

Visit of the Personal Representatives of the Chair-in-Office to Canada Report

15-16 October 2009, Ottawa and Toronto

I- Meetings with government officials

Interdepartmental Roundtable hosted by CIC Citizenship and Multiculturalism

The roundtable, hosted by Justine Alanan, Director, Multiculturalism Policy (replacing the Director General) comprised a succession of presentations on 11 different policies relevant to tolerance and non-discrimination. The presentations gave the Personal Representatives an opportunity to discuss concrete issues related to integration of immigrants, data collection on hate crimes, the national action plan against racism, and equality in employment.

Multiculturalism and Canada's Action Plan Against Racism

The Chair introduced the Roundtable by mentioning that the heart of Canadian diversity was infolded by three pillars: the existence of the aboriginal heritage (4.4% of the population), linguistic duality, and increasing religious and ethnic diversity. She illustrated the issue of increasing religious diversity by mentioning that between the 1991 and the 2001 census the number of Buddhists, Sikhs, Hindus, Muslims and Christians other than Protestants and Catholics had increased by between 80% and 120%. She also gave an overview of the evolution of the narratives of Canadian diversity, and how they have undergone important changes since their inception, moving from "celebrating differences" in the 1970s to "inclusive citizenship" today. She concluded by saying that although there have been concerns in many Western countries about the perceived failure of multiculturalism, it was seen as successful in Canada. A few indicators of this success were the higher level of acceptance of immigrants by Canadian society, the greater opportunities to participate in political processes through Canadian citizenship, the better educational results of children of immigrants in Canada compared to other countries and the lesser extent of anti-Muslim sentiments in Canada.

The legal framework of Multiculturalism in Canada

The presenters stressed that ensuring and promoting equality in Canada was grounded in the Charter of Rights and Freedoms and the Canadian Multiculturalism Act (which is assessed on an annual basis in a public report).

The CIC Settlement Programmes

The presenter introduced the evolution of settlement programming from the late 19th century until today, outlining the important shift in the nature and the scope of immigration to Canada. The settlement programme is based on the assumption that there is a continuum of integration of every newcomer, from overseas selection to multiculturalism, through arrival, settlement, citizenship.

Canada's Action Plan against Racism

The presenter stressed from the outset that over the last five years, Canada has undergone dramatic demographic changes, with more than 1.2 million immigrants settled permanently in Canada. This quantitative change was reinforced by qualitative change: 75% of new immigrants arriving between 2001 and 2006 belonged to a visible minority group. Surveys demonstrated that a substantial number of immigrants had experienced discrimination. Therefore, the need to set up specific policy measures in order to promote successful integration was reinforced. Combating discrimination and intolerance was done in the framework of a National Action Plan designed after the Durban World Conference Against Racism in 2001. The Action Plan was established in 2005 after extensive consultations, a broad scale survey on diversity and intolerance (2002), and an analysis of the gaps in federal institutions and programmes. The Action Plan was developed as an integrated approach of all federal institutions to combat racism that was granted substantial financial resources (\$11.5 million/year).

The Action Plan intended to address, in particular, hate crimes, law enforcement and race-based issues in the justice system.

In the area of hate crimes, the Action Plan included the Nationally Standardized Data Collection Strategy on Hate-Motivated Crime Initiative, in partnership with the Canadian Centre for Justice Statistics, Statistics Canada. Statistics Canada works closely with police services from across the country to collect data on the nature and extent of hate crimes that come to their attention. Project objectives include police officer training, data collection, verification, analysis and public dissemination of results.

The presenter stressed that, although evaluation was built in the programmes, it had specific challenges, such as the evolving nature of racism, the difficulty to measure change in behaviour or attitudes.

Muslim Communities Working Group

Department of Foreign Affairs and International Trade Canada

The presenter gave an overview of the background leading to the establishment of the Working Group, its mandate and a few examples of activities it carries out. The Working Group was established in 2005 within the Department of Foreign Affairs and International Trade with a view to co-coordinating activities with the countries of the Muslim world. She contended that activities of the Working Group were based on a two pronged approach: collecting, analyzing and sharing information on Muslim communities abroad with the relevant authorities, developing and implementing projects aimed at promoting human rights and democratic governance in Muslim communities abroad. She mentioned a recent project that involved broadcasting in Afghanistan testimonies of Afghan women living in Canada.

The Personal Representatives were impressed by this initiative since it combined a broad policy approach and concrete tools and projects.

Public Safety Canada, Cross Cultural Roundtable on Security

The Director of the Roundtable gave a presentation on the origin, the aims and the modus operandi of the Roundtable on Security. The Roundtable was created in 2005 to engage Canadians and the Government of Canada in a long term dialogue on matters related to national security. The roundtable is composed of 15 members of civil society, who have shown leadership in their communities. The Roundtable meets formally three times per year; members are also encouraged to conduct outreach activities in their communities. Since its creation, the Roundtable has examined and provided feedback to the Government in a number of policy and program areas including: border, marine and airport security; cultural and sensitivity training; the Anti-Terrorism Act review; security certificates; radicalization; and, the financing of terrorism and organized crime. The governmental authorities involved in the roundtable discussions were, under the leadership of Public Safety, primarily Justice Canada, as well as RCMP, CSIS, CBSA, Transport Canada, Citizenship and Immigration Canada, and Foreign Affairs and International Trade.

The Personal Representatives expressed appreciation for establishing such a consultative mechanism and showed interest in the selection criteria for the members of the Roundtable. The representatives from Public Safety Canada stressed that the Roundtable members are nominated by the Ministers of Public Safety and Justice based on their expertise and community linkages and not because they were representing the interests of a specific community. The organizers hoped to gain a better insight on the opinion and reactions of those living in the midst of the Canadian society.

Minister Jason Kenney Minister of Citizenship, Immigration and Multiculturalism

Minister Kenney assured the Personal Representatives of his support for their important work. He mentioned, in particular, the engagement of the Canadian government to combat anti-Semitism, racism and xenophobia, as well as intolerance against Muslims. He expressed interest in being directly informed about the activities of the Personal Representatives and of ODIHR.

The possibility of organizing a High Level Conference on Tolerance and Non-Discrimination in 2010 was discussed. Minister Kenney remarked that, in the case such a decision would be made by the organization, great care should be devoted to defining the objectives and the content of the Conference.

Mr. Mauro mentioned the issue of teaching of 'Ethics and Religious Culture' in the province of Quebec. The program was mandated by the Quebec Ministry of Education for all children between grades 1 and 11 as of the 2008-2009 school year. Mr. Mauro mentioned that a number of requests for exemptions have been submitted by parents to the Ministry, and that all have been refused. Minister Kenney acknowledged that this was a delicate issue, and that the province of Quebec had full autonomy to decide on these issues.

Justice Canada, Department of Justice Group on Hate Crime

The presentation started with an overview of the legal framework with regards to hate crimes. Hate propaganda (i.e. hate speech) is addressed through sections 318 and 319 of the Criminal Code and hate crime (i.e. regular crimes committed because of hate) largely through the sentencing provision set out in section 718.2(a). Section 318(1) refers to the crime of advocating or promoting genocide against an "identifiable group"; section 319(1) refers to the crime of inciting hatred against an identifiable group in a public place likely to cause a breach of the peace; and section 319(2) refers to the crime of willfully promoting hatred against an identifiable group. These three hate propaganda offences make use of the term "identifiable group" which is defined as "any section of the public distinguished by colour, race, religion, ethnic origin, or sexual orientation". Also, by section 320.1 a judge may order the deletion of hate propaganda made available to the public through a computer system.

The presenter stressed that the Parliament of Canada had set a very high threshold for a successful prosecution under section 319(2) of the Code. For example, it requires that the consent of the relevant provincial Attorney General be obtained before a prosecution can be commenced. This consent must also be obtained for a prosecution under section 318(1) of the Code.

Two legal documents provided the framework to address hate speech: the article 13 of the Canadian Human Rights Act (introduced in 1985) and sections 319-320 of the Criminal Code of Canada. The presenter stressed that the legislator had set a very high threshold for a successful prosecution under article 13, since it required the consent of the Attorney General to justify a limitation to freedom of speech.

Section 718.2(a) of the Criminal Code provides that courts, when considering what sentence to impose in relation to any crime, must take into consideration certain aggravating factors, including, in s. 718(2)(a)(i), evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.

Additionally, subsection 430(4.1) of the Criminal Code makes it a specific crime to commit mischief (i.e. vandalize) property primarily used for a religious purpose if the mischief was motivated by bias based on religion, race, colour or national or ethnic origin.

A discussion with Rabbi Baker on the effectiveness of prosecution of hate speech revealed that there had been little use of the hate speech provisions. However the representative of Justice Canada stressed that the legislation has an important social role, since it publicly denounces such conduct.

The Department of Justice presented an initiative called Interventions for Victims and Perpetrators of Hate Crimes. The initiative included an analysis of the needs of victims of hate-motivated crimes. The initiative Countering Internet-Based Hate Crimes explored the development of tools for reporting on-line hate.

II- Meetings with civil society

Mr. Mauro met with representatives of the National Anti-Racism Council of Canada. The discussion centered on the issue of hate crimes, racial profiling and in general, of challenges met by civil society. The representative contended that victims of hate crimes who were not affiliated with Jewish or Muslim, and Arab communities had difficulties to find support within civil society. Therefore, the Council started an initiative aimed at monitoring and reporting hate crimes. The project had to be discontinued for lack of funding.

The issue of racial profiling, its increase after 9/11, was mentioned as well. Main victims of profiling were said to be aboriginal peoples, black people and people of Arab origin. The organization provided advice and legal counseling for people targeted by acts of discrimination.

Rabbi Baker remained in Ottawa and met with Eric Vernon, Director of the office of the Canadian Jewish Congress in the federal capital. Mr. Vernon described the situation confronting the Canadian Jewish community, which had witnessed an unprecedented number of anti-Semitic incidents in recent years. At the same time he noted that the current Government was concerned and engaged with the community in attempting to find ways to confront the problem. Minister Jason Kenney, who had participated in a London Conference on Anti-Semitism organized and hosted by UK Members of Parliament in February 2009, had publicly proposed hosting a follow-up conference in Canada in 2010 as one way to highlight the problem.

Discussion also focused on Article 13 of the Human Rights Act (see above); the Canadian Parliament is currently debating whether to eliminate its hate speech provisions. Mr. Vernon explained that, while this has not been an effective enforcement tool in combating anti-Semitism, the Jewish community supports its retention as a public expression of Canadian values, particularly at a time of heightened intolerance.

While in Ottawa, Rabbi Baker also met with MP Scott Reid, Chair of the Canadian Parliamentary Coalition to Combat Anti-Semitism (CPCCA). Mr. Reid explained that the CPCCA is an ad hoc bi-partisan committee of MPs which was established to evaluate the problem of anti-Semitism in Canada and to hear from experts abroad as to how to better understand the phenomenon and develop ways to combat it. The Committee was in the process of scheduling weekly hearings in Ottawa throughout the fall session, with plans to issue its report and recommendation in 2010. Rabbi Baker was invited to return to Ottawa later in the fall and deliver testimony to the Parliamentary Coalition based on his work as the OSCE Personal Representative on Combating Anti-Semitism. (A copy of this testimony is attached.)

Ambassador Akhmetov cancelled the meeting with a group of NGOs representing Muslim communities. However the Canadian Arab Federation submitted a written contribution, stressing the issue of racial profiling targeting individuals considered as Muslims or Arabs. The Federation also pointed at an apparent increase of racism and hate crimes

directed at Canadians of Muslim or Arab origin. The Federation called for increased response of the government in terms of investigation and prosecution of hate motivated incidents, as well as for increased commitment to end racial profiling and institutional discrimination.

III- List of Annexes

1. Submission by Rabbi Andrew Baker, Personal Representative of the OSCE Chair-in-Office on Combating Anti-Semitism
2. Agenda of the visit

Annexes 1

Submission by Rabbi Andrew Baker Personal Representative of the OSCE Chair-in-Office on Combating Anti-Semitism (Prepared October 19, 2009)

I want to commend MP Scott Reid, Chair of the Canadian Parliamentary Coalition to Combat Anti-Semitism, and MP Mario Silva, Vice Chair of the Coalition and Chair of its Inquiry Panel. I am certain that the work they are undertaking will contribute significantly to understanding and combating anti-Semitism in Canada as well as in countries around the world with whom Canada is connected through multilateral and bilateral relations and whose policies and approach to this problem it may influence. I very much appreciate this opportunity to share with them and with the members of the Coalition some thoughts and reflections on the problem drawn both from my current role with OSCE as well as from long experience in my work with international Jewish communities.

Anti-Semitism in Public Discourse

An essential element of the problem in many countries is the presence of anti-Semitism in public discourse. It is offensive and pernicious in its own right, but it can also contribute to a climate which poses a security threat to Jews and Jewish institutions. The capacity to counter this Anti-Semitism is frequently lacking.

Many European countries have laws which restrict or punish hate speech. They are intended to address incitement to racial or religious hatred which may appear in public speeches, in books, newspapers and other media, and on the Internet. This includes fomenting anti-Semitism and, in some cases, Holocaust denial. Rarely is the problem the legislation itself, but rather it is the infrequent and often unsuccessful record of employing it.

By way of example and drawing from some of my OSCE country visits and other personal experience,

- In Spain there have been only two successful cases of prosecuting Holocaust denial in the last twenty years, and both of them took over seven years to adjudicate. In a country where the Jewish population is less than one one-hundredth of one percent the society is likely to know Jews only from their depictions in the press and media. As it is generally accepted that the Spanish media frequently depicts Israel in a negative light, some officials have suggested that this contributes to the population's low opinion of Jews.
- In Lithuania in 2004, the General Prosecutor opened a case against the publisher, Vitas Tomkus, after his newspaper ran a series of articles entitled "Who Rules the World?" loosely based on the Protocols of the Elders of Zion and illustrated with Nazi-like cartoons. Political leaders, although privately disgusted with the articles, remained publicly silent as the months-long investigation proceeded. A year later,

when the case came to trial Mr. Tomkus was found guilty. But he was not required to appear in court and the \$1,000 fine had little deterrent value to this multi-millionaire publisher. Such articles still appear regularly in his newspapers.

- During this last year the Jewish Community of Greece appealed to a 1979 hate speech law in its case against the author Kostas Plevris, who wrote that the Holocaust is a "profit making myth" invented by the Jews. He was initially found guilty, but the decision was reversed on appeal. In July in an event that underscored faithfulness to Holocaust history, the Greek Foreign Ministry held a public ceremony in Athens where it honored Greek Holocaust survivors.
- In September I sat in the Jewish Community offices in Bucharest while the President of the Jewish Federation described the personal attacks on him in the newspaper of the right-wing Greater Romania Party. Nearly two years have passed since he filed suit, but so far the public prosecutor has not responded. (Ironically, on my first visit to Romania in 1993, I sat in the same room and heard the late Rabbi Moses Rosen describe similar personal attacks on him from the very same newspaper.) I met later with the Justice Minister/Foreign Minister Catalin Predoiu during this visit, who readily acknowledged the lack of clarity in the law and its limited effectiveness. To his credit the Minister used the occasion of my visit to issue a statement stressing the moral obligation of public officials to speak out against acts of anti-Semitism.
- We also witnessed a similar example of this problem in Sweden earlier this year, when the newspaper Aftonbladet published a report from Gaza claiming that Israeli soldiers were harvesting organs from Palestinians they had killed. This updated version of the medieval blood libel charge was openly denounced by political leaders in the United States and in some European capitals. However, the Swedish Foreign Ministry maintained that its press freedom laws did not permit its own public officials to criticize the article, and it rebuked its Ambassador to Israel for doing so. It did indicate that an official ombudsman had the authority to investigate and bring charges if it was determined that racial incitement laws were violated. It was quickly decided that they were not.
- The Internet is often cited as an unchecked source for all manner of hate speech including anti-Semitism. Even those countries with some experience at reining in extremist material in traditional media admit to difficulties when it comes to this source. But it is not only impressionable young people-the most frequently cited target-who are affected by it. Three years ago the Government of Latvia and its Jewish Community reached an agreement on legislation that would resolve all outstanding property restitution claims. But by the time the bill reached Parliament, opposition to the legislation-much of it spread via the Internet and anti-Semitic in nature-so unnerved its Members that it failed to pass. During my visit to Riga Latvian authorities conceded that whenever the subject of Jewish property restitution is raised in public they anticipate a spike in anti-Semitism.

We can certainly reach some general conclusions from these examples.

Put simply, many hate speech laws have the unintended consequence of letting political leaders off the hook. In the United States, Canada and other countries with strong free speech protections, manifestations of racism, anti-Semitism, and other extremist views in public discourse are generally addressed (or can only be addressed) by strong and swift rebukes from political and civic leaders. In this way such hateful speech is marginalized and isolated. But in countries with legislative remedies some political leaders will refer to the legal process as a reason or excuse not to speak out. As we see in practice those legal decisions are generally months or years away. In the meantime, there is no clear message being delivered that such hateful speech is unacceptable. Consider too that even some decent, mainstream political leaders, fearing the success of extremist movements, see calculated benefits in maintaining an ambiguous stance.

The OSCE Representative on Freedom of the Media, speaking at a Roundtable on the problem of anti-Semitism that we convened on March 17, 2009 in Vienna, also cited special difficulties in countries with a Communist or authoritarian past. Because all speech was once monitored and controlled, he argued, prosecutors and judges are often reluctant today to pursue cases or impose penalties on those who violate hate speech laws despite having legislation to do so. Some of them have difficulty understanding that it is possible to limit some forms of speech while still vigorously protecting the principle itself.

In nearly all places anti-Semitic speech is understood to be included within the larger categories of inciting racial, ethnic or religious hatred. But virtually no penal code includes a specific or detailed description of anti-Semitism, which means it is not always recognized by prosecutors or judges or (as witnessed in Sweden) by official ombudsmen.

Where they do exist, Holocaust denial laws are not uniform. In some places denial alone is illegal; while other countries require proof that the denial of the Holocaust is part of an intentional effort to inflict pain on survivors or members of the Jewish community. As a result prosecution under such a law can also vary widely.

Canada is among those countries whose courts have acknowledged that for the purpose of controlling particularly offensive hate speech (i.e., speech that willfully expresses vilification and detestation of ethnic or religious groups) the constitutional guarantees of free speech can be abrogated. However, the current debate underway in Parliament over the hate speech provisions of the country's human rights law illustrates the difficulties that even a mature democracy with a strong tradition of civil liberties must face.

Monitoring Anti-Semitism

Accurate and recognized monitoring of anti-Semitic incidents is frequently lacking or incomplete. The newly-released ODIHR Hate Crime Report reveals that many governments are still lax in monitoring and recording hate crime data or in disaggregating the data they do have so as to better understand who are the perpetrators and the victims. But the problem is especially acute when the goal is to combat anti-Semitism. (A summary of the findings with regard to anti-Semitic incidents is appended to this report.)

In countries where hate speech is not restricted, government authorities are unlikely to record such incidents. The poor record in many countries which do have such laws frequently deters citizens from even filing suit. Physical attacks on persons or the vandalizing of synagogues and cemeteries may be monitored (although with all the same gaps and limitations of hate crimes more generally), but they still ignore the anti-Semitism that appears in the press, on television, at public demonstrations, on the Internet and in anonymous hate mail. When these anti-Semitic incidents are not recorded or are underreported it conveys the misimpression to political leaders and policy makers that the problem itself is not so important.

Governments must be encouraged to do a better job of monitoring and recording anti-Semitism, and we should continue to do everything to urge them to live up to their commitments. But in the interim we can do more to assist local Jewish leadership in various countries or regions to develop their own monitoring centers and to do so in a standardized and internationally recognized way so that public authorities can accept their results.

A Working Definition of Anti-Semitism

In 2004, when the European Monitoring Center (EUMC) conducted its first study of anti-Semitism in the then 17-member European Union, it recognized the need for an operative and common definition of the phenomenon. At the time more than half of its national monitors had no definition at all, and of those that did no two were alike. In light of this the EUMC, now the EU Fundamental Rights Agency, developed a working definition, which has been adopted by the ODIHR, by the US State Department Special Envoy for Combating Anti-Semitism, and by Parliamentary Committees in Germany and the UK, among others. This definition (a copy of which is appended to this testimony) provides an overall framework for understanding what it is and offers a series of examples designed to aid police, monitors and NGOs in their work. It also describes where animosity toward the State of Israel can become a form of anti-Semitism.

In some countries the working definition is part of police training programs, as it is in ODIHR's Law Enforcement Officers Program (LEOP) manual, which trains police to respond to hate crimes. In nearly all meetings during my country visits I shared the definition with government officials, who welcomed it. Those of us who are focused on the problem may not fully realize that a lack of understanding on the part of these officials is not uncommon. While physical attacks on identifiable Jewish targets may be easily recognized as anti-Semitic in nature, certain public discourse or the vilification of the Jewish State may not be so readily identified. Therefore, increasing the circulation of this working definition is a useful tool that we can promote.

Increased Canadian Participation in OSCE and Global Efforts

In 2007, the Canadian Government changed its position regarding OSCE targeted efforts focused on combating anti-Semitism. Until then Canada had not supported the designation of a special representative focused on the problem, espousing instead a "holistic" approach that folded all tolerance issues together. The establishment of this Parliamentary Inquiry and the announcement of Minister Jason Kenney to host a second inter-parliamentary

conference on combating anti-Semitism next year are a further expression of Canadian interest.

Members of Parliament active in the current inquiry should also consider becoming more involved with the OSCE Parliamentary Assembly, which has also provided a venue for discussing the problem of anti-Semitism. Canada should consider additional ways it may support targeted programs of ODIHR through extra-budgetary contributions and the participation of Canadian experts in the training of police, prosecutors and judges in understanding and combating hate crimes.

As part of its Foreign Ministry activities Canada should consider developing in-service training for Foreign Service officers to acquaint and sensitize them to the problems of anti-Semitism in their countries of service. Canada should also draw on the country's own experience in combating anti-Semitism and promoting dialogue between the Jewish community and other religious and ethnic groups when developing public diplomacy programs to be carried out by embassies abroad.

I hope the Members and Staff of the Canadian Parliamentary Coalition to Combat Antisemitism find this report helpful in its work. If I can be of further assistance-whether in elaborating further on these points or providing additional information-I will be pleased to do so.

APPENDED ITEMS

From the forthcoming ODIHR publication, "Hate Crimes in the OSCE Region: Incidents and Responses - Annual Report for 2008":

- There is limited official information available on anti-Semitic hate crimes in the OSCE region.
- Nineteen participating States reported that they collect such data: Austria, Belgium, Canada, Croatia, Czech Republic, France, Germany, Italy, Liechtenstein, Moldova, Netherlands, Poland, Russian Federation, Serbia, Spain, Sweden, Switzerland, United Kingdom, and the United States.
- But only eight (Austria, Belgium, Czech Republic, France, Germany, Italy, Sweden, and the United Kingdom) submitted figures for 2008 to ODIHR.
- Austria and the Czech Republic reported an increase in incidents compared to 2007. Germany, Italy and the United Kingdom reported a decrease. (The other three countries did not report comparable figures from 2007).
- There are non-governmental sources for data on anti-Semitic crimes in 2008 in many OSCE participating States, including Austria, Belgium, Canada, Czech Republic, Germany, Greece, Italy, Russian Federation, Ukraine, United Kingdom and the United States.

- In only four cases (Austria, Czech Republic, Germany and Italy) were there sufficient 2008 data to enable ODIHR to compare NGO figures with official data from governments. In two cases the unofficial data contained twice the number of anti-Semitic incidents reported in official statistics.
- ODIHR collected media reports indicating that anti-Semitic incidents took place in 2008 in Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Moldova, Norway, Poland, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and the United States.

The relevant newsletters and media reported little on the South Caucasus region and on Central Asian countries and, since the participating States did not submit figures regarding anti-Semitic hate crimes, ODIHR has no reliable information concerning these.

A WORKING DEFINITION OF ANTISEMITISM
(French Translation Follows)

(Adopted by the EUMC January 28, 2005)

The purpose of this document is to provide a practical guide for identifying incidents, collecting data, and supporting the implementation and enforcement of legislation dealing with antisemitism.

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews.

Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

In addition, such manifestations could also target the state of Israel, conceived as a Jewish collectivity.

Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- 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.
- 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.
- 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).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- 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.

Examples of the ways in which antisemitism manifests itself with regard to the State of Israel taking into account the overall context could include:

- 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.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the State of Israel.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries). Criminal acts are antisemitic when the targets of attacks, whether they are people or property-such as buildings, schools, places of worship and cemeteries-are selected because they are, or are perceived to be, Jewish or linked to Jews. Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

Annexes 2

**Visit Program
(Ottawa & Toronto, Canada – October 15-16, 2009)**

Visit to Canada of the 3 Personal Representatives of the OSCE Chairman-in-Office to promote greater tolerance and combating racism, xenophobia and discrimination

Delegation:

- Rabbi Andrew Baker (USA), Personal Representative on Combating Anti-Semitism;
- Ambassador Adil Akhmetov (Kazakhstan), Personal Representative on Combating Intolerance and Discrimination against Muslims;
- Mr. Mario Mauro (Italy), Personal Representative on Intolerance and Discrimination against Christians and Members of Other Religions;
- Ms. Floriane Hohenberg, OSCE Office for Democratic Institutions and Human Rights, Tolerance and Non-Discrimination Department

Wednesday, October 14

21:37 hours Delegation arrives in Ottawa (from Washington, D.C.) on AC #7665
{*Note: local Greek Embassy provided logistical and program support, due to the Greek OSCE Chairmanship in 2009}.

Accommodation: Rabbi Baker, Mr. Mauro, Ms. Hohenberg: Hotel Château Laurier, 1 Rideau St.

Ambassador Akhmetov: Radisson Hotel Ottawa, 402 Queen St.

Thursday, October 15

10:00 -11:30 hours *CIC Interdepartmental Roundtable on mult-culturalism and anti-discrimination*

Location: Citizenship, Immigration and Multiculturalism Canada (CIC), Canadian Building, 219 Laurier Ave. W, Metropolis Boardroom (A916)

Focus: Government of Canada multiculturalism and anti-discrimination programs and policies; awareness-raising of the mandates of the Personal Representatives and the OSCE's work on the tolerance agenda.

Chair: CIC Director Ms. Justine Akman; Contact: Andrew Roth

12:00-13:30 hours Working Lunch hosted by Ambassador Abildayev

Location: Al's Steakhouse & Seafood, 327 Elgin St, Ottawa

14:00-15:30 hours *PSC Cross-Cultural Roundtable on Security*

Location: Public Safety Canada (PSC), Room B2000, 17th floor, 269 Laurier Ave. West, Ottawa

Focus: Exchange of views and insights on promoting tolerance and combating; understanding of Canada's policy frameworks, initiatives and role of the Cross-cultural Roundtable on Security; awareness-raising of the work of the OSCE and role of the 3 Personal Representatives on tolerance issue

Contact: Nathalie Filion

16:00 – 17:00 hours *Meeting with Department of Justice Group on Hate Crime*

Location: Justice Canada, Boardroom 6015, East Memorial Building, 284 Wellington Street, Ottawa

Focus: Obtain an overview of Canadian laws protecting minorities and initiatives undertaken by the Department of Justice in the area of hate crimes, including Canada's Action Plan against Racism and hate crimes legislation.

Contact: Glenn Gilmour

18:00 hours *Working Dinner hosted by Greek Ambassador to Canada, H.E. Mr. Nikolaos Matsis*

Location: "Aroma Meze", 239 Nepean Street, Ottawa

Friday, October 16

6:45 hours Delegation departs for Ottawa Airport to catch flight to Toronto, AC #443

09:00 hours Delegation arrives in Toronto

(Note: Transfers and program support provided by local Greek Consulate)

12:00 hours *Working Lunch with Senator Jerry Grafstein and Member of Parliament David Tilson (members of Canada's OSCE Parliamentary Assembly Delegation)*

Location: University Club of Toronto, President Suite, 380 University Avenue, Toronto
Afternoon Delegation departs for Toronto International Airport