

THE CRIME OF GENOCIDE (PREVENTION AND PUNISHMENT) LAW, 5710 — 1950*

1. (a) In this Law, "genocide" means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group (hereinafter referred to as "group"), as such:

"Genocide" — interpretation.

- (1) killing members of the group;
- (2) causing serious bodily or mental harm to members of the group;
- (3) inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part;
- (4) imposing measures intended to prevent births within the group;
- (5) forcibly transferring children of the group to another group.

(b) In subsection (a), "child" means a person under eighteen years of age.

2. A person guilty of genocide shall be punishable with death; provided that if he committed the act constituting the offence under circumstances which, but for section 6, would exempt him from criminal responsibility or would be a reason for pardoning the offence, and he tried to the best of his ability to mitigate the consequences of the act, he shall be liable to imprisonment for a term of not less than ten years.

Penalty for genocide.

3. (a) A person guilty of any of the following acts shall be treated like a person guilty of genocide:

Conspiracy, incitement and attempt to commit, and complicity in, genocide.

- (1) conspiracy to commit genocide;
- (2) incitement to commit genocide;
- (3) attempt to commit genocide;
- (4) complicity in genocide.

(b) The terms "conspiracy", "incitement" and "attempt" in subsection (b) shall be construed with reference to the provisions of the Criminal Code Ordinance, 1936¹.

(c) For the purpose of subsection (a)(4), a person shall be deemed to have taken part in genocide if he is so deemed under section 23(1)(b), (c) or (d) of the Criminal Code Ordinance, 1936.

4. A person guilty of an offence under this Law shall be punished whether he is a legally responsible ruler, a member of a legislative body, a public official or a private individual.

Responsibility for genocide.

5. A person who has committed outside Israel an act which is an offence under this Law may be prosecuted and punished in Israel as if he had committed the act in Israel.

Place of crime.

6. The provisions of sections 16, 17, 18 and 19 of the Criminal Code Ordinance, 1936, shall not apply to offences under this Law.

Judicial function, constraint, necessity and justification not to be protection.

* Passed by the Knesset on the 11th Nisan, 5709 (29th March, 1950), and published in *Sefer Ha-Chukkim* No. 42 of the 20th Nisan, 5710 (7th April, 1950), p. 137; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 27 of the 23rd Kislev, 5710 (14th December, 1949), p. 37.

1) P.G. No. 652 of the 14th December, 1936, Suppl. I, p. 285 (English Edition).

Application
of General
Penal Code.

7. The provisions of Part I of the Criminal Code Ordinance, 1936, shall apply to offences under this Law insofar as this Law does not otherwise provide.

Extradition.

8. Notwithstanding anything contained in any other Law, in considering the extradition of a person charged with, or convicted of, genocide or any of the acts enumerated in section 9(a), the plea that the offence with which such person is charged, or of which he has been convicted, is an offence of a political character shall not be entertained.

Implementa-
tion.

9. The Minister of Justice is charged with the implementation of this Law.

Operation.

10. This Law, which is consequent upon the Convention on the Prevention and Punishment of the Crime of Genocide¹ — adopted by the United Nations General Assembly on the 7th Kislev, 5709 (9th December, 1948), signed on behalf of and, in accordance with a decision of the Knesset, ratified by the State of Israel — shall come into force on the date of its publication in *Reshumot* and shall remain in force whether or not the Convention comes into or remains in force.

DAVID BEN-GURION
Prime Minister

PINCHAS ROSEN
Minister of Justice

CHAIM WEIZMANN
President of the State

No. 32

LOAN TO THE TEL AVIV MUNICIPAL CORPORATION
(GUARANTEE) LAW, 5710—1950*

Authority
to guarantee.

1. The Minister of Finance is hereby authorised to guarantee on behalf of the State of Israel, on such conditions as he shall prescribe, to an amount not exceeding 550,000 pounds plus interest at the rate of 4 per centum per annum, a loan to be given by the Anglo-Palestine Bank Ltd. to the Municipal Corporation of Tel Aviv under an authorisation by order of the Minister of the Interior in accordance with the Municipal Corporations Ordinance, 1934².

Implementa-
tion.

2. The Minister of Finance is charged with the implementation of this Law.

DAVID BEN-GURION
Prime Minister

ELIEZER KAPLAN
Minister of Finance

1) *Kitvei Amana* No. 5 of the 15th Kislev, 5710 (6th December, 1949), p. 66.

* Passed by the Knesset on the 22nd Iyar, 5710 (9th May, 1950) and published in *Sefer Ha-Chukkim* No. 43 of the 2nd Sivan, 5710 (18th May, 1950) v. 139; the Bill was published in *Hatsa'ot Chok* No. 40 of the 5th Nisan, 5710 (23rd March, 1950), p. 148.

2) P.G. No. 414 of the 12th January, 1934, Suppl. I, p. 1.