



THE INTERNATIONAL
LEGAL FORUM

Antisemitism & De-Legitimization



**Summary of Trends & Key Events of 2020-
Looking Ahead Towards 2021**

Background

The International Legal Forum ("ILF") is an Israeli NGO that operates worldwide and is dedicated to coordinating legal strategies and responses to antisemitism, BDS and terrorism. The ILF has a network of over 3,000 lawyers in over 30 countries worldwide.

Our model incorporates the work and expertise of local experts on the ground in different countries, together with our support as a global organization and understanding of Israeli laws, policies and reality. This combination allows us to view trends from a global point of view and enables a coordinated network which has access to information, best practices and an improved ability to make strategic decisions on the basis of global (or regional) trends.

Introduction

2020 has been a unique and complex year in many respects, and the battle against antisemitism and de-legitimization is no different. While many thought that a global crisis threatening people's lives, health and financial future would distract antisemites from their obsession with the Jewish state and the Jewish people, reality has proven the exact opposite. Anti-Jewish conspiracy theories have continued to increase, as they have consistently in previous years.

This report is aimed to summarize the prominent trends of 2020, primarily in North America and Western Europe, as we've witnessed through our expertise, extensive work and connections on the ground. Additionally, we will also offer our projections for 2021 based on these current trends, analyze the strategic reasons behind them, and offer our opinion as to the focus of the work to counter antisemitism and delegitimization in the year to come.

This report will argue that the process of exposing the BDS movement as antisemitic and coordinated, supported and affiliated with terrorism has proven largely successful, thus causing a decline in the BDS brand. As a part of the boycott efforts, we will also discuss the UN Human Rights Council's Blacklist of companies operating in Jerusalem, Judea, Samaria, and the Golan which was unfortunately released in February of 2020 despite significant attempts over several years to prevent its fruition. The blacklist though, has failed to fulfill its aims thus far in the months since its release. One must keep in mind though, that the list is meant to be renewed on a yearly basis, and the threat is still very much alive.

Moreover, 2020 has brought an unprecedented commitment of public figures worldwide to the battle against antisemitism, including modern antisemitism (targeting Jews as a nation) both in rhetoric and adoption of policy, primarily the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, as well as in other judicial, declarative or administrative decisions worldwide.

We will show that these two factors (among others) have led to a significant shift in strategy and practice, as antisemitic and anti-Israel groups are moving the focus to Zionism, which they are working hard to de-couple from Jewish identity or experience. Carving out Zionism from Jewish identity will allow these groups to regain some of the ground they've lost with

the developments mentioned above. While classical antisemitism is largely rejected in liberal societies of the 21st century, as Jews are a protected minority, political figures, groups and ideologies are fair game. The protection of political speech even goes beyond the protection of regular speech, and it is common in today's world that almost anything can be said in that context. Therefore, if Zionism is merely a political ideology, then although antisemitic action and rhetoric might be considered illegitimate, a window can be opened to allow the same vile fraudulent claims (conspiracy theories, collective blame, calls for the destruction of the state of Israel, or disloyalty of diaspora Jews) masquerading as legitimate criticism of a political ideology, with a kosher stamp of approval.

We will show why the attack on Zionism is a clever strategic ruse (in its core), and therefore the battle to internalize that Zionism is an integral part of Jewish identity is the next significant step in our war on antisemitism and delegitimization of Israel and should be central in our efforts over the following year.

Moreover, we will discuss the social polarization in the United States and elsewhere which brings unique challenges to the fight against antisemitism. Anti-Israel groups are working to co-opt anti-racism movements against Israel. Political partisanship in the general public and Jewish community makes it harder to present a united front against antisemitism.

The International Criminal Court's (ICC) threat of opening an investigation against Israel was another significant front in the delegitimization campaign. 2020 was very important in that regard, and 2021 will likely be even more fateful. This year saw positive developments, namely the unprecedented support for the Israeli position by states and experts, as well as the sanctions imposed by the Trump administration which no doubt will induce caution in the Court before making any decisions against the US and Israel. Despite this, 2021 may be a negative turning point with far-reaching consequences.

In addition, we will discuss how the Abraham Accords will impact these trends and affect Jewish-Muslim relations.

1. Decline of the "BDS Brand"

The BDS brand has taken almost 20 years to build, from its roots in the Arab boycott, its inception at the notorious 2001 Durban conference, the creation of the BDS National Committee (BNC) in Ramallah in 2008, heavy financial backing and incredible international outreach. BDS succeeded in fooling even the best intellectuals and international organizations into thinking that it is a grassroots movement fighting for human rights.

BDS quickly became a staple on college campuses, trade unions, academia and political movements. BDS sought to channel the anti-apartheid campaign against South Africa and fulfill the agenda of the Arab League's boycott of Israel. BDS's goal is to bring Israel to its knees through financial and political isolation as a step towards its destruction, using the 21st century language of human rights and in partnership with human rights groups.

BDS brought with it an exponential rise not only in anti-Israel sentiments but also in antisemitism against Jews all over the world, regardless of their support for Israel's policies.

It has unfortunately taken Jews, in both Israel and abroad, years to grasp the true nature and instigators of this movement, and to properly evaluate the risks it poses for both the Jewish state as well as to Jewish communities worldwide, and to devise a response.

Over the last (very few) years we have had the privilege of leading, consulting, and cooperating with a broad coalition against BDS. Many organizations, researchers, lawyers and activists have worked hard to expose the truth about the BDS movement and to disseminate that knowledge and advance significant accomplishments worldwide. Moreover, the Israeli Government's allocation of resources and the designation of its Ministry of Strategic Affairs to deal with problems of delegitimization worldwide has contributed significantly to that important battle. Although there are still strongholds of BDS, like on college campuses in North America and the battle is far from over, 2020 has shown a decline of the BDS brand and a loss of its strength.

There is greater awareness and acceptance in the political mainstream across North America and Western Europe that the BDS movement is affiliated with antisemitism and terrorism. We even see a significant decline in BDS related web searches or websites globally, and significantly in some countries like in the United States (almost 40% decline), in comparison with last year.

Since 2015, 32 American states have adopted anti-BDS laws. These laws prevent companies that engage in anti-Israel boycotts from contracting with the state government. In 2020, South Dakota, Oklahoma and Missouri were the latest states to pass anti-BDS laws. These laws recognize that, in addition to the antisemitic hatred fomented by the BDS movement, Israel is a strategic ally of the United States and that anti-Israel boycotts harm American interests, including financial ones. These laws balance between the freedom of private individuals and companies to promote their political views, and the state's obligation to protect its interests and combat discrimination.

a. BDS as antisemitism

The BDS movement is antisemitic in its goals, rhetoric and effect. While the BDS movement uses the language of social justice and human rights, its goal is the elimination of the world's only Jewish state. Omar Barghouti, the co-founder of the BDS movement, has stated this goal many times, saying "definitely, most definitely we oppose a Jewish state in any part of Palestine."¹ He recently repeated this statement in a July 2019 New York Times interview: "Asked if that means Jews cannot have their own state, he said, 'Not in Palestine'.²

The BDS movement relies on the most sinister and ancient classical antisemitic tropes, repackaged in its ideological warfare against the State of Israel. Ample examples can be found in the Israeli Ministry of Strategic Affairs (MSA) report released in September 2019

¹ Dag Hammarskjöld Society, Vimeo, <https://bit.ly/2zrvxDf>

² New York Times, July 19, 2019 <https://nyti.ms/32WFIgH>

entitled "Behind the Mask: The Antisemitic Nature of BDS Exposed"³. The report demonstrates in vivid detail the chilling antisemitic rhetoric of the BDS movement .

In December 2019 an extensive report, endorsed by over 50 civil society organizations, was released, entitled: "The New Antisemites: How the Delegitimization Campaign Against Israel Drives Hatred and Violence in America"⁴ . The report demonstrates how the BDS movement radicalizes opinion on Israel, leading to delegitimization and hatred, and that the movement is antisemitic to its core. The report also exposes the growing antisemitic axis between neo-Nazis and white supremacists, Islamists and the far left to advance the agenda of the BDS movement.

BDS and anti-Israel activity have been directly linked to antisemitic hostility and incidents. According to AMCHA, an American antisemitism campus watchdog, BDS is highly correlated with attacks on and discrimination against Jewish students⁵. Jewish students are routinely faced with harassment and calls to be excluded and barred from aspects of student life, such as student councils.

Jewish groups have raised awareness of the inherent links between anti-Zionist or anti-Israel rhetoric and expression, and antisemitic hostility and harassment. An example of this change in public awareness is evident in numerous resolutions by European parliaments and the American government:

- In May 2019, the German Bundestag overwhelmingly passed a resolution labelling the BDS movement antisemitic⁶. The resolution noted that BDS's tactics "inevitably arouse associations with the Nazi slogan '*Kauft nicht bei Juden!*'" – "Don't buy from Jews!"⁷ Germany was the first country to officially designate BDS as antisemitic.
- Six months later, the French National Assembly passed a resolution calling on the government to adopt the IHRA Definition of antisemitism and explicitly recognizing hatred against Israel as a form of antisemitism⁸.

³ *Behind the Mask: The Antisemitic Nature of BDS Exposed*

https://78e6607b-6e88-4659-98a0-d261075996a1.filesusr.com/ugd/f46e09_255a5a04f6764fc8a4e1a881048458fb.pdf pages 35-77

⁴ *The New Antisemites: How the Delegitimization Campaign Against Israel Drives Hatred and Violence in America*,

<https://static1.squarespace.com/static/5cc20f51ca525b73bdd50e3a/t/5e5e448bdf3e9809a59a88bb/1583236400890/The+New+Anti-Semites.pdf>

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<https://amchainitiative.org/wp-content/uploads/2019/09/Eliminationist-Anti-Zionism-and-Academic-BDS-on-Campus-Report.pdf>

⁶ For an in-depth analysis on the sea-change on German attitudes to BDS, see this report by the Foundation for the Defense of Democracies: <https://www.fdd.org/analysis/2020/08/21/boykott/>

⁷ CDU/CSU, SPD, FDP, und Alliance 90/The Greens, "Der BDS-Bewegung entschlossen entgegentreten – Antisemitismus bekämpfen [Resolutely oppose the BDS movement – fight anti-Semitism]," German Bundestag, 19th Parliamentary Term, May 15, 2019.

<http://dip21.bundestag.de/dip21/btd/19/101/1910191.pdf>

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<https://www.timesofisrael.com/french-lawmakers-pass-resolution-calling-israel-hatred-a-form-of-anti-semitism/>

- In February 2020, the Austrian parliament unanimously condemned the BDS movement and called on the government not to allow BDS access to public infrastructure⁹.
- In November 2020, the US Department of State issued a statement calling anti-Zionism a form of antisemitism and committing to prevent American state funding of the BDS movement¹⁰.

b. BDS as terror

After the strategy of economic warfare and delegitimization was adopted at the Durban conference in 2001 and the movement met with several early successes, the movement's leadership decided to set up a centralized body that would coordinate the isolation campaign against Israel.

The BDS National Committee ("BNC") was founded in 2008 with the leadership of the Palestinian National and Islamic Forces ("PNIF"), a coordinating framework for a number of Palestinian national and religious factions, including five designated terrorist organizations: HAMAS, PFLP, PLF, PIJ and PFLP-GC. Since its establishment PNIF has been a leading member of the BNC, steering its vision and agenda.

PNIF was originally formed by Yasser Arafat at the early days of the second Intifada as a coalition with the purpose of coordinating, planning and executing joint attacks against Israel. PNIF has been held legally accountable for terrorist attacks in a series of court judgements.

Numerous researchers, organizations and activists have highlighted the nexus between Palestinian terror groups and the BDS movement and acted to cut off their revenue sources and various services. This included reaching out to countries, foundations, banks, payment platforms, crowdfunding resources, and others.¹¹ This phenomenon has continued and intensified in 2020 with significant accomplishments.

In 2019, the Israeli Ministry of Strategic Affairs released a report entitled "Terrorists in Suits"¹² detailing the deep ties between designated terrorist organizations, mainly Hamas and the PFLP, and anti-Israel NGOs promoting and coordinating the BDS movement.

In November 2019, following the research and counsel of the International Legal Forum, the law offices of Heideman, Nudelman & Kalik, representing Keren Kayemet LeIsrael (KKL - JNF) and American-Israeli terror victims, brought a claim under anti-terrorism laws against the BDS National Committee's (BNC) American fiscal sponsor. The claim implicated the BNC and its fiscal sponsor for involvement in terror attacks and widespread arson against

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<https://www.timesofisrael.com/austrian-parliament-unanimously-passes-condemnation-of-anti-israel-boycotts/>

¹⁰ <https://www.state.gov/identifying-organizations-engaged-in-anti-semitic-bds-activities/>

¹¹

<https://www.jpost.com/israel-news/report-30-financial-accounts-associated-with-bds-promoting-ngos-lose-592073> and

<https://www.jns.org/gofundme-blocks-bds-group-from-withdrawing-funds-on-its-platform/>

¹² https://www.gov.il/en/Departments/General/terrorists_in_suits

Israeli communities in the Gaza envelope. The main issue rests on the evidentiary basis proving that the BDS movement was founded and is since led by terrorist organizations.

All of the above point to a weakening of the BDS brand strength. This does not mean that there is a weakening in anti-Israel sentiments or movements worldwide. However, BDS's association with antisemitism and terror makes it harder to co-opt political moderates and to enlist resources to the BDS cause.

2. The IHRA working definition of antisemitism

The International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism is an international accepted definition of antisemitism drafted by representatives and scholars from around the world. The definition includes multiple examples of contemporary antisemitism as it is manifested in public discourse, politics and media.

Since 2016, over 30 countries have adopted the IHRA working definition of antisemitism, as well as numerous institutions and governments of various levels. The IHRA definition recognizes that antisemitism often manifests itself in delegitimization and demonization of Israel as well as its Jewish and non-Jewish supporters worldwide. In addition to the significant expansion and recognition of the IHRA definition in 2020, the definition has also been adopted for the first time by Muslim countries (Bahrain and Albania) and Muslim institutions (the Global Council of Imams and King Hamad Global Center for Peaceful Coexistence).

In December 2019, the Trump administration issued the Executive Order on Combating Anti-Semitism¹³. The Executive Order directed all agencies tasked with enforcing civil rights to adopt the IHRA definition. Furthermore, the Executive Order explicitly stated that antisemitic discrimination could give rise to Title VI violations. Title VI of the Civil Rights Act prohibits discrimination based on race, national origin and colour. However, Jews have traditionally been considered a religious group under the Civil Rights Act and therefore did not merit its protection. This long overdue expansion broadens the protection that Jews enjoy from antisemitic and anti-Zionist discrimination. It remains to be seen whether the new administration will continue this policy.

The attacks on the IHRA definition have increased exponentially during the last year. The two most common critiques are that the definition violates freedom of speech, and more specifically that it is meant to stifle criticism of Israel.

To be clear, the IHRA definition states explicitly that "**criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic**". That should have put an end to the canard that the IHRA definition is meant to stifle criticism or harm free speech. However the critics of the IHRA definition seem reluctant to accept the premise that the Jewish state should be treated just like any other state in the world. The IHRA definition doesn't suggest that Israel should be treated well, or that criticism of Israel should only be voiced when proven right. The IHRA definition also doesn't suggest any other favorable

¹³ <https://www.whitehouse.gov/presidential-actions/executive-order-combating-anti-semitism/>

treatment of Israel - simply that an unparalleled standard toward Israel can be considered antisemitic as it can be used to demonize and de-legitimize Israel as the Jewish collective.

The ILF has prepared an extensive report on the background and importance of the IHRA definition, as well as responses to the common critiques¹⁴, which we will not discuss further in the framework of this document. However, it is important to mention here that these are the two most common critiques, in order to show how those are a part of a bigger trend and a greater cause.

Anti-Israel groups have turned their focus to attacks on Zionism, portrayed as a racist political ideology unrelated to Jewish identity or experience. As awareness of the dangers of antisemitism has become more mainstream, anti-Israel groups are sensitive to the charges of antisemitism. In almost all jurisdictions, Jewish identity is a protected characteristic under anti-discrimination, harassment and incitement laws. Political beliefs and ideologies, however, do not benefit from the same protection. Therefore, anti-Israel activists are working hard to separate Zionism from its Jewish context to whitewash their anti-Jewish agenda.

2. Intersectionality, BLM and the return of “Zionism as racism”

Since the tragic death of George Floyd in May 2020, the United States has been convulsed by racial tensions. These tensions have been exploited by anti-Israel groups who are working to insert Israel into this domestic American debate, which have since trickled into other societies across the Western world. Fringe groups are pushing baseless conspiracy theories alleging Israeli responsibility for American police brutality (such as JVP’s “Deadly Exchange”). On a wider level, anti-Israel activists are trying to co-opt the historical oppression of African-Americans and their struggle for civil equality, and recast Palestinians as victims of “white supremacy”. There is a massive delegitimization campaign aimed at painting Israel as a white supremacist and racist state, in the tradition of slavery, Jim Crow and apartheid. This campaign essentially seeks Israel’s dissolution, as it is an inherently racist state beyond redemption. By promoting this ahistorical narrative, anti-Israel groups are able to build a wide coalition of groups ostensibly dedicated to human rights to oppose Israel’s very existence.

The “Zionism as white supremacy” narrative is extremely dangerous and serves to justify the ostracism, harassment and exclusion of Jews from liberal spaces, university campuses and social groups. It seeks to demoralize young Jews, who oppose racial discrimination and inequality, and to drive them away from Israel, emblematic of the values that they fight against. It wants to make Jews ashamed of their heritage and identity. Instead of acknowledging Zionism as the fulfillment of two thousand years of yearning and a liberation movement for a historically persecuted people (victims of racism and white supremacy), Jews are accused of the very evils that they have suffered. This smear is widespread on college campuses and legitimizes the ousting of Jewish students from wider student life.

In 2021, we will likely see the continuation and intensification of the “Zionism as racism” canard, which can further draw a wedge between Israel and liberal groups. Therefore, we

¹⁴ <https://www.ilfngo.org/ihra>

must be active and educate the public on Jewish history and the meaning of Zionism - as a historical, traditional, religious and emotional component of Jewish identity.

3. Mainstream Commitment to Fighting Antisemitism

In 2020, a greater consensus emerged in mainstream society on the dangers that antisemitism poses to Jewish life and general society.

The year began with a gathering of 50 world leaders at Yad Vashem in Jerusalem to commemorate the 75th anniversary of liberation of Auschwitz. German President Frank-Walter Steinmeier addressed the audience. "I stand here laden with the heavy, historical burden of guilt," ... I wish I could say that our remembrance has made us immune to evil."

"Today we remember what happens when the powerless cry for help and the powerful refuse to answer," said US Vice President Michael R. Pence. HRH Prince Charles, Prince of Wales stated "Their experience must always educate, guide and warn us." French President Emmanuel Macron declared: "In our history, antisemitism always preceded the weakening of democracy."

In France, after years of antisemitic harassment and murder, wider society is waking up. Close to three-quarters of French society agree that antisemitism is a major problem in France¹⁵. There is a greater recognition that antisemitism is a major ideological component of radical Islam, and that France cannot adequately confront the Islamist challenge without tackling antisemitism.

In October 2020, the British Equal and Human Rights Commission (EHRC) issued its long-awaited judgement on antisemitic harassment in the Labour party under the leadership of Jeremy Corbyn. The EHRC ruled that the Labour party was institutionally antisemitic, had a pervasive culture of harassment and discrimination against Jewish members and that it did not take serious steps to combat the antisemitism in its ranks. The report vindicates the British Jewish community which vigorously protested against the antisemitism of Corbyn and his entourage.

This report is unprecedented, not only in the UK but also worldwide. This demonstrates the dangers of an of anti-Zionist and anti-Israel environment and its ability to give rise to unabashed antisemitism even in one of the biggest and most significant parties in the UK. The new Labour leader, Keir Starmer, has committed the party to rooting out antisemitism and rebuilding its relationship with the Jewish community.

In December 2020, the European Council adopted a declaration recognizing the rise in anti-Jewish rhetoric and attacks on the Continent and on the need to develop a common strategy in the fight against antisemitism¹⁶. The Declaration calls for widespread adoption of

¹⁵ <https://www.ajc.org/news/top-3-takeaways-from-ajcs-survey-on-antisemitism-in-france>

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<https://www.consilium.europa.eu/en/press/press-releases/2020/12/02/antisemitism-council-declaration-on-fighting-antisemitism/#>

the IHRA definition by both governmental agencies and NGOs. It recognizes the dangers of anti-Jewish conspiracy theories as a stepping stone to hatred, hate speech and violence and calls for concerted efforts against online hatred.

4. Politicization of the Fight against Antisemitism

The fight against antisemitism has fallen victim to the polarization between Left and Right worldwide. The United States is a perfect example of this phenomenon.

The majority of American Jews agree that antisemitism has increased in the past years.¹⁷ However, the fight against antisemitism has been subsumed to no small extent into the partisan divide. This phenomenon was particularly pronounced in 2020, as it was an election year.

Jews and non-Jews from the liberal and conservative camps have identified antisemitic elements in the opposite party. Many Democrats have associated the Trump administration with white supremacy, racism and anti-Jewish conspiracy theories. Meanwhile, Republicans have pointed up antisemitic tropes on the left, disguised in large part as criticism of Israel: charges of Jewish disloyalty, the power of the Israel Lobby, demonization of Israel and its supporters and support for the boycott of Israel. This partisan policy undermines the ability of society, and the Jewish community in particular, to identify and combat antisemitism as a whole in a unified and powerful way. The politicization of the fight against anti-Jewish bigotry encourages antisemites to dismiss the charges of antisemitism as smear tactics meant to score political points.

As American society, like many other Western societies, continues to deal with polarization, including in the Jewish community, this unfortunate trend is likely to continue. It is incumbent on all of us to unite around fighting antisemitism from wherever it emerges.

5. The Blacklist: no success so far

In February 2020, the United Nations Human Rights Council (UNHRC) released its much discussed database of 112 companies that carry out business activities in Judea, Samaria, East Jerusalem and the Golan, also known as the “blacklist”. The blacklist represents an escalation in the attempt to isolate, weaken and damage Israel economically and is a means to impose sanctions on Israel in an indirect way.

Such a punitive mechanism against private companies operating in contested territories is unprecedented. Business activities in conflict zones and territories considered occupied, (such as Western Sahara, Northern Cyprus and Nagorno Karabakh) are a ubiquitous practice carried out by many of the world’s largest corporations. Companies operating in the Israeli held disputed territories do so in full compliance with relevant Israeli and international law, as well as joint Israeli-Palestinian agreements. Therefore, the blacklist is a blatant discriminatory call for sanctions against Israel and businesses operating legally in it.

¹⁷ <https://www.ajc.org/AntisemitismReport2020/Survey-of-American-Jews>

In 2019, ahead of the anticipated release date of the list, the boycott movement attempted to utilize the threat of the list to pressure companies to withdraw their activities from Israel. Analyzing what we know was an extensive campaign to attack and intimidate Airbnb (as well as others), we believe that while expecting the database to be shortly released, Airbnb took the preemptive decision to announce that it would no longer advertise homes in Israeli communities over the Green Line. This announcement was met with a furious backlash from Israelis, Jews and allies worldwide. Airbnb faced legal claims in American and Israel courts, and violations of American anti-boycott laws. Under pressure, Airbnb retracted its position.

The database's release in 2020 has so far had little success in dissuading companies or countries from doing business in Jerusalem or other communities. The Norwegian government, for example, recently ignored pressure from BDS activists and renewed a contract with a subsidiary of a blacklisted company¹⁸.

Despite these early victories, the database is still up for renewal at the UNHRC's February 2021 session. This will likely bring the database back into the public eye. Furthermore, it is unclear what the new American administration's policy will be towards the Israeli possession of the territories. While there is very little chance that the administration would support the adoption of the blacklist (among other reasons due to American anti-boycott laws), a renewed focus on settlements as "an obstacle to peace" may vicariously support the efforts of anti-Israel activists to promote the database.

The blacklist may also encourage the idea of personal targeted sanctions on Israeli settlement residents or political leaders.

6. ICC Decision on Palestinian Statehood and Investigation Against Israel

At the end of 2019, the Prosecutor announced her intentions to officially open an investigation against Israel for alleged war crimes. Despite her seeming resoluteness, she decided to leave one of the most preliminary legal questions to the Court's discretion - whether the Court has jurisdiction over "the situation in Palestine". To answer this question the Court would have to determine, among other things, whether there is a Palestinian state and what are its relevant borders. These questions are critical as Israel is not a member state of the ICC, and the Court would only be able to acquire jurisdiction over these alleged crimes if they were committed within the territory of another member state, namely Palestine.

In early 2020, the parties were required to submit their positions to the Court. In this regard, there were several surprising and positive developments. First, 14 teams of legal experts as well as 7 states, including Germany, Austria and the Czech Republic, submitted filings supporting the Israeli position. The position of major Western countries against the ICC's jurisdiction can affect the willingness or the desirability of expanding the Court's jurisdiction and disregarding their stance. Additionally, the Trump administration supported Israel in an unprecedented manner and threatened sanctions against the Court's members should it continue its actions against Israel and the US. Despite the deadline which was set for the

¹⁸ <https://www.israelhayom.com/2020/12/03/in-blow-to-bds-movement-norway-to-ignore-un-blacklist/>

Court's decision, many months have passed since and a ruling was not published. Along with cautious optimism arising from these facts, there is worry that the Court is waiting for a new administration in the White House before issuing its decision. This theory raises concerns that the judgement will be negative for Israel, as it is widely believed that the new administration will not continue the hawkish policies against the ICC. A decision to open an investigation against Israel has the potential to severely damage its international status and the fight against delegitimization.

7. Looking Ahead toward 2021

In 2021, we predict an increasing focus on Zionism, as a supposedly racist and exclusionary political ideology. Anti-Israel activists in the United States as well as in Europe will continue trying to insert Israel and Zionism into contentious local debates around human rights and racism, attempting to further enshrine the misleading representation of Zionism as a political ideology. Therefore, it seems more important than ever to fully understand and successfully explain Zionism's true nature as emerging from Judaism's core. As a full discussion on Zionism and its place in the 21st century hasn't been conducted, this is also an opportunity for Jews worldwide to reflect, learn and reconnect with this element of Jewish identity that is lost on many.

The Covid-19 pandemic and its aftermaths are fertile ground for anti-Jewish conspiracy theories, which will likely continue to expand in the upcoming year. At the same time, we foresee an additional increase in the voices worldwide who recognize the threat that antisemitism poses to both Jewish communities and to society as a whole. We expect that more countries and institutions will adopt the IHRA definition in 2021, despite the opposition from anti-Israel groups. This of course can only continue if the hard work, done by so many around the world, continues and grows.

We note with concern efforts to renew the UNHCR blacklist in 2021 as well as expanded efforts to boycott companies doing business in Israel.

Regarding the ICC, there is no doubt that Israel, even if indirectly, has reached impressive achievements. It is no exaggeration to say that most experts did not imagine such widespread support for Israel's position against these proceedings. Despite this, it is likely that this is only the beginning of the process and the worst is yet to come. An ICC decision can significantly harm Israel's international status and brand it as a war criminal, opening the door for arrest warrants against Israeli officials and hampering Israel's diplomatic abilities to manage the conflict with the Palestinians, due to a legal decision indirectly recognizing the Palestinian right to a state along the 1967 lines.

The Abraham Accords between Israel and several Arab countries present a variety of new opportunities. These countries have taken incredible steps to promote tolerance, religious coexistence between Muslims and Jews and regional cooperation and prosperity. Presumably, 2021 will see a growing circle of acceptance and peace between Israel and the Arab and Muslims world. This will likely continue to bring opposition from reactionary anti-normalization forces and the use of crude antisemitic formulations. Israel and Jewish

communities will need to find the right tools to communicate their positions and to reach out to audiences in the Arab and Muslim worlds.

These peace accords are also an opportunity to advance the battle against antisemitism and delegitimization. These long time enemy countries are now willing to embrace the Jewish state, remove their decades long boycott and build cultural and economic bridges. In addition to the direct positive effect this will undoubtedly bring to both nations, there is also an opportunity to leverage a bigger lesson and influence well-intentioned Westerners to endorse cooperation and normalization.

Finally, how these new peace deals will influence Israel's troubled position in the UN remains to be seen. As the General Assembly reconvened at the end of 2020 there was hope to see dramatic change in the traditional Israel-bashing resolutions, but that dramatic change has yet to happen. Efforts should be put into pressuring our new friends to make peace on that important front as well.

Moreover, as the European vote, much like many other countries in the world, was initially turned against Israel due to the enormous pressure put on them by the Arab League, there's room to dream even bigger on a sweeping change once that obstacle is removed. However, such sweeping change is unlikely to happen in the next year or few years.