

# **Does the IHRA working definition of antisemitism reflect the views of most European Jews?**

**An assessment of the evidence  
from the 2018 survey of the  
EU Fundamental Rights Agency (FRA)**

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# Executive Summary

## Scope of the report

1. This report was commissioned by the European Middle East Project (EuMEP)<sup>1</sup>. It provides an independent assessment of two specific claims made by the European Commission (EC) concerning the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA)<sup>2</sup>. The claims are:
  - I. that the 2018 FRA survey<sup>3</sup> of European Jews<sup>4</sup> shows that the eleven “contemporary examples of antisemitism” attached to the IHRA definition “reflect what the vast majority [of European Jews] perceives as antisemitic”<sup>5</sup>;
  - II. that the same survey demonstrates that European Jews encounter antisemitic incidents related to Israel more often than any other form of antisemitism<sup>6</sup>.
2. These two claims constitute a major plank in the EC’s support for the IHRA definition, including its rebuttal of criticisms put forward by a number of scholars working in the field. The first claim, if true, would support the EC’s assertion that the IHRA definition is endorsed by the victims of antisemitism, something that the EC regards as a necessary condition for its validity. The second claim, if true, would provide a justification for the heavy emphasis placed on Israel-related antisemitism within the set of examples attached to the IHRA definition<sup>7</sup>. It is therefore important to examine whether the 2018 FRA survey does, in fact, provide empirical support for each of these claims, as the EC asserts.
3. In testing the EC’s claims, I have examined (i) whether the findings of the 2018 FRA survey are robust in themselves and, in the event that they are, (ii) whether the findings do in fact bear out the interpretation placed on them by the EC.

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1 The European Middle East Project (EuMEP) is an independent organisation in Brussels focusing on European and international policies related to the Israeli-Palestinian conflict. This report can be found online at <https://eumep.org/wp-content/uploads/Report-Stephen-Miller-IHRA-definition-FRA-EU.pdf>.

2 “Working Definition of Antisemitism”, International Holocaust Remembrance Alliance (IHRA), <https://holocaustremembrance.com/resources/working-definition-antisemitism>.

3 “Experiences and perceptions of antisemitism: Second survey on discrimination and hate crime against Jews in the EU”, Fundamental Rights Agency (FRA), 2018, [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-survey\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-survey_en.pdf).

4 The EC uses the terms ‘Jewish Europeans’ and (more rarely) ‘European Jews’ apparently interchangeably. We regard these phrases as synonymous, but use ‘European Jews’ throughout this report.

5 “Definition of antisemitism”, European Commission, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism_en). For other examples of this claim, see Annex 1, items 2-7.

6 See, for example: “‘Internet is number one entry door for antisemitism in our living rooms,’ says EU anti-semitism czar”, 26 June 2023, <https://www.ynetnews.com/article/rk3g1rroh>. See also Annex 1, items 9, 11 and 12.

7 See Annex 1, item 12.

## Robustness of the FRA survey findings

4. The 2018 FRA survey was designed by a team of leading international experts in Jewish social research working under the direction of the FRA<sup>8</sup>. The fieldwork followed sound methodological principles, the sample size (16,000+ European Jews) was more than adequate for assessing Jewish perceptions of potentially antisemitic statements, and the methods of data analysis were appropriate. Nonetheless, as is inevitable in the sampling of Jewish populations, the achieved sample was not fully representative of European Jews. Nor was it possible to avoid ‘self-selection bias’, that is, the risk that those who agree to take part may have somewhat different attitudes to the topic under study than those who do not.

In this particular case, the achieved sample was found to over-represent affiliated Jews and highly-educated Jews. It is also probable that secular Jews were under-represented while those with high levels of concern about antisemitism were over-sampled.

5. These methodological limitations are almost impossible to avoid in Jewish survey research. Their combined effect cannot be estimated precisely, but it is likely that the FRA survey generated small over-estimates of the true percentage of European Jews who judge a given statement to be antisemitic. For the reasons discussed in the body of the report, the effect of sampling bias is unlikely to be material in the context of the broad claims being tested here.

## Did the FRA survey respondents endorse the IHRA examples of antisemitism?

6. Eleven examples of antisemitism are attached to the IHRA definition, seven of which ascribe antisemitic intent to attitudes or actions linked in some way to Israel. The remaining four involve antisemitic positions unrelated to Israel (e.g. alleging that Jews control the media, finance, etc.). Criticisms of the definition have been directed mainly at some of the Israel-related examples.
7. As the EC asserts, the 2018 FRA survey did assess whether the respondents regarded various possible manifestations of antisemitism (statements and actions) as being antisemitic. However, of the eleven examples of antisemitism attached to the IHRA definition, only two had an approximate match among the items included in the FRA questionnaire (Holocaust denial and the assertion of Jewish control over finance/media, etc.). A further IHRA example (“Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust”) overlaps with a FRA example that makes a similar accusation about Jews, but not about Israel. In these three cases, a clear majority of the respondents rated the FRA items as antisemitic. By implication, similar numbers are likely to regard the IHRA counterparts as antisemitic.

Hence, the FRA survey demonstrates majority Jewish endorsement of two, plus part of a third example, out of the total of eleven examples of antisemitism attached to the IHRA definition. The survey is effectively silent on the remaining eight.

8. Regarding the seven Israel-related examples of antisemitism, only one resembles an item included in the FRA survey. However, this FRA item (“Israelis behave ‘like Nazis’ towards the Palestinians”) is more pointedly critical of Israelis than its IHRA counterpart; the latter refers only to the act of ‘drawing comparisons’ between policies. It would be inappropriate to use a severely negative statement about Israelis to assess the antisemitic status of a less severe version. Hence, the FRA survey as a whole, provides no evidence for (or against) the claim that the Israel-related IHRA examples of antisemitism are endorsed by European Jews.

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<sup>8</sup> The design of the questionnaire, sampling methodology, data collection and analysis were managed by the Institute for Jewish Policy Research (JPR) and the market survey organisation Ipsos MORI, both working under the direction of the FRA. The research team was advised by a panel of leading international experts on Jewish social research.

## Does the FRA survey demonstrate that Israel-related manifestations of antisemitism are more common than other forms?

9. Although the EC claims that the 2018 FRA survey supports this claim, the survey did not, in fact, ask respondents how often they encountered Israel-related antisemitism as a general category. Nor did it assess respondents' views on the relative frequency of Israel-related versus other forms of antisemitism. The survey did ask respondents to say how often they encountered eight specific examples of antisemitism, of which two were Israel-related and six were not. One of these two was perceived as slightly more common than the non-Israel-related examples, and the other was not.
10. Hence, there is no statistically credible evidence from the FRA findings to support the EC's claim that the survey demonstrates the predominance of Israel-related antisemitism over other forms. A focused survey of the prevalence of different forms of antisemitism across Europe would be required to resolve this issue. This would need to be repeated through time to pick up the significant fluctuations in Israel-related antisemitism as events in the region change.

## Is the 2023 FRA survey likely to generate further evidence on Jewish endorsement of the IHRA definition?

11. A third FRA survey on the experiences of antisemitism among European Jews was conducted in 2023 (as yet, unpublished). This survey *did include* a substantial number of items (eight) that were similar in meaning to the IHRA examples. However, the 2023 survey *did not* ask respondents whether they judged these eight items to be antisemitic. This contrasts with the 2018 FRA survey, which *did* assess the antisemitic status of items critical of Jews, but those items had very limited overlap with the IHRA examples. Hence, neither survey can logically test whether European Jews consider the IHRA examples to be antisemitic.

## Conclusion

12. It may or may not be the case that the vast majority of European Jews see the examples attached to the IHRA definition as antisemitic. However, the EC's claim that the 2018 FRA survey demonstrates such endorsement is untenable (except in the case of three uncontentious examples). So, too, is the claim that the 2018 FRA survey proves Israel-related antisemitism to be the most common form of antisemitism encountered by European Jews.

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## Disclosure

In conducting this review, I have applied the scientific principles underlying quantitative survey research as I understand them. My assessment is based on my professional experience as a social researcher specialising in survey work on the attitudes and practices of British Jews. I have attempted to set aside my personal views on the merits of the IHRA definition, as well as my affiliation with some of the researchers responsible for conducting the FRA surveys. I was not involved in the design or analysis of the FRA surveys discussed in this report. In addition, I have no affiliation with EuMEP, the organisation that commissioned this report.

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# Introduction

# 1. Focus of the report

This report was commissioned by the European Middle East Project (EuMEP)<sup>9</sup>. It provides an independent assessment of two specific claims made by the European Commission (EC) concerning the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA)<sup>10</sup>.

The first claim is that the eleven “contemporary examples of antisemitism” attached to the IHRA definition “reflect what the vast majority [of European Jews] perceives as antisemitic”<sup>11</sup>. This assertion is based on the findings of a large-scale survey of European Jews conducted in 2018 by the EU’s Fundamental Rights Agency (FRA)<sup>12</sup>.

The second claim is that the same survey demonstrates that European Jews encounter antisemitic incidents related to Israel more often than any other form of antisemitism<sup>13</sup>.

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**9** The European Middle East Project (EuMEP) is an independent organisation in Brussels focusing on European and international policies related to the Israeli-Palestinian conflict. This report can be found online at <https://eumep.org/wp-content/uploads/Report-Stephen-Miller-IHRA-definition-FRA-EU.pdf>.

**10** “Working Definition of Antisemitism”, International Holocaust Remembrance Alliance (IHRA), <https://holocaustremembrance.com/resources/working-definition-antisemitism>.

**11** “Definition of antisemitism”, European Commission, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism_en). See for other examples of this claim Annex 1, items 2-7.

**12** “Experiences and perceptions of antisemitism - Second survey on discrimination and hate crime against Jews in the EU”, Fundamental Rights Agency (FRA), 2018, [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-survey\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-survey_en.pdf). There was, in fact, an earlier FRA survey of antisemitism conducted in 2012. Since that survey is not cited by the EC as supportive of the IHRA examples and, in any case, produced very similar findings to the 2018 survey, it is not discussed in this report.

**13** See, for example: “‘Internet is number one entry door for antisemitism in our living rooms,’ says EU anti-semitism czar”, 26 June 2023, <https://www.ynetnews.com/article/rk3g1rroh>. See also Annex 1, items 9, 11 and 12.



## 2. Background and context

The IHRA working definition of antisemitism (hereafter: IHRA definition) has been accepted by a wide range of governmental, professional and civic organisations worldwide and is regarded in many quarters as a useful guide to the attitudes and behaviours that constitute antisemitism. In particular, it is seen by the European Commission as “the benchmark”<sup>14</sup> for defining antisemitism and as “the basis for [its] work on tackling antisemitism.”<sup>15</sup> The EC sees Jewish agreement with the IHRA definition as an important condition for demonstrating its validity<sup>16,17</sup>.

Despite its endorsement by the EC and widespread acceptance elsewhere, a significant number of scholars, lawyers, civil society organisations and other commentators have questioned the value and legitimacy of the IHRA definition. The general grounds for these objections are diverse and include arguments related to:

- (i) the justification for using the victims as the arbiters of what constitutes antisemitism;
- (ii) the conflation of antisemitism with harsh, but non-racist, criticisms of Israel;
- (iii) the attachment of examples of antisemitism that do not, as a matter of logic, necessarily imply antisemitic intent;
- (iv) the attachment of ambiguous examples of antisemitism whose boundaries are unclear, so that they may facilitate false attributions of antisemitism.

This report does not address or take a view on these broad challenges to the IHRA definition. Issues such as those set out above fall in the domain of epistemology, socio-political and legal debate, and they have been extensively discussed elsewhere<sup>18</sup>. Instead, the focus here is on the narrower, logically independent question of whether the EC’s claims about what European Jews perceive to be antisemitic are borne out by the evidence cited by the EC.

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**14** “Questions and Answers: EU Strategy on combating antisemitism and fostering Jewish life”, European Commission, 5 October 2021, [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_21\\_4991](https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_4991).

**15** Answer given by Vice-President Schinas on behalf of the European Commission, 16 July 2020, [https://www.europarl.europa.eu/doceo/document/E-9-2020-000426-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2020-000426-ASW_EN.html).

**16** See Annex 1, items 1 and 3-7.

**17** Note that this report examines the extent to which the FRA 2018 survey demonstrates European Jewish endorsement of the examples attached to the IHRA definition. It takes no view on whether such endorsement (if found) would, or would not, constitute compelling evidence for the validity of this definition.

**18** See, for example: “What is wrong with the International Holocaust Remembrance Alliance’s Definition of Antisemitism”, Deckers, J. and Coulter, J., *Res Publica*, 28(4): 733–752, 2022.

“The IHRA working Definition of Antisemitism: Criticism, Implementation and Importance”, Porat, D., Quer, G. and Naamat, T., Institute for National Security Studies, Tel Aviv University, 23 December 2021.

“Expert opinion on the “Working Definition of Antisemitism” of the International Holocaust Remembrance Alliance,” Peter Ullrich, Rosa Luxemburg Stiftung, October 2019, <https://www.rosalux.de/en/publication/id/41168/expert-opinion-on-the-international-holocaust-remembrancealliances-working-definition-of-antisemi/>.

In considering the context of the EC's claims, it should be noted that specific objections to the IHRA definition relate mainly to the "contemporary examples" of antisemitism that are attached to the definition, and particularly to those examples that treat certain attitudes towards Israel as indicative of antisemitic intent.

The main plank of the EC's response to criticisms of these examples has been to make the two claims set out in section 1 above: that the examples reflect the views of the majority of European Jews<sup>19</sup>, and that the emphasis on Israel-related antisemitism reflects the predominance of this kind of antisemitism in the experience of European Jews. Both claims are said to be substantiated by the findings of the 2018 FRA survey.

The question of whether the 2018 FRA survey does indeed substantiate these two claims is both empirical and logical. It is addressed by considering:

- (i) **The methodology of 2018 FRA survey:** How robust is the FRA evidence on Jewish perceptions and experiences of antisemitism?
- (ii) **The validity of the EC's inferences:** Assuming that the survey data are broadly reliable, are the inferences that the EC has drawn from the findings valid; i.e., do the findings bear out the two claims?

In addition, the FRA commissioned a further survey on antisemitism which was conducted in 2023. Although the findings are not yet available, this report considers:

- (iii) **The potential evidence from the 2023 FRA survey:** Is the 2023 survey likely to provide any further evidence on Jewish perceptions of the IHRA examples of antisemitism?

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<sup>19</sup> Note that, in investigating whether Jews endorse the IHRA definition, there is no implication that such endorsement would demonstrate its validity; nor that a failure to endorse it, would demonstrate a lack of validity. The question of whether majority endorsement is a necessary or sufficient condition for establishing the validity of a definition of antisemitism falls outside the scope of this report.

# Findings

# 3. Methodology: How robust are the findings of the 2018 FRA survey?

This section addresses the issue of whether the methodology adopted by the FRA is likely to have generated reliable evidence of what attitudes and behaviours are regarded as antisemitic by European Jews.

There are four methodological issues that have a bearing on the robustness of the survey findings:

- (i) Representativeness
- (ii) Sample size
- (iii) Questionnaire design
- (iv) Statistical analysis

Sections 3.1 - 3.4 examine each of these features of the methodology in turn. My view on their overall implications for the reliability of the findings is set out in section 3.5.

In assessing the methodology, I have had in mind its impact on the reliability of the specific findings that underpin the EC's claims (i.e., the respondents' perceptions of what constitutes antisemitism). I have not considered methodological issues that bear on findings outwith the EC's claims (e.g., the respondents' views on changing levels of antisemitism).

## 3.1 Is the 2018 FRA sample representative of European Jews?

### 3.1.1 Defining the target population

The term 'European Jews' can be defined in various ways. For example, it might be taken to mean European members of organised Jewish communal bodies, or the set of people who meet certain religious criteria for being Jewish, or those who have an attachment to Jewish culture. The FRA adopted an inclusive approach, defining its target population as all those who self-identify as Jewish on any basis, provided that they live in one of the twelve<sup>20</sup> European countries covered by the survey and that they were at least 16 years of age at the time of the survey.

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<sup>20</sup> Originally, thirteen countries were included: Austria, Belgium, Denmark, France, Germany, Hungary, Italy, Latvia, the Netherlands, Poland, Spain, Sweden and the United Kingdom. However, Latvia was excluded from the main analysis due to the small number of responses.

The use of self-identification as the main inclusion criterion is the usual practice in Jewish social research. In part, this reflects the practical difficulty of defining and implementing more specific inclusion criteria. But in any case, self-identification seems to be an appropriate starting point for a survey about the perception and experience of antisemitism. This is because anyone who regards themselves as Jewish is likely to be affected by antisemitic statements or actions, whatever the basis of their Jewish identity.

It might be argued that self-identification allows respondents who would not be considered Jewish by most self-identifying Jews (e.g. Messianic Jews) to qualify for the survey. It also allows non-Jews to feign Jewish identity. However, the sophisticated quality control systems implemented by the FRA<sup>21</sup> are likely to have screened out most, if not all, of the respondents in these categories.

### 3.1.2 Definition of representativeness

Sample surveys are regarded as representative if the sample accurately reflects the make-up of the target population; i.e. all the sub-groups in the population should be present in the sample in the same relative proportions as exist in the population. It is particularly critical that any sub-group that differs substantially from the rest of the population on the issues being investigated is not over- or under-represented in the sample.

In relation to the FRA survey, previous research findings demonstrate that political affiliation, level of academic achievement, strength of Jewish communal affiliation and degree of religious observance are all correlated with attitudes to Israel and to antisemitism<sup>22</sup>. Hence, it is important to ensure that the sample does not over- or under-represent, say, observant Jews or communally active Jews or any other sub-group within these four dimensions.

### 3.1.3 Did the FRA sampling strategy deliver a representative sample of European Jews?

The only full-proof method of achieving representativeness is to select members of the population of interest by a random process (known as random sampling or probability sampling). For example, a survey based on the random selection of one in every 50 names from a complete list of the adult population of a town, will almost certainly be representative; i.e., no major subgroup in the town's adult population will be over- or under-represented. However, random sampling is generally not possible in the case of Jews (or other ethnic or religious groups), because there is no comprehensive listing of every European Jew from which the researcher could sample. As the 2018 FRA survey report acknowledges, it is therefore impossible to recruit a perfectly representative sample of Jews.

In place of random sampling, the FRA adopted an opt-in, online approach to data collection, inviting any European resident self-identifying as Jewish to complete the questionnaire. The survey invitations were distributed mainly through Jewish communal bodies (membership, affiliation, and subscriptions lists) and then boosted by adverts, communal announcements, posters, social media banners, snowballing

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<sup>21</sup> See section 5.6 of the 2018 FRA survey, Technical report, [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-technical-report\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-technical-report_en.pdf).

<sup>22</sup> See: "Committed, concerned and conciliatory: the attitudes of Jews in Britain towards Israel", D. Graham and J. Boyd, Institute for Jewish Policy Research, 2010; "The Attitudes of British Jews towards Israel", S. Miller, M. Harris and C. Shindler, City University of London, 2015; "Academic achievement and engagement in Jewish Life: first signs of a brain drain?", S. Miller, Institute for Jewish Policy Research, 2018.

and email reminders. It is clear from the size of the sample (16,395) and its structural features, that this strategy was successful in recruiting a diverse and very substantial sample of European Jews, achieving a better approximation to representativeness than any previous European Jewish survey.

Nonetheless, given that two-thirds of the sample was recruited through communal organisations, it was essentially non-random and likely to include a disproportionate number of affiliated Jews, mitigated to some extent by the snowballing component. As the FRA notes: “The perceptions and experiences of self-identifying Jews who have no connection with any part of the Jewish community in their countries are likely to be under-represented in the findings.”<sup>23</sup>

A second feature of the sampling methodology is that, once contacted, potential respondents can decide for themselves whether to participate. This is a standard feature of social survey designs, but it carries the risk that the survey will suffer from ‘self-selection bias’ – i.e. the tendency for certain types of respondents (e.g., in this case, people who are particularly interested in, or concerned about, antisemitism) to be more likely to accept the invitation to participate than others.

The conclusion is that due to the sampling methodology and the operation of participant self-selection, the FRA sample cannot be regarded as fully representative of European Jews. However, that leaves open the question of the degree of bias in the make-up of the sample, the impact that any bias is likely to have had, and the extent to which that impact has been mitigated. These questions are addressed below.

### 3.1.4 How far did the 2018 FRA sample depart from representativeness?

In order to measure departures from representativeness, it is necessary to have reliable information on the extent to which any sub-group (say, Orthodox Jews) has been over- or under-sampled. In other words, the researcher needs to know the proportion of the relevant group within the sample *and within the general population of European Jews*. It is then possible to make a statistical correction to the findings to allow for the fact that, say, the proportion of Orthodox Jews in the sample is 10% lower than in the population.

In the case of the 2018 FRA survey, whilst the *sample* proportions for some of the characteristics of interest (e.g., levels of affiliation, education) are known, the *population* proportions are not known (at least, not in most of the countries studied<sup>24</sup>). This makes it impossible to assess whether a given sub-group of the population is appropriately represented or not. Despite the lack of population data in most countries, the survey researchers conducted a great deal of exploratory research in an attempt to estimate some population statistics so as to measure departures from representativeness where they could. Using these fairly crude estimates, they found evidence of the over-representation of (i) communally affiliated Jews and (ii) Jews with higher education qualifications (in countries where population data were available). These are two of the four characteristics cited above that are likely to be related to attitudes to Israel and to antisemitism. Of less relevance here, the researchers also found sample biases with respect to age, gender, and geographical distribution.

The FRA did not report whether the sample was representative with respect to two other relevant variables – religious observance and political affiliation. Religiosity is, however, associated with communal affiliation, so it is likely that religiously active Jews (as opposed to secular Jews) were also over-represented in the sample. Since the questionnaire did not assess the respondents’ political attitudes, it was impossible to determine whether the sample was representative with regard to its political make-up.

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<sup>23</sup> See 2018 FRA survey, Technical report, p. 37, op. cit.

<sup>24</sup> This is not a flaw in the FRA research design. It is due to the fact that Jewish institutions in Europe have generally not invested in the collection of Jewish socio-demographic statistics.

In addition to these four important variables, there is also the question of whether the process of self-selection introduced additional bias. As noted, Jews who are most concerned about antisemitism are probably over-represented in the sample. This is an important potential source of bias because such individuals are probably more likely to regard borderline examples of antisemitism as being antisemitic<sup>25</sup>.

In summary, looking only at the variables likely to influence perceptions of antisemitism, the 2018 FRA sample over-represented affiliated Jews, well-educated Jews and, probably, religiously active Jews and those who are most concerned about antisemitism. Judging from the FRA technical report on the 2018 survey, the first two groups were oversampled by approximately 70% and 50% respectively<sup>26</sup>.

### 3.1.5 Did the FRA correct for bias in the make-up of its samples?

Once it is known that a sample over-represents a given group by a given percentage, it is usually possible to adjust (weight) the survey results to correct for that bias. Obviously, the FRA could only correct for biases that it was able to measure.

On the basis of the exploratory work described in 3.1.4, the FRA reported the effects of their attempts to correct for sampling bias with respect to age, gender and communal affiliation. A detailed technical examination of different weighting systems led the researchers to conclude that the main report should *not* include weighted or corrected estimates of the respondents' opinions after allowing for bias. This was largely because the researchers did not have sufficiently reliable population data against which to estimate the degree of sample bias, and also because their preliminary attempts to weight the data yielded relatively small changes on measures related to the experience of antisemitism.

A subsequent report (2021)<sup>27</sup> based on the same sample reinforces this conclusion; the researchers found very small effects of weighting for affiliation on a wide range of measures of Jewish identity. Of relevance here, is the impact of weighting on the respondents' ratings of the importance of "combatting antisemitism" and "supporting Israel". In these two cases, correction for the over-representation of affiliated Jews (and other biases), led to a reduction in the rated importance of these aspects of Jewish identity of 1% and 2% respectively.

The researchers could not examine the effects of correcting for bias in relation to the other probable sources of sampling bias (namely the religious and educational make-up of the sample) because of insufficient population or sample data; nor could they correct for self-selection bias (i.e., the probable over-representation of people most concerned about antisemitism).

An additional problem for the purpose of this report, is that when assessing the impact of affiliation/age/gender bias, the researchers did not look at the effect of weighting on the specific attitudes

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<sup>25</sup> This is a plausible hypothesis, but I am not aware of any direct evidence of an association between concern about antisemitism and an increased propensity to judge statements or actions as antisemitic. The FRA data could, however, be used to assess this relationship by examining the correlation between concern about antisemitism (which is measured within the survey) and the rate of judging the FRA items as antisemitic.

<sup>26</sup> Based on averaging the ratios in Tables 6.3 and 6.5 of the 2018 survey technical report (op. cit.) without weighting for the size of the country samples. Note that Belgium was omitted from Table 6.5 calculations due to lack of data of affiliation. Similarly, five countries were omitted from the Table 6.3 calculations due to lack of benchmark data.

<sup>27</sup> "The Jewish identities of European Jews: What, why and how", Sergio DellaPergola and L. Daniel Staetsky, JPR, 2021, <https://www.jpr.org.uk/reports/jewish-identities-european-jews-what-why-and-how>.

of relevance to the EC's claims – i.e. on whether the FRA items were *perceived to be antisemitic*. Instead, as noted above, they looked at the effect of correcting for the shortage of unaffiliated respondents on other measures (the experience of antisemitism, aspects of Jewish identity). This means that the finding of a small effect of weighting, does not rule out the possibility that it may have had a larger effect on *judgements of which statements or attitudes are seen as antisemitic*<sup>28</sup>.

### 3.1.6 Conclusions with regard to representativeness

This is a complex picture. To summarize:

- i) The 2018 FRA sample over-represents *communally affiliated Jews* as well as *Jews with higher education qualifications*. It probably over-represents people who are *highly concerned about antisemitism*. There is no firm evidence on whether the sample accurately reflects the Jewish population on other variables related to perceptions of antisemitism, notably *political affiliation and religiosity* – though religious Jews are likely to be over-represented.
- ii) Exploratory analysis showed that weighting the results to compensate for affiliation, age and gender bias did not have a significant effect on experiences of antisemitism or on various measures of Jewish identity. However, *the effect of affiliation bias on judgements of whether a statement or action is antisemitic was not examined by the FRA*.
- iii) Whilst there is no firm evidence from the 2018 FRA survey itself, previous research suggests that high levels of communal affiliation<sup>29</sup> and religiosity<sup>30</sup> are likely to have boosted the percentage who regard negative statements about Jews/Israel as being antisemitic. Higher levels of concern about antisemitism (due to self-selection bias) are also likely to increase the tendency to see negative statements about Jews/Israel as antisemitic (see footnote 25). However, in the case of the over-sampling of people with higher education, the effect would be expected to work in the reverse direction<sup>31</sup>.

It is impossible to obtain a scientifically rigorous estimate of the combined impact of these four types of sampling bias. However, the authors' exploratory attempts to correct for some of the sampling bias produced relatively small variations (typically 1% or 2%) in the measures they looked at. Bearing in mind that the four biases do not all work in the same direction (3 to 1) and that the achieved sample is socio-demographically and Jewishly diverse, I suspect that the effect of these biases will have been to produce a small increase<sup>32</sup> in the percentage of respondents who rated the examples as antisemitic (i.e., the reported percentages are likely to be slight over-estimates of the true percentage of European Jews who see each statement as antisemitic).

Additional analyses that could throw more light on the magnitude of any sampling bias are suggested in section 3.4.3.

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<sup>28</sup> This is not to imply any weakness in the 2018 survey design, since the survey was not set up to assess whether European Jews agree with the examples attached to the IHRA definition of antisemitism.

<sup>29</sup> For example, the Pew Survey of "Jewish Americans in 2020" shows that over 50% of affiliated Jews say there is 'a lot' of antisemitism in the USA compared with 38% of non-affiliated Jews; the proportions feeling 'less safe' are c. 60% vs 40% respectively; <https://www.pewresearch.org/religion/2021/05/11/anti-semitism-and-jewish-views-on-discrimination/>.

<sup>30</sup> Similarly, the proportions who judge there to be 'a lot' of antisemitism are 50% and 32% respectively for people who identify as Jewish by religion and Jewish on some other basis. Pew Survey, op. cit.

<sup>31</sup> "Academic achievement and engagement in Jewish Life: first signs of a brain drain?", S.H. Miller, 2018, <https://www.jpr.org.uk/reports/academic-achievement-and-engagement-jewish-life-first-signs-brain-drain>.

<sup>32</sup> I assume an increase, because all but one of the known or likely biases will have tended to inflate the extent to which the respondents rated the examples as antisemitic.



## **3.2 Are the FRA findings statistically reliable given the size of the sample?**

### **3.2.1 What is statistical reliability?**

In addition to being representative of the population in terms of its make-up, a sample needs to generate statistically reliable results; i.e., it needs to be sufficiently large to ensure that estimates derived from that sample are likely to be close to the true values in the population under study. Thus if 20% of respondents in the sample hold a given opinion, we would want to be confident that the proportion of Jews in the entire population who hold that opinion is close to 20% (say, between 18% and 22%). The width of this ‘margin of error’ depends on the size of the sample. Note, however, that size cannot compensate for lack of representativeness.

### **3.2.2 Is the 2018 FRA sample statistically reliable?**

Yes. There is no doubt that any estimates of the percentage of European Jews holding a given view based on the FRA sample of 16,395 people will be very close indeed to the true percentage in the population (assuming that the make-up of the sample is representative). Even estimates based on sub-samples of 2,000 will be within a few percentage points of the true value.<sup>33</sup>

## **3.3 Is the design and content of the questionnaire appropriate for assessing which statements are perceived to be antisemitic?**

### **3.3.1 What was the purpose of assessing whether the FRA statements are perceived to be antisemitic?**

The two FRA surveys conducted in 2012 and 2018 were set up to provide data on “the perceived extent and nature of antisemitism across a number of EU Member States”<sup>34</sup>. Both surveys cover a very wide range of topics related to antisemitic discrimination and harassment, and the impact of those experiences on the respondents’ feelings and intentions. Only about 5% of the questionnaire is devoted to whether respondents consider various attitudes and behaviours to be antisemitic – and these items are almost identical in the 2012 and 2018 surveys (see 3.3.2).

The FRA does not provide a detailed account of how these statements (14 in each survey) were selected or precisely what they were intended to measure. However, the FRA tender document<sup>35</sup> did not include any requirement to formulate a scientifically valid scale or inventory of antisemitic attitudes (as perceived by Jews). Nor did the technical preparation for the survey include any

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**33** For example, if 20% of the entire sample of 16,935 hold a particular view, it can be shown statistically that it is almost certain that the true percentage in the population will lie between 19.2% and 20.8% (if the sample is representative). An estimate of 20% based on 2,000 respondents would have a margin of error of 17.7% to 22.3%.

**34** P. 3, Technical report 2012 FRA survey; p. 5, Technical report, 2018 FRA survey.

**35** Annex A.1, Technical Specifications, D-SE-17-T01, “Second FRA survey on discrimination and hate crime against Jews”, May 2017, [https://fra.europa.eu/sites/default/files/fra\\_uploads/annex\\_a.1\\_-\\_technical\\_specifications\\_d-se-17-t01.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/annex_a.1_-_technical_specifications_d-se-17-t01.pdf).

systematic testing of a large set of candidate items in order to develop such a tool. It follows that the particular examples included in the FRA survey should not be regarded as components of a formal measure of perceived antisemitism.

Nor does the tender document (or the FRA report itself) suggest that these items were included to assess the validity of the examples of antisemitism attached to the IHRA definition. In any case, there is limited overlap between the FRA questionnaire items and the IHRA examples.

Judging from the 2018 survey report itself, the fourteen items had the more general purpose of encouraging respondents to think about their experiences of antisemitism and the circumstances in which these occurred: “These statements do not necessarily reflect the whole spectrum of antisemitic views or connotations. They were used to guide the respondents into thinking about situations where they may have heard negative comments about Jewish people, in order to identify the contexts in which these comments are made. Respondents’ assessments of these statements offer insights into what issues they consider antisemitic.”<sup>36</sup>

### 3.3.2 What particular items were assessed for their perceived antisemitic status?

The particular items that were examined as possible exemplars of antisemitism were as follows<sup>37</sup>:

*Would you consider a non-Jewish person to be antisemitic if he or she says that:*

1. Israelis behave “like Nazis” towards the Palestinians
2. Jews have too much power in [COUNTRY] (economy, politics, media)
3. Jews exploit Holocaust victimhood for their own purposes
4. The Holocaust is a myth or has been exaggerated
5. The interests of Jews in [COUNTRY] are very different from the interests of the rest of the population
6. Jews are not capable of integrating into [COUNTRY NATIONAL] society
7. The world would be a better place without Israel (2018 only)
8. Jews bring antisemitism on themselves (2018 only)
9. Jews are only a religious group and not a nation (2012 only)
10. Jews are responsible for the current economic crisis (2012 only)

Answers: [Yes, definitely; Yes, probably; No, probably not; No, definitely not; Don’t know]

*And, in your opinion, would you consider a non-Jewish person to be antisemitic if he or she:*

11. Always notes who is Jewish among his/her acquaintances
12. Criticises Israel
13. Does not consider Jews living in [COUNTRY] to be [COUNTRY NATIONAL]
14. Would not marry a Jew
15. Thinks that Jews have recognisable features
16. Supports boycotts of Israel or Israelis (e.g. goods, products, university lecturers)

Answers: [Yes, definitely; Yes, probably; No, probably not; No, definitely not; Don’t know]

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<sup>36</sup> P. 24, section 1.3, 2018 survey report (op. cit.).

<sup>37</sup> The item numbering for the purposes of this report is *not* based on the numbering employed in the surveys themselves.

### **3.3.3 Was the design of the questionnaire adequate for assessing whether these particular items are perceived to be antisemitic?**

I examine here whether the questionnaire used in the 2018 FRA survey was appropriately structured to assess the perceived antisemitic status of the sixteen items listed above<sup>38</sup>.

The wording and format of the questions follow the accepted pattern employed in attitude surveys. The questions are generally clear and unambiguous, reflecting the experience and track record of the research organisations responsible for the questionnaire design<sup>39</sup>.

There is, however, one item (question 16 above) which, in my view, should have been framed differently. It asks whether a person supporting the boycott of Israeli goods, products or people should be regarded as antisemitic, but does not allow for the possibility that respondents may have different views about each element or sub-element (e.g., boycotting goods versus individuals, or boycotting goods from the occupied territories versus those from within Israel's pre-67 borders). Such multi-faceted questions may encourage 'don't know' responses and, even in the case of an "agree" or "disagree" response, it is not clear whether the response applies to all components or just to some of them.

## **3.4 Is the statistical analysis of the survey data appropriate?**

### **3.4.1 What statistical analyses were provided?**

In relation to the items of interest, the report provided simple percentages, i.e. the proportion of respondents who consider the maker of a particular statement or action to be definitely antisemitic, probably antisemitic, etc. In the 2018 survey report, the percentages that were actually reported were simplified in some cases, collapsing "Yes, definitely" and "Yes, probably" into a single figure (and similarly for "No, definitely not" and "No, probably not").

The percentages were provided for each of the fourteen examples above, both for the overall sample of 16,395 respondents and broken down by EU member state.

### **3.4.2 Was the analysis appropriate?**

Yes. For the purpose of determining the extent to which a given attitude/action is seen as antisemitic, simple percentages are all that is required. There is a question as to which response category [(“Yes, Definitely”) or (“Yes, Definitely” + “Yes, Probably”)] should be regarded as an endorsement of the item for the purposes of its inclusion in a definition of antisemitism. This is discussed in section 4.1.2.

As noted earlier, there is a degree of uncertainty attached to the reported percentage, who regard an example as antisemitic, due to the effects of sampling bias. Hence, the quoted percentages should not be taken as definitive estimates of European Jewish opinion, despite the very large sample size.

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<sup>38</sup> Note that the questions in the 2018 FRA survey ask whether a person holding certain views (or acting in certain ways) is to be regarded as antisemitic. They do not ask whether the view or action itself is antisemitic. The implications of this distinction are discussed in section 4.1.1.

<sup>39</sup> The Institute for Jewish Policy Research (JPR) and Ipsos MORI.

Leaving aside the issue of weighting to remove bias, it would have been useful to see a breakdown of the results by key sub-groups (e.g. affiliated/non-affiliated, old/young, highly educated/not highly educated). Indeed, even if the sample as a whole were perfectly representative of the target population (and the overall percentages were therefore accurate), knowing whether a statement is more likely to be seen as antisemitic by, say, older respondents than younger ones, would aid interpretation of the findings. For most of the important variables (religiosity, affiliation, education, gender, age), the survey data could be used to provide such cross-tabulations.

### **3.4.3 Could any more be done to narrow the uncertainty in relation to the percentage of Jews who regard given items as antisemitic?**

Yes. The authors provide some exploratory data on the effect of correcting for the oversampling of communally-affiliated Jews, but as noted in section 3.1.5, they do this *only for a subset of the questions in the survey* – e.g., questions on perceived increases in antisemitism, experience of antisemitism, etc. No data are provided on the effect of weighting on judgements of the antisemitic status of the various FRA items. Given the EC's claim that the majority of Jews regard certain items as antisemitic, it would have been useful to know whether correcting for the over-representation of affiliated Jews would have affected such judgements<sup>40</sup>.

In addition, the above exercise could also be undertaken to correct for the over-representation of highly educated Jews, since both sample and population data seem to be available for this variable.

Whilst it was impossible to weight for any bias in the representation of secular/religious Jews because of the lack of population level data, such an analysis could be undertaken in any country that possesses data at the population level (e.g. the UK). This would provide some indication of whether the (probable) under-representation of secular Jews was likely to have had an impact on the findings.

Finally, the FRA data would allow an analysis of the relationship between respondents' levels of concern about antisemitism (which is measured directly within the questionnaire) and the extent to which they judge various statements/behaviours to be antisemitic. This would indicate whether concern about antisemitism is likely to boost the chance of judging a given statement to be antisemitic and/or to increase the range of behaviours that are seen as antisemitic. Such an exercise would *not* correct for the possible over-representation of people most concerned about antisemitism, but it would indicate whether or not this form of sampling bias could have had a significant effect on the survey findings.

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<sup>40</sup> Note that the case for such an analysis (and the others set out in this section) is only apparent in retrospect – i.e. in the light of the EC's recent claims that the 2018 FRA survey supports the examples of antisemitism attached to the IHRA definition. At the time of the survey, the FRA researchers would have had no apparent reason to focus on the attitudes that overlap with the IHRA examples.

### **3.5 Viewed as whole, does the survey methodology raise serious concerns about the accuracy of the results?**

The survey methodology is generally sound. Given the trans-European scope of the project, the approach adopted was, in my view, the optimal means of sampling Jewish perceptions of antisemitism. Nonetheless, as the authors acknowledge, it was inevitable that the achieved sample would not be fully representative of European Jews due to the sampling methodology and the operation of self-selection bias.

Overall, I consider the various methodological limitations set out in the sections above to have had a minor impact on estimates of the percentage of European Jews, who judge a given example to be antisemitic – perhaps boosting the percentage by a few percentage points relative to the true proportion. In the context of the EC’s broad claim that the IHRA examples are endorsed by the “vast majority” of European Jews, variations of this order are unlikely to be material. Thus, in terms of their accuracy, the FRA findings can be used to test the EC’s claims about endorsement of the IHRA examples.

## 4. Does the 2018 FRA survey validate the claims made by the EC in relation to the IHRA definition of antisemitism?

As noted in Sections 1 and 2, the EC makes two key claims with regard to the support provided by the 2018 FRA survey for the IHRA definition:

- (i) that the 2018 FRA survey demonstrates that the vast majority of European Jews regard the IHRA examples as valid examples of antisemitism. For example, Katharina von Schnurbein, the European Commission Coordinator on combatting antisemitism and fostering Jewish life, stated in an interview:

“For the European Commission, we have been very clear that the IHRA definition is the benchmark. We have been using it since January 2017, a few months after it was actually adopted by the IHRA in May 2016. Why? Because we think that it is the definition that represents in its examples what the vast majority of Jews regard as antisemitic in Europe...and we have done a survey in 2018 which actually shows that.”<sup>41</sup>

There are multiple statements by the EC that repeat the same assertion with regard to FRA evidence (see Annex 1).

- (ii) that the 2018 FRA survey demonstrates that ‘Israel-related antisemitism’<sup>42</sup> is the most common form of antisemitism experienced by European Jews. The above referenced interview with Katharina von Schnurbein also includes the following:

“Indeed, the 2018 survey...found that.....when it comes to which form of antisemitism Jews encounter most, then it’s Israel-related antisemitism, and in particular, the phrase that ‘Israelis treat the Muslims like the Nazis treated the Jews.’ And so for us, it’s very clear. Any definition that does not include Israel-related antisemitism [like the IHRA definition] is void of purpose.”

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<sup>41</sup> “Internet is number one entry door for antisemitism in our living rooms,’ says EU antisemitism czar”, 26 June 2023, <https://www.ynetnews.com/article/rk3g1rroh>.

<sup>42</sup> The notion that there is a distinctive form of antisemitism related to Israel is a matter of intense academic debate. See, e.g.: (i) “The ‘new antisemitism’,” Antony Lerman, Open Democracy, 29 September 2015, <https://www.opendemocracy.net/en/new-antisemitism/> and (ii) “Defining the New Antisemitism”, Irwin Cotler, 9 November 2010, <https://nationalpost.com/full-comment/irwin-cotler-defining-the-new-anti-semitism>. The phrase ‘Israel-related antisemitism’ is used here as a descriptive term only to refer to those attitudes related to Israel that are regarded as antisemitic by the EC and by some scholars and commentators.

As with the previous claim, this second assertion is echoed by other EC officials and documents, although the claim is sometimes limited to online manifestations of antisemitism. For example, the 2021 EU Strategy on combatting antisemitism states that “manifestations of antisemitism might include Israel-related antisemitism, the most common form of antisemitism encountered online by Jews in Europe today”<sup>43</sup>. Further examples are included in Annex 1.

## 4.1 Claim 1: Does the 2018 FRA survey demonstrate that the IHRA examples of antisemitism reflect the views of the majority of European Jews?

To accept this claim, one would need to be satisfied that (i) the items tested in the 2018 FRA survey correspond to the examples in the IHRA definition and (ii) the proportion of survey respondents finding the corresponding items to be antisemitic is clearly above 50%. These issues are considered in sequence.

### 4.1.1 What is the overlap between the FRA survey items and the IHRA examples of antisemitism?

There are eleven putative examples of antisemitism attached to the IHRA’s core definition. These need to be compared with the fourteen attitudes/actions, whose antisemitic status is assessed in the 2018 FRA survey. As noted earlier, the framing of the IHRA examples is such as to define *the expression* of particular views or actions as antisemitic. In contrast, the FRA survey asks whether *the person* expressing particular views or actions is to be considered antisemitic. I have taken the view that this distinction is not significant in the present context<sup>44</sup>.

In Table 1, those FRA items that approximately replicate an IHRA example (or overlap with part of an IHRA example) are shown in the same row and begin at the same vertical height (rows 2, 4, 5). Those that are more remotely related to the IHRA example are in the same row, but displaced vertically downwards (rows 6, 10). Those that have no meaningful correspondence to an IHRA example are shown in a separate row (rows 12 to 18).

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<sup>43</sup> “The EU Strategy on Combating Antisemitism and Fostering Jewish Life (2021-2030)”, European Commission, 5 October 2021, p. 4, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0615>.

<sup>44</sup> It could be argued that the expression of view X is a manifestation of antisemitism, but that a person must hold or express several such antisemitic views to qualify as an antisemite. Whether or not that argument has merit in principle, the wording surrounding the IHRA definition suggests that it defines any person who expresses any *one* of its example views/actions as being antisemitic (depending on context). Thus the distinction between the *expression* of a view/action (IHRA) and the *person* who expresses that view/action (FRA) is not critical for assessing whether the respondents agree with the IHRA examples.

**Table 1: Overlap between the IHRA examples and FRA items of antisemitism**

| Examples attached to the IHRA definition  | 2018 FRA survey items  | FRA %* |
|---|--|--------|
| 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.   |  |        |
| 2 Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a 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. | Jews have too much power in [COUNTRY] (economy, politics, media)                                       | 68     |
| 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.  |  |        |
| 4 Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.  | Jews exploit Holocaust victimhood for their own purposes   | 71     |
| 5 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)  | The Holocaust is a myth or has been exaggerated  | 83     |
| 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.   | The interests of Jews in [COUNTRY] are very different from the interests of the rest of the population | 50     |
| 7 Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.  |  |        |
| 8 Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.  |  |        |
| 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.   |  |        |
| 10 Drawing comparisons of contemporary Israeli policy to that of the Nazis.   | Israelis behave “like Nazis” towards the Palestinians  | 60     |



|    |   |  |      |
|----|---|--|------|
| 11 | Holding Jews collectively responsible for actions of the state of Israel. |  |      |
| 12 |   | The world would be a better place without Israel   | 66   |
|    |   | Jews are not capable of integrating into [COUNTRY NATIONAL] society                                |      |
|    |   | Jews bring antisemitism on themselves  |      |
| 13 |   | [Someone who] supports boycotts of Israel or Israelis (e.g. goods, products, university lecturers) | [82] |
| 14 |   | [Someone who] does not consider Jews living in [COUNTRY] to be [COUNTRY NATIONAL]                  | [94] |
| 15 |   | [Someone who] thinks that Jews have recognisable features  | [75] |
| 16 |   | [Someone who] would not marry a Jew  | [59] |
| 17 |   | Someone who] always notes who is Jewish among his/her acquaintances                                | [55] |
| 18 |   | [Someone who] criticises Israel  | [38] |

\* FRA % shows the percentage of respondents who consider a person satisfying the FRA description to be 'definitely antisemitic'. Percentages [in brackets] include 'definitely' and 'probably' antisemitic, since the 2018 FRA survey report does not provide separate figures in these cases.

It is apparent that only five of the eleven IHRA examples have some kind of counterpart within the FRA survey items. Of these five, two ('Jewish power/control' [2] and 'Holocaust denial' [5]) are approximately mirrored by FRA items. A third item ("Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust" [4]) overlaps in part with a FRA item (i.e. the FRA version refers to Jews exploiting the Holocaust, but not to Israel). In my judgement, the remaining two IHRA examples (accusing Jews of greater loyalty to Israel or to Jewish priorities than to the interests of their own nations [6] and comparing Israeli policy to that of the Nazis [10]) differ substantially in scope and/or focus from the FRA counterparts. In these two cases, the FRA percentages cannot reasonably be used to assess whether European Jews perceive the loosely matching IHRA examples to be antisemitic. In any event, the FRA version of item 6 does not quite reach the threshold for 'majority' (and certainly not 'vast majority') endorsement.

Note that, in relation to item 10, although the wording of the two versions is superficially similar, the FRA item makes the explicit statement that "*Israelis behave 'like Nazis' towards the Palestinians*", whereas the IHRA example talks only of 'drawing comparisons' between Israeli and Nazi state policies. Thus, the FRA item is more direct, personalised and severe, describing the way individual

Israelis treat individual Palestinians. As a result, it is likely to be seen as antisemitic by a significantly higher proportion of European Jews than the more abstract IHRA example.

With regard to row 11, holding Jews collectively responsible for the actions of Israel, there is no comparable FRA item that invites respondents to assess whether that attitude is antisemitic. It is known (from other questionnaire items) that the majority of Jews feel, as a matter of fact, that they are liable to be blamed for Israel’s actions, but that does not necessarily imply that they see the attribution of blame as antisemitic. It might, for example, be seen as a natural consequence of Jewish identification with Israel. In any event, the question of whether European Jews regard IHRA example 11 as antisemitic cannot be addressed directly from the 2018 FRA survey data.

#### 4.1.2 What proportion of the survey respondents can be regarded as agreeing with the IHRA examples (in the cases where there is concordance between the IHRA examples and FRA items)?

The EC claims that the IHRA examples represent what the “majority” (or “vast majority”) of European Jews “regard” as antisemitic. This raises the question of whether a respondent who considers an IHRA example to be ‘probably’ antisemitic (as opposed to ‘definitely’ antisemitic) should count towards that majority.

Including items not seen as *definitely* antisemitic could be said to compromise the specificity<sup>45</sup> of the definition. On the other hand, it could be argued that judging an item to be *probably* antisemitic should be sufficient to constitute its endorsement for definitional purposes, particularly as the IHRA definition requires the additional test that the “overall context” be taken into account.

Establishing an appropriate threshold for an attitude to be treated as antisemitic is an important issue of principle. However, in the case of the 2018 FRA survey, each of the items that is a reasonable match to one of the IHRA examples is seen as ‘definitely antisemitic’ by a majority (see below). Hence, the question of whether to count the ‘probably antisemitic’ judgements as contributing to majority support is not crucial here.

The list below (taken from Table 1) shows the three relevant FRA items, but note that, as discussed above, the third item corresponds only to one element of its IHRA counterpart.

| 2018 FRA item                                      | % Response             |                                   |
|--|------------------------|-----------------------------------|
|  | Definitely antisemitic | Definitely + probably antisemitic |
| Holocaust is a myth/exaggerated                    | 83%                    | 95%                               |
| Jews have too much power (economy/politics/media)  | 68%                    | 92%                               |
| Jews exploit Holocaust victimhood for own purposes | 71%                    | 92%                               |

<sup>45</sup> I.e. the capacity of the definition to exclude people who are not antisemitic. A good definition is highly sensitive (captures nearly all those who are antisemitic) and highly specific (excludes nearly all those who are not antisemitic). A poor definition may be highly sensitive (captures all antisemites), but at the expense of failing to exclude non-antisemites (low specificity).

### 4.1.3 Do the FRA findings validate the EC's claim that the IHRA examples of antisemitism reflect the views of the vast majority of European Jews?

The conclusion to be reached is that, based on the 2018 survey data, only two (and part of a third) of the eleven IHRA examples are clearly endorsed by the majority of European Jews. A further two are of dubious status in the sense that the wording of the relevant FRA items is too remote from the IHRA counterparts to provide valid evidence.

Thus the EC's assertion that the 2018 FRA survey shows that the eleven examples attached to the definition "reflect what the vast majority [of Jewish Europeans] perceives as antisemitic"<sup>46</sup>, is not tenable.

#### *The Israel-related examples*

With regard to the seven IHRA examples of antisemitism related to Israel, only one is represented in the 2018 FRA survey (drawing comparisons between contemporary Israeli policy to that of the Nazis)<sup>47</sup>. However, for the reasons set out in section 4.1.1, the FRA item cannot be used to assess likely support for its IHRA counterpart. Hence, the survey data do not provide evidence of European Jewish endorsement of the Israel-related IHRA examples of antisemitism.

#### *Qualification*

Of course, it may be that all of the IHRA examples of antisemitism do, in fact, reflect the views of the majority of European Jews. But the EC's claim that the 2018 FRA survey demonstrates such endorsement cannot be sustained. As a result, its additional claim<sup>48</sup> that the IHRA definition is "evidence based" is also untenable based on the data relied upon by the European Commission.

## 4.2 Claim 2: Does the 2018 FRA survey support the EC's claim that Israel-related antisemitism is the most common form of antisemitism?

### 4.2.1 The nature of the claim

As noted earlier, this claim is sometimes limited in scope, referring only to the predominance of Israel-related antisemitism on the internet. For example, the 2021 EU Strategy on combating antisemitism claims that Israel-related antisemitism is "the most common form of antisemitism encountered online by Jews in Europe today"<sup>49</sup>. It references the 2018 FRA survey in support of this claim.

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<sup>46</sup> "Definition of antisemitism", European Commission, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/definition-antisemitism_en).

<sup>47</sup> In addition, one of the seven Israel-related IHRA examples (item 4) is a hybrid anti-Jewish and anti-Israel statement. Only the Jewish component is tested in the FRA survey.

<sup>48</sup> See: <https://twitter.com/kschnurbein/status/1588409440998334464> and [https://www.europarl.europa.eu/doceo/document/E-9-2021-002810-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2021-002810-ASW_EN.html).

<sup>49</sup> See footnote 43.

On the other hand, a second form of the argument is that Israel-related antisemitism is the most common form of antisemitism *from all sources*. Thus, Katharina von Schnurbein cites the 2018 FRA survey as evidence for the general claim, without any qualification as to the context in which the Israel-related antisemitism is encountered (see 5 sub-paragraph (ii)).

To test either variant of this claim, it is first necessary to determine the meaning of the phrase “most common form of antisemitism”. This could be taken to mean that Israel-related antisemitism is more common than *all other forms of antisemitism combined* – a relatively bold claim. Or its meaning might be more modest – that Israel-related antisemitism is more common than *any other individual form of antisemitism* such as ‘Holocaust denial’ or ‘Jewish control of the media’.

As it turns out, it is not necessary to take a view on the intended meaning of the claim because there is insufficient evidence from the 2018 FRA survey to test either version. The survey does not attempt to assess the prevalence of categories of antisemitism (whether narrow or wide) in any systematic way, nor was it set up to do so. Hence the question of whether one generic category is more common than another cannot be addressed directly from the survey data. However, the survey does provide data on the prevalence of a few individual antisemitic statements. I have used this, together with some other loosely relevant evidence, to provide a rough guide to the credibility of the EC’s claim that Israel-related antisemitism is the dominant form.

#### **4.2.2 What is the evidence from the 2018 FRA survey (and elsewhere) on the prevalence of Israel-related antisemitism?**

I first summarise a few pieces of factual evidence gleaned from the FRA survey and elsewhere. Note that the relevance and reliability of these pieces of evidence is considered in the following section, not here.

##### *(i) The prevalence of eight attitude statements*

Of the fourteen statements and behaviours that were assessed for their perceived antisemitic impact in the 2018 survey, only the first eight were also examined for prevalence. Table 2 shows the percentage of respondents who reported seeing or hearing each of these eight statements ‘occasionally’, ‘frequently’ or ‘all the time’ in the twelve months preceding the survey. As shown in the table, two of the eight statements (in bold) are related to Israel and are in rank positions 1 and 5 in terms of the proportion of respondents who had encountered them.

**Table 2: Percentage of all respondents seeing/hearing each opinion ‘occasionally’, ‘frequently’ or ‘all the time’ in the past twelve months (averaged across all countries sampled)**

|  | %         |
|--|-----------|
| <b>Israelis behave “like Nazis” towards the Palestinians</b>   | <b>81</b> |
| Jews have too much power in [COUNTRY] (economy, politics, media)                                       | 76        |
| Jews bring antisemitism on themselves  | 72        |
| Jews exploit Holocaust victimhood for their own purposes   | 69        |
| <b>The world would be a better place without Israel</b>  | <b>64</b> |
| The Holocaust is a myth or has been exaggerated  | 61        |
| The interests of Jews in [COUNTRY] are very different from the interests of the rest of the population | 59        |
| Jews are not capable of integrating into [COUNTRY NATIONAL] society                                    | 40        |

(ii) *Frequency of mentioning Israel-related antisemitism in respondents’ verbatim comments*

Respondents to the 2018 FRA survey were invited to make comments on any aspect of the questionnaire in the final section. Of the 80+ verbatim comments that were selected for inclusion in the report, there appear to be only two that explicitly mention antisemitic experiences related to Israel, whilst large numbers refer to stereotypical antisemitic jibes concerning Jewish wealth, control and self-aggrandisement, as well as personal insults or the use of the word ‘Jew’ as a term of abuse.

(iii) *Prevalence of antisemitism on the internet*

The FRA survey report shows (p. 22) that antisemitism on the internet (including social media) is perceived to be a somewhat bigger problem than antisemitism found in other settings (e.g., public places, cemeteries, graffiti...). The report also shows (p. 27) that the internet is the most common context in which respondents come across antisemitic statements of all kinds. There is, however, no data on the proportion of such internet-based antisemitism that is Israel-related.

(iv) *Impact of Israel’s actions on respondents’ feelings of safety or likelihood of being blamed*

As evidence for the assertion that Israel-related antisemitism is the most common form of *online* antisemitism, the EU strategy on combating antisemitism cites<sup>50</sup> the FRA findings that 69% of respondents feel unsafe as a result of the Arab-Israeli conflict and that 79% feel they are liable to be blamed for Israel’s actions<sup>51</sup>. However, the survey does not provide data on the frequency with which respondents say they are actually threatened or blamed.

<sup>50</sup> “The EU Strategy on Combating Antisemitism and Fostering Jewish Life”, European Commission, op. cit., see p. 4, footnote 22.

<sup>51</sup> “Experiences and perceptions of antisemitism - Second survey on discrimination and hate crime against Jews in the EU”, op. cit., p. 43.

(v) *Evidence from other sources*

Although the issue being considered here relates specifically to evidence from the 2018 FRA survey, it is worth noting that the 2022 CST survey of antisemitic incidents in the UK<sup>52</sup> recorded 1,652 antisemitic incidents, of which 244 (15%) were related to Israel. The equivalent data for 2021 and 2023 were 37% and 43% respectively. In both these years, the numbers were boosted by spikes in Israel-related incidents during military confrontations with Hamas. Thus, in 2021 the relevant percentages averaged 13% for ten months, but hit 74% during the military period and its aftermath (May-June)<sup>53</sup>. In 2023, the percentage of Israel-related incidents was 19% (pre-October 7), rising to 56% (post-October 7)<sup>54</sup>.

### 4.2.3 Do the FRA data support the EC's claim that Israel-related antisemitism is the dominant form?

As can be seen from the above data, the direct evidence on the prevalence of Israel-related antisemitism *as a general category* is sparse. Considering each source of evidence in turn:

The data (at (i) above) on eight specific antisemitic statements show that one of the two Israel-related statements is slightly more prevalent than the others, and one falls in rank position 5 (the mean rank position of the Israel-related statements is therefore 3 out of 8). This does not demonstrate the predominance of Israel-related forms of antisemitism. But, in any case, it would have been impossible to generalize from this small sample of statements<sup>55</sup>.

The verbatim comments (ii) in the 2018 FRA survey are also an inadequate means of assessing the prevalence of different types of antisemitism, not least because the comments were not solicited in order to measure prevalence, and the criteria for selecting them are unknown. Nonetheless, if Israel-related antisemitism was the most common manifestation of anti-Jewish feeling, it is surprising that only two examples were included in more than 80 comments that cited many other instances and experiences.

The survey evidence cited under (iii) does show that online communication is seen as the most common and worrying source of antisemitism. But the survey does not examine the nature of the antisemitism experienced online or assess whether it is Israel-related. The data are silent on that critical point.

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52 "Antisemitic Incidents 2022", CST, <https://cst.org.uk/public/data/file/e/6/CST%20Incidents%20Report%202022.pdf>.

53 These are estimates based on partial data included in the "Antisemitic Incidents 2021" CST report, <https://cst.org.uk/data/file/f/f/Incidents%20Report%202021.1644318940.pdf>.

54 "Antisemitic Incidents 2023", CST, [https://cst.org.uk/data/file/9/f/Antisemitic\\_Incidents\\_Report\\_2023.1707834969.pdf](https://cst.org.uk/data/file/9/f/Antisemitic_Incidents_Report_2023.1707834969.pdf).

55 In arguing for the predominance of Israel-related forms of antisemitism, Katharina von Schnurbein focuses on the one item at the head of the prevalence list (see 4 (ii)). This takes no account of the unknown representativeness of this small, list, nor of the fact that another Israel-related item is in position five.

The FRA data cited by the EU (at (iv) above) are also irrelevant to the claim that Israel-related antisemitism is the most common form of *online antisemitism*. First, whilst the data show that a majority of respondents feel unsafe and liable to be blamed for Israel's actions, it may be that a majority (perhaps even a larger majority) feel unsafe in relation to other triggers for antisemitism. Second, even if more European Jews did feel at risk due to the fall-out from Israel's actions than from any other source, this would not imply that Israel-related antisemitism is more common, only that it is perceived to be more dangerous. Third, in any event, the EC cites the data on feelings arising from Israel's actions as evidence for the predominance of *online manifestations* of Israel-related antisemitism. However, the data relied on by the EC are not derived from the respondents' online experiences, so they are irrelevant to that claim.

The CST data (at (v) above) are not technically relevant to the EC's assertions about the FRA survey evidence. However, as noted in section 3.3.1, the FRA acknowledges that the examples of antisemitism included in their questionnaire do not represent a comprehensive inventory of antisemitic statements and actions. Hence, they are of limited value in seeking to assess the relative frequency of Israel-related and other forms of antisemitism. On the other hand, the CST does attempt to combine all manifestations of antisemitism as reported to it, and their data does show a relatively weak representation of Israel-related cases, albeit within the UK. Over a three-year period, the base level of Israel-related incidents seems to fluctuate between 13% and 19%, although there are dramatic increases to 50%-80% during periods of war. The patterns of prevalence of various types of antisemitism may, of course, be different in other countries.

#### **4.2.4 Does the 2018 FRA data support the EC's assertion that Israel-related antisemitism is the predominant form?**

Overall, the FRA data provide no significant evidence to support this claim. This is true whether the alternative to Israel-related antisemitism is defined as "all other forms of antisemitism" or "a particular form of antisemitism" and whether the claim relates specifically to online manifestations of antisemitism or to antisemitic experiences in general. A focused survey of the prevalence of different forms of antisemitism across Europe would be required to test the EC's claim. Such a study would need to be repeated, as the main triggers for antisemitic incidents are likely to vary through time, particularly those related to Israel's actions and policies.

# 5. Could the 2023 FRA survey fill the evidence gap?

## 5.1 What are the goals of the 2023 survey?

In March 2022, the FRA issued a tender for a third survey of Jewish experiences of discrimination and hate crime to be conducted in 2023. The tender document envisaged that the third survey will be modelled on the 2018 version with agreed improvements, but that its format should allow for data to be provided on trends in the experience of antisemitism through time. The tender also specified that an attempt should be made to improve the representativeness of the sample with respect to age, gender, geographical distribution and communal affiliation, specifically increasing the representation of non-affiliated Jews.

It is clear from the tender document that the main aim of the 2023 survey is to measure experiences of antisemitism<sup>56</sup> and apparently *not* to test the validity of the IHRA examples as indicators of antisemitism. Accordingly, the tender document did *not* call for further evidence on whether the attitudes/behaviours set out in the examples attached to the IHRA definition are regarded as antisemitic by European Jews.

## 5.2 Can the 2023 FRA survey be used to assess European Jewish endorsement of the IHRA examples?

### 5.2.1 Overlap between the IHRA examples and the 2018/2023 FRA survey items

This section considers only the wording of the examples of antisemitism examined in the 2018 and 2023 surveys, without exploring the questions that the respondents were asked to address about each one.

As shown in table 3, the 2023 survey included many more of the IHRA examples of antisemitism than did the 2018 survey: ten out of the twelve FRA items had some overlap with the IHRA examples. Of these ten, eight of the FRA items had sufficient overlap to be used (potentially) to provide a rough assessment of levels of agreement with their IHRA counterparts. In comparison, only three out of eleven items in the 2018 FRA survey had a similar degree of overlap.

The 2023 survey included two new items not directly related to the IHRA examples (rows 12, 13), as well as six other items outside the IHRA definition that also featured in the 2018 survey (see rows 13 - 18 in Table 1).

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<sup>56</sup> “Tendering specifications (Part 2) Technical”, p. 6 (section 3.1), p. 8 (section 3.3), March 2022, <https://etendering.ted.europa.eu/document/document-old-versions.html?docId=114469>.



**Table 3: IHRA examples of antisemitism compared with items included in the 2018 and 2023 FRA surveys**

| Examples attached to IHRA definition  | 2018 FRA items   | 2023 FRA items   |
|---|--|--|
| 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.   |  | Incitement of violence against Jews  |
| 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. | Jews have too much power in [COUNTRY] (economy, politics, media)                                       | Negative stereotypes such as accusing Jews of holding global power and control over finance, media, politics or economy                        |
| 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.  |  | Conspiracy theories about Jews being held responsible for events they have not caused or done (e.g. corona, 9/11, war, blood libel accusation) |
| 4 Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.  | Jews exploit Holocaust victimhood for their own purposes   | Accusation of Jews exploiting the Holocaust victimhood   |
| 5 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)  | The Holocaust is a myth or has been exaggerated  | Holocaust denial/trivialisation or distortion of historical facts (e.g. minimising or blaming the Jews for the Holocaust)                      |
| 6 Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.   | The interests of Jews in [COUNTRY] are very different from the interests of the rest of the population | Questioning the loyalty of Jewish citizens towards [COUNTRY]   |
| 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.  |  | Denying Israel the right to exist as a State   |
| 8 Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.  |  | Applying double standards to Israel’s government when comparing to other democratic States   |

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.

|   |   |  |
|---|---|--|
| 10 Drawing comparisons of contemporary Israeli policy to that of the Nazis. | Israelis behave “like Nazis” towards the Palestinians | Comparing Israel’s policy to the Nazi policy |
|---|---|--|

|  |  |   |
|--|--|---|
| 11 Holding Jews collectively responsible for actions of the state of Israel. |  | Holding Jews collectively responsible for actions of Israel |
|--|--|---|

*Survey items added in 2023 not covered by examples IHRA definition*

|   |  |  |
|---|--|--|
| 12 Other forms of antisemitism, e.g. antisemitic insults, expressions, other stereotypes of Jewish people |  | Other forms of antisemitism, e.g. antisemitic insults, expressions, other stereotypes of Jewish people |
|---|--|--|

|   |  |  |
|---|--|--|
| 13 Negative stereotypes regarding alleged physical attributes of Jews |  | Negative stereotypes regarding alleged physical attributes of Jews |
|---|--|--|

Examining Table 3, it can be seen that the 2023 questionnaire items are not a perfect match to their IHRA counterparts; some have a more narrow focus (e.g., 3), while others lack the nuance of the relevant IHRA example (e.g., 5). Nonetheless, as noted, eight items (1, 2, 4, 6, 7, 8, 10, 11) provide a sufficiently faithful representation of the IHRA examples in terms of both wording and semantics to act as proxies for those examples, in whole or in part. This is the first FRA survey to cover more than half of the examples attached to the IHRA definition, including four close matches to the Israel-related examples (7, 8, 10, 11).

## 5.2.2 Did the 2023 FRA survey assess the level of respondents' agreement with the IHRA examples?

It follows from the overlap analysis, that the 2023 survey could have been used to provide a rough assessment of whether European Jews see the IHRA examples as indicators of antisemitism. However, unlike the 2018 survey (see 3.3.2), the 2023 version does not ask respondents to judge whether, or to what extent, the proxy IHRA items actually express antisemitic attitudes or behaviours. Rather, the question posed to the respondents simply presumes that the items are expressions of antisemitism and asks respondents to report whether they have experienced them. The question preceding each of the items in Table 3 reads:

“In the PAST 12 MONTHS, did you encounter any of the following forms of antisemitism ONLINE or IN PERSON in [COUNTRY]?”

- Yes, online (on the internet)
- Yes, in person, (e.g. in public spaces, school, work, on buildings, in printed materials etc.)
- No, I did not encounter this”

Thus, while the 2023 survey can provide data on whether the respondent has encountered the specified attitude or behaviour, it cannot be used to determine whether he or she agrees that the example is actually antisemitic. The fact that the various items are labelled as ‘forms of anti-semitism’ cannot be used to infer that the respondent accepts that attribution when reporting that he or she has (or has not) encountered the attitude or behaviour in question.

# **Summary and conclusions**

## 6. Summary and conclusions

- (i) In May 2016, the IHRA adopted a “working definition of antisemitism”. Attached to this definition was a set of eleven examples of attitudes and behaviours deemed to be antisemitic. The EC has claimed that these examples of antisemitism are endorsed by the vast majority of European Jews and that a survey of experiences and perceptions of antisemitism conducted by the FRA in 2018 substantiates this claim.
- (ii) In this report, I have endeavoured to assess the reliability of the 2018 FRA survey findings, and to determine whether those findings do, in fact, support the claim that the majority of European Jews endorse the IHRA examples.
- (iii) In my view, the 2018 FRA survey was methodologically sound and achieved high standards in terms of its design and its approach to data collection and analysis. The survey was subject to various methodological limitations that are inevitable in Jewish survey research and these may have had a small effect on the accuracy of the findings. The survey provides estimates of the percentage of European Jews who consider certain actions or behaviours to be antisemitic. These estimates are unlikely to depart from the ‘true’ percentages by more than a few percentage points.
- (iv) The 2018 FRA survey was not set up to assess whether European Jews consider the IHRA examples to be antisemitic. Of the eleven IHRA examples, only two overlapped sufficiently with items in the FRA survey for those FRA items to be used to assess whether the IHRA versions were seen as antisemitic. In addition, a third IHRA example was found to mirror one part of an item in the FRA survey. In these three cases, the survey findings support the EC’s claim that the IHRA examples are considered antisemitic by the majority of European Jews. In the remaining eight cases, the survey did not include suitable matches to the IHRA examples and hence could not provide evidence that European Jews endorse those examples.
- (v) Seven of the eleven IHRA examples are in some way related to Israel. None of these examples have adequate counterparts among the 2018 FRA survey items. Hence, the survey provides no evidence to support the EC’s claim that the Israel-related IHRA examples reflect European Jewish perceptions of antisemitism.
- (vi) The EC has also claimed that the 2018 FRA survey demonstrates that Israel-related manifestations of antisemitism are encountered more frequently by European Jews than any other form. However, the survey does not provide any direct evidence on how frequently European Jews experience different categories of antisemitism. It does assess the prevalence of eight specific examples of antisemitism, but these data do not provide reliable evidence that Israel-related antisemitism is the dominant form.
- (vii) In summary, this analysis does not negate the claim that the examples of antisemitism attached to the IHRA definition reflect the views of the majority of European Jews. Nor does it negate the claim that Israel-related forms of antisemitism are encountered more often than any other form. Both claims remain open. The analysis does negate the EC’s assertion that these two claims are substantiated by evidence from the 2018 FRA survey.
- (viii) A further FRA survey, conducted in 2023, contains examples of antisemitism that are far more closely matched to the IHRA examples than the items included in the 2018 survey. However, in this recent survey (yet to be published), the respondents were not asked to assess whether the items were antisemitic. Hence, the FRA 2023 survey cannot be used to determine whether European Jews endorse the examples of antisemitism attached to the IHRA definition.

# Annex 1

## Selected statements of the European Commission regarding FRA surveys and the IHRA definition of antisemitism

*(italics added | not exhaustive)*

### **(1) Commission webpage “Definition of antisemitism”**

undated ([link](#))

“The non-legally binding working definition of the International Holocaust Remembrance Alliance (IHRA) is an essential tool for the Commission’s work on tackling antisemitism. *The Fundamental Rights Agency (FRA) survey among Jewish Europeans shows that the examples in the definition reflect what the vast majority perceives as antisemitic.* The Commission considers the victims’ perspective as an important starting point in tackling all forms of racism and hatred.”

### **(2) Speech by Commissioner Jourová at the Jewish Museum of Belgium**

22 January 2019 ([link](#))

“I am convinced that Antisemitism cannot be defeated if it cannot be defined. Therefore, already in January 2017 I endorsed the IHRA working definition as a basis for our work on countering Antisemitism. The definition outlines the wide variety of ways in which antisemitism is expressed today: from traditional racist ideology, to conspiracy theories, left, right and centre, to antisemitism coming from within the Muslim community or hiding behind anti-Zionism. *The [2018] FRA survey confirms that these examples are congruent with what the vast majority of respondents see as antisemitic.*”

### **(3) Answer by Commissioner Jourová on behalf of the European Commission**

31 January 2019 ([link](#))

“The Commission is determined to fight antisemitism in all its forms. The working definition on antisemitism as adopted unanimously by the International Holocaust Remembrance Alliance (IHRA)<sup>2</sup> is a useful non-legally binding tool to recognise antisemitism, whether right-wing, left-wing, coming from within religious communities or from other sections of society. *Furthermore, the [2018] FRA survey shows that the examples of the IHRA definition reflect what the vast majority of respondents perceive as antisemitic.*<sup>3</sup> The Commission considers that the victims’ perspective is an important starting point in the fight against any form of racism and hatred.”

<sup>2</sup> 25 of the 32 IHRA Members are EU Member States.

<sup>3</sup> FRA survey (2018), figures 5 and 6, p. 25.

### **(4) Answer given by Vice-President Schinas on behalf of the European Commission**

19 May 2020 ([link](#))

“The International Holocaust Remembrance Alliance (IHRA) definition, including its examples of antisemitism, is an important tool for the Commission’s work on tackling antisemitism. *The 2018 Fundamental Rights Agency (FRA) survey among Jewish Europeans<sup>1</sup> shows that the examples in the definition reflect what the vast majority of the Jews surveyed perceive as antisemitic.* The Commission considers the victims’ perspective as an important starting point in tackling all forms of racism and hatred.”

<sup>1</sup> <http://fra.europa.eu/en/publication/2018/2nd-survey-discrimination-hate-crime-against-jews>

## **(5) Answer given by Vice-President Schinas on behalf of the European Commission**

5 June 2020 ([link](#))

“The International Holocaust Remembrance Alliance definition, including its examples of antisemitism, is an important tool for the Commission’s work on tackling antisemitism. *The 2018 Fundamental Rights Agency survey among Jewish Europeans<sup>2</sup> shows that the examples in the definition reflect what the vast majority of the Jews surveyed perceive as antisemitic.* The Commission considers the victims’ perspective as an important starting point in tackling all forms of racism and hatred.”

<sup>2</sup> <http://fra.europa.eu/en/publication/2018/2nd-survey-discrimination-hate-crime-against-jews>

## **(6) Answer given by Vice-President Schinas on behalf of the European Commission**

16 July 2020 ([link](#))

“The International Holocaust Remembrance Alliance (IHRA) definition<sup>1</sup> is the basis for the Commission’s work on tackling antisemitism. *The Fundamental Rights Agency (FRA) survey among Jewish Europeans<sup>2</sup> shows that the examples in the definition reflect what the vast majority perceives as antisemitic.* The Commission considers the victims’ perspective as an important starting point in tackling all forms of racism and hatred.”

<sup>1</sup> <https://www.holocaustremembrance.com/working-definition-antisemitism>

<sup>2</sup> <http://fra.europa.eu/en/publication/2018/2nd-survey-discrimination-hate-crime-against-jews>

## **(7) Answer given by Vice-President Schinas on behalf of the European Commission**

16 July 2020 ([link](#))

“The Commission regards the non-legally binding International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, including its examples, as an important tool for its work on tackling antisemitism. *The 2018 Fundamental Rights Agency (FRA) survey among Jewish Europeans<sup>1</sup> shows that the examples in the definition reflect what the vast majority of the Jews surveyed perceive as antisemitic.* The Commission considers the victims’ perspective as an important starting point in tackling all forms of racism and hatred.”

<sup>1</sup> <http://fra.europa.eu/en/publication/2018/2nd-survey-discrimination-hate-crime-against-jews>

## **(8) Answer given by Vice-President Schinas on behalf of the European Commission**

10 August 2021 ([link](#))

“The Commission will present the first-ever comprehensive strategy on combating antisemitism and fostering Jewish life in the EU before the end of 2021. *The strategy will be based on a number of surveys and studies that provide evidence and data for the development of evidence-based policies<sup>1</sup>.* The new strategy will seek to further enhance data collection and monitoring on antisemitic incidents as well as on policies to combat antisemitism across the EU.”

<sup>1</sup> The 2018 survey by the EU Agency for Fundamental Rights on discrimination and hate crime against Jews: <https://fra.europa.eu/en/publication/2018/experiences-and-perceptions-antisemitism-second-survey-discrimination-and-hate>

## **(9) Q&A EU Strategy on combating antisemitism and fostering Jewish life**

5 October 2021 ([link](#))

“Since 2017, the Commission has been using the non-legally binding working definition of antisemitism of the International Holocaust Remembrance Alliance (IHRA definition) as a practical guidance tool and a basis for its work to combat antisemitism. The IHRA definition is the benchmark for promoting a rights-based and victim-centred approach. [...] *Manifestations of antisemitism might include Israel-related antisemitism, the most common form of antisemitism encountered online by Jews in Europe today.*”

## **(10) Answer given by Vice-President Schinas on behalf of the European Commission**

25 January 2022 ([link](#))

“[T]he Commission welcomed all constructive contributions to fighting antisemitism and *recalled that the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism is regarded as the benchmark, as it reflects the view of the large majority of European Jews.*”

## **(11) Thread on X (formerly Twitter) by European Commission Coordinator on combating antisemitism Katharina von Schnurbein**

4 November 2022 ([link](#))

“Allow me to explain why the #EU uses @TheIHRA WD.

1. We *believe in evidence based policy making*. Therefore @EURightsAgency has asked 16.500 Jews in Europe about their experience and perceptions of antisemitism in 2018.
2. We pursue a victims-based approach. *The IHRA WD reflects what the vast majority of European Jews regards as antisemitic.*
3. This includes *Israel-related antisemitism. In fact, it is the form of antisemitism that European Jews encounter most.* [...]”

## **(12) Commission Newsletter “Towards an EU free from antisemitism” (Nr. 50)**

31 March 2023 ([link](#))

“Ms. von Schnurbein also stressed the need to take into consideration *the victim’s perspective which is according to surveys best reflected in the International Holocaust Remembrance Alliance’s working definition of antisemitism*. She said: ‘While Holocaust related antisemitism is seen by Jews as the most pernicious form, *Israel related antisemitism is the form that Jews encounter most online*. Any definition that omits Israel-related antisemitism therefore misses the point.’”



