

## Arik Bender

National Union MK Eliezer Cohen tabled a proposed bill this (Tuesday) afternoon by which an international court of anti-Semitic crimes would be established in Israel. According to Cohen, "The International Court of Justice in the Hague (ICJ) deals with all world needs but does not deal with the growing problem of anti-Semitism and crimes against Jews. Therefore such a court must be established in Israel to fill the gap".

Cohen said that when the International War Crimes Court had been established, dealing with anti-Semites was not included in its objectives. "The hatred of Jews today, which is being promoted by wicked incitement, is no less than during past generations", he said.

The bill states that from now on any extradition agreement Israel signs with another country would include an article of extraditing those who commit anti-Semitic crimes. The court would be authorized to try foreigners, organizations, companies and even foreign media bodies. Cohen suggests that the court would be able to fine or sentence convicted criminals to prison, and even to hand out death sentences to those who would be convicted of murdering Jews.

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### Israel Will Prosecute Holocaust Deniers

*Jerusalem Post*, July 19, 2004

By NINA GILBERT

**The first step is underway, Holocaust denial overseas will be a crime in Israel.**

Holocaust denial committed overseas would be an offense under Israeli legal jurisdiction and serve as grounds for extradition under legislation that is expected to pass a first reading in the Knesset this week.

The government is backing the bill, drafted by MK Aryeh Eldad (National Union). Eldad originally proposed the measure as a move against then Palestinian Authority prime minister Mahmoud Abbas (Abu Mazen) for his doctoral dissertation 20 years ago in which he estimated that the Nazis killed less than a million Jews.

But the bill is unlikely to be anything more than declarative in nature. Countries that do not have laws against Holocaust denial are unlikely to extradite citizens to be tried in Israel for the crime, although Israel's protective measure would not require such a law to be on their books, according to Justice Ministry officials. Another problem is the fact that Holocaust denial is a crime of expression, and most countries treat such crimes liberally.

A more practical implication of the law is that it would deter Holocaust deniers from visiting Israel.

In 1994, Israel extended its legal protection abroad for the state and its citizens to Jews and Jewish institutions, which enables it to obtain justice for them as it does for Israelis. At the time, the idea of including Holocaust denial in Israel's extraterritorial laws was considered, but eventually dropped.

Eldad said the amendment to the law in Israel, where Holocaust denial is a crime, is necessary because "almost all" of those crimes are committed abroad. He said he believes the law is going to be "very practical," since violations would give Israel the right to demand prosecution even if it does not request extradition. He said it would also enable Israel to file counter suits if Jews are sued for libel for labeling Holocaust deniers.

The law would also "send a signal to a Holocaust denier like Abu Mazen," that if he enters Israel he is a "criminal," Eldad said. Moreover, he said the passage of the law would send a message that for the Jewish people there is "no statute of limitations" on the Holocaust. "The generation of survivors is dwindling," he noted, emphasizing the need to keep Nazism from rearing again.

Avner Shalev, chairman of the Yad Vashem Directorate, said the passage of the law would provide an "added tool" to fight against the phenomenon of Holocaust denial. "It sends the message that Israel is against Holocaust denial everywhere and anyone who engages in it is not welcome in Israel," Shalev said. The bill has the support of Knesset factions on the Left and Right.

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## ZÜNDEL CASE REACHES CRISIS POINT

----- Original Message -----

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**To:** <[cafe@canadafirst.net](mailto:cafe@canadafirst.net)>

**Sent:** Wednesday, July 21, 2004 12:21 PM

**Subject:** ZUNDEL CASE REACHES CRISIS POINT

Dear Free Speech Supporter:

We're hurtling toward a crisis point in the case of German-born publisher and dissident Ernst Zundel. In a June 23 Order, former Solicitor-General and CSIS boss Mr. Justice Pierre Blais set out a timetable which would see the Zundel national security certificate review concluded by September 14.

Cynics who have observed the judge's series of arbitrary rulings, his quashing of four crucial defence subpoenas and his endless chorus of "national security" to restrict the defence believe that the judgement has