

Public Comment by Bundesverband RIAS on the Cases 2024-004-FB-UA, 2024-005-FB-UA, 2024-006-FB-UA, Posts That Include „From the River to the Sea“, by the Oversight Board

"From the river to the sea" as a short form of the slogan "From the river to the sea, Palestine will be free" is to be considered antisemitic and should be removed according to the Facebook community standards for hate speech.¹

The Bundesverband RIAS (Federal Association of Departments for Research and Information on Antisemitism) is the umbrella organisation for the civil society reporting offices for antisemitic incidents in Germany. The RIAS reporting offices are the first point of contact for those affected by antisemitism in Germany.

Since its foundation in October 2018, the Bundesverband RIAS has built up a dense reporting network for antisemitic incidents in Germany. It pursues the goal of a uniform documentation of antisemitic incidents in Germany based on the IHRA working definition of antisemitism. Based on the categories and working methods of the Community Security Trust (CST), the Bundesverband RIAS has developed a database-based recording of antisemitic incidents, that allows for a nationwide comparability.

The Bundesverband RIAS works closely with the Central Council of Jews in Germany and other Jewish organisations as well as the German State Commissioners for Combating Antisemitism. Furthermore, Bundesverband RIAS coordinates the European Network on Monitoring Antisemitism (ENMA). ENMA was established in 2023 and consists of European Jewish and non-Jewish civil society organisations from various European countries.

In 2023 RIAS documented 190 antisemitic incidents in which "From the river to the sea" was said, written or referenced. While RIAS also documents the mere chanting of the slogan as an antisemitic incident, most of these incidents were also accompanied by other antisemitic or violence-inciting statements. For example, in the first half of the year, posters were documented in Berlin calling for an Intifada "from the river to the sea". Intifada as a term stands for resistance against oppressors, in the Palestinian-Israeli context historically expressed as terror and violence against Israelis, especially in the Second Intifada. So when an Intifada from the river to the sea is called for, this is clearly to be understood as a call for violence, additionally emphasized by the imagery of the posters: above the slogan, among other things, pictures of masked people with slingshots could be seen. In Stuttgart on October 9, 2023, the slogan was chanted alongside the antisemitic, Islamist slogan "Khaibar, khaibar ya yahud ". In English, the slogan reads in full: "Khaibar, Khaibar, O Jews, remember Khaibar, the army of Muhammad returns." The slogan is an affirmative reference to a campaign by the Prophet Muhammad against an oasis populated by Jews in the year 628, which ended with the conquest of the area and – according to some sources – a massacre of part of the Jewish population. It can be interpreted as a religiously legitimized call for violence against Jews. 148 of the 190 incidents were documented after October 7, so after the massacres and attacks on Israel by the Islamist Hamas and other terrorist organizations. The slogan therefore became even more popular after October 7.

¹ <https://transparency.meta.com/policies/community-standards/hate-speech/>

In 2017, the Islamist terrorist organization Hamas published a policy document² in which they explicitly adopted the slogan as their own. In it, they define the entire area from the Jordan River to the Mediterranean Sea as the “integral territorial unit” of Palestine (Article 2). The founding of the state of Israel and its existence is rejected in any form (Article 18 & 19). In Article 20, they make it clear that for them there is no alternative to the “full and complete liberation of Palestine, from the river to the sea”. It becomes clear here that the slogan implies the abolition of Israel. It is antisemitic to call for the liberation of Palestine if it means the abolition of Israel and thus the negation of the right of Jews to self-determination. It is also a call for violence against Jews who want to live in a Jewish state. This follows from the historical context of Hamas' actions.

Since 7 October 2023 and the massacres and attacks by Hamas and other terrorist organizations on Israel, a genocidal implication of the slogan has also become apparent. Actors who refer positively to the slogan “From the river to the sea” are thus legitimizing Hamas' antisemitic terror. On October 7 itself, a small group at Berlin Central Station shouted the slogan “From the River to the Sea – Palestine will be free” and openly rejoiced at videos of the atrocities that they played on a cell phone.

A peaceful interpretation of the slogan is no longer possible after October 7. An exception would be demands following the first part of the slogan, which specifically call for equal rights, such as in “From the river to the sea, we demand equality”. Without such additions, a non-violent interpretation is unrealistic. Jews must assume that it means approval of the genocidal violence against them.

The Bundesverband RIAS is convinced that the slogan “From the river to the sea” violates the Facebook Community Standards with regard to:

“Content attacking concepts, institutions, ideas, practices or beliefs associated with protected characteristics, which are likely to contribute to imminent physical harm, intimidation or discrimination against the people associated with that protected characteristic. Facebook looks at a range of signs to determine whether there is a threat of harm in the content. These include, but are not limited to: content that could incite imminent violence or intimidation; whether there is a period of heightened tension such as an election or ongoing conflict; and whether there is a recent history of violence against the targeted protected group.”

Given that 148 of the reported 190 incidents with “From the river to sea” in 2023 have been reported after the antisemitic massacre of Hamas on Israeli civilians for their assumed Israeli origin we conclude that the use of the slogan, which has been adopted by the terror group responsible for the atrocities, is both inspired by the violence committed on 7 October 2023 and is likely to contribute to imminent physical harm against Jews or people of Israeli origin.

We are therefore urging the Oversight Board and Meta to strengthen the perspective of those affected by antisemitism and Israel-hatred and to remove posts with the slogan “From the river to the sea” in the future.

We would also like to draw your attention to a statement from the Berlin public prosecutor's office. The public prosecutor's office has provided it to us for this public comment:

² <https://www.middleeasteye.net/news/hamas-2017-document-full>

“The slogan 'From the river to the sea' (in German or other languages)" is as of now included in the prohibition orders issued by the Federal Ministry of the Interior on November 2, 2023 regarding Hamas and Samidoun. In the opinion of the Berlin public prosecutor's office, the utterance of this sentence is therefore generally punishable under Sections 86a (1) and 86 (2) StGB (criminal code) because Hamas is included in the so-called "EU terror list" (Annex to Implementing Regulation (EU) 2023/1505 of 20.07.2023, OJ L 184/1 – see II.9). Criminal liability pursuant to Section 20 para. 1 sentence 1 no. 5 VereinsG (Law on Associations) is also likely to apply on a regular basis. If the slogans are used in assembly situations in connection with Hamas' terrorist attack on Israel – in particular with its justification – the initial suspicion of condoning criminal acts pursuant to Section 140 StGB (rewarding and condoning criminal acts) and Section 130 para. 5 StGB (incitement of the people) should also regularly be considered, as the pogrom-like attacks on the Israeli population express an essentially eliminatory antisemitism, the condoning of which is also directed against Jews living in Germany.”