

# Political Affairs Digest

*A daily summary of political events affecting the Jewish Community*  
**Scottish Council of Jewish Communities**  
**SCoJeC**

## Contents

Home Affairs

Holocaust

Israel

Foreign Affairs

Other Relevant Information

Relevant Legislation

Consultations

## Home Affairs

### House of Commons Written Answer

#### Hate Crime: Internet

**Lucy Powell (Labour Co-op)** [180738] To ask the Secretary of State for the Home Department, what information his Department holds on the online platforms that hate crime offences have been perpetrated on.

**Victoria Atkins:** The Home Office does not collect this information centrally. However, the most recent assessment of the evidence is available on GOV.UK: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/748140/hate-crime-a-thematic-review-of-the-current-evidence-oct2018-horr102.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748140/hate-crime-a-thematic-review-of-the-current-evidence-oct2018-horr102.pdf)

A joint Department for Digital, Culture, Media & Sport and Home Office White Paper will be published this winter, which will set out a range of legislative and non-legislative measures detailing how we will tackle online harms. Potential areas where we will consider legislating include transparency reporting to outline the response and prevalence of harms, including hate crime, on online platforms.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-10-17/180738/>

### Scottish Government

#### Justice Secretary pays tribute to Scotland's Jewish communities

Cabinet Secretary for Justice Humza Yousaf has paid tribute to the contribution of Scotland's Jewish communities to the life of the nation.

On Sunday October 28th Mr Yousaf addressed Scotland's Jewish Gathering in Edinburgh, where Jewish people from across the country were coming together through the weekend to hear speeches and take part in discussions and workshops.

The Justice Secretary said:

"It was my pleasure and honour to attend the Gathering and join the Jewish community on this important occasion.

"This event presents an ideal opportunity to reflect on the diversity of Scotland and the important role our faith communities play in supporting public cohesion.

“On behalf of the Scottish Government, I pay tribute to the huge contribution which Jewish communities make to our society.

“Of course this Gathering takes place against the backdrop of widespread shock and sadness at the appalling attack on the Jewish community in Pittsburgh, Pennsylvania. The thoughts and prayers of people across Scotland are with everyone affected by this despicable act and we stand in solidarity with the Jewish community across the world.

“In Scotland we will continue to work together to tackle prejudice and build the society we want to be – a safer, stronger and fairer nation where equality and human rights are fully respected and each person, every family and all communities can flourish.”

<https://blogs.gov.scot/justice-safety/2018/10/28/justice-secretary-pays-tribute-to-scotlands-jewish-communities/>

TOP

## Holocaust

### Scottish Government

**Nicola Sturgeon:** Later this week, I'll accompany @HolocaustUK and a group of Scottish school pupils on a visit to Auschwitz. As antisemitism rears its head again - often, as in USA yesterday, with horrific consequences - it is more important than ever that the next generation learns and remembers

<https://twitter.com/NicolaSturgeon/status/1056568254922194944>

TOP

## Israel

### House of Lords Written Answers

#### Israel: Bedouin

**Lord Judd (Labour)** [HL10660] To ask Her Majesty's Government, in the context of international law, what assessment they have made of the case for referring the government of Israel to the International Criminal Court if the demolition of Khan al-Ahmar goes ahead; what factors they have taken into account in any such assessment; and what arrangements, if any, they have made to make such a referral.

**Lord Ahmad of Wimbledon:** We have not made an assessment of this. The UK remains deeply concerned about Israel's planned demolition of the village of Khan al-Ahmar. Khan al-Ahmar is located in an area of strategic importance for the contiguity of a future Palestinian state. Its demolition threatens a major blow to the prospects for a two-state solution. At Prime Minister's Questions on 17 October, the Prime Minister reiterated the UK's strong opposition to Israel's proposed demolition of Khan al-Ahmar. The Minister for the Middle East and North Africa raised our concerns with the Israeli Ambassador to the UK on 11 October.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10660/>

*The Prime Minister's response referred to above can be read at*

<https://hansard.parliament.uk/commons/2018-10-17/debates/6A796B16-4B20-4822-B244-9FD46D22DEFD/Engagements#contribution-03FEE6B7-A23A-4420-9320-87F441F836CC>

### Israel: Bedouin

**Lord Judd (Labour)** [HL10661] To ask Her Majesty's Government what (1) representations they are making to the government of Israel, and (2) steps they are taking in concert with other parties, to prevent the demolition of Khan al-Ahmar.

**Lord Ahmad of Wimbledon:** At Prime Minister's Questions on 17 October, the Prime Minister reiterated the UK's strong opposition to Israel's proposed demolition of Khan al-Ahmar and urged Israel to reconsider these plans. The Minister for the Middle East and North Africa also raised concerns with the Israeli Ambassador to the UK on 11 October. We also issued a statement on 10 September along with France, Germany, Spain and Italy reiterating our call to the Israeli Government not to go ahead with its plan to demolish the village – including its school – and displace its residents.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10661/>

*The Prime Minister's response referred to above can be read at*

<https://hansard.parliament.uk/commons/2018-10-17/debates/6A796B16-4B20-4822-B244-9FD46D22DEFD/Engagements#contribution-03FEE6B7-A23A-4420-9320-87F441F836CC>

### Jerusalem: Palestinians

**Baroness Tonge (Non-affiliated)** [HL10698] To ask Her Majesty's Government what representations they are making to the government of Israel about the Israeli municipality reportedly not issuing enough permits for Palestinian residential construction in East Jerusalem to avoid overcrowding.

**Lord Ahmad of Wimbledon:** We raise this issue routinely. The Government recognises that Palestinians face severe difficulty in securing building permissions for homes and infrastructure in East Jerusalem and Area C. We continue to urge the Government of Israel to develop improved mechanisms for zoning, planning and issuing permits for the benefit of the Palestinian population, including by facilitating local Palestinian participation in such processes.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10698/>

### Jerusalem: Palestinians

**Baroness Tonge (Non-affiliated)** [HL10699] To ask Her Majesty's Government what representations they are making to the government of Israel following the Protection of Civilians Report by the United Nations Office of Humanitarian Affairs which states that, as of 24 September, a total of 306 Palestinian-owned structures have been demolished by Israel this year in East Jerusalem.

**Lord Ahmad of Wimbledon:** While we have not raised this specific issue, we routinely raise the issue of demolitions with the Israeli authorities. In all but the most exceptional circumstances, demolitions are contrary to International Humanitarian Law. The practice causes unnecessary suffering to ordinary Palestinians and is harmful to the peace process. We regularly make clear our serious concerns about the situation in East Jerusalem to the Israeli authorities and the Municipality of Jerusalem, both bilaterally and in co-operation with EU partners. These concerns include the evictions of Palestinians and demolition of Palestinian property; the construction of illegal Israeli settlements; and the removal of residency rights from Palestinians. The Government supports Palestinian communities in East Jerusalem, facing demolition or eviction through our legal aid programme. This helps residents to challenge decisions in the Israeli legal system.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10699/>

*The report referred to above can be read at*

<https://www.ochaopt.org/content/protection-civilians-report-11-24-september-2018>  
(but note that the 306 demolitions referred to in the question are not all in East Jerusalem)

The following three questions all received the same answer

#### **Jerusalem: Palestinians**

**Baroness Tonge (Non-affiliated)** [HL10700] To ask Her Majesty's Government what representations they are making to the government of Israel regarding the reported assault and damage in East Jerusalem caused by Israeli settlers.

#### **Israel: Palestinians**

**Baroness Tonge (Non-affiliated)** [HL10701] To ask Her Majesty's Government what representations they are making to the government of Israel regarding the reported prevention by Israeli forces of Palestinians from defending their property.

#### **Israeli Settlements: Palestinians**

**Baroness Tonge (Non-affiliated)** [HL10703] To ask Her Majesty's Government what representations they are making to the government of Israel regarding the violence of Israeli settlers towards Palestinians in the West Bank.

**Lord Ahmad of Wimbledon:** The Government condemns any violence by settlers against Palestinians. We note the efforts of Israeli authorities to tackle settler violence, and urge thorough investigation of every instance to bring those responsible to justice. We have also stressed to the Israeli authorities the importance of Israeli security forces providing appropriate protection to the Palestinian civilian population from settler violence and intimidation.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10700/>

and

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10701/>

and

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-15/HL10703/>

TOP

## Foreign Affairs

### Westminster Hall Debate

#### **International Freedom of Religion or Belief Day**

*col 191 WH* **Jim Shannon (DUP):** ... thank the Minister and the Government for their actions to advance the right of freedom of religion or belief. The appointment of Lord Ahmad as the Prime Minister's special envoy for freedom of religious belief is very welcome. ...

Unfortunately, despite the amazing work that has been done, there is much still to do. ...

*col 192WH* ... there has been a 40% increase in hate crime on the basis of religious belief in England and Wales ... Now more than ever, we must come together to stand up for those who suffer intolerance and persecution. ...

**Kate Green (Labour):** ... Does [Jim Shannon] agree, though, that we should celebrate the strength of multi-faith communities that live together harmoniously and the contribution that different communities working collectively can make to improving all our lives?

*col 193WH* **Jim Shannon:** ... It is good to remind ourselves that, around the world, many groups of different faiths celebrate together. ... It is important that we recognise ... that there is a need to understand that although we may have different religious faiths, there

is nothing wrong with us coming together and appreciating each other's faiths, thereby strengthening each other. ...

**Theresa Villiers (Conservative):** Is it not also worth the House noting with concern that attacks on freedom of religion and Christian minorities are often a sign of worse to come? Regimes that oppress freedom of religion are likely to violate other human rights.

*col 197WH* **Rupa Huq (Labour):** ... Is [Jim Shannon] aware of another example of Christian persecution in the middle east: that of the American Quakers? Although they have an illustrious history of helping refugees of all faiths in the second world war and of hiding Jewish children, they are now on a banned list for travel to Israel. Does that not seem baffling?

**Jim Shannon:** ... I was not aware of that one, but we will certainly pursue it through the APPG. ...

*col 199WH* **Jeremy Lefroy (Conservative):** ... It is the responsibility of this country, faith leaders and indeed individual worshippers and people of no faith to stand up, regardless of their faith, for all those around the world who are being persecuted.

I was born an Anglican and worship in a Baptist church, so I call on the leaders of those Churches and of all faith groups in this country to get up every time there is a problem with persecution—there are such problems most of the time—and say, “As a Christian, I abhor the persecution by Christians of a minority,” or, “As a Muslim, I abhor the persecution of members of other faiths—Christians, Hindus or Buddhists—by a Muslim majority country.” I would like to see that, because sometimes, I fear, we are hot on looking at the persecution of people who share our faith—it is right and important that we are—but a little less vocal when it comes to the persecution of others. ...

**John Howell (Conservative):** ... Does [Jeremy Lefroy] share my enthusiasm for the European Court of Human Rights? Many cases have been brought to it by many different faith groups, and it has stoutly defended their rights. After all, it was born out of the second world war, which had a significant religious element—or an anti-religious element in relation to the Jewish faith.

**Jeremy Lefroy:** ... We should make the point that the United Kingdom's participation in the ECHR right from the beginning ... is absolutely fundamental to who we are as a country. ...

It is important that all faith groups stand up for one another. I want Christians, Jews, Muslims, Buddhists, Sikhs and atheists to stand together and fight for the rights of persecuted minorities, rather than raising concerns only if, for example, they are Muslims and Muslims are being persecuted, Christians when it happens to Christians, or Hindus when it happens to Hindus. It is vital that we all hang together in this, or, as somebody else said, we will surely hang separately. ...

*col 214WH* **Fiona Bruce (Conservative):** ... I welcome the recent Supreme Court judgment regarding Ashers Baking Company, where the Court ruled that the owners should not be compelled to promote a message that clashes with their own sincerely held biblical beliefs. The ruling has implications not simply for Christians or for religious people; it is an important safeguard for us all, because it upholds an important principle of freedom of expression—namely, that no one should be compelled to express a belief that they do not hold, still less a message with which they strongly disagree. ...

*col 215WH* None the less, ... it is important to recognise that that does not negate the challenges faced by many other Christians in the UK on account of their Christian faith. I hope that the judgment is a turning point in securing a better, practical settlement in the protection in everyday life of religious freedom generally, not only for Christians, but for those with other beliefs. I hope that the judgment will encourage those who have sincere beliefs to speak out about them and not to feel that they are subject to what has been called “the chilling effect”, inhibiting them from doing so. I hope that we will see further evidence in coming months that judicially, politically and culturally our commitment to freedom of thought, conscience and religion, as well as to freedom of expression, is deep

and real here in the UK, even where that freedom may be politically or culturally inconvenient. ...

**col 223WH Stewart Malcolm McDonald (SNP):** ... I must mention one religious group who have been persecuted more than any other in history: the Jewish people. They have been hunted from every single corner of the world for hundreds of years. It still happens today, even in this country. ...

In every city I go to, whether on holiday or on an official visit, I always try to visit the Jewish museum. I love visiting museums in many different cities, but the only museums in which I have to check in my backpack, take off my coat and go through airport-style security are the Jewish museums. It is the same in Paris, Berlin, New York or any other city. Why is that? Why do Jewish schools, even in this country, need security outside them? Why do synagogues around Europe need armed security? Many people think that the persecution of the Jewish people is over, but only a fool would think that.

It is a source of great pride that Scotland is, I think, the only country that has never had an antisemitic law on the statute book. Indeed, the declaration of Arbroath, the oldest medieval text in the world, refers to Jews and Gentiles as equals. ...

**Fabian Hamilton (Labour):** ... I am reminded of a particular case that is close to my heart; I hope hon. Members will forgive me if they have heard it before. It is the case of Raina Sevilla, a Jewish woman who moved from Switzerland to Paris in 1934 in the belief that France was a safe place for Jews to live. Just six years later, after the fall of Paris to the Nazis, she was asked, along with so many other Jews in Paris, to register and wear the yellow star. Some months later, she was picked up in the middle of the night and taken to the Vel' d'Hiv, the velodrome in the middle of Paris. In June or July 1942, along with so many others, she was taken from there to Drancy, the makeshift concentration camp on the north-east outskirts of Paris, near the railhead at Bobigny. The next day she was taken to Auschwitz-Birkenau, where she was sent, along with many thousands of other older women and children, to the gas chambers. She was my great-grandmother. That is why this debate matters, and why it means so very much to all of us.

I am grateful to the hon. Member for Glasgow South for taking up the case of the Jewish people. I am not a religious man either, but I am Jewish. Every single one of us knows where religious intolerance can end, because we have seen it. History teaches it to us. ...

**col 227WH** ... According to data released by the Community Security Trust, a Jewish organisation in the United Kingdom, the number of antisemitic incidents in the UK rose by more than a third to record levels in 2016, and it has risen again since then. I know that the Government will be doing all they can to stop that, but according to the Metropolitan police here in London, the number of hate crimes against Muslims has increased from 343 incidents in 2013 to 1,260 in 2016. The Casey review highlighted just three years ago that at least 55% of the general public believe there is a fundamental clash between Islam and British society values. We all need to work to change that. ...

**col 230WH The Minister for Asia and the Pacific (Mark Field):** ... Earlier in the year, Lord Ahmad met a range of religious leaders in Israel to discuss their concerns. ...

**col 234WH** ... Respect in education is a key element of our freedom of religion or belief strategy. Children are not born prejudiced; sadly, prejudice is learned. It does not have to be that way, and we believe that more should be done in schools to ensure that children remain as open minded as possible and respectful of difference. As the hon. Member for Leeds North East rightly said, respect is the operative word here. We believe that it is not simply enough to promote tolerance; indeed, that word alone suggests a begrudging acceptance. We plan to create a step-by-step guide for teachers and schools around the world to draw them into best practice and help them foster greater respect for different faiths and beliefs.

Naturally, learning does not end at school, and colleagues may recall that when we last debated this issue, I mentioned our efforts to increase religious literacy across the civil

service. ...

The UK Government remain absolutely convinced of the key importance of freedom of religion or belief, not just because it is a basic human right, but because it goes hand in hand with all the other rights and democratic freedoms that make up the foundations of a fair, stable and successful society. ...

**To read the full transcript see**

<https://hansard.parliament.uk/commons/2018-10-25/debates/B6DDA10A-5B99-494F-81D6-395DB298CB73/InternationalFreedomOfReligionOrBeliefDay>

## House of Commons Written Answers

### Saudi Arabia: Textbooks

**Jo Swinson (Liberal Democrat)** [182713] To ask the Secretary of State for Foreign and Commonwealth Affairs, what assessment his Department has made of the progress made by Saudi Arabian education authorities in removing from school textbooks (a) incitements to commit jihad, (b) passages describing Christians and Jews in a derogatory manner and (c) passages encouraging extremist ideologies likely to incite hatred of religious minorities within Saudi Arabia.

**Alistair Burt:** The British Government strongly supports the right to freedom of religion or belief, which is restricted in Saudi Arabia. Our views are well known.

A major component of Saudi Arabia's Vision 2030 is educational reform. As the Saudi Minister of Education recently commented, this will take a number of years. During the visit of Crown Prince Mohammed bin Salman to the UK in 2018, we signed a Memorandum of Understanding that will enable a partnership in developing educational curricula.

We closely monitor freedom of religion or belief issues in Saudi Arabia.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-10-23/182713/>

### Religious Freedom

**Gregory Campbell (DUP)** [182710] To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will hold discussions with the EU Special Envoy for Freedom of Religion or Belief on UK cooperation with the EU on freedom of religion and belief after the UK leaves the EU.

**Mark Field:** In his capacity as the Prime Minister's Special Envoy on Freedom of Religion or Belief, Lord Ahmad of Wimbledon met Jan Figel, the European Commission Special Envoy for FoRB, in July 2018.

The UK will seek to work closely with the EU on human rights issues including Freedom of Religion or Belief (FoRB) after we leave. The EU Special Envoy is responsible for the implementation of the EU guidelines on FoRB to which the UK was a key contributor.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-10-23/182710/>

## Downing Street

**UK Prime Minister:** "I'm deeply shocked by the reports of a shooting at a synagogue in the US today. Our thoughts are with the Jewish community in Pittsburgh and all those affected by this sickening and cowardly act." – PM @theresa\_may

<https://twitter.com/10DowningStreet/status/1056246369516748800>

## Foreign and Commonwealth Office

**Jeremy Hunt:** Terrible tragedy at Pittsburgh synagogue made even worse by the fact that today is International Freedom of Religion Day. Our thoughts and prayers are with all the families affected. UK will always stand firm against anti-semitism but so sad we still have to say so

[https://twitter.com/Jeremy\\_Hunt/status/1056226881777909760](https://twitter.com/Jeremy_Hunt/status/1056226881777909760)

## UK Labour Party

**Jeremy Corbyn:** My thoughts are with those killed or injured in this horrific act of antisemitic violence, and with their loved ones. We must stand together against hate and terror.

<https://twitter.com/jeremycorbyn/status/1056225071193378816>

## Scottish Government

**Humza Yousaf:** This attack on the Jewish community is utterly reprehensible. Stand with Jewish friends around the world in solidarity - hope they know they have friends from all communities who are here to support them. My thoughts and prayers with those who have been affected.

<https://twitter.com/HumzaYousaf/status/1056218690675466240>

## Welsh Government

**Carwyn Jones @fmwales:** Horrified by the murder of 11 innocent people in a Synagogue in Pittsburgh, USA. My thoughts are with all those affected by this truly barbaric act of terrorism. Let us all remember this - there is a lot more that unites us that divides us. We cannot allow terror to win.

<https://twitter.com/fmwales/status/1056478387030671360>

**Carwyn Jones @fmwales:** Fe'm brawychwyd gan lofruddiaeth 11 o bobl ddiniwed mewn Synagog ym Pittsburgh. Rwy'n cydymdeimlo â phawb sydd wedi' effeithio gan y weithred wirioneddol farbaraid hon o derfysgaeth. Cofiwch, mae llawer mwy yn ein huno na sy'n ein rhannu. Ni allwn ganiatáu i derfysg ennill.

<https://twitter.com/fmwales/status/1056480475663998976>

TOP

## Other Relevant Information

### Equality and Human Rights Commission

#### Is Britain Fairer?

<https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-pre-lay.pdf>

#### Is Scotland Fairer?

<https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-scotland-fairer.pdf>

## European Parliament Resolution

### **Rise of neo-fascist violence in Europe**

The European Parliament ...

1. Strongly condemns and deplores the terrorist attacks, murders, psychological violence, violent physical attacks and marches by neo-fascist and neo-Nazi organisations that have taken place in various EU Member States;
2. Is deeply concerned at the increasing normalisation of fascism, racism, xenophobia and other forms of intolerance in the European Union, and is troubled by reports in some Member States of collusion between political leaders, political parties and law enforcement with neo-fascists and neo-Nazis;
3. Is especially worried about the neo-fascist violence affecting society as a whole and targeting particular minorities such as black Europeans/people of African descent, Jews, Muslims, Roma, third-country nationals, LGBTI people and persons with disabilities;
4. Strongly condemns all violent attacks by neo-fascist groups against politicians and members of political parties as reported in some Member States ...
5. Is deeply concerned by the impunity with which neo-fascist and neo-Nazi groups operate in some Member States ...
6. Acknowledges the worrying trend of neo-fascist and neo-Nazi groups using social media and the internet to organise and strategise across the European Union; ...
8. Recalls that the fascist ideology and intolerance are always associated with an attack on democracy itself;
9. Calls on the Member States to strongly condemn and sanction hate crime, hate speech and scapegoating by politicians and public officials at all levels and on all types of media, as they directly normalise and reinforce hatred and violence in society;
10. Calls on the Member States to take further measures to prevent, condemn and counter hate speech and hate crime;
11. Calls on the Commission, the Member States and social media companies to counteract the spread of racism, fascism and xenophobia on the internet, in cooperation with the relevant civil society organisations at a national and international level;
12. Calls on the Member States to investigate and prosecute hate crimes and to share best practices for identifying and investigating hate crimes, including those motivated specifically by the various forms of xenophobia;
13. Calls on the Member States to envisage and provide for adequate support for the victims of racist or xenophobic crimes and hate crimes, and the protection of all witnesses against the perpetrators;
14. Calls on the Member States to set up anti-hate crime units in police forces; calls on police forces to ensure that their personnel do not engage in any form of racist, xenophobic or discriminatory act, and that any such act committed is investigated and those responsible brought to justice;
15. Calls on the Commission to launch a call for civil society organisations to monitor and report hate speech and hate crime in the Member States;
16. Supports, commends and calls for the protection of community groups and civil society organisations that fight against fascism, racism, xenophobia and other forms of intolerance;
17. Calls for consolidated EU anti-discrimination legislation ...
23. Calls on the Member States to provide mandatory, human rights-based and service-oriented in-service training to law enforcement officers and officials in the judicial system at all levels;
24. Calls on the Member States to focus on prevention through education, awareness-

raising and the exchange of best practices;

25. Calls on the Member States and national sports federations, in particular football clubs, to counteract the scourge of racism, fascism and xenophobia in stadiums and in the sports culture ...

26. Encourages the Member States to provide training to those working in public broadcasting and the media to raise their awareness about the challenges and discrimination faced by the victims of neo-fascist and neo-Nazi groups; ...

28. Emphasises that an awareness of history is one of the preconditions for preventing such crimes from occurring in the future and plays an important role in educating the younger generations;

29. Calls on the Member States to condemn and counteract all forms of Holocaust denial, including the trivialisation and minimalisation of the crimes of the Nazis and their collaborators; points out that the truth about the Holocaust must not be trivialised by political and media discourses;

30. Calls for a common culture of remembrance that rejects the fascist crimes of the past; is deeply worried that the younger generations in Europe and elsewhere feel less and less concerned about the history of fascism, and hence risk becoming indifferent to new threats;

31. Encourages the Member States to promote education through mainstream culture on the diversity of our society and on our common history, including the atrocities of World War II, such as the Holocaust, and the systematic dehumanisation of its victims over a number of years; ...

**To read the full text see**

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2018-0428+0+DOC+XML+V0//EN&language=EN>

## OSCE/ODIHR

### **OSCE/ODIHR Director condemns deadly attack on Pittsburgh synagogue, calls on all political leaders to speak out against anti-Semitism and all forms of intolerance and discrimination**

Ingibjörg Sólrún Gísladóttir, Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), today joined United States and international leaders in condemning Saturday's attack on a Pittsburgh synagogue and offering condolences to the families of 11 people killed in the shooting.

Gísladóttir denounced all manifestations of anti-Semitism and other forms of intolerance, while calling for greater efforts to ensure inclusion and security for members of all communities.

"Saturday's deadly attack is a tragic reminder that the scourge of anti-Semitism persists in the OSCE region, sometimes with deadly consequences," the ODIHR Director said. "All OSCE participating States have committed to taking firm action to address anti-Semitism and hate crime, and I welcome the fact that the authorities in the United States have brought hate crime charges against the suspect."

She stressed that political leaders in the United States and across the OSCE region have to deliver the clear message that hate crimes and racism are unacceptable.

"This terrible crime underlines that all leaders have a responsibility not just to refrain from, but to actively counter racist and nationalistic rhetoric that appears to have played a role in this case," Gísladóttir said. "They have a responsibility to counter anti-Semitic, racist and xenophobic discourse with messages of respect, tolerance and inclusion."

Media reports describe the suspect in the attack, which also left six others wounded, as having a history of anti-Semitic and racist social media posts.

The attack comes three days after the brutal murder of and suspected hate crime against two black shoppers in a supermarket in Kentucky by a white man who had attempted to

enter a predominately black church before entering the supermarket.

The ODIHR Director also reminded governments across the OSCE region of their responsibility to take all appropriate measures to meet the security needs of all communities targeted by hate crime and discrimination.

“Governments have to assess the security needs of targeted communities and take all necessary steps to prevent such horrible crimes from happening,” she said.

<https://www.osce.org/odihr/401357>

## United Nations

### **Statement attributable to the Spokesman for the Secretary-General on shooting in Pittsburgh**

The Secretary-General is deeply shocked at and strongly condemns the shooting today at the Tree of Life Congregation synagogue in Pittsburgh in the United States. He expresses his deepest condolences to the families of the victims. The shooting in Pittsburgh is a painful reminder of continuing anti-Semitism. Jews across the world continue to be attacked for no other reason than their identity. Anti-Semitism is a menace to democratic values and peace, and should have no place in the 21st century.

The Secretary-General calls for a united front -- bringing together authorities at all levels, civil society, religious and community leaders and the public at large -- to roll back the forces of racism, anti-Semitism, Islamophobia and other forms of hatred, bigotry, discrimination and xenophobia gaining strength in many parts of the world.

<https://www.un.org/sg/en/content/sg/statement/2018-10-27/statement-attributable-spokesman-secretary-general-shooting>

## European Court of Human Rights

### **Case of ES v Austria**

7. ... [the applicant] held several seminars entitled “Basic Information on Islam” ... at the right-wing Freedom Party Education Institute ... The seminars were open not only to the members of the Freedom Party or invited guests, but were also publicly advertised on its website. In addition, the head of the Freedom Party, H.-C.S., had distributed a leaflet specifically aimed at young voters, advertising them as “top seminars” in the framework of a “free education package”. ...

8. ... One of the participants was an undercover journalist working for a weekly journal ...

9. At the journal’s request, a preliminary investigation was instituted against the applicant, and on 11 February 2010 she was questioned by the police concerning certain statements she had made during the seminars, which had been directed against the doctrines of Islam.

10. ... the Vienna Public Prosecutor’s Office ... brought charges against the applicant for inciting hatred ...

12. ... the Regional Court acquitted the applicant in relation to several of the statements originally included in the indictment ... She was however convicted of disparaging religious doctrines ... concerning three remaining statements. She was ordered to pay the costs of the proceedings and a day-fine of 4 euros (EUR) for a period of 120 days (amounting to EUR 480 in total), which would result in sixty days’ imprisonment in the event of default. ... The court found her guilty of publicly disparaging an object of veneration of a domestic church or religious society, namely Muhammad, the Prophet of Islam, in a manner capable of arousing justified indignation ...

14. ... However, it also found that it could not be established that the applicant had intended to decry all Muslims. ...

15. The Regional Court further stated that anyone who wished to exercise their rights under Article 10 of the Convention was subject to duties and responsibilities, such as refraining from making statements which hurt others without reason and therefore did not contribute to a debate of public interest. ... The court considered that the applicant's statements were not statements of fact, but derogatory value judgments which exceeded the permissible limits. ...

16. The applicant appealed, arguing that the impugned statements were statements of fact, not value judgments. ...

17. ... the Vienna Court of Appeal ... dismissed the applicant's appeal, confirming in essence the legal and factual findings of the lower court. ...

21. ... the Supreme Court dismissed the request for the renewal of the proceedings. ...

34. The applicant considered that her conviction for the above-mentioned statements had amounted to an unlawful interference with her right to freedom of expression. ... she considered that the domestic courts had failed to address the substance of the impugned statements in the light of Article 10 of the Convention. ...

35. The applicant further submitted that religious groups had to be regarded as public institutions and therefore had to tolerate even severe criticism. ...

42. The Court reiterates the fundamental principles ... Freedom of expression constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and for each individual's self-fulfilment. Subject to paragraph 2 of Article 10, it is applicable not only to "information" or "ideas" that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb. ... Those who choose to exercise the freedom to manifest their religion under Article 9 of the Convention, irrespective of whether they do so as members of a religious majority or a minority, therefore cannot expect to be exempt from criticism. They must tolerate and accept the denial by others of their religious beliefs and even the propagation by others of doctrines hostile to their faith ...

43. As paragraph 2 of Article 10 recognises, however, the exercise of the freedom of expression carries with it duties and responsibilities. Amongst them, in the context of religious beliefs, is the general requirement to ensure the peaceful enjoyment of the rights guaranteed under Article 9 to the holders of such beliefs including a duty to avoid as far as possible an expression that is, in regard to objects of veneration, gratuitously offensive to others and profane ...

54. ... The Court ... agrees with the domestic courts that the impugned statements can be classified as value judgments without sufficient factual basis. Even if they were to be classified as factual statements, which the applicant insisted, she has failed to adduce any evidence to that end, both during the domestic proceedings and before the Court. ...

55. As to the applicant's argument that a few individual statements had to be tolerated during a lively discussion, the Court considers that it is not compatible with Article 10 of the Convention to pack incriminating statements into the wrapping of an otherwise acceptable expression of opinion and deduce that this would render the statements exceeding the permissible limits of freedom of expression passable. Moreover, the applicant was wrong to assume that improper attacks on religious groups had to be tolerated even if they were based on untrue facts ... On the contrary, the Court has held that statements which are based on (manifestly) untrue facts do not enjoy the protection of Article 10 ...

56. Lastly, the Court reiterates that the applicant was ordered to pay a moderate fine of only EUR 480 in total for the three statements made, although the Criminal Code alternatively would have provided for up to six months' imprisonment. Furthermore, the fine imposed was on the lower end of the statutory range of punishment of up to 360 day-fines, namely only 120 day-fines, and the domestic courts applied only the minimum day-fine of EUR 4 ...

57. The Court, in conclusion, finds that in the instant case the domestic courts comprehensively assessed the wider context of the applicant's statements, and carefully balanced her right to freedom of expression with the rights of others to have their

religious feelings protected, and to have religious peace preserved in Austrian society. They discussed the permissible limits of criticism of religious doctrines versus their disparagement, and found that the applicant's statements had been likely to arouse justified indignation in Muslims. In addition, the Court considers that the impugned statements were not phrased in a neutral manner aimed at being an objective contribution to a public debate ... but amounted to a generalisation without factual basis. Thus, by considering them as going beyond the permissible limits of an objective debate and classifying them as an abusive attack on the Prophet of Islam, which was capable of stirring up prejudice and putting at risk religious peace, the domestic courts came to the conclusion that the facts at issue contained elements of incitement to religious intolerance. The Court accepts that they thereby put forward relevant and sufficient reasons and finds that the interference with the applicant's rights under Article 10 indeed corresponded to a pressing social need and was proportionate to the legitimate aim pursued.

58. Therefore, the Court considers that the domestic courts did not overstep their – wide – margin of appreciation in the instant case when convicting the applicant of disparaging religious doctrines. Accordingly, there has been no violation of Article 10 of the Convention. ...

**To read the full transcript see**

<http://hudoc.echr.coe.int/eng?i=001-187188>

TOP

## **Relevant Legislation** \*\* new or updated today

### **UK Parliament**

#### **Holocaust (Return of Cultural Objects) (Amendment) Bill**

<https://services.parliament.uk/Bills/2017-19/holocaustreturnofculturalobjectsamendment.html>

#### **Marriage Act 1949 (Amendment) Bill**

<http://services.parliament.uk/bills/2017-19/marriageact1949amendment.html>

#### **Online Forums Bill**

<https://services.parliament.uk/Bills/2017-19/onlineforums.html>

#### **\*\* Organ Donation (Deemed Consent) Bill**

<http://services.parliament.uk/bills/2017-19/organdonationdeemedconsent.html>

Third Reading, House of Commons

[https://hansard.parliament.uk/commons/2018-10-26/debates/82DBDD22-B516-47F6-BD17-CE003CA2BA62/OrganDonation\(DeemedConsent\)Bill](https://hansard.parliament.uk/commons/2018-10-26/debates/82DBDD22-B516-47F6-BD17-CE003CA2BA62/OrganDonation(DeemedConsent)Bill)

House of Commons Library Briefing

<http://researchbriefings.files.parliament.uk/documents/CBP-8236/CBP-8236.pdf>

Letter to the Board of Deputies

<https://www.bod.org.uk/wp-content/uploads/2018/10/Government-letter-on-organ-donation.pdf>

### **Scottish Parliament**

#### **Human Tissue (Authorisation) (Scotland) Bill**

<http://www.parliament.scot/parliamentarybusiness/Bills/108681.aspx>

TOP

## Consultations

\*\* new or updated today

**Reform of the legal requirements for divorce** (closing date 10 December 2018)

<https://consult.justice.gov.uk/digital-communications/reform-of-the-legal-requirements-for-divorce/>

**The future of civil partnership in Scotland** (closing date 21 December 2018)

<https://consult.gov.scot/family-law/the-future-of-civil-partnership-in-scotland/>

**2021 Census: Outputs Strategy Consultation for Northern Ireland** (closing date 9 January 2019)

<https://www.finance-ni.gov.uk/sites/default/files/consultations/dfp/2021-census-outputs-strategy-consultation-for-northern-ireland-document.pdf>

TOP

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