services/combating-racism-discrimination/canada-anti-racism-strategy.html>

<sup>9</sup> “Remarks of Elan S. Carr,” United Nations Alliance of Civilizations-European Union Joint Event, June 15, 2022. <https://combatantisemitism.org/wp-content/uploads/2022/06/Elan-Carr-Remarks-20220615-UNAOE-EU-Joint-Event.pdf>; Ahmed Shaheed, “Taking Action to Combat Antisemitism: Follow-up Action Plan for Advancing the Implementation of the Recommendations of the UN Special Rapporteur on Freedom of Religion or Belief in his 2019 Report to the UN General Assembly (A/74/358),” May 26, 2022. <https://www.ohchr.org/sites/default/files/2022-05/ActionPlanChanges-May2022.pdf>

considered to be good and evil by each individual and in each society.<sup>10</sup> The **third subsection** of the Preamble explains that the Illustrative Examples are not exhaustive, and that in applying the definition, it is crucial to “tak[e] into account the overall context” of expression or behaviour.

The **Illustrative Examples** are examples of common forms of antisemitism, ranging from traditional to more contemporary forms. The Handbook explains each of the eleven examples. It also provides real-world Canadian case studies for each example, which help to demonstrate how these types of antisemitism may appear in real life.

The **Postscript** is comprised of three subsections. The **first subsection** explains that the existing criminal law in each jurisdiction that adopts the IHRA Definition continues to apply – the definition is non-legally binding, so its adoption does not criminalize any expression or behaviour. The **second subsection** sets out under what circumstances something that is otherwise criminal may also be antisemitic. This illustrates how the IHRA Definition could be helpful to ensure law enforcement and the legal system are aware of the many and varied manifestations antisemitism can take, when they are determining whether criminal acts are motivated by antisemitism, so as to inform their thinking in relation to the application of Criminal Code provisions and sentencing for a *Criminal Code* offence. The **third subsection** addresses discriminatory societal practices towards Jews, namely the denial of opportunities or services.

## Practical Use of the IHRA Definition in the Canadian Context

The Handbook provides non-prescriptive guidance for how the IHRA Definition can be practically used in the work of several fields. The fields included are (a) law enforcement, (b) the legal system, (c) education and educational institutions, (d) government programming, (e) workplaces, and (f) civil society. For fields where there are good practice examples of implementation in Canada, those examples are included.

**Law enforcement** is crucial for protecting Jewish communities and preserving their safety, as well as for maintaining peaceful and respectful relations between people in Canada and ensuring proper enforcement of the law, to the benefit of all. While the IHRA Definition is not legally binding, for law enforcement it could increase awareness of the varied manifestations antisemitism can take for: (a) law enforcement officer and support staff training, and professional development, and (b) identifying and recording hate incidents and crimes, drafting police reports, and laying charges.

**The legal system** should enable victims of antisemitic crimes and other antisemitic contraventions of the law to seek legal redress. While the IHRA Definition is not legally binding, for the legal system it could increase awareness of the varied manifestations that antisemitism can take, for consideration when: (a) developing educational curriculum for lawyers and judges,

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<sup>10</sup> Bryan Borzykowski, “We’re witnessing the highest rise of antisemitism in 50 years: Irwin Cotler on the global evil,” *National Post*. October 11, 2023. <https://nationalpost.com/news/world/israel-middle-east/highest-rise-of-antisemitism-in-50-years-irwin-cotler>



continuing professional development and prosecutorial guides and (b) drafting hate crimes legislation, human rights legislation and soft law mechanisms.

**Education and educational institutions** are key to combatting all forms of hatred, including antisemitism. Schools and post-secondary institutions should be where students go to learn about antisemitism – not experience it. For educators and educational institutions, practical use of the IHRA Definition can include using the definition for: (a) educating students, from early ages to post-secondary, (b) educating teachers, professors, administrators, and other educational professionals on how to identify, record, and intervene against antisemitism, and (c) school policies, campus codes of conduct, and Equity, Diversity and Inclusion (EDI) policies.

**Government programming** should help build a better, more tolerant, and more peaceful and prosperous world. Funding should not be provided to entities or individuals that engage in or promote antisemitism. Practical use of the IHRA Definition can include using the definition in vetting procedures and control mechanisms when allocating public funding and programming.

**Workplaces** are where most adult Canadians spend a substantial portion of their day and where they earn their livelihood. Employers have legal and moral obligations to prevent and address discrimination in the workplace, including antisemitism. In the workplace, practical use of the IHRA Definition can include using the definition for: (a) codes of conduct, discrimination and harassment policies, and EDI policies, (b) staff training and continuing professional development, and (c) identifying, recording, and intervening against instances of antisemitism in the workplace.

**Civil society** organizations impact all facets of Canadian society, so it is crucial that they strive to be free of hatred and discrimination. Civil society organizations can use the IHRA Definition to prevent, identify, and address antisemitic incidents: (a) within their organizations, and (b) in their work – in the provision of services and programming, and in advocacy and education. Civil society organizations with anti-hate, anti-discrimination, and anti-racism mandates can further use the IHRA Definition to: (a) support antisemitism prevention work, such as developing training manuals and facilitating workshops, (b) provide support services for victims of antisemitism, and (c) guide the collection, analysis and publication of data on antisemitic incidents and crimes, including online.

# The IHRA Definition<sup>11</sup>

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## 1. The Core Definition

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.

## 2. The Preamble

(1) To guide IHRA in its work, the following examples may serve as illustrations:

(2) (a) 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.

(2) (b) 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.

(3) 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:

## 3. The Illustrative Examples

**Example 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.

**Example 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.

**Example 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.

**Example 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).

**Example 5:** Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.

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<sup>11</sup> Sub-headings, section numbering, and other formatting has been added for clarity.

**Example 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.

**Example 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.

**Example 8:** Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

**Example 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.

**Example 10:** Drawing comparisons of contemporary Israeli policy to that of the Nazis.

**Example 11:** Holding Jews collectively responsible for actions of the state of Israel.

#### **4. The Postscript**

- (a) 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).
- (b) 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.
- (c) Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

# Introduction

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## Who are Jews?

To understand antisemitism – the term for ‘Jew hatred’<sup>12</sup> – one must first have a basic understanding of who Jews are. Simply put, Jews are an **ethno-religious group**, encompassing both a people/nation and a religion.

There are approximately 15.3 million Jewish people in the world, comprising a mere 0.2% of the global population. Almost half the world’s Jews live in Israel (7.2 million). In the diaspora – the rest of the world outside of Israel – the largest Jewish communities are in the United States (6.3 million), France (440,000), and Canada (398,000).

**Jewish peoplehood** is core to Jewish identity and has been documented for thousands of years. Members of the Jewish community trace their origins back approximately 3000 years to the ancient lands of Israel and Judea.<sup>13</sup> Indeed, the words ‘Jew’ and ‘Jewish’ derive from this ancient connection to that land.

**Judaism** is a religion, practiced by the Jewish people. Core to Judaism is the Hebrew Bible or Torah, which also provides the basis for Jewish peoplehood, ethics, law, practice, and belief. Because Jews are a people, there are many Jews who neither affiliate with nor practice Judaism, but still identify strongly as Jewish through their ancestry, culture or family traditions. In addition, there are those who have chosen to join the Jewish religion, described as Jews by choice.

The Jewish people have endured repeated exiles, expulsions, and consistent persecution, leading to their dispersion throughout the world. As a result, distinct cultural identities and variations in religious practice emerged over time. The major ethno-religious Jewish groupings are: (1) **Sephardi** – communities from the Iberian Peninsula, including Spain and Portugal, (2) **Mizrahi** – a more recent term referring to the oldest Jewish diaspora communities of the Middle East and North Africa, and (3) **Ashkenazi** – communities from Northern Germany and France, extending through Central and Eastern Europe. This group saw large waves of immigration to North America during the 19th and 20th centuries, driven by pogroms<sup>14</sup> and the Holocaust. In addition to these groupings, **other historic Jewish communities include** Ethiopian (Beta Israel), Indian (Bene Israel and Cochin Jews), and Greco-Roman Jews (Romaniote and Italki).

What links these diverse Jewish communities together over time and space are: (a) a common ancestry and shared history (b) a common set of texts that forms the basis of beliefs and practices and situates these within that history, and (c) a shared understanding of their origins in the land of Israel and longing to return.

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<sup>12</sup> The term “antisemitism” was coined by German journalist Wilhelm Marr in 1879, to describe hatred of Jews. (United States Holocaust Memorial Museum, “Holocaust Encyclopedia: Antisemitism.” <https://encyclopedia.ushmm.org/content/en/article/antisemitism>)

<sup>13</sup> Brian R Doak. "Israel's Neighbors and the Problem of the Past." *Ancient Israel's Neighbors*, New York, 2020; online edn, Oxford Academic, 1-6. <https://doi.org/10.1093/oso/9780190690595.003.0001>.

<sup>14</sup> Pogroms were organized violent attacks on Jewish communities.

The Jewish people's connection to their indigenous homeland, the land of Israel, is the basis for **Zionism** – the belief that the Jewish people have the right to self-determination in their ancestral homeland. This connection was recognized by the United Nations General Assembly in Resolution 181(II).<sup>15</sup> The resolution reaffirmed the historical and ancestral ties of the Jewish people to the land of Israel, underscoring the legitimacy of their claim and the importance of their self-determination.<sup>16</sup> The concept that the term Zionism describes dates back thousands of years. Modern political Zionism is built on the historical and religious connection to the land of Israel, leading to the establishment of the State of Israel. Most Jews around the world, while inevitably having diverse opinions on Israeli politics and policies, affirm Zionism as central to their Jewish identity.<sup>17</sup> In Canada, approximately 91% of Canadian Jews believe Israel has the right to exist as a Jewish state – the essence of Zionism.<sup>18</sup>

## **Jews in Canada**

There are almost 400,000 Jewish people in Canada. This makes the Canadian Jewish community the fourth largest in the world, though only approximately one percent of the Canadian population.

Jews have lived in Canada for three centuries, and in that time, have established communities across the country. The first Jews arrived in Canada in the 1700s, with major waves of Jewish immigration taking place in the late 1800s and early 1900s. Jewish immigration was largely driven by antisemitic persecution in their home countries – they came to Canada seeking a better life.

Although Canadian Jews live throughout the country, they primarily reside in urban centers, such as Toronto, Montreal, Vancouver, and Winnipeg. Canadian Jews are not a monolith, having diverse ethnic backgrounds, degrees of religiosity, political affiliations, and cultures. They are involved in and contribute to every facet of life in Canada.

## **Antisemitism in Canada**

The history of antisemitism in Canada is complex, marked by prejudice, discrimination, and acts of violence against Jewish communities. As with other parts of the world, levels of antisemitism in Canada rise and fall over time, often worsening during periods of social unrest. Jews are frequently blamed for social and economic problems, even when there is no actual

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<sup>15</sup> United Nations General Assembly, *Resolution 181(II): Future Government of Palestine*, November 29, 1947, [https://undocs.org/en/A/RES/181\(II\)](https://undocs.org/en/A/RES/181(II)).

<sup>16</sup> Kattan, Victor "The UN Partition Plan for Palestine and International Law". In *obo* in International Law, <https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0221.xml>

<sup>17</sup> Werner Eck, "The Bar Kokhba Revolt: The Roman Point of View," *Journal of Roman Studies* 89 (1999): 76-89, <https://doi.org/10.2307/300735>; Barry Strauss, "Jewish Roots in the Land of Israel/Palestine," *Hoover Institution*, 2020, <https://www.hoover.org/research/jewish-roots-land-israelpalestine>.

<sup>18</sup> Robert Brym, "Jews and Israel 2024 Survey: Ten Further Insights." *Canadian Jewish Studies*.2024. [https://cjs.journals.yorku.ca/index.php/cjs/jewsandisrael2024#\\_ftnref8](https://cjs.journals.yorku.ca/index.php/cjs/jewsandisrael2024#_ftnref8)

connection.<sup>19</sup> In 2024, Jews in Canada are facing an unprecedented level of antisemitism – in schools, on campuses, in workplaces, in their communities, in the streets, and online.

The earliest antisemitism in Canada can be traced back to initial European settlers, many of whom brought prejudices from their countries of origin. Jewish immigrants to Canada, largely fleeing persecution in their countries of origin, were often met with suspicion and bigotry, encountering barriers to employment, housing, and social integration. Between the 1930s and 1940s, the Government of Canada enacted immigration policy that prevented entry to Canada for peoples that were seen to be unassimilable, which included Jews.<sup>20</sup> In the decades that followed, Canada refused thousands of Jewish refugees, condemning many of them to persecution and death, including during the Holocaust.<sup>21</sup> In one infamous example, a steamship named the “St. Louis” filled with Jewish refugees was turned away by Canada, among other countries, and ultimately needed to return to Europe, where many of those refugees were murdered in concentration camps.<sup>22</sup>

Throughout the 20th century, antisemitism persisted in various forms, including through discriminatory campaigns to discourage people from buying goods from Jewish merchants, quotas on Jewish students at universities, the exclusion of Jews from professions and civil society organizations and spaces, and the targeting of Jewish communities by hate groups.

Despite the evolution of societal norms and significant efforts to combat antisemitism through education, legislation, and advocacy, antisemitism remains prevalent in Canadian society. As reported by Statistics Canada, religiously motivated hate crimes against Jewish people have risen each year since 2010, such that by 2023, Jews experienced over 70% of all religiously motivated hate crimes, despite only being approximately one percent of the Canadian population.<sup>23</sup>

A new variant of antisemitic atrocity denial emerged in the wake of the October 7<sup>th</sup> Hamas terrorist attacks – the deadliest day for Jewish people since the Holocaust. The October 7<sup>th</sup> atrocities have been met by some with denial, minimization, and distortion – echoing Holocaust denial, minimization, and distortion. The depraved nature of the October 7<sup>th</sup> attacks invoked the horrors of the Holocaust, triggering intergenerational trauma in the Jewish community.

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<sup>19</sup> Helsinki Commission, *The Alarming Rise in Antisemitism and Its Threat to Democracy*, CSCE, December 13, 2022, <https://www.csce.gov/wp-content/uploads/2023/01/1213-The-Alarming-Rise-in-Anti-Semitism-and-Its-Threat-to-Democracy.pdf>; and Facing History and Ourselves, "Antisemitism and Its Impacts," *Facing History and Ourselves*, [https://www.facinghistory.org/sites/default/files/2022-08/Explainer\\_Antisemitism\\_and\\_Its\\_Impacts.pdf](https://www.facinghistory.org/sites/default/files/2022-08/Explainer_Antisemitism_and_Its_Impacts.pdf)

<sup>20</sup> Irving Abella and Harold Troper., *None Is Too Many: Canada and the Jews of Europe 1933-1948* (Toronto: Lester & Orpen Dennys, 1982), 14-15, 63.

<sup>21</sup> *Ibid.*, 153-157.

<sup>22</sup> "The existing Immigration regulations will not offer any solution: MS St. Louis in Canadian Context," Canadian Museum of Immigration at Pier 21, <https://pier21.ca/research/immigration-history/the-existing-immigration-regulations>.

<sup>23</sup> Statistics Canada, "Police-reported Hate Crime, 2022," *The Daily*, March 13, 2024, <https://www150.statcan.gc.ca/n1/daily-quotidien/240313/dq240313b-eng.htm>; Centre for Israel and Jewish Affairs, "Jewish Community Victimized in 70% of All Religion-Motivated Hate Crimes in Canada," CIJA, <https://www.cija.ca/jewish-community-victimized-in-70-percent-of-all-religion-motivated-hate-crimes-in-canada>.

As with other marginalized communities, **Jews have the right to define their own oppression.** To understand antisemitism in Canada, how it manifests, and how it impacts Canadian Jews, it is important to listen to and promote the voices of Canadian Jews. At the same time, it is important to be wary of tokenization - it is possible for Jews themselves to contribute to and empower antisemitism. Canada's largest Jewish organizations, representing the majority of Canadian Jews, support the International Holocaust Remembrance Alliance ("**IHRA**")<sup>24</sup> Working Definition of Antisemitism ("**IHRA Definition**"),<sup>25</sup> the leading definition of antisemitism worldwide.

## **History of the IHRA Definition**

In January 2000, the first of four Stockholm International Forum conferences was held, hosted by Swedish Prime Minister Göran Persson and Nobel Peace Laureate Professor Elie Wiesel.<sup>26</sup> Representatives of 46 countries and several international organizations participated in this significant gathering, which resulted in an unanimously adopted declaration affirming a global commitment to combatting racism, antisemitism, ethnic hatred, and ignorance of history. Three subsequent Stockholm Conferences built upon the first, tackling the issues of intolerance, truth and reconciliation, and genocide prevention. These conferences represented a historic commitment by the global community to give weight to the phrase "Never Again," and to ensure that the memory of the horrors of the Holocaust continued to inform international approaches to the upcoming human rights challenges of the 21st century.

It was during these successive conferences, characterized by a democratic, international, consensus-driven, and equality-rights driven approach, that the foundation for the IHRA Definition was laid. Not long after the fourth and final Stockholm Conference, the European Monitoring Centre on Racism and Xenophobia ("**EUMC**") conducted a survey of antisemitism in the European Union, where the lack of a common and comprehensive definition became readily apparent. Accordingly, the EUMC Director asked experts on antisemitism to help draft a definition. The experts built upon the foundation laid at the Stockholm Conferences and developed the EUMC Working Definition of Antisemitism (the "**EUMC Definition**"), which was formally adopted by the EUMC in 2005. The EUMC Definition is what served as the basis for what is now known as the IHRA Definition.

Canada was deeply involved in multiple stages of the IHRA Definition's formulation. The Government of Canada's first Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism ("**Special Envoy**"), the Honourable Irwin Cotler, represented Canada at the Stockholm Conferences and played a key role – alongside Professor Elie Wiesel and

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<sup>24</sup> The International Holocaust Remembrance Alliance is an intergovernmental organization with 35 member countries and 8 observer countries. It was founded in 1998 by former Swedish Prime Minister Göran Persson. (International Holocaust Remembrance Alliance, "About the International Holocaust Remembrance Alliance." <https://holocaustremembrance.com/who-we-are>)

<sup>25</sup> International Holocaust Remembrance Alliance, "Working definition of antisemitism." <https://holocaustremembrance.com/resources/working-definition-antisemitism>

<sup>26</sup> Government of Sweden, "The Stockholm International Forum Conferences (2000-2004)," 2006. <https://www.government.se/contentassets/66bc8f513e67474e96ad70c519d4ad1a/the-stockholm-international-forum-conferences-2000-2004>

Deputy Prime Minister of Sweden Per Ahlmark – in the drafting of the provisions that formed the initial building blocks of the definition. The *Canadian Charter of Rights and Freedoms* (the “**Charter**”) served as a guiding framework during the drafting process. The 2010 Ottawa Protocol on Combatting Antisemitism (the “**Ottawa Protocol**”) included language that was used verbatim in the IHRA Definition, including the eleven illustrative examples.<sup>27</sup> Notably, a motion reaffirming the importance of the Ottawa Protocol received unanimous consent by every major Canadian political party and was adopted by Parliament.<sup>28</sup>

Since its adoption by consensus by the alliance itself in 2016, the IHRA Definition has rapidly become the most widely accepted definition of antisemitism in the world. While other definitions exist, only the IHRA definition has been officially adopted or endorsed by 43 countries, several international organizations, and numerous civil society organizations.<sup>29</sup> Canada adopted it in 2019, as part of Canada’s Anti-Racism Strategy.<sup>30</sup> Within Canada, the definition has been adopted by several provinces, municipalities, and civil society organizations and educational institutions across the country.<sup>31</sup>

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<sup>27</sup> The Ottawa Protocol on Combatting Antisemitism, 2010. <https://antisemitism.org.uk/wp-content/uploads/2020/06/ottawa.pdf>

<sup>28</sup> Canada, Parliament, *House of Commons Debate* 41st Parl, 2nd Sess, Vol 147, No 179 (25 Feb 2015) at 11676, <https://www.ourcommons.ca/documentviewer/en/41-2/house/sitting-179/journals>.

<sup>29</sup> International Holocaust Remembrance Alliance, “Working definition of antisemitism.” <https://holocaustremembrance.com/resources/working-definition-antisemitism>

<sup>30</sup> Government of Canada, “Building a Foundation for Change: Canada’s Anti-Racism Strategy 2019-2022,” 2019. <https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html>; The International Holocaust Remembrance Alliance Working Definition was reaffirmed in Canada’s Anti-Racism Strategy 2024-2028: <https://www.canada.ca/en/canadian-heritage/services/combating-racism-discrimination/canada-anti-racism-strategy.html>

<sup>31</sup> See Appendix D for a chart of governments and entities that have adopted the definition in Canada.



## The Purpose of this Handbook

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The IHRA Definition is a resource for recognizing antisemitic expression, behaviour, intention and impact. The purpose of this Handbook is to:

- (1) Help people in Canada understand **what the definition means**, and
- (2) Provide non-prescriptive **guidance on how the definition can be used** as an effective resource in efforts to address and combat antisemitism.

More specifically, the Handbook will:

- **Explain** the IHRA Definition and provide concrete Canadian examples as to how and when it should be used.
  - The Handbook explains the **four constituent parts** that together form the IHRA Definition:
    - (1) The brief ‘core’ definition (the “**Core Definition**”);
    - (2) The preamble to the illustrative examples (the “**Preamble**”);
    - (3) The eleven illustrative examples (the “**Illustrative Examples**”);  
and
    - (4) The postscript to the illustrative examples (the “**Postscript**”).
  - The Handbook includes “case studies” of antisemitism in Canada:
    - These case studies are real-life instances of antisemitism, categorized according to the Illustrative Example which best applies to them.
- **Demonstrate** practical uses of the definition, broken down into the following fields:
  - Law enforcement;
  - The legal system;
  - Educators and educational institutions;
  - Government programming;
  - Workplaces; and
  - Civil society.
- **Provide** accessible and digestible resources that explain the IHRA Definition and how it is meant to be used.
  - Appendix A is an annotated version of the IHRA Definition
  - Appendix B addresses common misconceptions about the IHRA Definition
  - Appendix C models the application of the IHRA Definition
  - Appendix D is a chart of Canadian governments and entities that have adopted or endorsed the IHRA Definition

The Handbook also aims to address criticism of the IHRA Definition, which can arise from misunderstandings as to how it is meant to be practically used. The Handbook seeks to dispel those misunderstandings, both through the inclusion of practical examples of how the

definition can be used, and through explanation regarding where the definition draws the line as to what is and what is not antisemitism, especially in the context of Israel-related antisemitism. Importantly, applying the IHRA Definition should involve a nuanced, fact-driven, context-dependent process.

# The IHRA Definition Explained

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The IHRA Definition is comprised of four parts – the Core Definition, the Preamble, the Illustrative Examples, and the Postscript. To use the definition, the four parts must be read and interpreted together. Below is a detailed explanation of each of the four parts, as well as guidance on how to understand the IHRA Definition as a whole.

## 1. The Core Definition

The first part of the IHRA Definition is the Core Definition, as follows:

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.

The Core Definition is very broadly formulated. This was intentional – antisemitism has had, and continues to have, a multitude of different manifestations and variations. Known as the world’s “oldest hatred,” antisemitism has constantly mutated over millennia, and continues to mutate today. In order to capture the breadth of antisemitism and its continuous evolution, the Core Definition needed to be similarly expansive.

It is the breadth of the Core Definition – itself the result of the breadth of antisemitism – that makes the Preamble, the Illustrative Examples, and the Postscript necessary. The Core Definition provides a theoretical framework for understanding what antisemitism is. The other three elements of the IHRA Definition provide guidance for practical application.

## 2. The Preamble to the Illustrative Examples

The second part of the IHRA Definition is the Preamble, itself divided into three subsections. The Preamble introduces the Illustrative Examples, and provides framing and context for understanding and applying them.

### **Preamble Subsection 1:**

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

### **Preamble Subsection 2:**

- (a) 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.
- (b) 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.

### **Preamble Subsection 3:**

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:

### **Preamble Subsection 1:**

(1) To guide IHRA in its work, the following examples may serve as illustrations:

The **first subsection** of the Preamble introduces the Illustrative Examples and explains their role within the IHRA Definition framework. As their name suggests, the Illustrative Examples serve as illustrative guides for identifying antisemitism. Each of the eleven examples represents a common manifestation of antisemitism. The earlier examples address more traditional forms of antisemitism, while the latter examples address more contemporary forms.

### **Preamble Subsection 2:**

First Half:

(2) (a) 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.

The **first half of the second subsection** of the Preamble addresses the relationship between antisemitism and the State of Israel. Crucially, it is stated that “criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.” This language sets a threshold as to what criticism of Israel does **not** cross the line into antisemitism. What underpins this line-drawing exercise is the concept of discrimination – wrongful differential treatment on a certain basis. In this case, the basis is Israel’s status as the sole Jewish state of the 193 United Nations member states.

It is helpful to examine the inverse of this text. Criticizing Israel **differently** than all other states is clearly differential treatment, and the natural presumption is that this differential treatment is on the basis of Israel’s one unique characteristic relative to all other states – that it is the world’s singular Jewish state. Accordingly, one can see how criticism of Israel that is not akin to that leveled against any other country is presumptively antisemitic.

Conversely, criticism of Israel similar to criticism of Canada, for example, should not be regarded as antisemitic. This may include criticizing the government or government policies. This type of criticism does not involve discrimination – there is no differential treatment of the Jewish state as compared to any other. The lack of discrimination is what leads to the conclusion that such criticism should not be labelled as antisemitic.

### **Second Half:**

(2) (b) 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.

The **second half of the second subsection** of the Preamble describes how antisemitism often manifests through conspiracy theories and conspiratorial thinking, as well as scapegoating – blaming Jews for any or all societal ills. Canada’s first Special Envoy, the Honourable Irwin Cotler, describes antisemitism as being anchored in the notion that Jews, as individuals and as a collective, are “the enemy of all that is good and the embodiment of all that is evil.”<sup>32</sup>

Similarly, in a 2016 speech to the European Parliament, Former Chief Rabbi of the Commonwealth Lord Jonathan Sacks noted that “[t]hroughout history, when people have sought to justify antisemitism, they have done so by recourse to the highest source of authority available within the culture.”<sup>33</sup> For centuries, when religion was the highest source of societal authority, antisemitism was given religious justifications. For example, the expulsion and murder of Jewish communities in Europe was justified by the demonization of Jews as ‘Christ-killers.’ When science became the highest source of societal authority, antisemitism was justified through pseudo-scientific theories. For example, Nazi ideology relied on pseudo-scientific theories of race and Social Darwinism to portray Jews as sub-human parasites, deserving of genocide. In the present era, where human rights are the highest source of authority, antisemitism is often justified under the guise of human rights. For example, the portrayal of Jewish Israelis as genocidal, settler-colonial, apartheid oppressors has been repeatedly used to justify violence against, as well as the hostage-taking of, Israeli civilians, including Israeli-Canadians.<sup>34</sup>

This sentence of the Preamble also helps to explain why, in 2019, UN Special Rapporteur on Freedom of Religion or Belief Ahmed Shaheed declared antisemitism to be “toxic to democracy.”<sup>35</sup> Antisemitism tends to be a ‘leading indicator,’ or weathervane, for growing societal intolerance and prejudice.<sup>36</sup> Because antisemitism generally involves the wrongful attribution of blame to Jews for societal ills rather than their true causes, societies lose the ability to address those true causes. In democracies, this poses a grave threat to democratic norms and institutions.

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<sup>32</sup> Bryan Borzykowski, “We’re witnessing the highest rise of antisemitism in 50 years: Irwin Cotler on the global evil,” *National Post*. October 11, 2023. <https://nationalpost.com/news/world/israel-middle-east/highest-rise-of-antisemitism-in-50-years-irwin-cotler>

<sup>33</sup> Rabbi Jonathan Sacks, “The Mutating Virus: Understanding Antisemitism,” Speech to the European Parliament. September 27, 2016. <https://rabbisacks.org/videos/mutating-virus-understanding-antisemitism/>

<sup>34</sup> Ran Ukashi, “Zionism, Imperialism, and Indigeneity in Israel/Palestine: A Critical Analysis,” *Peace and Conflict Studies* 25, no. 1 (2018): 19-23. DOI: 10.46743/1082-7307/2018.1442;

“Canada’s Dead in Hamas Attack on Israel Rises to Five.” Reuters, October 15, 2023.

<https://www.reuters.com/world/canadas-dead-hamas-attack-israel-rises-five-2023-10-15>.

<sup>35</sup> Ahmed Shaheed, “Report of the Special Rapporteur on freedom of religion or belief,” September 20, 2019, A/74/358.

<https://documents.un.org/doc/undoc/gen/n19/289/00/pdf/n1928900.pdf?token=7AKxOr3d2UNzLAz1du&fe=true>

<sup>36</sup> Helsinki Commission, *The Alarming Rise in Antisemitism and Its Threat to Democracy*, CSCE, December 13, 2022, <https://www.csce.gov/wp-content/uploads/2023/01/1213-The-Alarming-Rise-in-Anti-Semitism-and-Its-Threat-to-Democracy.pdf>; and Facing History and Ourselves, “Antisemitism and Its Impacts,” *Facing History and Ourselves*, [https://www.facinghistory.org/sites/default/files/2022-08/Explainer\\_Antisemitism\\_and\\_Its\\_Impacts.pdf](https://www.facinghistory.org/sites/default/files/2022-08/Explainer_Antisemitism_and_Its_Impacts.pdf).

### Preamble Subsection 3:

- (3) 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:

The **third subsection** of the Preamble uses language such as “**include, but are not limited to**” to clarify that, while the Illustrative Examples provide common contemporary examples of antisemitism, they are not exhaustive. Again, this is due to the fact that antisemitism manifests in a myriad of different ways, and is continuously evolving. This Preamble language helps explain how the more specific, practical Illustrative Examples differ from the Core Definition, which seeks to provide a broad framework that covers all of the manifestations of antisemitism, as discussed above.

Another important element of the **third subsection** is that it specifically states the importance of “**taking into account the overall context.**” Accordingly, in applying the Illustrative Examples, it is important to take a contextual approach. It is possible that expression or behaviour that would be antisemitic in some contexts would not be in others. Looking at the four parts of the IHRA Definition as a whole can help in determining what is and is not antisemitism.

### 3. The Illustrative Examples

The third part of the IHRA Definition is the Illustrative Examples. The Illustrative Examples are eleven examples of common contemporary forms of antisemitism. Some of these forms have ancient roots, while others are newer in origin. As the Preamble specifies, the Illustrative Examples are not exhaustive – they do not cover all forms of antisemitism.

*Content Warning: For some people, these images and case studies may elicit strong emotions because of their graphic content.*

**Example 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.

Not only is it antisemitic to inflict psychological and physical harm on Jews or those perceived as Jews; it is also antisemitic to encourage, incite, call for, celebrate, and/or abet such behaviour.<sup>37</sup> This is in accordance with both Canadian and international legal principles, wherein the counselling, aiding, and abetting of wrongful acts may themselves be independent wrongful acts.<sup>38</sup> These acts may have political, ideological, or religious motivations. Antisemitism is a

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<sup>37</sup> Robert S. Wistrich, *A Lethal Obsession: Antisemitism from Antiquity to the Global Jihad* (New York: Random House, 2010).

<sup>38</sup> Katharine Gelber, "Hate Speech and the Australian Legal and Political Landscape," in *Hate Speech and Freedom of Speech in Australia*, edited by Katharine Gelber and Adrienne Stone, 2-19 (Annandale, NSW, Australia:

common theme on the political fringes and in radical ideologies – though in recent years it has also become increasingly mainstream.<sup>39</sup>

### Case Studies:

**Victoria, BC (November, 2020):** In an online sermon, a religious leader referred to Jews as “brothers of monkeys and [pigs]” and asked God to “tear them apart.”<sup>40</sup>

**Toronto, ON (December, 2023):** Vandalism reading “get rid of the kikes,” “Hitler was right,” and “#KillTheJews” was found in a bathroom at an elementary and middle school.

**Ontario (1977-Present):** The Fatima Center, a religious group, has published statements describing “the granting of full citizenship to the Jews” as among “Satan's plans against the Church,” and referring to “the duty incumbent upon Catholics of... opposing Jewish Naturalism.”<sup>41</sup>

**Example 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.

Antisemitic expressions often ascribe immutable character traits to Jews. These stereotypes are often connected with conspiratorial worldviews and belief systems that perceive Jews as a collective that seeks control and domination. Sometimes, this manifests through the use of imagery. Jewish individuals or Jews as a collective may be depicted as monsters, as an octopus or a spider that envelops the world, or as a hidden figure pulling strings. Jews may also be represented as parasites, vermin, animals or infestations. Such imagery includes “the Jew pig” (“Judensau”) or depictions of Jews as “rats” or “insects.” Many of these conspiracy-inspired images were first mentioned in the early twentieth century forgery “*The Protocols of the Elders of Zion*,” which continues to be published worldwide.<sup>42</sup>

Jews are most commonly portrayed as seeking to gain, or wielding, power over banking, the media and the political sphere. Stereotypes of Jewish control and power include Jews being characterized as all “white,” “privileged,” and “oppressors,” despite the centuries-long history of

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Federation Press, 2007.; "Criminal Code of Canada, Section 21." Government of Canada. <https://laws-lois.justice.gc.ca/eng/acts/c-46/page-5.html#h-126421>; "Criminal Code of Canada, Section 23.1." Government of Canada. <https://laws-lois.justice.gc.ca/eng/acts/c-46/page-5.html#h-126421>.

<sup>39</sup> Ruth Wodak, "The Radical Right and Antisemitism," in *The Oxford Handbook of the Radical Right*, edited by Jens Rydgren, 1-24 (Oxford: Oxford University Press, 2018). (Online edition, February 5, 2018).

<sup>40</sup> Douglas Todd, “B.C. Muslims rattled by confrontational Victoria imam,” *Vancouver Sun*, December 17, 2020. <https://vancouver.sun.com/opinion/douglas-todd-b-c-muslims-rattled-by-confrontational-victoria-imam>

<sup>41</sup> “Defence minister rebuffs ‘anti-Semitic conference’,” *CBC News*, August 29, 2013. <https://www.cbc.ca/news/politics/defence-minister-rebuffs-anti-semitic-conference-1.1414908>

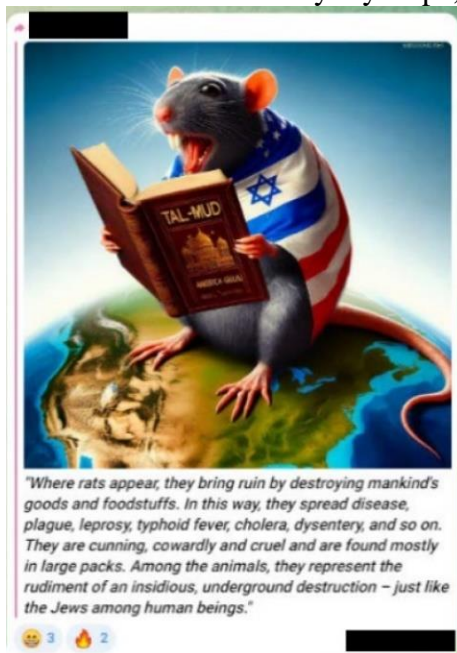
<sup>42</sup> *The Protocols of the Elders of Zion* is one of the most notorious and widely distributed antisemitic publications of modern times. It was published in Russia in the early 1900s, and documents fictional meetings of a global Jewish conspiracy.

oppression and racism against Jews,<sup>43</sup> and despite a substantial percentage of world Jewry not identifying or presenting as white, particularly in Israel.<sup>44</sup>

The demonization and dehumanization of Jews can lead to an inversion of morality, such that opposing or harming Jews and the Jewish community is construed as moral and ethical. In other words, if Jews are dangerous, evil, and powerful, if they are vermin and plague, then taking measures against them can be justified and viewed as morally right.

### Case Studies:

**Canada (January, 2024):** On Telegram, a user posted an image depicting Jews as a rodent, alongside a quote calling for the destruction of Jews as a means of defending society. The image also invoked the dual-loyalty trope, with the rodent draped in Israeli and American flags.



<sup>43</sup> Facing History and Ourselves, "Explainer: Antisemitism and Its Impacts," Facing History and Ourselves, August 2022, [https://www.facinghistory.org/sites/default/files/2022-08/Explainer\\_Antisemitism\\_and\\_Its\\_Impacts.pdf](https://www.facinghistory.org/sites/default/files/2022-08/Explainer_Antisemitism_and_Its_Impacts.pdf); Sabine von Mering and Monika Hübscher, eds., *Antisemitism on Social Media* (Brandeis University Press, 2021).

<sup>44</sup> Noah Lewin-Epstein and Yinon Cohen. "Ethnic Origin and Identity in the Jewish Population of Israel." *Journal of Ethnic and Migration Studies* 45, no. 11 (August 18, 2019): 2118–2137. <https://doi.org/10.1080/1369183X.2018.1492370>



**Toronto, ON (November, 2023):** A neo-Nazi group posted flyers holding Jews responsible for communism, capitalism, feminism and LGBTQ2S+ acceptance, and the Freemasons.



**Edmonton, AB (August, 2019):** The Edmonton Journal published (though later apologized for) a traditional cartoon caricature of a Jew with a big nose, a long beard and a sinister appearance. The caricature was shown inside a wallet, attempting to steal data, and the cartoon was captioned “what’s in your wallet?...” The image evoked harmful stereotypes of Jews as sinister, powerful, greedy, and untrustworthy in business.<sup>45</sup>



**Example 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.

Some expressions of antisemitism blame Jewish individuals or the Jewish people, for real or perceived societal ills, including wars, terror attacks, pandemics, and even extreme weather events. These allegations are often connected to conspiracy theories, and find expression across the political spectrum, depending on what the accuser perceives to be evil or wrongful. For example, during the 19<sup>th</sup> and 20<sup>th</sup> centuries, opponents of communism blamed Jews for spreading communism, while opponents of capitalism accused Jews of being greedy capitalists.

Present forms include holding Jews responsible for the Russian invasion of Ukraine; for immigration to North America; and for the transatlantic slave trade and racial inequality.

<sup>45</sup> Michael Fraiman, “Updated: Edmonton Journal apologizes for ‘anti-Semitic’ cartoon,” *The Canadian Jewish News*, August 12, 2019. <https://thecjn.ca/news/edmonton-journal-apologizes-for-anti-semitic-cartoon/>

Previous iterations included holding Jews responsible for the Bubonic Plague, World War I and World War II, the 9/11 terrorist attacks, and the COVID-19 pandemic.<sup>46</sup>

### Case Studies:

**Canada (2020-2021):** The COVID-19 pandemic led to a spike in online antisemitism, targeting Jews with accusations and conspiracy theories about the COVID-19 pandemic. This included the claim that Jews spread the virus and that Jews were profiting from the virus. Hashtags such as #COVID1948 compared the existence of Israel to the COVID-19 virus, and a false theory was spread that Israel was immunizing only its Jewish population at the expense of others.



**Canada (January, 2024):** A post on a Telegram channel spread the Simon of Trent blood libel<sup>47</sup> – a 15<sup>th</sup> century antisemitic myth that falsely blamed the Jewish community of Trento, Italy for the murder of a young Christian boy.



<sup>46</sup> Facing History and Ourselves, "Explainer: Antisemitism and Its Impacts," Facing History and Ourselves, August 2022, [https://www.facinghistory.org/sites/default/files/2022-08/Explainer\\_Antisemitism\\_and\\_Its\\_Impacts.pdf](https://www.facinghistory.org/sites/default/files/2022-08/Explainer_Antisemitism_and_Its_Impacts.pdf); Sabine von Mering and Monika Hübscher, eds., *Antisemitism on Social Media* (Brandeis University Press, 2021).

<sup>47</sup> The term blood libel originated with false allegations that Jews killed and/or used the blood of Christian children for ritual purposes. Blood libels were used (and had the effect) of inflaming hatred against the Jewish community, leading to violence attacks against them and their expulsion from towns and cities.

**Canada (December, 2023):** A neo-Nazi group vandalized a ‘Happy Hanukkah’ sign with flyers blaming Jews for the Holodomor.<sup>48</sup>



**Example 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).

Antisemitism may manifest as the denial, minimization, or gross distortion of the actuality and intentionality of the Holocaust.<sup>49</sup> Holocaust denial and distortion is a form of antisemitism that includes ignoring or discrediting evidence of the Holocaust. It can include myths that the Allies invented it after the war, or claims that it has been falsified for “Jewish advantage” or by “the Zionists.”<sup>50</sup>

### Case Studies:

**Jasper, AB (July, 2016):** A former federal political candidate published a YouTube video denying the Holocaust, describing it as the “biggest and most pernicious and persistent lie in all

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<sup>48</sup> The Holodomor was the genocide of Ukrainians by the Soviet government in the early 1930s.

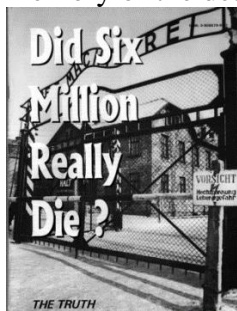
<sup>49</sup> The Holocaust was the Nazi-led genocide of European Jewry, which involved the murder of approximately six million Jews, as well as of Roma and Sinti, persons with disabilities, political dissidents, and members of the LGBTQ+ community. The Nazis and their collaborators used a variety of methods, such as gas chambers, mass shootings, forced labour and death marches to systematically murder their victims; promoting antisemitism by communicating statements condoning, denying or downplaying the Holocaust, other than in private conversation, is an offence under the 319(2.1) of the *Criminal Code* to the sentence that has footnote #46.

<sup>50</sup> UNESCO, United Nations, *History Under Attack: Holocaust Denial and Distortion on Social Media* (2022), DOI: <https://doi.org/10.54675/MLSL4494>; United States Holocaust Memorial Museum, "Combating Holocaust Denial: Origins of Holocaust Denial," *Holocaust Encyclopedia*, <https://encyclopedia.ushmm.org/content/en/article/combating-holocaust-denial-origins-of-holocaust-denial>.

of history.” A German-Canadian, she was ultimately convicted and jailed in Germany for incitement to hatred.<sup>51</sup>

**Toronto, ON (January, 2019):** The editor and publisher of a quarterly newspaper that promoted Holocaust denial (as well as antisemitic blood libel, other antisemitic tropes, and misogyny) were found guilty of promoting hatred toward Jews and women. In 2021, the conviction was upheld by the Ontario Superior Court of Justice.<sup>52</sup>

**Canada (1958-2005):** A German, neo-Nazi pamphleteer living in Canada consistently promoted Holocaust denial, including publishing neo-Nazi literature such as the pamphlet *Did Six Million Really Die?* He was deported to Germany in 2005 after the Federal Court ruled that he was a threat to national security because of his connection with white supremacist and neo-Nazi groups, where he was imprisoned for offences relating to inciting racial hatred and defaming the memory of the dead.<sup>53</sup>



**Example 5:** Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.

The accusation that Jews as a people or Israel as a state invented or exaggerated the Holocaust to serve their own purposes is another example of antisemitism. These alleged purposes include Jews or Israel seeking to garner sympathy, be conveyed in a positive light, or seeking to justify perceived wrongdoing. This form of antisemitism is often intertwined with Holocaust denial or distortion, as well as to other antisemitic conspiracy myths. Related to this are accusations that Jews bear responsibility for the Holocaust, which is a form of perpetrator-victim reversal that seeks to rationalize and justify antisemitism. Also related is Holocaust inversion – the portrayal of Jews and Israel as Nazis.<sup>54</sup> These accusations are often used as part of the antisemitic narrative that Jews are powerful and evil, deserving of hate rather than respect and empathy.

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<sup>51</sup> “Former Green party candidate found guilty of inciting hatred in Germany,” *CTV News*, October 26, 2018. <https://www.ctvnews.ca/canada/former-green-party-candidate-found-guilty-of-inciting-hatred-in-germany-1.4151579>

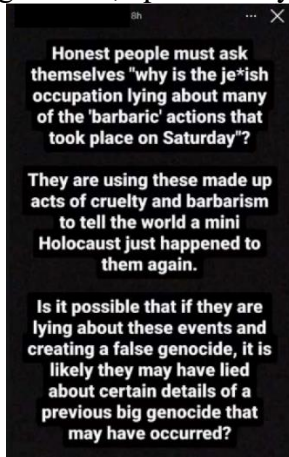
<sup>52</sup> Colin Perkel, “Publishers of antisemitic and misogynist *Your Ward News* lose conviction appeal,” *CBC*, June 14, 2021. <https://www.cbc.ca/news/canada/toronto/your-ward-news-lose-appeal-1.6064999>

<sup>53</sup> “Holocaust denier Ernst Zundel dead at 78: wife,” *CBC News*, August 6, 2017; <https://www.cbc.ca/news/canada/toronto/ernst-zundel-dead-1.4237598>; <https://www.splcenter.org/fighting-hate/extremist-files/individual/ernst-zundel>.

<sup>54</sup> See Example 10.

## Case Studies:

**Toronto, ON (October, 2023):** A group that promoted rallies during the Israel-Hamas conflict posted an Instagram story denying the Hamas atrocities of October 7<sup>th</sup>, while also questioning whether “the Je[w]ish occupation” may have lied about “certain details of a previous big genocide,” presumably referring to the Holocaust.<sup>55</sup>



**Eckville, AB (1970s-1982):** A high school social studies teacher taught his students that Jews “created the Holocaust to gain sympathy,” alongside other antisemitic teachings. He was ultimately convicted of wilfully promoting hatred under s. 319(2) of the *Criminal Code*, and his conviction was upheld in a landmark Supreme Court of Canada case.<sup>56</sup>

**Canada (October, 2023):** A user on Telegram shared a post simultaneously denying the October 7<sup>th</sup> Hamas atrocities and the Holocaust, using the Holocaust-denial term “HoloHoax.”



**Example 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.

This example refers to the “dual loyalty” antisemitic trope, which portrays Jews as disloyal citizens whose true allegiance lies with a secret Jewish global agenda or with the state of

<sup>55</sup> Stephanie Taylor, “Is Canada’s law against Holocaust denial actually working?” *National Post*, November 20, 2023. <https://nationalpost.com/news/canada/is-canadas-law-against-holocaust-denial-actually-working>

<sup>56</sup> *R. v. Keegstra*, [1990] 3 S.C.R. 697.

Israel. The dual loyalty trope leads to the distrust and exclusion of Jews. A well-known historical example is the Dreyfus Affair. In 1894, Jewish-French military officer Alfred Dreyfus was accused of treason, in reliance on the antisemitic dual loyalty trope. Although there was substantial evidence pointing to his innocence, stereotypes of Jews as disloyal and treacherous led to his wrongful conviction. Today, this type of antisemitism persists, with the Anti-Defamation League Global 100 survey on antisemitism recently finding that 41% of non-Jews agree or partly agree with the statement “Jews are more loyal to Israel than to the countries they live in.”<sup>57</sup>

### Case Studies:

**Canada (September, 2018):** A former federal political party leadership candidate accused Jewish Members of Parliament of being “more devoted to apartheid Israel than to their own Prime Minister and their own colleagues in the Liberal caucus.”<sup>58</sup>

**Canada (October, 2023):** A user on X (formerly known as Twitter) called a Jewish Member of Parliament a “dual loyalty b\*\*ch” and told her to “fight for Israel [her]self.”



**Example 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.

Article 1 of the United Nations Charter enshrines the principle of “equal rights and self-determination of peoples.”<sup>59</sup> In the words of Martin Luther King Jr., “the denial to the Jews of the same right, the right to self-determination, that we accord to African nations and all other peoples of the globe... is antisemitism.”<sup>60</sup> To selectively deny the Jewish people the right to self-determination in their ancestral homeland is antisemitic. Similarly, it is antisemitic to deny the

<sup>57</sup> Anti-Defamation League, “Global 100 Survey,” <https://global100.adl.org/map/>

<sup>58</sup> Neil Moss, “Party leaders rally around Liberal MPs accused of being more loyal to Israel than Canada” *The Hill Times*, September 12, 2018. <https://www.hilltimes.com/story/2018/09/12/bipartisan-support-liberals-mps-housefather-levitt-anti-semitic-tweet/279736/>

<sup>59</sup> United Nations, *Charter of the United Nations*, 24 October 1945, Article 1.

<sup>60</sup> Seymour Martin Lipset, “The Socialism of Fools: The Left, the Jews and Israel,” *Encounter*, December 1969.

indigeneity and continuous religious and historic ties of Jews to the land of Israel, which underlies that right.<sup>61</sup>

Importantly, the belief that the Jewish people have the right to self-determination in their ancestral homeland (the land of Israel) is known as **Zionism**.<sup>62</sup> Those who believe in the right of Jewish people to self-determination in the land of Israel are known as **Zionists**. Although the term Zionism was created in the 1800s, the concept it describes existed long before the term itself. Indeed, while the Jewish people lacked sovereignty and autonomy in the land of Israel for almost 2000 years (~73 to 1948 AD), they maintained a consistent presence in and connection with Israel, and a longing to return to their homeland. This connection is deeply entrenched in Jewish religion, culture, traditions and beliefs. While not all Jews are Zionists, and not all Zionists are Jews, the two are intrinsically linked and substantially overlapping. As mentioned previously, the majority of Canadian Jews support Israel's right to exist as a Jewish state – with studies having found over 90% to be in favour.<sup>63</sup>

As with all of the Illustrative Examples, it is important to read and interpret this example in the context of the Core Definition, the Preamble, and the Postscript. Additionally, it is important to understand that the recognition of Jewish indigeneity and the right of Jewish people to self-determination in the land of Israel does not negate the right of self-determination for the Palestinians or others on that land.<sup>64</sup> In contrast, it reinforces the right for self-determination of all peoples under international law.

### Case Studies:

**Canada (December, 2023):** A post made on Instagram claimed that “you can’t be antiracist and Zionist” and that “Zionism is a racist & violent settler-colonial project...”



<sup>61</sup> Werner Eck, "The Bar Kokhba Revolt: The Roman Point of View," *Journal of Roman Studies* 89 (1999): 76-89, <https://doi.org/10.2307/300735>; Barry Strauss, "Jewish Roots in the Land of Israel/Palestine," *Hoover Institution*, 2020, <https://www.hoover.org/research/jewish-roots-land-israelpalestine>.

<sup>62</sup> In the words of Prime Minister Justin Trudeau, "Zionism... is the belief, at its simplest, that Jewish people, like all peoples, have the right to determine their own future." Justin Trudeau, Yom HaShoah Speech, May 6, 2024. <https://www.cbc.ca/player/play/video/1.7195357>

<sup>63</sup> Robert Brym, "Jews and Israel 2024 Survey: Ten Further Insights." *Canadian Jewish Studies*.2024. [https://cjs.journals.yorku.ca/index.php/cjs/jewsandisrael2024#\\_ftnref8](https://cjs.journals.yorku.ca/index.php/cjs/jewsandisrael2024#_ftnref8)

<sup>64</sup> Ran Ukashi, "Zionism, Imperialism, and Indigeneity in Israel/Palestine: A Critical Analysis," *Peace and Conflict Studies* 25, no. 1 (2018): 21-23. DOI: 10.46743/1082-7307/2018.1442

**Canada (October, 2023):** A protest organizer posted on X (formerly known as Twitter), saying that “Israel has no right to exist” and that “Jews... need to [sic] acknowledge this”.



**Example 8:** Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

Applying double standards to Israel relative to other democratic nations is discriminatory. This Illustrative Example can be understood as the inverse of the Preamble language which clarifies that “criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.” Together, these draw the line as to when criticism of Israel becomes antisemitism – when it moves from being legitimate criticism to being discriminatory.

Determining whether a double standard is being applied is an inherently relative exercise. It often requires consideration not only of the content of expression and behaviour, but of the frequency and scale.

Applying double standards to Israel often manifests in disproportionate, sometimes obsessive, focus on criticizing Israel relative to other countries. This involves holding Israel to standards that are not applied to other states, and it frequently includes the use of antisemitic tropes. Demonization of Israel is another common tactic, generally involving the use of dehumanizing, exaggerated or vitriolic language to cast Israel in an especially negative light. Furthermore, delegitimization of the State of Israel is a distinct and prevalent issue, involving questioning Israel’s right to exist or calling for its destruction.<sup>65</sup>

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<sup>65</sup> Matthias J. Becker, *Antisemitism in Reader Comments: Analogies for Reckoning with the Past* (Cham: Palgrave Macmillan, 2021), 103-108. <https://doi.org/10.1007/978-3-030-70103-1>; Government of Canada. "Prime Minister Trudeau Delivers Remarks at United Jewish Appeal Top Gifts Dinner." Speech, April 2, 2019. <https://www.pm.gc.ca/en/videos/2019/04/02/prime-minister-trudeau-delivers-remarks-united-jewish-appeal-top-gifts-dinner>; Robert S. Wistrich, *A Lethal Obsession: Antisemitism from Antiquity to the Global Jihad* (New York: Random House, 2010), 465-469.



## Case Studies:

**Peterborough, ON (February, 2024):** The first woman to win the Race Across America, a Canadian-Israeli, was uninvited from an International Women’s Day event in Peterborough, Ontario, after pressure from activists who discovered that she had served in the Israel Defense Forces (IDF), a mandatory requirement for Israeli citizens. Her presentation was intended to focus on the personal and professional challenges she overcame as a woman in high-level athletics. Political ideology was unrelated to the content of her speech, yet her previous mandatory service in the IDF led to her disinvitation. Holding Israeli citizens collectively responsible for any actions or policies of their government is a double standard not applied to individuals associated with other democratic nations.<sup>66</sup>

**Ottawa, ON (April, 2024):** A post made on Instagram in the context of the ongoing Israel-Hamas conflict claimed that “Zionist genocide is the greatest act of aggression. It is the root-cause of the violence.” Laying the sole responsibility on Israel and blaming Zionism for being the root cause of the violence negates the unprovoked atrocities that happened on October 7 and the fact that Israel as a democratic state, like all others, has the right to defend itself during a time of war.<sup>67</sup>

**Example 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.

Antisemitic tropes, symbols, and images, persist over centuries in part because they adapt to contemporary norms and situations. Today, age-old antisemitic tropes are recycled to target Israel, Israelis, and Zionists. In many cases, this is as simple as applying the same forms of antisemitism as those described under Examples 1, 2, and 3, but merely replacing the term “Jews” with “Israel,” “Israelis,” or “Zionists.”

The application of classical antisemitism to Israel and Israelis has included claims that Israel is responsible for terrorist attacks, pandemics, and police brutality in North America.<sup>68</sup> It also sometimes involves the adaptation of the “blood libel,”<sup>69</sup> such as accusing Israel or Israelis of being “child murderers” and “organ thieves.” In addition, the application of classical antisemitic tropes to Israelis may take the form of characterizing them all as “white,” as “white

<sup>66</sup> National Post Staff. "Jewish B.C. cyclist disinvited from International Women's Day event because of IDF service." *National Post*, February 20, 2024. <https://nationalpost.com/news/canada/leah-goldstein-international-womens-day>.

<sup>67</sup> [Anti-Imperialist Alliance. Instagram. Apr 13, 2024 at 8:10 PM](#)

<sup>68</sup> Kelly W. Sundberg, Lauren M. Mitchell, and Dan Levinson, "Health, Religiosity, and Hatred: A Study of the Impacts of COVID-19 on World Jewry," *Journal of Religion and Health* 62, no. 1 (2023): 428-443, <https://doi.org/10.1007/s10943-022-01692-5>; Seth G. Jones, *The Rise of Far-Right Extremism in the United States*, CSIS Briefs, Center for Strategic and International Studies, November 2018. <https://www.csis.org/analysis/rise-far-right-extremism-united-states>; Facing History and Ourselves, "Explainer: Antisemitism and Its Impacts," Facing History and Ourselves, August 2022, [https://www.facinghistory.org/sites/default/files/2022-08/Explainer\\_Antisemitism\\_and\\_Its\\_Impacts.pdf](https://www.facinghistory.org/sites/default/files/2022-08/Explainer_Antisemitism_and_Its_Impacts.pdf)

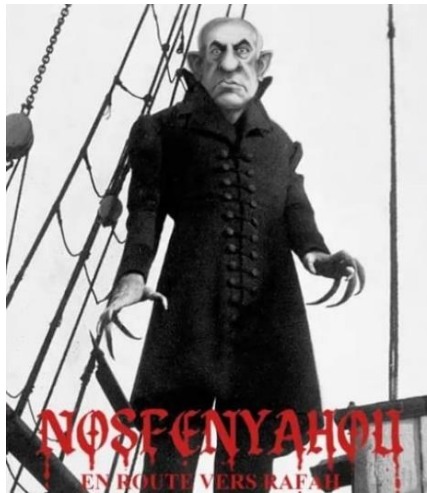
<sup>69</sup> The term blood libel originated with false allegations that Jews killed and/or used the blood of Christian children for ritual purposes. Blood libels were used (and had the effect) of inflaming hatred against the Jewish community, leading to violence attacks against them and their expulsion from towns and cities.

supremacists,” or as “colonizers.” Notably, the majority of Jewish Israelis are of Middle Eastern and North African (Mizrahi) descent.<sup>70</sup> These characterizations erase the Jewish indigenous connection to the land of Israel and the diversity of Israelis, while simultaneously demonizing and dehumanizing them.<sup>71</sup>

The application of classical antisemitism to Zionists is generally achieved simply through replacing the word “Jew” with “Zionist” and “Judaism” with “Zionism.” Zionists and Zionism are then represented as “privileged,” “oppressors,” “vermin,” and “colonizers,” and are blamed for the worst societal ills, according to the perception of the accuser.

### Case Studies:

**Montreal, QC (March, 2024):** French-language newspaper La Presse published (though quickly withdrew and apologized for) a cartoon depicting Israeli Prime Minister Benjamin Netanyahu as a vampire, with a large nose and claw-like fingers. The image was drawn from the 1922 German horror film *Nosferatu*. In addition to this specific image having been used by the Nazis, Jews have historically been caricatured as menacing, bloodthirsty vampires.<sup>72</sup>



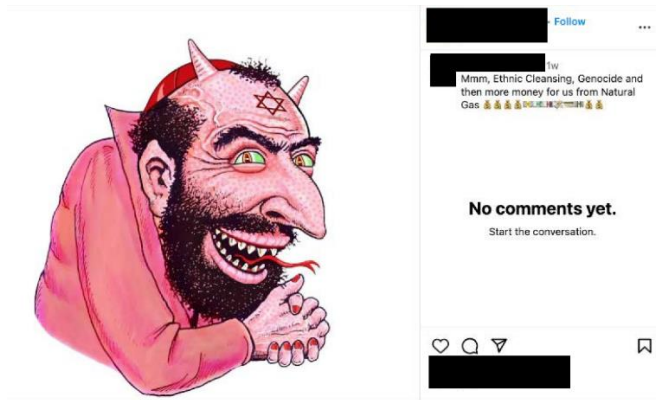
**Canada (January, 2024):** A Canadian Instagram user made a post that included numerous antisemitic tropes, portraying Jews/Israelis as being greedy and satanic, and conspiratorially claiming that Israel’s military campaign in Gaza was in pursuit of “money... from natural gas.”

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<sup>70</sup> Noah Lewin-Epstein and Yinon Cohen. "Ethnic Origin and Identity in the Jewish Population of Israel." *Journal of Ethnic and Migration Studies* 45, no. 11 (August 18, 2019): 2118–2137. <https://doi.org/10.1080/1369183X.2018.149237>

<sup>71</sup> Barry Strauss. "Jewish Roots in the Land of Israel/Palestine." Hoover Institution. Published 2020. <https://www.hoover.org/research/jewish-roots-land-israel-palestine>.

<sup>72</sup> Andy Riga, “La Presse apologizes after cartoon is denounced as antisemitic,” *The Montreal Gazette*, March 20, 2024. <https://montrealgazette.com/news/local-news/la-presse-apologizes-after-cartoon-is-denounced-as-antisemitic>



**Canada (January, 2024):** A user on X (formerly known as Twitter) accused Zionists and the “Israel lobby” of being “pedophile elites” who have lesser morals than terrorists.



**Example 10:** Drawing comparisons of contemporary Israeli policy to that of the Nazis.

In this form of antisemitic discrimination, Israel and Jews are now portrayed as Nazi-like perpetrators of mass atrocities and genocide. This is also known as Holocaust inversion. Among other inspirations, Holocaust inversion has origins in Soviet-era propaganda and Soviet anti-Zionism.<sup>73</sup> These comparisons often form a cycle of positive reinforcement with Holocaust denial and minimization. They are especially harmful due to the intergenerational trauma from the Holocaust that many Jewish people carry.

Comparing Israel, Israelis, and Jews to the Nazis also serves to demonize and delegitimize them. It is a modern form of construing Jewish individuals and collectives as the worst imaginable evil, and helps to justify violence against Israel, Israelis, Jews and Jewish institutions.

**Case Studies:**

<sup>73</sup> Manfred Gerstenfeld, “Holocaust Inversion: The Portraying of Israel and Jews as Nazis,” *Jerusalem Center for Public Affairs*, April 1, 2007. <https://jcpa.org/article/holocaust-inversion-the-portraying-of-israel-and-jews-as-nazis/>

**Canada (October, 2023):** At rallies held across Canada in the aftermath of the October 7<sup>th</sup> Hamas attacks and during the ensuing conflict, there were numerous examples of protestors holding signs comparing Israel to Nazi Germany.<sup>74</sup>



**Canada (January, 2024):** A Canadian magazine that describes itself as “the longest-standing voice of the left in Canada” published an article comparing Israel’s military response to the October 7<sup>th</sup> Hamas atrocities to the Holocaust, titled “Israel’s genocide betrays the Holocaust.” The article begins by saying “Israel’s lebensraum master plan for Gaza, borrowed from the Nazi’s depopulation of Jewish ghettos, is clear.”<sup>75</sup>

**Toronto, ON (January, 2024):** A protestor on an overpass in Toronto held a poster comparing former Israeli Prime Minister Naftali Bennett to Adolf Hitler, and Zionism to Nazism.<sup>76</sup>



**Canada (November, 2023):** A user on X (formerly known as Twitter) contended that “Zionism [is] the new Nazism,” and that “playing the card of antisemitism doesn’t work anymore.”

<sup>74</sup> Christian Paas-Lang, “Politicians condemn display of swastika at Parliament Hill rally,” *CBC*, November 5, 2023. <https://www.cbc.ca/news/politics/politicians-condemn-swastika-ottawa-rally-1.7019234>

<sup>75</sup> Chris Hedges, “Israel’s genocide betrays the Holocaust,” *Canadian Dimension*, January 2, 2024. <https://canadiandimension.com/articles/view/israels-genocide-betrays-the-holocaust>

<sup>76</sup> Jesse Kline, “Toronto’s overpass of antisemitic depravity,” *National Post*, January 10, 2024. <https://nationalpost.com/opinion/even-depraved-jew-haters-have-a-right-to-free-expression>

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A bunch of sick zionist want to run Canada as they like. These people demonstrate against zionism, the new nazism, which is embodied in Israel , so playing the card of antisemitism doesn't work anymore.

**Canada (May, 2021):** At protests held in response to the May 2021 conflict between Israel and Hamas, there were numerous instances of swastikas being superimposed on Israeli flags and other visual comparisons between Israel and the Nazis. A Toronto rally included a sign saying, “stop doing what Hitler did to you, free Palestine.”<sup>77</sup>

**Example 11: Holding Jews collectively responsible for actions of the State of Israel.**

Blaming Jews or Jewish communities for the actions or perceived actions of the state of Israel is a form of antisemitism. This imposition of collective responsibility on Jews for the actions of a sovereign country often leads to increased hostility toward, and physical attacks upon, Jews and Jewish institutions during periods of Middle East tension or conflict. This has been demonstrated repeatedly in Canada in recent years, with major surges of antisemitism immediately following, and continuing throughout, the outbreak of hostilities between Israel and Hamas. The eleven-day Israel-Hamas conflict in May 2021 led to a surge in antisemitic incidents across Canada. In that year, 298 of the 608 reported religion-based hate crimes targeted the Jewish population – just over 49%, despite Jews comprising approximately 1% of Canada’s population.<sup>78</sup>

This expression of antisemitism frequently intersects with others, such as the trope of dual loyalties. It is underpinned by the antisemitic assumption that Jewish people are a homogenous, monolithic bloc.

**Case Studies:**

**Toronto, ON (November, 2019):** When a Jewish campus organization submitted a proposal for accessible kosher food on campus, the University of Toronto Graduate Students Union (“UTGSU”) was reluctant. The reason provided for this reluctance was the fact that the Jewish organization was “pro-Israel,” and that the UTGSU strives “to ensure the will of the membership is accurately reflected,” an apparent reference to its adoption of the Boycott, Divestment and Sanctions (BDS) against Israel. The UTGSU later issued an apology.<sup>79</sup>

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<sup>77</sup> Joe Warmington, “Protesters’ swastikas cross the line,” *Toronto Sun*, May 18, 2021.

<https://torontosun.com/news/local-news/warmington-protesters-swastikas-cross-the-line>

<sup>78</sup> Government of Canada. “Factsheet – Antisemitism in Canada.” Last modified 2022.

<https://www.canada.ca/en/canadian-heritage/corporate/transparency/open-government/standing-committee/ahmed-hussen-pch-contract-cmac/antisemitism-canada.html>.

<sup>79</sup> Bryan Meler, “U of T student union apologizes to Jewish group for its comments on kosher food campaign request,” *National Post*, November 18, 2019. <https://nationalpost.com/news/canada/u-of-t-student-union-apologizes-to-jewish-group-after-denying-kosher-food-campaign>

**Montreal, QC (November, 2023):** In the wake of the October 7<sup>th</sup> Hamas terrorist attacks and during the ensuing Israel-Hamas conflict, two Jewish schools in Montreal were shot at, and a synagogue and Jewish community centre were attacked with firebombs.<sup>80</sup>

**Toronto, ON (November, 2023):** A Jewish Toronto city councilor held a fundraiser at a dim-sum restaurant. Protesters outside the restaurant chanted “you can’t hide! We charge you with genocide!” They also targeted two young men, one of whom was wearing a kippah, with the chant “How many kids did you kill today,” echoing antisemitic blood libel.<sup>81</sup>

**Fredericton, NB (January, 2024):** A Fredericton synagogue had multiple windows smashed on International Holocaust Remembrance Day, in the context of the ongoing Israel-Hamas conflict.<sup>82</sup>

**Toronto, ON (January, 2024):** A Jewish-owned grocery store named International Delicatessen Foods was targeted with arson, had its windows smashed, and was vandalized with the words “Free Palestine.”<sup>83</sup>

#### 4. The Postscript to the Illustrative Examples

- (1) 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).
- (2) 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.
- (3) Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

The Postscript outlines the relationship between the IHRA Definition and the law – specifically, criminal and discrimination law. The IHRA Definition is non-legally binding, meaning the adoption of the definition does not result in the criminalization of any expression or behaviour.

The **first section** of the Postscript merely explains that the existing criminal law in each jurisdiction that adopts the IHRA Definition continues to apply. In Canada, there are provisions in the *Criminal Code* (the “**Code**”) that render some antisemitic acts criminal offences. This includes section 318, which makes advocating or promoting genocide a criminal offence, and

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<sup>80</sup> Andy Riga, “Jewish community pleads for help after shots fired at two Montreal schools,” *Montreal Gazette*, November 9, 2023. <https://montrealgazette.com/news/local-news/shots-fired-at-two-jewish-schools-in-montreal>

<sup>81</sup> Chris Selley, “Trudeau attempts leadership, with middling results at best,” *National Post*, November 4, 2023. <https://nationalpost.com/opinion/trudeau-attempts-leadership-with-middling-results-at-best>

<sup>82</sup> Philip Drost, “Investigation underway after downtown Fredericton synagogue vandalized,” *CBC News*, January 27, 2024. <https://www.cbc.ca/news/canada/new-brunswick/police-investigating-vandalism-synagogue-1.7097108>

<sup>83</sup> *CBC News*, “Fire, graffiti at Jewish-owned business ‘targeted,’ being probed as hate-motivated: Toronto police,” *CBC*, January 3, 2024. <https://www.cbc.ca/news/canada/toronto/north-york-fire-1.7073434>

section 319, which makes publicly inciting or willfully promoting hatred criminal offences.<sup>84</sup> Notably, subsection 319(2.1) of the *Code* expressly criminalizes communicating statements that “willfully promotes antisemitism by condoning, denying or downplaying the Holocaust.”<sup>85</sup> The *Criminal Code* does not define antisemitism.

The **second section** of the Postscript sets out under what circumstances something that is otherwise criminal may also be antisemitic. It illustrates how the IHRA Definition can, in addition to existing law and practice, be helpful for legal system actors regarding how antisemitism allegations may be approached and evaluated.

The **third section** of the Postscript addresses antisemitic discrimination, described as the denial to Jews of opportunities or services available to others. Antisemitic discrimination also includes the imposition of “burdens, obligations, or disadvantages” and the withholding or limiting of access to any sort of “benefits [or] advantages” to Jewish individuals or Jewish groups, relative to others.<sup>86</sup>

Discrimination is inherently relative – determining whether a policy, expression, or action is discriminatory is a comparative exercise. Discrimination is antisemitic when Jewish individuals or groups are treated less advantageously due to their Jewish identity.<sup>87</sup> As explained in the Illustrative Examples section of this Handbook, the concept of discrimination underpins several aspects of the IHRA Definition.

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<sup>84</sup> *Criminal Code*, R.S.C., 1985, c. C-46, ss. 318-319. We note that Bill C-63- *An Act to enact the Online Harms Act, to amend the Criminal Code, the Canadian Human Rights Act and An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service and to make consequential and related amendments to other Acts* (Bill C-63) is currently at second reading before the House of Commons. Clause 14 of the current version of Bill C-63 proposes to define “hatred” for the purpose of s.319 of the *Criminal Code*.

<sup>85</sup> *Criminal Code*, R.S.C., 1985, c. C-46, s. 319(2.1).

<sup>86</sup> *Andrews v. Law Society of British Columbia*, [1989] 1 SCR 143.

<sup>87</sup> Walter Tarnopolsky and William Pentney, “*Discrimination and the Law*,” [Rev. ed.], at section 4:3.

# Practical Use of the IHRA Definition in the Canadian Context

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## Introduction

The IHRA Definition has been adopted as policy of the federal government (e.g. Canada's Anti-Racism Strategy), as well as by several provinces and numerous municipalities and civil society entities within Canada, yet there remain significant gaps in its application. These gaps are in part the result of misunderstandings and a lack of knowledge as to how the IHRA Definition can be applied. This section will provide guidance on how the definition may be applied in the work of various fields, including through Canadian examples of good practices for applying the definition. Note that the IHRA Definition is non-legally binding, and this Handbook does not constitute a directive requiring the IHRA Definition to be implemented or used in a particular manner.

The guidance in this section of the Handbook is broken down into several fields, namely (a) law enforcement, (b) the legal system, (c) education and educational institutions, (d) government programming, (e) workplaces, and (f) civil society. To effectively combat antisemitism in Canada, it is important for these sectors to understand, incorporate, and practically use the IHRA Definition, relying on a fact-driven and context-dependent process.

## Law Enforcement

Police officers and other law enforcement professionals play a very important role in protecting Jewish Canadians and preventing and responding to antisemitic incidents. They need to be equipped to identify antisemitism and possible antisemitic actors, to investigate and record antisemitic crimes, to assess security threats against Jews and Jewish communities, and to support victims of antisemitism. These are all crucial for protecting Jewish communities and preserving their safety, as well as for maintaining peaceful and respectful relations between people in Canada and ensuring proper enforcement of the law, to the benefit of all.

Law enforcement reporting methods may fail to recognize victims' or witnesses' perceptions of a crime's antisemitic character, or may wrongly assess antisemitic threats posed to Jewish communities. This can lead to under-reporting of antisemitic hate crimes and incidents, insufficient security for Jewish communities, and a dangerous and concerning gap in enforcement of the law. These challenges are also faced by government agencies that deal with terrorism, organized hate groups, and immigration offences. Rampant antisemitism online has made these issues even more difficult for law enforcement agencies to address.

For law enforcement, the IHRA Definition does not replace or modify the provisions or standards set out in Canadian law. Rather, the Definition could serve as a resource to:

- inform the development of staff (e.g. dispatch and report processing staff) training materials and educational materials;



- develop ongoing professional development training for law enforcement, in partnership with civil society organizations and Jewish community institutions; and,
- contribute to an increased understanding and awareness on the part of law enforcement professionals of the many and varied forms antisemitism may take and, by the same token, inform their thinking in identifying and recording hate incidents and crimes, in dispatch protocols, for the drafting of police reports, and for other tactical and strategic approaches to policing, including informing approaches to restorative justice measures.

### **Good Practice Example: The Toronto Police Service**

As of January 2024, antisemitism has been steadily rising in Toronto, with notable spikes during the Israel-Hamas conflicts that began in 2021 and 2023. In recognition of the significant problem that antisemitism poses in Toronto, the Toronto Police Service partnered with the Friends of Simon Wiesenthal Center for Holocaust Studies (“FSWC”), who are providing antisemitism awareness and competency training that incorporates the IHRA Definition.

The FSWC partnership with the Toronto Police Service is multifaceted. Law enforcement officers and staff are provided with the IHRA Definition, alongside practical examples of antisemitism. They are also educated on the nuanced and contextual nature of antisemitism (as recognized in the Preamble), and the many forms it may take (as demonstrated by the Illustrative Examples). Finally, FSWC explains the significant negative impacts of antisemitism on local Jewish communities, as well as the harm it causes to society as a whole.

### **Good Practice Example: The Halton Police Board**

On October 29, 2020, the Halton Police Board adopted a resolution endorsing the IHRA Definition and requiring the Board Chair to “write a letter to the Councils of the Regional Municipality of Halton, the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville and all Police Boards in Canada encouraging them to endorse the IHRA Definition.”<sup>88</sup> Although endorsement of the Definition is only the first step, the Halton Police Board played a leadership role by encouraging others to endorse the Definition.

## **The Legal System**

The IHRA Definition may be of assistance to justice system actors including victims and alleged perpetrators of antisemitic crimes, to have an impartial and objective consideration of legal issues, including possibly enabling victims of antisemitic crimes and other antisemitic contraventions of the law to seek legal redress.

Due to antisemitism’s many varied manifestations and constant evolution, even in the face of existing statutory guidance in the *Code* and existing legal precedent, it may still be

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<sup>88</sup> Halton Police Board, “Resolution re International Holocaust Remembrance Alliance Definition of Antisemitism,” October 30, 2020. <https://tecumseh-pub.escribemeetings.com/filestream.ashx?DocumentId=18139>

challenging for independent and impartial justice system actors to assess how this issue should be approached and evaluated. The IHRA Definition may, in addition to existing legal requirements, assist independent justice system actors with the identification of antisemitic motives and impacts, along with other considerations. It can raise awareness of the many forms antisemitism can take. It may be particularly challenging to recognize contemporary forms of antisemitism such as present-day conspiracy myths and Israel-related antisemitism. Other types of antisemitism – such as Holocaust denial – have been long-recognized in Canadian jurisprudence.

Another challenge for identifying antisemitism is that perpetrators' antisemitic motivations may be neither explicit nor apparent, but expressed through antisemitic codes, euphemisms, and dog-whistles, or be otherwise camouflaged. Justice system actors may turn to the previous section of this Handbook and other educational resources as guides for understanding common coded forms of antisemitism to make further inquiry about the specific motivations of the individual in question. Recognition of antisemitic motivations at any stage of a trial or other legal proceeding (e.g. within the prosecutor's indictment or information, or the judge's ruling) is important for bringing justice to victims, and for preventing future antisemitic attacks and incidents.

For the legal system, the IHRA Definition does not replace or modify the provisions or standards set out in Canadian law. Rather, while recognizing the enshrined constitutional principles of prosecutorial and judicial independence, the Definition could serve as a resource to:

- be used in developing the curriculum for lawyers and judges, starting in law schools;
- continue education for lawyers and judges, such as Continuing Professional Development (CPD) sessions and materials;
- enhance awareness of the varied manifestations antisemitism can take;
- aid, in addition to existing law, practice and precedent, in the drafting of jurisprudence, hate crime legislation, human rights legislation, and soft law mechanisms.

### **Good Practice Example: A Greater Toronto Area-Based Legal Clinic**

A GTA-based legal clinic that “provides legal services, information, education, and representation for historically marginalized and low-income residents” employs the IHRA Definition in its work, and advocated for the definition to be included in Ontario’s *Anti-Racism Act*.<sup>89</sup>

## **Education and Educational Institutions**

Education, both formal and informal, is key to combatting all forms of hatred, including antisemitism. Anti-hate education should begin during primary school, and continue through to

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<sup>89</sup> Omar Ha-Redeye and Shaun Bernstein, “Written Submissions Re: Bill 168, Combating Antisemitism Act, 2020,” *Standing Committee on Justice Policy of the Legislative Assembly of Ontario*, October 28, 2020.

post-secondary. At Canada's first National Summit to Combat Antisemitism, former Special Envoy the Honourable Irwin Cotler described "the Holocaust [a]s a paradigm for radical evil, as antisemitism is a paradigm for radical hate."<sup>90</sup> Curricula should be designed to include education on the Holocaust and genocide, and on antisemitism and hate. Curricula may also include education on the history and contributions of Jews in Canada, as well as contemporary Jewish culture and religion. Education on these topics can also help to counter hateful narratives.

In order to teach about antisemitism, educators must understand it themselves. School and post-secondary administrators should also learn about antisemitism, in order to ensure that it can be properly addressed in schools and on campuses. For students, teachers, and other educational professionals alike, antisemitism can be included in equity, diversity, and inclusion ("EDI") programs. EDI sessions on antisemitism can use the IHRA Definition as a guide and as an educational resource.

**Schools and post-secondary institutions should be where students go to learn about antisemitism – not experience it.**

For educators and educational institutions, practical use of the IHRA Definition can include:

- Using the definition to educate students, beginning at early ages and continuing through post-secondary;
- Using the definition to educate teachers, professionals in the field of education, and post-secondary professors and administrators on how to identify, record, and intervene against antisemitism;
- Incorporating the definition into EDI policies; and
- Incorporating the definition into school policies and campus codes of conduct – helping administrators and institutions draw the line as to what is and what is not antisemitism.

## **Government Programming**

Governments are major sources of support to organizations, individuals and initiatives, both domestically and abroad. It is crucial that (a) programming not support entities or individuals that engage in or promote antisemitism, and that (b) programming towards combatting antisemitism is only provided to entities and initiatives whose understanding of antisemitism is consistent with the IHRA Definition and demonstrate an understanding of the current lived experiences of Jews in Canada.

All orders of government – federal, provincial, and municipal – have an obligation to ensure that programming and organizations supported by taxpayers do not further antisemitism or hate of any kind. In recent years, there have been instances where government funding was unknowingly provided to individuals and organizations that were engaging in antisemitism.

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<sup>90</sup> Irwin Cotler, "Remarks for the National Summit to Combat Antisemitism," *Raoul Wallenberg Centre for Human Rights*, July 23, 2021. <https://www.raoulwallenbergcentre.org/en/news/2021-07-23-1>

While these issues were ultimately resolved, they should not have happened in the first place. The IHRA Definition can help civil servants and other government decision makers to identify and understand antisemitism. It can also be used for government proposals and vetting standards, consistent with *Changing Systems, Transforming Lives: Canada's Anti-Racism Strategy 2024–2028*. This would ensure that these issues do not arise in the future.

For government programming, practical use of the IHRA Definition can include:

- Using the definition in vetting procedures and control mechanisms when providing public funding;
- Using the definition to ensure that partner organizations seeking to combat antisemitism understand the lived realities of the people they are trying to help.

### **Good Practice Example: Multiculturalism and Anti-Racism Program**

The Department of Canadian Heritage has implemented a number of measures, including attestations, to strengthen the programs that fall under Canada's Anti-Racism Strategy (Multiculturalism and Anti-Racism Program – MARP) to ensure that organizations and individuals that espouse racist, antisemitic and/or other forms of offensive content will not be eligible to receive funding under that program.

## **Workplaces**

Most adult Canadians spend a substantial portion of their day in the workplace, where they earn their livelihood. It is therefore especially important that workplaces are safe and welcoming for all Canadians. Indeed, in recognition of the importance of safe and inclusive workplaces, Canadian law imposes numerous legal duties on workplace relationships, including with respect to discrimination and harassment and violence.

To uphold their legal and moral obligations to prevent and address workplace discrimination and harassment and violence, employers should be equipped with the proper tools to prevent, educate on, recognize, and respond to possible incidents of antisemitism. Efforts by employers to prevent and combat antisemitism should begin with the hiring process and continue during the entire course of the workplace relationship, up to and including dismissal. Employers should prevent and address antisemitism in terms of their own actions and policies, as well as actions or expression by employees and colleagues.

In an effort to build more respectful and inclusive workplace environments, many companies now have EDI policies and training. Content on antisemitism is often noticeably absent from EDI frameworks, and where included, is often dealt with insufficiently or sometimes even harmfully. Employers should ensure that antisemitism is included in their EDI training. Furthermore, the IHRA Definition can provide a comprehensive basis for antisemitism training. For best practice, any external organizations hired to provide the training should abide by and use the IHRA Definition.

In the workplace, practical use of the IHRA Definition can include:

- Incorporating the definition into codes of conduct, discrimination and harassment policies, and EDI policies;
- Ensuring that hiring and dismissal practices do not contravene the definition;
- Using the definition for continuing professional development, including EDI training; and
- Relying on the definition to identify, record, and intervene against instances of antisemitism in the workplace.

Notably, to foster safer workplaces free from harassment and violence, the Government of Canada has strengthened the existing legal framework for harassment and violence prevention (HVP) under the Canada Labour Code (Code) in federally regulated workplaces to better protect Canadian workers. These new measures require federally regulated employers to better prevent and respond to occurrences of workplace harassment and violence by investigating, recording, and reporting all complaints of harassment and violence in their organizations. They also seek to provide support to those affected by harassment and violence in the workplace.

## **Civil Society**

Civil society organizations impact all facets of Canadian society – providing education, services, programming, and advocating for important causes. They range from charities, think-tanks, labour unions and advocacy organizations to sports and community leagues.

Because of the important role that civil society organizations play in the lives of many Canadians, it is important that they strive to be free of hatred and discrimination. As part of these efforts, civil society organizations should adopt and implement the IHRA Definition, for use both internally and in their work.

Some civil society organizations have mandates specifically related to combatting racism, xenophobia, hatred and discrimination. Efforts to address antisemitism are often marginalized within the broader struggle against racism and other forms of hatred.<sup>91</sup> It is therefore especially important for these organizations to ensure that combatting antisemitism is part of their mandate, grounded in the IHRA Definition.

Generally, civil society organizations can use the IHRA Definition:

- To prevent, identify, and address antisemitic incidents within their organization;
- To prevent, identify, and address antisemitic incidents in their work – in the provision of services and programming, in advocacy and education

Civil society organizations with anti-hate, anti-discrimination, and anti-racism mandates can use the IHRA Definition:

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<sup>91</sup> Bryan Borzykowski, “We’re witnessing the highest rise of antisemitism in 50 years: Irwin Cotler on the global evil,” *National Post*. October 11, 2023. <https://nationalpost.com/news/world/israel-middle-east/highest-rise-of-antisemitism-in-50-years-irwin-cotler>

- To support prevention work, such as developing training manuals and facilitating workshops to improve the competencies of professional groups (e.g. teachers and police) in recognizing and responding to antisemitism;
- To provide support services for victims of antisemitism, including legal and psychological counselling or intervening when expertise is needed;
- To guide the collection, analysis and publication of data on antisemitic incidents and crimes, as well as antisemitic movements or debates; and
- To provide a framework for monitoring online antisemitism and engaging with social media companies.

## **Appendix A: Annotated Version of the IHRA Definition**

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### **1. The Core Definition**

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.

The Core Definition is intentionally broad so that it covers every different type of antisemitism – past, present, and future.

### **2. The Preamble**

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

The Preamble introduces the eleven Illustrative Examples, and explains that they are intended to be guides for identifying common forms of antisemitism.

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.

It is not antisemitic to criticize Israel in the same way as other countries, such as critiquing the government or government policy. It very likely is antisemitic to criticize Israel differently than other countries – to treat the one Jewish state in the world differently than all others is discriminatory.

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.

Antisemitism often manifests in the belief that Jews are responsible for various problems in the world. In many cases, this belief is connected to false stereotypes of Jews and conspiracy theories.

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:

Something that is antisemitic in one context may not be antisemitic in a different one – it is important to consider the effect of the potentially antisemitic incident, the intention of the alleged perpetrator, and other contextual factors.

This section of the Preamble also explains how antisemitism is not limited to the Illustrative Examples – unlike the broad Core Definition, they do not cover every different type of antisemitism.

### 3. The Illustrative Examples

**Example 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.

Radical ideologies and extremist religious views are frequently used as a basis to justify or advocate for attacks on Jews and Jewish institutions. Antisemitism is frequently present in extremist religious, nationalist, and ideological sentiments.

**Example 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.

Stereotypes of Jews as powerful, greedy, corrupt, and seeking world domination are common antisemitic tropes. Often, the portrayal of Jews as powerful and harmful is used to invert morality: if Jews are powerful and evil, opposing them and taking measures against them can be justified and construed as morally right.

**Example 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.

If a Jewish person commits a wrongdoing (or is believed to have done so), it is antisemitic to blame the Jewish community as a whole. This communal blame tactic is sometimes intentionally used to drum up hatred toward Jews. Jews are frequently held responsible for societal ills such as world wars, terror attacks, and plagues, contributing to the portrayal of Jews as evil or immoral.

**Example 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).

During the Holocaust, over 6 million Jews were systematically murdered by the Nazis and their collaborators, leading to the creation of the term “genocide.” It is antisemitic to deny that the Holocaust happened, or to minimize and distort the reality of what occurred.

**Example 5:** Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.

It is antisemitic to claim that the Jewish people or Israel invented or exaggerated the Holocaust to gain sympathy and support from non-Jews. This is often used as part of the antisemitic narrative that Jews are powerful and manipulative, deserving of hate rather than respect and empathy.

**Example 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.

This example refers to the “dual loyalties” antisemitic trope. It creates societal distrust of Jews, and contributes to the portrayal of Jews as evil and dangerous.

**Example 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.



The right to self-determination is a core principle of international law. The belief that the Jewish people have the right to self-determination in their ancestral homeland is known as Zionism. It is antisemitic to selectively deny the right to self-determination to the Jewish people. It is also antisemitic to deny the indigeneity and continuous religious and historic ties of Jews to the land of Israel.

**Example 8:** Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

It is discriminatory to apply double standards to Israel, the sole Jewish state, relative to other democratic states. This may include denying Israel's right to exist or calling for its destruction.

**Example 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.

Today, historic antisemitic tropes of Jews as powerful, greedy, and the root of all evils are often applied to Israel and Israelis. These same antisemitic tropes, stereotypes, and theories, are simply applied to "Zionists" or "Israel" instead of "Jews." This form of antisemitism tends to be more societally acceptable, even though the outcome is the same – the demonization and dehumanization of the Jewish people.

**Example 10:** Drawing comparisons of contemporary Israeli policy to that of the Nazis.

This form of antisemitism distorts the reality both of the past (the Holocaust) and the present (Israel). It is particularly harmful in light of the intergenerational trauma that many Jews still carry from the Holocaust.

**Example 11:** Holding Jews collectively responsible for actions of the state of Israel.

Just as it is antisemitic to hold Jews collectively responsible for the real and perceived wrongdoings of other Jews, it is antisemitic to hold Jews collectively responsible for the actions of the Jewish state. This is a common form of antisemitism in Canada – whenever there is conflict in Israel, antisemitism in Canada tends to rise drastically.

#### 4. The Postscript

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).

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.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

The IHRA Definition does not change Canada's criminal law, but it can help the police, lawyers, and judges apply the existing law to possible antisemitic incidents. Canada has a number of *Criminal Code* provisions that make certain antisemitic acts criminal offences, such as publicly inciting or willfully promoting hatred. The Postscript also explains that discrimination is

antisemitic when Jewish individuals or groups are treated less advantageously due to their Jewish identity.

## **Appendix B: Addressing Misconceptions about the IHRA Definition**

### **Misconception #1: The IHRA Definition is Overly Broad and Vague**

This critique of the IHRA Definition is grounded in misunderstandings about what the definition is. Those who make this critique focus only on the Core Definition, effectively ignoring the other three parts – the Preamble, the Illustrative Examples, and the Postscript.

It is true that the Core Definition is broad – this is intentional. Antisemitism comes in many different forms, and has changed constantly over the thousands of years that it has existed. The Core Definition needs to be broad to capture all those forms of antisemitism.

Yet, the Core Definition is **only one of the four parts** that together comprise the IHRA Definition. The other three parts are more specific and precise. The Preamble helps to explain the common connection between antisemitism and conspiratorial thinking, as well as providing helpful language on the relationship between criticism of Israel and antisemitism. The Illustrative Examples provide eleven examples of contemporary forms of antisemitism, so that these eleven types of antisemitism can be recognized in the real world. Finally, the Postscript explains how the IHRA Definition is non-legally binding, and how it relates to the existing law of jurisdictions that adopt it, as well as illustrating what antisemitic discrimination looks like.

Together, these four parts make the IHRA Definition a critical resource for understanding and identifying antisemitism. The Core Definition is broad enough to accommodate the constant mutation of antisemitism, and the other three parts provide specific guidance so that the definition can be effectively applied.

### **Misconception #2: The IHRA Definition Silences Criticism of Israel**

This misconception about the IHRA Definition is grounded in misunderstandings and misrepresentations about what the IHRA Definition says and how it should be used. The definition explicitly states that “**criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.**” In other words, criticism of Israel that is not discriminatory in nature is specifically described as **not** being antisemitic under the IHRA Definition.

On the other hand, the IHRA Definition does explain, through multiple Illustrative Examples and Preamble language, that criticism of Israel **can** cross the line into antisemitism when it is discriminatory. Again, this does not silence criticism of Israel. Rather, it actually helps to foster and promote peaceful and productive dialogue instead of hateful and discriminatory expression.

In addition, proper application of the IHRA Definition is fact-driven and context-dependent, so the key facts and surrounding context of each potentially antisemitic incident will be considered when the definition is applied. This ensures that it will be used carefully and

thoughtfully.

Finally, claims that the leading global definition of antisemitism – which reflects the lived experience of Jewish people worldwide – is designed to intentionally silence criticism echoes antisemitic tropes of Jewish power and control.

### **Misconception #3: The IHRA Definition is Contrary to Freedom of Expression**

Critics of the IHRA Definition have claimed that it is contrary to freedom of expression, a fundamental right enshrined in section 2(b) of the *Canadian Charter of Rights and Freedoms*. Sometimes, that critique is made in the context of a broader argument that there should be lesser or no restrictions on hate speech in Canada.

The IHRA Definition of Antisemitism is not, in itself, a legal instrument and does not impose any limits on freedom of expression. Rather, it serves as a tool to help identify and understand antisemitism. Importantly, the IHRA Definition does not displace existing legal standards, including those enshrined in the Canadian Charter of Rights and Freedoms. The use of the IHRA Definition to inform decisions about freedom of expression must be considered within the specific legal context and framework.

### **Misconception #4: The Lead Drafter of the IHRA Definition Now Opposes It**

This critique of the IHRA Definition is a simple factual inaccuracy.

As pointed out in the historical development of the IHRA Working Definition of Antisemitism, the Definition had many drafters and contributors over a 16-year long iterative process. Attributing the development of the Definition to a single individual undermines the contributions of countless others who continue to support and stand behind it. Furthermore, overstating the role of a specific contributor in the development of the IHRA Definition misinforms the public and tends to be used in efforts to undermine the definition. Importantly, the other contributors who played crucial roles in the 16-year long development of the definition continue to support and stand behind the definition.

## Appendix C: List of Adoptions/Endorsements of the IHRA Definition

	Government	Scope	Date	Details	Source
1	Canada	Adopted, as part of the anti-racism strategy	June 25, 2019	<p>Defines antisemitism according to IHRA definition in anti-racism strategy.</p> <p>Global Affairs Canada notes that “As a proud member of IHRA, Canada strongly supports the working definition on antisemitism and illustrative examples.”</p>	<p><a href="#">Canada's Anti-Racism Strategy</a></p> <p><a href="#">Canada Reaffirms its Commitment to Fighting Antisemitism and Remembering Victims of the Holocaust</a></p> <p><a href="#">Freedom of Religion and Belief - Global Affairs Canada</a></p>
1	British Columbia	Support for the Federal government's adoption of IHRA	June 15, 2022	Fully supports Federal government's adoption of IHRA, not endorsement/adoption by Province per se	<a href="#">Endorsement by Premier of British Columbia</a>
2	Alberta	Province	September 23, 2022	Endorsed by government of Alberta	<a href="#">Alberta Adopts IHRA Working Definition of Antisemitism</a>
3	Manitoba	Province	October 27, 2022	Premier announced the province would be endorsing and adopting IHRA's working definition	<a href="#">Manitoba Adopts Working Definition of Antisemitism from IHRA</a>
4	Ontario	Province	October 27, 2020	Ontario government adopted and recognized the IHRA definition	<p><a href="#">Government of Ontario Adopts and Recognizes IHRA Working Definition of Antisemitism</a></p> <p><a href="#">Ontario Order-in-Council 1450/2020</a></p>
5	Quebec	Province	June 9, 2021	Minister Responsible for the Fight Against Racism declared the adoption of the IHRA definition by the Quebec Government	<p><a href="#">Quebec Government Adopts IHRA Definition of Antisemitism - Federation CJA</a></p> <p><a href="#">Quebec Adopts IHRA Definition of Antisemitism -</a></p>

					<a href="#">Government Announcement</a>  <a href="#">Debates at the National Assembly of Quebec (June 9, 2021)</a>
6	New Brunswick	Province	October 25, 2022	New Brunswick Legislative Assembly adopted IHRA	<a href="#">New Brunswick Latest Canadian Province to Adopt IHRA Definition</a>
7	Saskatchewan	Province	December 19, 2022	Definition adopted by Cabinet <a href="#">Definition Adopted by Cabinet of Saskatchewan</a>	<a href="#">Saskatchewan Adopts Definition of Antisemitism</a>
8.	Newfoundland & Labrador	Province	May 9, 2023	Minister of Immigration, Population Growth & Skills signed a proclamation to adopt IHRA	<a href="#">Newfoundland and Labrador Adopts IHRA Definition of Antisemitism</a>
1	York Region	CityR	April 30, 2020	Regional Municipality of York adopts the IHRA working definition of antisemitism	<a href="#">York Region Council Meeting Document</a>
1	Vaughan	City	January 27, 2020	City of Vaughan adopted the IHRA working definition of antisemitism	<a href="#">Vaughan Adopts Holocaust Memorial Day &amp; IHRA Definition</a>
2	Barrie	City	September 21, 2020	Barrie City Council has adopted the IHRA definition of antisemitism.	<a href="#">Barrie City Council Adopts IHRA Definition of Antisemitism</a>
3	King	Township	September 21, 2020	Supported the IHRA at its September 21, 2020 Council meeting	<a href="#">King Council Supports the IHRA Definition</a>
4	Aurora		July 14, 2020	Adopt the IHRA definition and its illustrative examples	<a href="#">Aurora Council Agenda - July 14, 2020</a>
5	Brampton	City	September 16, 2020	Adoption of IHRA	<a href="#">Mayor of Brampton Enforces IHRA Definition</a>  <a href="#">Brampton City Council Meeting Post-Agenda</a>
6	Orillia	City	November 10, 2020	Orillia's City Council unanimously adopted the IHRA working definition of antisemitism	<a href="#">Orillia City Council Unanimously Supports Anti-Semitism Declaration</a>

7	Markham	City	December 16, 2020	Markham Council unanimously voted to adopt the IHRA definition of antisemitism	<a href="#">Markham Endorses IHRA Definition</a>
8	East Gwillimbury	Town	July 28, 2020	That Council adopt the IHRA working definition of antisemitism and illustrative examples	<a href="#">East Gwillimbury Council Endorses IHRA Definition</a>
9	Georgina	Town	September 22, 2020	That Council endorse the adoption of the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism and advise the Georgina Equity and Diversity Committee of its endorsement	<a href="#">Georgina Anti-Semitism Declaration - September 22, 2020</a>
10	Newmarket	Town	August 31, 2020	Endorsing the IHRA definition	<a href="#">Newmarket Endorses IHRA Definition]</a>
11	Whitchurch-Stouffville	Town	July 21, 2020	the Town of Whitchurch Stouffville adopt the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism and its illustrative examples as adopted at the IHRA plenary on May 26, 2016	<a href="#">Whitchurch-Stouffville Council Endorses IHRA Definition</a>
12	Richmond Hill	City	February 13, 2020	Adopt the IHRA working definition of antisemitism	<a href="#">Richmond Hill City Council Meeting</a>
13	Westmount	City	February 3, 2020	Westmount City Council unanimously adopted a working definition of antisemitism	<a href="#">Montreal Suburb Adopts IHRA Anti-Semitism Definition</a>
14	Cote St-Luc	City	March 16, 2020	Cote St-Luc City Council passed legislation endorsing the IHRA definition	<a href="#">Côte St-Luc Adopts IHRA Anti-Semitism Definition</a>
15	Hampstead	Township	March 2, 2020	Town council unanimously adopted IHRA	<a href="#">Quebec Town of Hampstead Adopts IHRA Anti-Semitism Definition</a>
16	Cote-des-Neiges-Notre-Dame-de-Grace, QC	Borough	January 27, 2021	Adopted the IHRA definition of antisemitism	<a href="#">Montreal Borough Adopts IHRA Definition of Antisemitism</a>

17	Dollard-des-Ormeaux, QC	City	February 9, 2021	Adopted the IHRA definition of antisemitism	<a href="#">Dollard-des-Ormeaux City Council Minutes - February 9, 2021</a>
18	Vancouver, BC	City	November 16, 2022	Adopted the IHRA definition of antisemitism	<a href="#">Vancouver City Council Adopts Antisemitism Definition</a>
19	Richmond, BC	City	Feb 13, 2023	Council voted to adopt it	<a href="#">Richmond City Council Defines Hate</a>
20	Collingwood, ON	Township	April 08, 2024	Council unanimously adopts	<a href="#">Collingwood Council Gives Initial Approval for Antisemitism Definition</a>