



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2022-118

ADOPTING WORKING DEFINITION OF ANTISEMITISM

WHEREAS, antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in contemporary American society;

WHEREAS, Jewish people continue to be a targeted minority in the United States and New Mexico; for instance, data shows that Jews are consistently the most likely of all religious groups to be victimized by incidents of hate, and that such incidents are increasing at an alarming rate;

WHEREAS, State officials and institutions, have a responsibility to protect New Mexicans from acts of hate and bigotry motivated by discriminatory animus, including antisemitism, and must be given the tools to do so;

WHEREAS, valid monitoring, informed analysis and investigation, and effective policy-making all require uniform definitions;

WHEREAS, while there can be no exhaustive definition of antisemitism because it can take many forms, the International Holocaust Remembrance Alliance (the "IHRA") Working Definition of Antisemitism has been an essential definitional tool used to determine contemporary manifestations of antisemitism, and includes useful examples of discriminatory anti-Israel acts that can cross the line into antisemitism;

WHEREAS, the IHRA working definition is used by various agencies of the federal government and the 33 governments that are members of IHRA, and it is recommended for use by the European Council and the European Parliament, endorsed by the UN Secretary General and the Secretary General of the Organization of American States, included in policy guides prepared by the Organization for Security and Cooperation in Europe, and formally adopted by a growing number of European nations; and

WHEREAS, use of this definition of antisemitism, although it is not to be taken as an exhaustive definition, will increase awareness and understanding of the parameters of contemporary anti-Jewish discrimination in certain circumscribed areas.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and laws of the State of New Mexico, do hereby **ORDER** and **DIRECT**:

1. All State agencies within the Executive Department of the State of New Mexico shall adopt and use the IHRA's Working Definition of Antisemitism, including its contemporary examples, as adopted on May 27, 2016 (the "Definition"), which may be found here: <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>.

2. In reviewing, investigating, or deciding whether there has been a violation of any relevant policy, law, or regulation prohibiting discriminatory acts, State agencies shall take into consideration the Definition for purposes of determining whether the alleged act was motivated by discriminatory antisemitic intent.

3. For the purposes of applying paragraph (2), the relevant authorities should apply the same legal standard as applicable to like claims of discrimination arising under the New Mexico Human Rights Act, NMSA 1978, §§ 28-1-1 to -15 (1969, as amended through 2020).

4. For the purposes of training of State personnel related to discrimination and anti-bias training, the Definition shall be used as an educational tool to familiarize State officials with identifying and addressing antisemitism.

5. Nothing in this Order is intended to create a private right of action to enforce any provision of this Order, nor shall this Order be construed to diminish or expand any existing legal rights or remedies or to conflict with local, federal or State discrimination laws.

6. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:


MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 16TH DAY OF AUGUST 2022

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO


MICHELLE LUJAN GRISHAM
GOVERNOR

