[NL] National Coordinator for Combating Anti-Semitism recommends faster enforcement against online anti-Semitism

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On 25 October 2023, the *Nationaal Coördinator Antisemitismebestrijding* (National Coordinator for Combating Anti-Semitism) issued a noteworthy recommendation, stating that both the *Autoriteit Consument & Markt* (Consumer and Markets Authority – ACM), and the *Autoriteit Persoonsgegevens* (Dutch Data Protection Authority – AP), "must immediately strictly monitor" whether online platforms Instagram and X (formerly Twitter) are complying with the law and tackling online anti-Semitism. Notably, the ACM will be designated as the national Digital Services Coordinator in the Netherlands under the EU's Digital Services Act (DSA), while the AP will be a further competent national authority, with competence to supervise certain rules under the DSA concerning online platforms (see IRIS 2023-8/16). The National Coordinator for Combating Anti-Semitism emphasised that it has received a growing number of notices of online anti-Semitism, and this "must now be the top priority" of the Dutch regulators under the DSA.

The National Coordinator for Combating Anti-Semitism (NCAB) was established in 2021 under a decree issued by the Minister of Justice and Security. The NCAB brings together expertise in the field of anti-Semitism within the government, identifies developments in the field of anti-Semitism, and coordinates and facilitates cooperation between various ministries. In its 25 October 2023 recommendation, the NCAB noted that since violence had flared up in Israel and Gaza on 7 October 2023, the NCAB has established that online platforms had not been "sufficiently" removing hate speech from their platforms. The NCAB had received a growing number of reports of online anti-Semitism, and stated that these types of expressions "increase social divisions in the Netherlands and can lead to physical insecurity for Jews".

The NCAB also noted that since August 2023, very large online platforms must comply with the DSA, and while the Netherlands is still working on the implementation of the DSA, "action is needed now". The NCAB emphasised that regulators "already have the authority to monitor the implementation of the DSA by the major social media platform". It also stated that people are being "poisoned with inflammatory messages", and regulators "must take tough action when boundaries are crossed"; online anti-Semitism should not be treated with impunity. As such, the NCAB reiterated that, for the perpetrators, criminal law must be used "to the fullest", while the ACM and AP should "strictly monitor"

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whether online platforms are tackling anti-Semitism, and where appropriate, regulators should impose fines on social media platforms.

Nationaal Coördinator Antisemitismebestrijding, Sneller handhaven bij online antisemitisme, 25 oktober 2023

https://www.rijksoverheid.nl/ministeries/ministerie-van-justitie-en-veiligheid/nieuws/2023/10/25/ncab-sneller-handhaven-bij-online-antisemitisme

National Coordinator for Combating Anti-Semitism, faster enforcement against online anti-Semitism, 25 October 2023

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