

**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:
  - (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.

"Genocide" -  
inter-  
pretation.

**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:
  - (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, 1936(1).
- (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.

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

**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

Responsibility for  
genocide.

body, a public official or a private individual.

Place of  
crime.

**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.

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

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

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 3(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 Genocide<sup>(2)</sup> - 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*

\* 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).

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