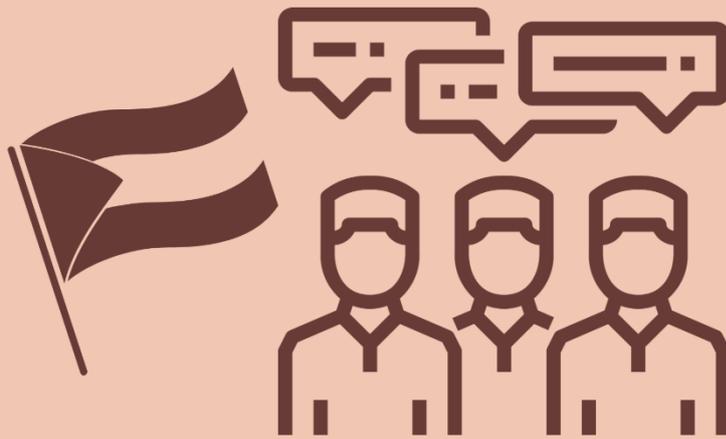


WHAT HAPPENS WHEN WE SPEAK ABOUT PALESTINE IN AOTEAROA NEW ZEALAND?



RESULTS OF A SURVEY BY

Alternative Jewish Voices

שמע קולנו

&



2023

What happens when we speak about Palestine in Aotearoa New Zealand?

**results of a survey by
Justice for Palestine and Alternative Jewish Voices**

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In 2022, New Zealanders were repeatedly called antisemitic for beliefs consistent with universal human rights and democratic norms

This survey speaks about a category of social and religious harm in Aotearoa. Because it confuses opposition to Zionism with a hatred of Jews, the International Holocaust Remembrance Alliance's Working Definition of Antisemitism (IHRA WD) enables Zionist individuals and organisations to make false and unanswerable accusations of antisemitism against their fellow New Zealanders. New Zealanders are being labelled as antisemites for upholding the UN-recognised rights of Palestinians, or simply for making statements about their Palestinian or non-Zionist Jewish identity. In 2022, two national surveys of antisemitism were distorted by classing opposition to Israel's illegal occupation as a prominent form of antisemitism. [The NZ Jewish Council survey](#) explicitly labelled every respondent as an [antisemite if they held views consistent with global human rights reporting](#), and with our basic democratic norms.

Justice for Palestine and Alternative Jewish Voices jointly surveyed New Zealanders who advocate for Palestinian rights. In these pages, we begin to hear their experience of being falsely accused. These voices signal the need for more systematic study of the IHRA WD's stealthy use to silence Palestinian speech, harm human rights advocates and denigrate non-Zionist Jewish identity in Aotearoa.

- 86% of respondents have witnessed accusations addressed to others in public, private or religious (synagogue) venues
- 67% have been personally accused of antisemitism, including 10 of the 14 respondents who identified themselves as Jewish or Palestinian.
- Only 2 respondents have been accused of antisemitism for comments relating to Jews or Judaism. 93% of respondents were accused for commenting on the actions of the Israeli state, politicians, police or military forces. 66% were

accused for commenting on the history of Palestine, and 62% for commenting on Palestinians' equal entitlements to UN-recognised rights.

- 31% of respondents reported being or feeling threatened.
- Although we tend to speak of these accusations taking place online, 62% of our respondents have been accused in a face-to-face encounter. 55% have been accused on social media, while 28% have received letters or emails accusing them of antisemitism. This problem is experienced more intimately than we had assumed.
- Seriously harmful personal outcomes were most likely to be reported by Jews or people of Arabic descent.

**None of us has the right to define our identity so expansively
as to demand the erasure of another.**

Human rights and the IHRA WD are not two equally valid, opposing views. Human rights is our global, codified, committed standard and the IHRA WD violates it.

Antisemitism is real and integral to the worldviews of White supremacists and the far Right. The IHRA WD does not combat that primary source of real antisemitism. It is a tool to punish support for the equal human and political rights of Palestinians, and it is a mechanism to Zionise and monopolise Jewish identity.

In our Appendix, we excerpt from United Nations and New Zealand Human Rights Commission reporting on the need to address antisemitism, Islamophobia and all forms of racism *in ways that support and advance our universal human rights*. That is the way forward.

**We call on our government to publicly oppose
any adoption, use or endorsement of the IHRA WD
in Aotearoa or in the United Nations.**

What happens when we speak about Palestine in Aotearoa a survey by Alternative Jewish Voices and Justice for Palestine

This section reports on the findings of a survey conducted by Alternative Jewish Voices and Justice for Palestine. Both organisations promote Palestinian rights and both are committed to antiracism and to challenging antisemitism.

Antisemitic speech essentialises, denigrates, discriminates against, or seeks to harm Jewish people. However, a growing number of people have been accused of a new form of antisemitism described as *political antisemitism*, *anti-Israeli antisemitism* or *left-wing antisemitism*. This idea of a *new antisemitism* is deployed by Zionist and pro-Israel groups to discredit, demonise and delegitimise individuals and organisations who advocate for the Palestinian cause.

The purpose of our survey was to gather evidence of instances where speech or actions of New Zealanders, which sought to promote the rights of Palestinian people, attracted accusations of antisemitism or the denigration of the speaker's Jewish or Palestinian identity.

Methods

Data was collected using an online survey on the Survey Monkey platform. The survey was primarily quantitative in nature although some questions included open-ended responses adding a qualitative dimension. The survey sections collected demographic data, respondents' perceptions of antisemitism, their experience of witnessing accusations or being directly accused of antisemitism and the impact of these accusations.

The survey had two inclusion criteria: first, respondents must be currently resident in Aotearoa New Zealand, and second, they must consider themselves to be people who advocate and speak for Palestinian rights. The survey was open between 5th December 2022 and 4th January 2023.

Findings

Fifty-seven people responded to the survey. Four respondents did not meet the survey inclusion criteria of NZ residency and Palestinian advocacy, six scrolled through the survey without responding and four offered incomplete responses. The findings below are based on the 43 complete responses that met the survey inclusion criteria.

Demographic details

While nearly a third of respondents (30%) were aged between 18 and 30 years, almost half (47%) were over 61 years. Most respondents (60%) were female and the remainder identified as male (40%). While the largest group of respondents (47%) stated that they had no religious affiliation, almost a quarter identified as Jewish (23%) with another 14% identifying as Muslim, 9% as Christian and 2% as Hindu.

In terms of ethnicity, following the position adopted by Statistics New Zealand, respondents could select up to three ethnicities. Over half identified as European (60%), 19% as Arab and 16% as Jewish. Nine percent identified as Asian, 5% as Māori and 2% as Pacific. In a separate question, respondents were asked whether they identified as Palestinian and four (9%) responded in the affirmative. See Table 1 below for details.

Table 1: Demographic Details

	n	%
Age		
18-30	13	30%
31-45	4	9%
46-60	6	14%
61-75	17	40%
76+	3	7%
Gender		
Female	26	60%
Male	17	40%
Gender diverse	0	0%
Religion		
No religion	20	47%
Christian	4	9%
Hindu	1	2%

Jewish	10	23%
Muslim	6	14%
Other religion	1	2%
Prefer not to reply	1	2%
Ethnicity		
Arab	8	19%
Asian	4	9%
European	26	60%
Jewish	7	16%
Māori	2	5%
Pacific	1	2%
Other ethnicity ¹	11	26%

Association with Palestinian Rights Organisations

Respondents were asked whether they were a member of an organisation that promoted Palestinian rights and the majority (70%) affirmed that they were, with several belonging to more than one. Forty-two percent were members of Justice for Palestine (n=18), 21% were members of Alternative Jewish Voices (n=10), 12% were associated with the Palestine Solidarity Network Aotearoa (n=5), and 9% were part of Dayenu (n=4). Thirty percent of respondents were not associated with any such organisation (n=13).

Table 2: Association with Palestinian Rights Organisations

	n	%
None	13	30%
Justice for Palestine	18	42%
Alternative Jewish Voices	10	23%
Palestine Solidarity Network Aotearoa	5	12%
Palestinian Youth Aotearoa	4	9%
Dayenu	4	9%
Palestinians in Aotearoa Coordinating Committee	1	2%
Other	2	5%

¹ Eight in the category of “other” identified as Pākehā.

Public figures, community leaders and influencers

Since we were interested in the extent to which people who were influencers, or in the public eye, might be targeted with accusations of antisemitism when speaking up for Palestinian rights, we asked if respondents were public figures, community leaders or influencers. Most people (65% or n=28) did not consider themselves to be influential or in the public eye. Just over a third of respondents (35% or n=15) did consider themselves to be in positions of influence including five members of executive bodies of Palestinian rights organisations, one MP, a trade union organiser and several community activists.

The nature of antisemitism

To establish a baseline understanding of antisemitism the survey included eight statements and asked respondents to state whether they considered each statement to be *antisemitic*, *not antisemitic* or whether they were *unsure*. In the online survey these statements were presented to each respondent in a random order to prevent any order effects.

Table 3: Views on 'antisemitic' statements

Statement	Antisemitic n (%)	Not Antisemitic n (%)	Unsure n (%)
1. Jews have disproportionate power in international finance.	34 (79%)	4 (9%)	5 (12%)
2. Jews have disproportionate control over the media.	31 (72%)	4 (9%)	8 (18%)
3. Jews don't care about non-Jews.	36 (84%)	2 (5%)	5 (12%)
4. Jews talk too much about what happened to them in the Holocaust.	37 (86%)	5 (12%)	1 (2%)
5. Zionism is a racist ideology because it apportions rights according to ethnicity.	0	40 (93%)	3 (7%)
6. Palestinians are indigenous to Palestine.	0	43 (100%)	0
7. Israel is an apartheid state.	0	42 (98%)	1 (2%)
8. Israel should be the object of peaceful economic boycott until it meets its legal obligations.	0	43 (100%)	0

These statements were all adapted from statements used in the "Survey of Antisemitism in New Zealand 2021" conducted by the New Zealand Jewish Council

(NZJC, 2021). The first four statements are described by the NZJC as examples of *classical antisemitism*, statements 5 to 8 are examples of what the NZJC describe as *anti-Israeli antisemitism* or *left-wing antisemitism*.

Most of our respondents identified the first four classical antisemitic statements as antisemitic, but almost all identified statements 5-8 as not antisemitic. We will consider the important reasons for this difference in the discussion below. Please note, respondents were not being asked whether they agreed with any of these statements. They were simply asked whether they would classify them as antisemitic sentiments or not. Our respondents—almost a quarter of whom were Jewish—made a very clear distinction between classical antisemitic statements about Jews or the Jewish people, which most agreed were antisemitic; and statements about the state of Israel or its occupation of Palestine, which almost all considered were not antisemitic.

Accusations of antisemitism

Turning now to accusations of antisemitism, two survey questions asked respondents whether, in the past three years, they had witnessed other New Zealanders being accused of antisemitism when speaking about the rights of Palestinians, or whether they had been accused personally.

Witnessing accusation of antisemitism against other New Zealanders

Most respondents (86%) had witnessed accusations of antisemitism being made when other New Zealanders spoke about Palestinian rights. Over a quarter (28%) had witnessed these accusations frequently or very frequently. Only 14% had never witnessed such accusations.

The survey also asked respondents about the status of the people accused; that is, whether they had witnessed accusations against ordinary citizens, public figures or both. Of the people who had witnessed accusations against other New Zealanders (n=37) 65% had witnessed accusations against both public figures and ordinary citizens, 27% against ordinary citizens alone, and 8% against public figures only.

Table 4: Frequency witnessing accusations of antisemitism when someone spoke about Palestinian rights

Frequency witnessing accusations of antisemitism	n	%
Never	6	14%
Only once	3	7%
More than once but infrequently	22	51%
Frequently	10	23%
Very frequently	2	5%

A follow-up question asked *where* the speech or action promoting Palestinian rights that attracted the accusation of antisemitism had occurred. Since they were responding to actions over three years and they may have witnessed multiple events, respondents were asked to select all that applied. Although social media activity, as might be expected, was the main context identified by respondents, the other contexts also had significant instances occurring.

Table 5: Frequency of different contexts where others were promoting Palestinian rights ²

Context of speech or action promoting Palestinian rights	n	%
Private speech	15	41%
Speech in a public venue or on broadcast media	18	49%
Written comments (newspaper, magazine, correspondence or similar)	19	51%
Support of a petition or statement; attending a protest	18	49%
Social media activity	27	73%
Other	1	3%

Experiencing accusations of antisemitism directly

Asked about their own experience of being accused of antisemitism when speaking about Palestinian rights, the frequencies identified were fewer. Nonetheless, two thirds (67%) of our respondents had direct experience of being accused of antisemitism when speaking up for Palestinian rights with almost half (49%) experiencing this more than once and 7% either frequently or very frequently. A third (33%) of respondents had never been so accused. Given the harms that can be associated with such accusations (see discussion below) this frequency is a significant finding.

² The percentages in this table refer to the percentage of people who had witnessed accusations of antisemitism only (n=37). Please note that since respondents could select more than one option the percentages do not sum to 100%

Table 6: Frequency experiencing accusations of antisemitism when respondent spoke about Palestinian rights

Frequency experiencing accusations of antisemitism	n	%
Never	14	33%
Only once	8	19%
More than once but infrequently	18	42%
Frequently	2	5%
Very frequently	1	2%

Once again, for those who experienced accusations of antisemitism when speaking for Palestinian rights (n=29), we wanted to know the context in which the speech or action had occurred. This time, since—as noted above—most of our respondents were private citizens rather than public figures or influencers, *speech in a public venue or on broadcast media* was less significant (21%) and the most frequent contexts were *social media activity* (62%) and *private speech* (45%).

Table 7: Frequency of different contexts where respondents were promoting Palestinian rights ³

Context of speech or action promoting Palestinian rights	n	%
Private speech	13	45%
Speech in a public venue or on broadcast media	6	21%
Written comments (newspaper, magazine, correspondence or similar)	9	31%
Support of a petition or statement; attending a protest	12	41%
Social media activity	18	62%
Other	2	7%

Turning to the nature of the comments made that attracted accusations of antisemitism, those respondents who had had such accusations made (n=29) were asked to respond to a multiple-choice question identifying possible types of comments. Since there may have been multiple instances, they could select more than one option.

The table below makes it clear that the comments attracting most accusations of antisemitism were comments on *the actions of the Israeli state, politicians, police or military forces* (93%), *the history of Palestine/Israel* (66%), and *Palestinians' equal entitlement to UN-recognised individual or collective rights* (62%). Although antisemitism is the hatred of Jews, respondents' comments on *Judaism or Jews* attracted very few accusations of antisemitism.

³ The percentages in this table refer to the percentage of respondents who had directly experienced accusations of antisemitism only (n=29). Please note that since respondents could select more than one option the percentages do not sum to 100%

Table 8: Frequencies of different types of comments that attracted accusations of antisemitism ⁴

Types of comments made to promote Palestinian rights	n	%
Comments on Palestinians' equal entitlement to UN-recognised individual or collective rights	18	62%
Comments on the history of Palestine / Israel	19	66%
Comments on the actions of the Israeli state, politicians, police or military forces	27	93%
Comments on Judaism or Jews	2	7%
Comments on Zionism	14	48%
Comments on Zionist institutions or groups in Aotearoa	10	34%
Comments in support of the Boycott, Divestment and Sanctions movement	14	48%
Other	3	10%

Respondents' responses to accusations of antisemitism

We wanted to know more about how respondents who had received accusations of antisemitism reacted to these accusations. The survey included a series of multiple-choice and open-ended questions exploring respondents' reactions. Asked if they have ever been threatened, or felt threatened, by responses to their support for Palestinian rights, 62% (n=18) responded *no*, 31% (n=9) *yes* and 7% (n=2) selected *other*. Of the *other* responses one stated they "Had been challenged but not threatened", and another felt "uncomfortable but not threatened".

Asked what form the accusations of antisemitism took, most were in a face-to-face encounter (62%) followed by accusations made on social media (55%).

Table 9: Frequencies of different contexts for antisemitic accusations ⁵

Contexts for antisemitic accusations	n	%
I have been accused in a face-to-face encounter	18	62%
I have received written accusations, eg letters or emails	8	28%
Accusations have been published about me in a magazine, newspaper or website	4	14%
I have been the subject of media statements, letters to editors or broadcasters	2	7%
I receive these accusations in my social media	16	55%
Other	3	10%

⁴ The percentages in this table refer to the percentage of respondents who had directly experienced accusations of antisemitism only (n=29). Please note that since respondents could select more than one option the percentages do not sum to 100%

⁵ The percentages in this table refer to the percentage of respondents who had directly experienced accusations of antisemitism only (n=29). Please note that since respondents could select more than one option the percentages do not sum to 100%

Anecdotally, we are aware that accusations of antisemitism can come from people in one's immediate community—especially if you are a Jewish activist. Others can come from well-known Zionists and members of Zionist institutions, still others from sources unknown. We asked respondents whether they knew the identity of the individuals or institutions making the accusations against them. Almost half of respondents (48%, n=14) knew the identity of their accusers *most of the time*, about a third (34%, n=10) knew their identity *sometimes*. Only 10% stated that they *often didn't know* the identity of the accusers and 7% *never knew*.

On the same theme the survey invited respondents to identify how often they knew whether their accusers were New Zealanders or not. The majority (48%, n=14) believed that *most* of their accusers were New Zealanders, about a third (34%, n=10) considered that *some* were, and a few (17%, n=5) were *not sure*.

How accusations of antisemitism affected respondents

Those respondents who had been directly accused of antisemitism while speaking about Palestinian rights (n=29) were invited to respond to two open-ended questions. The first enquired about how accusations of antisemitism affected them, and the second whether and how their behaviour changed as a result. Responses to the open-ended questions were not required but most respondents took the opportunity to reply.

Twenty-seven of the 29 respondents who had been accused responded to the first open-ended question on how they were affected. Analysis of the responses revealed several kinds of comments: comments on the emotional impact of the accusations; comments about the ways in which they had responded to the accusations made; concerns about actual or potential harmful outcomes including harms to relationships, to career and reputation and to one's sense of identity. Finally, there was one significant comment about harmful actions that went beyond simply making accusations of antisemitism.

Most respondents who had been accused of antisemitism while speaking for Palestinian rights identified a negative emotional impact. These comments ranged from feeling saddened or irritated, to feeling shaken up or disturbed. Some expressed outrage, distress and exhaustion.

Makes it exhausting to have to be so clear and careful so as to not be misconstrued as antisemitic when I am supporting Palestine and her people. (Respondent 2)

It is a shaky experience. (Respondent 3)

Upsetting, as they were untrue! (Respondent 8)

I suppose it achieves what they want, to make our lives harder and stop us from speaking out and organising for fear, distress and exhaustion. (Respondent 9)

Deplatforming leaves me feeling outraged. Ignorant opinions on social media. (Respondent 22)

A few respondents reported that the emotional impact was neutral and that they simply shrugged off the accusations.

Not really, blocked them. (Respondent 10)

Not really, they were anonymous as was I. (Respondent 14)

Many respondents commented on how they reacted to the accusations. These comments exhibited a range of different strategies. Some respondents reacted by reflecting on the accusations and either dismissing them or attempting to persuade.

I consider the accusations, but don't feel they have merit. (Respondent 3).

I have tried to think of a way to reframe my words, to be more convincing. (Respondent 21)

Others actively disengage, and there were several references to blocking accusers on social media. For some, the accusations simply reaffirmed their commitment to the Palestinian cause.

Not affected me because I know my facts and what I believe in. (Respondent 30)

Riles me up a bit but in reality only make me stronger in my support for Palestine. (Respondent 39).

Our respondents also included some people who experienced seriously harmful outcomes from encounters with accusers and these tended to be people within the

Jewish community or of Arabic descent. There were several references to harms to relationships: harms to friendships, damage to family life and ruptures in relationships with the religious community. It is worthy of note that all respondents mentioning *relationship harms* were members of the Jewish community.

No longer go to my synagogue on a regular basis. (Respondent 5)

The nastiness significantly affected my health and my general sense of safety and belonging in the Jewish community. (Respondent 32)

Alienated me from participating in Jewish community activities. (Respondent 36)

I often feel alienated within my community. I feel silenced even within my family. (Respondent 41)

Intimidation and ostracism. Loss of friendships and damage to family relationships. (Respondent 43)

Some respondents of Arabic descent described feelings of identity invalidation.

It invalidates my cause and makes me feel helpless. (Respondent 28)

My confidence has taken a hit and my identity because I feel I cannot say I'm even Palestinian. (Respondent 37)

Mentally it's frustrating and upsetting to have be discriminated against and the target of hate simply for standing up for your people and identity, and what's right. (Respondent 38)

One respondent reflected on concerns they had about potential damage to their reputation when the accusations were made on a public social media site. Another described how accusations resulted in a disciplinary hearing at their university.

I was made the subject of a disciplinary hearing at my University. I was put in a situation where I could've been expelled or suspended from my studies. In the end I received a formal reprimand that will now follow me for life. I have to report that before I can be admitted to the High Court as a lawyer and any application I make for a job. (Respondent 29)

One respondent described actions taken by accusers that went well beyond simply making accusations and tipped over into deliberate and malign attempts to discredit and threaten their wellbeing.

Family members were contacted by Zionists in Australia and NZ and they were told to silence me and stop me from speaking out on social media...Was stopped from giving a pre-organised talk and workshop at a Jewish event...was told it was not permitted to talk on the topic after all at the last minute...I received death threats and threats of violence which were probably from hasbara trolls. My social media identity name was stolen (duplicated, that is) and used to make actual anti-Semitic comments...to try to discredit me. (Respondent 9)

There were 24 responses to the open-ended question on how and whether respondents' behaviour changed because of the accusations. Some reported that the accusations made no difference to their advocacy work or that the accusations simply reaffirmed the need to be active. Most, however, reported a chilling effect on their activity to a greater or lesser degree. Many reported becoming more cautious in the content of their speech, or in selecting the venues where they speak.

Cautious about how I phrase things, and in what audience. (Respondent 3)

Reconsidered whether I speak at events or not. (Respondent 8)

I try to be calm and kind, as getting angry doesn't achieve the right outcome. (Respondent 15)

I feel I have to justify and explain what I mean in more detail. (Respondent 26)

Occasionally I have sent hate-email on to police and internet monitoring organisations. I have ceased participating in my synagogue, and I now co-lead independent worship services. I also remain a member of two synagogues and two prayer / study groups. It's important to record that the ugliness has not diminished the enjoyment of my religion - merely of a building. I changed the way I prepared for public speaking engagements (but I didn't stop speaking). (Respondent 32)

However, for some respondents, the emotional impact of being accused of antisemitism and the resulting harms to their relationships, identity and wellbeing effectively reduced or shut down their willingness to speak for Palestinian rights.

Have reduced my interest in Israeli government affairs. (Respondent 13)

I block more. I have less energy for advocacy. (Respondent 22)

I've been quieter and felt intimidated. (Respondent 37)

I have ceased all public comment on Israeli / Palestinian affairs. (Respondent 43)

Discussion

Our survey has uncovered the extent to which activists for Palestinian rights are being falsely accused of antisemitism to silence their voices. The survey identified the chilling effect of these false claims and found that some people experienced significant harms to their health, wellbeing and sense of identity. The most serious emotional impacts were on people with “skin in the game”: people of Arab descent and non- or anti-Zionist members of the Jewish community.

Forty-three New Zealanders involved in speaking for Palestinian rights completed the survey. Two-thirds were people associated with a Palestinian rights organization and the remainder were ordinary citizens who supported human rights.

Over eight in ten had witnessed accusations of antisemitism made against other New Zealanders when they spoke about Palestinian rights. These accusations were made against both public figures and ordinary citizens. Two thirds reported direct experience of being accused of antisemitism when speaking up for Palestinian rights.

Our question on the nature of antisemitism made it clear that New Zealanders who speak for Palestinian rights understand the nature of antisemitism. Very few have been accused of antisemitism for any comment about Jews or Judaism. They have been accused of antisemitism for speech about the Israeli state, its politicians, police or military forces; its history; or the equal rights of Palestinians—speech which they distinguish from antisemitism. That almost a quarter of our respondents were Jewish and shared this perspective is significant.

Most accusations were made on social media though many were also made in print publications, broadcast media, at public venues, protests and in private speech.

While some advocates for Palestinian rights shrug off these accusations, most experienced a degree of emotional distress and some reported serious harm to their wellbeing, their sense of identity and their relationships with others. The emotional toll was heavier for those individuals who have some direct connection to the Palestine/Israel issue. Arab activists, including Palestinians, described feeling their identity invalidated, and non-Zionist members of the Jewish community described being silenced, ostracised and alienated from their friends, family and religious community. One individual described receiving death threats.

As one survey respondent stated, "I suppose it achieves what they want, to make our lives harder and stop us from speaking out and organising for fear, distress and exhaustion."

Appendix: Human rights should frame the work of combatting racism

The IHRA WD compounds our history of securitising the identities of those we assume to be Muslim

The IHRA WD, antisemitism, and the rights of Palestinians are global as well as national issues. In January 2022, the United Nations [Special Rapporteur on contemporary forms of racism](#), racial discrimination, xenophobia and related intolerance rejected the IHRA WD because it contravenes and is used to violate human rights. She asks states to work differently.

Our New Zealand Human Rights Commission 2022 paper [A human rights approach to preventing and countering violent extremism in Aotearoa](#) helps us to situate the prospective harm of the IHRA WD within our own history of securitising—regarding as a security threat—Muslim identity in Aotearoa.

These two authorities show us the path forward.

These are excerpts from the Special Rapporteur’s 2022 report. The report addresses the IHRA WD definition in paragraphs 71 through 79 [emphasis added]:

The Special Rapporteur also calls attention to the politically motivated instrumentalization of the fight against antisemitism, which is increasingly linked to the adoption, promotion and implementation by States of the [IHRA WD] [para 71]

... IHRA WD has become highly controversial and divisive due to its susceptibility to be politically instrumentalized and the harm done to human rights resulting from such instrumentalization. As a result, the Special Rapporteur cautions against reliance on the IHRA WD. [para 72]

Besides its adverse impact on the human rights of minorities and vulnerable groups, including Jews, the IHRA WD is highly contested among world-renowned scholars of antisemitism and related academic fields. [para 73]

[The IHRA WD’s harm is largely] based on eleven “contemporary examples of antisemitism” attached to it, seven of which relate to the State of Israel... [The examples are] **invoked and leveraged to suppress fundamental human rights to freedom of expression,**

assembly, and political participation, as well as human rights to equality and non-discrimination. [para 74]

[The IHRA WD's] de facto influence on the policy and practice of governments and private actors has contributed to violations of human rights of freedom of expression, assembly, and political participation, among others ... **without offering any remedy or means to legally challenge such violations.** [para 75]

Those primarily harmed as a result are Palestinians, as well as human rights defenders advocating on their behalf. This harm is occurring in a period of heightened repression of Palestinians, including escalating, daily, gross violations of their human rights. [para 76]

UN member states and UN officials should firmly reject and ... end the political instrumentalization of the fight against antisemitism. Apart from preventing further resulting harm to Palestinians and human rights defenders, they should do so in the interest of fighting antisemitism in an effective and inclusive way and to protect Jewish persons and groups harmed by such instrumentalization. [para 77]

[The Rapporteur] calls on UN member states to suspend adoption and promotion of the IHRA WD and the examples attached to it. [para 78]

[With reference to a possible request for the UN General Assembly to endorse the IHRA WD, the Special Rapporteur asks states] urgently to launch an open and inclusive process to identify an enhanced response to antisemitism by the UN consistently rooted in and supportive of human rights. [para 79]

The Aotearoa – New Zealand Human Rights Commission paper **A human rights approach to preventing and countering violent extremism in Aotearoa (PCVE)** situates the issues in our own context.

The IHRA WD's first harm is its implication that assertions of Palestinian identity or rights are inherently anti-Jewish and therefore dangerous. This compounds the harm done in Aotearoa by securitising the identities of New Zealanders who are Muslim or who we assume to be Muslim.

Second, the HRC paper notes our right to speech that, while it may be unpopular or even offensive to some, is spoken to uphold our universal human rights. The IHRA

WD ignores the critical distinction that speech which upholds the rights of Palestinians is not antisemitic. Speech which essentialises or denigrates Jews or Jewishness is antisemitic.

Excerpts from the Human Rights Commission paper:

The right to freedom from discrimination is a fundamental human rights principle protected in the core international human rights treaties and in our domestic human rights legislation. [para 53]

Internationally, the expanding tranche of policies and practices that are justified on national security grounds often serve as a platform for both direct and indirect discrimination... In the post-9/11 environment, Muslims and those perceived to be Muslim have been the subject of disproportionate state scrutiny. [para 54]

States must avoid associating violent extremism with any culture, religion, ethnic group, nationality, or race... PCVE measures targeting specific ethnic or religious groups carry the risk of an upsurge of discrimination and racism. [para 55]

Freedom of expression is an essential foundation of a democratic society. New Zealand courts have observed that the right is "as wide as human thought and imagination" and "a basic aspect of the New Zealand democratic system." [para 70]

The right to freedom of expression applies "not only to 'information' or 'ideas' that are favourably received or regarded as inoffensive, but also to those that might deeply offend". [para 71]

The UN Human Rights Committee has held that any measures that might restrict freedom of expression "may not put in jeopardy the right itself" and reflect the "universality of human rights and the principle of non-discrimination." [para 74]

The New Zealand Human Rights and Race Relations Commissions are the hosts, and human rights are the framework within which we can and must address antisemitism, Islamophobia and all forms of racism; while we continue to speak and act to uphold the rights of Palestinians to their land and their freedom.