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ECHOES OF DENIAL THE OCTOBER 7TH ATROCITIES AND RISING ANTISEMITISM



Jerusalem
Institute of Justice

“Denial of atrocity crimes is a warning sign of societal fragility and the enduring presence of the conditions that allowed this large-scale hatred and violence to erupt in the past.”

Alice Wairimu Nderitu, Under-Secretary General and Special
Adviser on Prevention of Genocide to the United Nations
Secretary General

The October 7, 2023, atrocities committed by Hamas against Israeli civilians were among the most documented terror attacks in history. Despite overwhelming evidence, including live-streamed videos and numerous survivor testimonies, a disturbing pattern of distortion and denial of these events has emerged. This report examines the denial of the October 7 atrocities, links such denial to rising antisemitism, and reviews the current legal frameworks addressing atrocity denial.

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Echoes of Denial: The October 7th Atrocities and Rising Antisemitism

I. Introduction

The denial of atrocity crimes, including the October 7 massacre, poses a severe threat to collective memory and societal stability. It undermines the truth, fuels hatred, and impedes the healing process for victims and survivors. Denialism is not a new phenomenon; history has shown us that the refusal to acknowledge past atrocities can lead to the repetition of such horrors. This report delves into the multifaceted nature of atrocity denial, examining its roots, manifestations, and dangerous consequences.

The goal of this report is to raise awareness about the dangers of the denial of the atrocities committed on October 7, to advocate for stronger legal protections against such denial, and to promote educational initiatives that foster historical accuracy and understanding. By shining a light on the denial of the October 7 atrocities, the report aims to encourage an active response from policymakers, educators, and the international community to avoid that such denial will keep fueling antisemitism.

II. October 7 Atrocities

A. October 7 Massacre

On October 7, 2023, coinciding with Shabbat and Simchat Torah, Hamas and other

terrorist groups launched over 4,300 rockets at Israel, targeting civilians. This airborne assault served as a diversion, allowing around 3,000 terrorists to infiltrate Israeli territory.¹ They used drones, paragliders, civilian trucks, and other means to breach the Gaza security fence and attack multiple towns and public gatherings in southern Israel, including the Nova Music Festival. The terrorists roamed as organized death squads, going door-to-door in civilian neighborhoods, spraying automatic gunfire and throwing grenades into roadside bomb shelters, penetrating safe rooms with anti-tank weapons, and burning homes and cars with civilians inside.

These heinous acts, including rape, torture, and kidnapping, resulted in over 1,200 deaths and more than 250 hostages forcibly disappeared. Among those, 50 remain in captivity—23 are believed to be alive, as of July 2025. Hamas has continued launching rockets, with over 10,100 fired at Israel until May 31, 2025.

The perpetrators live-streamed their attack, making October 7th the most well-documented mass atrocity in human history.² The mountain of evidence of their crimes includes footage from Hamas' own

¹ *Gaza Map: Escalation Dynamics in the Gaza Strip*, INSTITUTE FOR NATIONAL SECURITY STUDIES (Nov. 2023), <https://www.inss.org.il/publication/gaza-map/>; *October 7th Mass Casualty Attack in Israel: Injury Characteristics and Early Response*, ANNALS OF SURGERY OPEN (Sept. 2024), https://journals.lww.com/aosopen/fulltext/2024/09000/october_7th_mass_casualty_attack_in_israel_injury.27.aspx?utm5

² Viki Auslender, *The Battle Against Denialism in the Wake of October 7*, CALCALIST (Apr. 30, 2024), <https://www.calcalistech.com/ctechnews/article/1ot3u7g1i>

phones, GoPro devices,³ and body cameras,⁴ together with CCTV footage from Israeli civilian homes, and hundreds of testimonies of survivors and first responders.

B. Denial of October 7

Denialism is the practice of rejecting the existence, truth, or validity of something despite clear evidence to the contrary. This practice is especially concerning when it involves denying atrocities, as it often accompanies hate speech and historical distortion. Deniers of gross human rights violations typically attempt to use erroneous facts to argue that these events didn't occur or were exaggerated.⁵ Denialism can also involve the glorification of perpetrators,⁶ creating obstacles to accountability and increasing the risk of future atrocities.⁷ Moreover, atrocity denial divides people and impedes societal healing.

One of the most infamous examples of denialism concerns the Holocaust. Not so long ago, the Holocaust revealed the extent of human cruelty. While most of the world acknowledges the Holocaust, a minority continues to deny its occurrence. Similarly,

the October 7 attack by Hamas, which was live-streamed and documented through various devices, is facing denial despite overwhelming evidence, including videos and hundreds of survivor testimonies. The perpetrators recorded their actions, resulting in one of the most documented terror attacks in history. Yet, denial of the events of October 7 is significant and growing.

The denial of the atrocities committed by Hamas and other Palestinian terrorist groups has taken many forms:

- **Complete denial** of the October 7th events, insisting they never happened. This can be exemplified with the testimony of Mazal Tazazo. After witnessing the murder of two friends and suffering injuries caused by terrorists, Mazal traveled to several countries to tell her story. In South Africa, she encountered demonstrators against Israel wearing shirts supporting Hamas. When she tried to talk and show her visible injuries to the group's apparent leader, he accused her of lying and started laughing at her.⁸

³ Eric Cortellessa, *The Oct. 7 Massacre Revealed a New Hamas Social Media Strategy*, TIME, (Oct. 31, 2023), <https://time.com/6330005/the-oct-7-massacre-revealed-a-new-hamas-social-media-strategy/>

⁴ CNN, *Hamas militant's bodycam shows how attacks on Israel Began*, YouTube (Nov. 16, 2023), https://www.youtube.com/watch?v=nDn10nDnk_k&rco=1; CBC News: The National, *Disturbing bodycam video shows bloody capture of female Israeli soldiers*, YouTube (May 23, 2024), <https://www.youtube.com/watch?v=OaAmNteTDos&rco=1>; NBC News, *Bodycam footage shows moment Hamas attacked Israel*, YouTube (Oct. 16, 2023), <https://www.youtube.com/watch?v=s0VgUDSHvpl>.

⁵ Martin Imbleau, *Denial of the Holocaust, Genocide, and Crimes Against Humanity: A Comparative Overview of Ad Hoc Statutes in GENOCIDE DENIALS AND THE LAW* (Ludovic Hennebel and Thomas Hochmann eds., 2011).

⁶ The UN Office on Genocide Prevention, in collaboration with the Jacob Blaustein Institute for the Advancement of Human Rights, *Combating Holocaust and Genocide Denial: Protecting Survivors, Preserving Memory, and Promoting Prevention*, UN (June 2022), https://www.un.org/en/genocideprevention/documents/publications-and-resources/22-00041_OSAPG_CombatingDenial_PolicyPaper.pdf (hereinafter *Genocide Report*).

⁷ *Id.*

⁸ Testimony provided by Mazal Tazazo, survivor of the Nova Festival, to the Jerusalem Institute of Justice.

The capture and abuse of numerous hostages by Hamas further complicated these denial efforts. The narrative frequently shifted to suit the agenda of Hamas' sympathizers: initially denying the existence of hostages, then admitting their existence but labeling them as soldiers, settlers, or non-Israelis, and finally portraying the hostages as being treated well or justifying their suffering as a consequence of Israeli actions. As these arguments lost credibility, some resorted to tearing down posters of the hostages and even advocating for their harm.

- **Denial of specific crimes**, such as crimes of sexual violence.⁹ This was evident during the UN Human Rights Council's 56th session, where the Palestinian representative incorrectly claimed the Commission of Inquiry found "no evidence of rape."¹⁰
- **Spread of conspiracy theories**, such as suggesting that Israel was behind the massacre of October 7th and responsible for its civilian casualties.¹¹
- **Justification of the atrocities.** When denial fails, some justify the attacks as a legitimate resistance "against occupation."

The discourse following the October 7 attack and the subsequent conflict has also seen an alarming rise in the glorification and justification of the Holocaust,¹² with expressions like "Hitler was right" and justifications for historical pogroms against Jews. This rhetoric often includes calls for violence against Jews or Israelis.

The proliferation of antisemitic expressions following October 7 indicates that achieving lasting peace in the Middle East requires the international community to address and understand the origins and persistence of this hatred. Laws prohibiting denial of events like those of October 7 are essential to combat the dangerous rhetoric that perpetuates violence and division. Just as Holocaust denial laws were enacted to preserve historical truth and combat antisemitism, similar measures are necessary to counteract the denial of recent atrocities.

C. October 7 Denial and the Rise in Antisemitism

While recovering from one of the most gruesome terrorist attacks in recent global history, Israel now faces a world where the Hamas massacre is being justified or denied. Surveys and polls conducted in various regions have revealed significant denial of the atrocities committed by Hamas on October 7, including specific acts of violence such as rape and murder.

⁹ Seth Shabo, 'The Intercept' and Oct. 7 rape denialism, JNS (Mar. 20, 2024), <https://www.jns.org/the-intercept-and-october-7-rape-denialism/>.

¹⁰ Statement of the State of Palestine Permanent Observer Mission to the United Nations Geneva at the 56th Session Human Rights Council under Agenda Item 2 (June 19, 2024).

¹¹ *Antisemitism Worldwide Report For 2023*, TEL AVIV UNIVERSITY AND ANTI-DEFAMATION LEAGUE, https://cst.tau.ac.il/wp-content/uploads/2024/05/AntisemitismWorldwide_2023_Final.pdf.

¹² Elisabeth Dwoskin, *Growing Oct. 7 'truther' groups say Hamas massacre was a false flag*, The Washington Post (Jan. 21, 2024), <https://www.washingtonpost.com/technology/2024/01/21/hamas-attack-october-7-conspiracy-israel/>.

A survey conducted precisely in the Gaza Strip and the West Bank, where the perpetrators of these atrocities originated, found alarming levels of denial. The Palestinian Center for Policy and Survey Research (PCPSR) discovered that 85% of Palestinians had not seen videos showing atrocities committed by Hamas against innocent Israeli civilians on October 7, and 93% deny that Hamas committed such atrocities on October 7.¹³

In the United Kingdom, a poll conducted by the Henry Jackson Society revealed that only 25% of UK Muslims believe that Hamas terrorists committed murder and rape during the October 7 attacks. This skepticism extends to specific allegations of sexual violence, with many respondents doubting the veracity of these reports. The survey also found that 46% of UK Muslims support Hamas, and 39% said Hamas did not commit atrocities on October 7.¹⁴

While the initial global reaction to the October 7 attack was condemnation, the subsequent denial and justification of these atrocities contributed to a swift and

unprecedented rise in antisemitism. This denial has fueled a surge in antisemitism. In the U.S., the Anti-Defamation League (ADL) recorded 9,354 antisemitic incidents in 2024; up from 8,873 in 2023, 3,697 in 2022, and 2,717 in 2021. This marks the highest number ever documented since the ADL began tracking incidents 46 years ago, representing a 344% increase over the past five years and an 893% increase over the past decade.¹⁵ Antisemitism has surged, particularly on U.S. college campuses, with reported incidents increasing by 198% since 2022 and by 120.8% compared to 2023, rising from 249 incidents in 2022, to 336 in 2023, and reaching 742 in 2024.¹⁶

Antisemitic hate crimes have become increasingly violent, as demonstrated by the killer who murdered two Israeli diplomats outside of a Jewish museum in Washington, and the attacker in Colorado who threw a Molotov cocktail at those who participated in a rally to free the hostages in Gaza, leaving 12 burned.¹⁷ Both the killer in Washington and the attacker in Colorado yelled “free Palestine” during their attacks.¹⁸

¹³ Tzvi Joffe, *Palestinians largely support October 7 massacre, deny atrocities - poll*, THE JERUSALEM POST (Dec. 13, 2023) <https://www.jpost.com/israel-hamas-war/article-777918>.

¹⁴ *46 percent of UK Muslims support Hamas, majority skeptical of atrocities – poll*, I24 NEWS (Apr. 7, 2024), <https://www.i24news.tv/en/news/international/europe/artc-46-percent-of-uk-muslims-support-hamas-majority-skeptical-of-atrocities-poll>; *Survey: Only one in four UK Muslims believe Hamas committed atrocities – JNS*, (aPR. 8, 2024), <https://www.jns.org/survey-only-1-in-4-uk-muslims-believe-hamas-committed-atrocities/>, and *Only one in four British Muslims believe Hamas committed murder and rape in Israel on October 7th*, HENRY JACKSON SOCIETY. (Apr. 8, 2024), <https://henryjacksonsociety.org/2024/04/08/only-one-in-four-british-muslims-believe-hamas-committed-murder-and-rape-in-israel-on-october-7th/>.

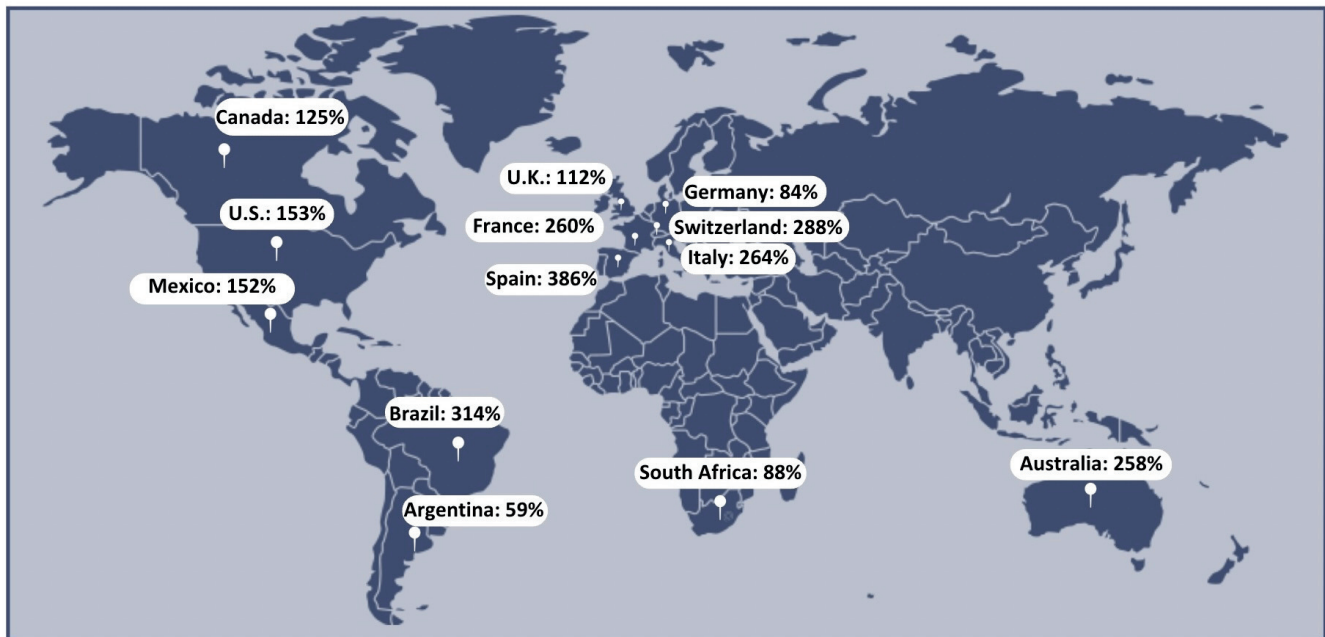
¹⁵ *Audit of Antisemitic Incidents 2024*, ANTI-DEFAMATION LEAGUE (2024), <https://www.adl.org/resources/report/audit-antisemitic-incidents-2024>.

¹⁶ *A Data-Driven Look At Antisemitism in 2023*, COMBAT ANTISEMITISM MOVEMENT, (2024) <https://combatantisemitism.org/wp-content/uploads/2024/02/2023-IHRA-Report-Last-Updated-02-18-2024.pdf>; *Echoes of the Past and a Warning for the Present: The Stark Reality of Record-Breaking Antisemitism in 2024*, COMBAT ANTISEMITISM MOVEMENT, (2024), <https://combatantisemitism.org/wp-content/uploads/2025/04/Echoes-of-the-Past-and-a-Warning-for-the-Present-The-Stark-Reality-of-Record-Breaking-Antisemitism-in-2024.pdf>.

¹⁷ Jenny Jarvie & Nathan Solis, *Molotov Cocktail Attack Part of Surge in Antisemitic Violence; ‘Community Is Terrified’*, LOS ANGELES TIMES (June 2, 2025), <https://www.latimes.com/story/2025-06-02/violent-attacks-target-jews-heightens-tensions>.

¹⁸ *Id.*

INCREASE IN ANTISEMITIC INCIDENTS: A COMPARATIVE ANALYSIS OF 2022 VS. 2024



In Europe, from October 7 to December 12, 2023, Paris alone recorded 484 antisemitic incidents, surpassing the total number reported in all of France in 2022. That year, 85 incidents involved physical violence, nearly double the 43 in 2022, and included a knife threat to a Jewish daycare director in Paris, an attempted murder in Lyon, and the gang rape of a 12-year-old Jewish girl.¹⁹ Nationwide, the Service de Protection de la Communauté Juive (SPCJ), in cooperation with the French Ministry of Interior, documented 1,676 antisemitic incidents in 2023 and 1,570 in 2024, compared to 436 in 2022.²⁰

In the UK, the Community Security Trust (CST) recorded 4,103 antisemitic incidents in 2023, compared to 1,662 in 2022, 2,261 in 2021, 1,684 in 2020, and 1,813 in 2019. In 2024, CST recorded 3,528 incidents, marking a slight decline from the 2023 peak but still significantly higher than pre-2023 levels.²¹ Of the 2023 total, 2,699 incidents occurred after October 7 (versus 392 during the same period in 2022), and 1,404 happened before October 7 (up from 1,270 in the same 2022 period).²² In Stamford Hill, a victim was hit with a bottle while being insulted with antisemitic slurs.²³

¹⁹ *Girl raped and assaulted in antisemitic attack in Paris suburb*, AP NEWS (May 22, 2024), <https://apnews.com/article/france-girl-raped-antisemitism-paris-courbevoie-violence-ff02a372c1304e7457281b04efaf910c>.

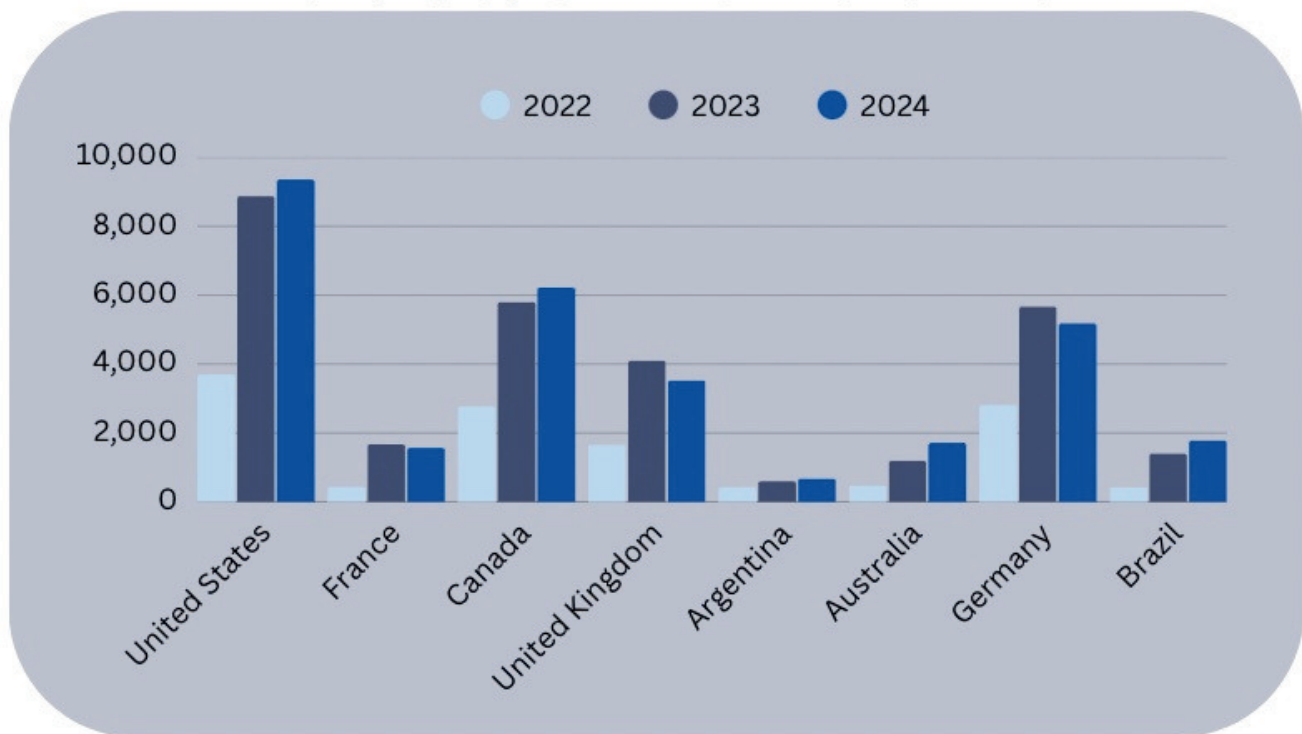
²⁰ Service de Protection de la Communauté Juive, *Les Chiffres de l'antisémitisme en France en 2024*, SPCJ (2024), <https://www.spcj.org/antis%C3%A9mitisme/chiffres-de-l-antis%C3%A9mitisme-2024>.

²¹ Community Security Trust, *Antisemitic Incidents Report 2024*, CST (2024), <https://cst.org.uk/data/file/6/1/Antisemitic%20Incidents%20Report%202024.1738928091.pdf>.

²² *Antisemitism Worldwide Report for 2023*, TEL AVIV UNIVERSITY AND ANTI-DEFAMATION LEAGUE, at 19, https://cst.tau.ac.il/wp-content/uploads/2024/05/AntisemitismWorldwide_2023_Final.pdf.

²³ Ciaran McGrath, *Moment Orthodox Jewish man attacked with bottle in London 'hate crime' attack*, EXPRESS (Nov. 3, 2023), <https://www.express.co.uk/news/uk/1830244/orthodox-jewish-man-bottle-london-stamford-hill>.

2022 / 2023 /2024 ANTISEMITIC INCIDENTS



In terms of incident types, 2023 saw 182 cases of damage or desecration of Jewish property (compared to 74 in 2022 and 82 in 2021), while 2024 saw a slight decrease to 157 such incidents—still more than double the 2022 figure. Most incidents fell into the category of abusive behavior, with 3,328 cases in 2023, 2,892 in 2024, and 1,339 in 2022. In 2023, there were 182 incidents of damage to Jewish property (74 in 2022; 82 in 2021) and 3,328 cases of abusive behavior (up from 1,339 in 2022).²⁴

These events illustrate the direct connection between the denial of the October 7 atrocities and the rise in antisemitism globally. This disturbing trend underscores the urgency of addressing atrocity denial not

just as a matter of historical accuracy, but as a vital component in the fight against growing antisemitism.

III. The Legal Framework of Atrocity Denial Prohibition

D. The Reasoning for the Legislation Prohibiting Atrocity Denial

Freedom to express ideas and information is indeed a fundamental right. Limiting this right must be thoroughly evaluated and not taken lightly. As the Adviser on the Prevention of Genocide to the UN Secretary-General, Ms. Alice Wairimu Nderitu, highlighted, legislation should intervene when denial “reaches the threshold of incitement speech.”²⁵ Several reasons justify

²⁴ *Antisemitism Worldwide Report For 2024*, TEL AVIV UNIVERSITY, https://cotler.tau.ac.il/wp-content/uploads/2025/04/AntisemitismWorldwide_2024.pdf.

²⁵ The UN Office on Genocide Prevention in Collaboration with the Jacob Blaustein Institute for the Advancement of Human Rights, *Combating Holocaust and Genocide Denial - Protecting Survivors, Preserving Memory, and Promoting Prevention*, UN (June 2022), https://www.un.org/en/genocideprevention/documents/publications-and-resources/22-00041_OSAPG_CombatingDenial_PolicyPaper.pdf (hereinafter *Genocide Report*).

the enactment of laws prohibiting atrocity denial, specifically concerning the denial of the October 7 massacre.

1. **Preservation of historical accuracy:** Legislation serves to acknowledge past atrocities and prevent the distortion of facts. Accurate historical records provide a foundation for education, enabling societies to recognize the causes and consequences of atrocities and to develop measures to prevent their recurrence.
2. **Upholding accountability:** These laws ensure that accountability for atrocities is upheld. By criminalizing denial, societies reinforce the importance of holding perpetrators responsible for their actions, thus strengthening the mechanisms of justice and deterrence.
3. **Prevention of hate speech and incitement:** Denial of atrocities often accompanies hate speech. Prohibiting atrocity denial helps prevent the spread of false narratives that can incite violence and discrimination. This rationale underpins Holocaust denial laws, recognizing that hate speech played a significant role in Hitler's rise to power.²⁶ Such laws act as a preventive measure against the promotion of racist and xenophobic ideologies.
4. **Honoring the memory of the victims and respecting the survivors:** Legislation against atrocity denial honors the memory of the victims by

acknowledging their suffering and ensuring their experiences are not denied or trivialized. There have been numerous accounts of individuals directly telling survivors of the October 7 massacre that their testimonies are lies. This renewed attack on the victims represents an obstacle to their healing. Prohibiting atrocity denial helps restore the dignity of victims and survivors.

In essence, such legislation not only preserves the integrity of historical events but also fortifies the ethical and moral framework of society. By enacting laws against atrocity denial, we take a crucial step towards a more informed, respectful, and just world, ensuring that the horrors of the past are neither forgotten nor repeated.

E. Laws Prohibiting Atrocity Denial and Potential Limitations to Freedom of Expression

The enactment of laws prohibiting the denial of the atrocities committed on October 7 may raise concerns regarding restrictions on freedom of expression. This right, as articulated by the International Covenant on Civil and Political Rights (ICCPR), includes the "freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."²⁷ Clearly, limiting one's expression of ideas conflicts with this fundamental right.

However, there are circumstances where such freedom can be lawfully restricted.

²⁶ Bekim Bruka, Criminalizing Genocide Denial: The Case of Srebrenica, JURISTNEWS (May 29, 2024), <https://www.jurist.org/commentary/2024/05/criminalizing-genocide-denial-the-case-of-srebrenica/>.

²⁷ International Covenant on Civil and Political Rights, art. 19, Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR].

According to Article 19 of the ICCPR, the right to freedom of expression can be subject to restrictions if they are provided by law and are necessary for the respect of the rights of others, and for the protection of national security, public order, or public health.

International legal instruments address not only the protection of the freedom of expression but also the requirements for its limitation, such as article 19.2 of the ICCPR and article 10.2 of the European Convention on Human Rights (ECHR).

In the case of *G. V. France*, the European Court of Human Rights analyzed the claim brought by the author of a book that included a whole chapter titled “The Myth of the Holocaust” in which, for instance, he denied the existence of gas chambers during the Holocaust or that the Nazis had a policy of extermination of the Jews. This was seen by the European Court of Human Rights as a legitimate reason to impose limitations to the freedom of expression. In the words of the European Court of Human Rights, “denying crimes against humanity is one of the most serious forms of racial defamation of Jews and of incitement to hatred of them.”²⁸ Therefore, in the eyes of the Court, the denial of the Holocaust is in itself a form of incitement.

As the European Court of Human Rights noted, and this report adheres to, the political criticism of the State of Israel, or any state, is protected under the freedom of expression. However, in many cases, as *Garaudy v. France*, people do not limit themselves to such criticism, but in fact pursue an actual racist aim.²⁹

²⁸ *Garaudy v. France* App. No. 65831/01 section The Law Eu. Ct. H.R. (June 24, 2003).

²⁹ Jeroen Temperman, *Laws Against the Denial of Historical Atrocities: A Human Rights Analysis*, 9(2-3) RELIGION & HUMAN RIGHTS 151-180 (2014).

³⁰ G.A., Res. 60/7, Holocaust Remembrance (Nov. 21, 2005).

³¹ G.A. Res. 61/255, Holocaust denial (Mar. 22, 2007).

Since October 7, we have witnessed instances where certain individuals and institutions have not merely criticized Israel’s military operations or government decisions but have gone so far as to completely deny the atrocities committed on that day. This denial has often been used as a form of incitement and hatred towards the Jewish population. While it is clear that restrictions on rights must be justified and not all contexts warrant imposing limitations on freedom of speech, the denial of the atrocities of October 7 constitutes a clear case where such limitations are necessary.

F. Holocaust Denial Laws as a Precedent

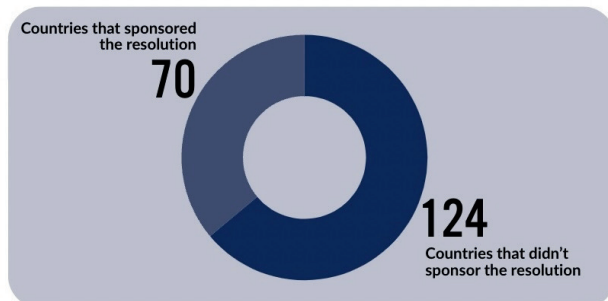
The legal framework surrounding the prohibition of Holocaust denial provides a significant precedent and framework for laws addressing the denial of the October 7 atrocities. As we seek to promote legislation to combat the denial of the October 7 massacre, it is crucial to understand the existing legal mechanisms used to address Holocaust denial, which can serve as a model.

The prohibition of Holocaust denial remains a pressing issue in many nations, even almost 80 years after the end of World War II, and not just at a national level. The UN General Assembly first addressed the topic in 2005, when it adopted the Holocaust Remembrance Day and created a Program of Outreach about the Holocaust.³⁰ Two years later, a resolution was approved by the UN General Assembly condemning “without any reservation any denial of the Holocaust.”³¹ More recently, in 2022, the General Assembly passed a new resolution

emphasizing the importance of all states and social media companies taking active measures to combat antisemitism and Holocaust denial.³²

In addition to the above mentioned resolutions, there are other international instruments worth highlighting. Article 20 of the ICCPR specifically establishes that “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” The Additional Protocol to the Convention on Cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems, establishes in its Article 6 that the parties to the protocol must adopt legislative measures to establish that distributing material which denies, grossly minimizes, approves, or justifies acts constituting genocide or crimes against humanity, as criminal offenses.

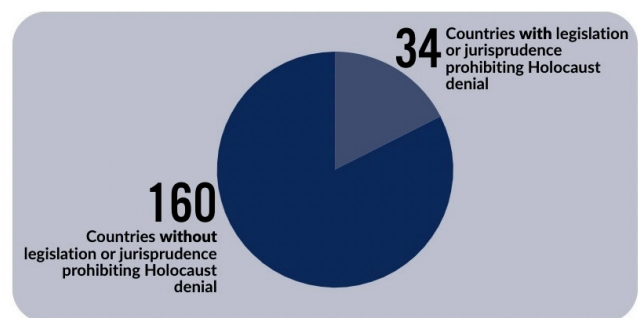
COUNTRIES THAT SPONSORED UN RESOLUTION ON HOLOCAUST DENIAL (RES. 76/250)



At the national level, there are 24 countries with specific legislation prohibiting Holocaust denial, configured in the criminal legal framework (see Annex I). Austria was the first to adopt such a law in 1947 with the Prohibition Act, which criminalizes the denial,

belittling, approval, or justification of the Holocaust, with sentences of up to 10 years imprisonment. Germany's Section 130(3) of the German Criminal Code imposes a penalty of imprisonment for up to five years or a fine for publicly denying or downplaying the Holocaust. In Ukraine, denying the mass extermination of Jews in the Holocaust is part of its definition of antisemitism, punishable by a fine or a prison sentence of up to five years. Among the 23 countries, only Brazil, Israel, and Russia are outside Europe.³³

LEGISLATION WITH JURISPRUDENCE ON HOLOCAUST DENIAL



Additionally, 10 other countries have addressed Holocaust denial through their jurisprudence rather than specific legislation. In the United Kingdom, the case of David Irving, a British historian, was a landmark ruling where Holocaust denial was condemned under hate speech laws.³⁴ In Argentina, the Supreme Court upheld a conviction for Holocaust denial in 2010, affirming it as a form of hate speech and discrimination against the Jewish community. In Australia, the Federal Court found Fredrick Töben guilty of contempt of court in 2002 for ignoring an order to remove Holocaust denial material from his website.³⁵

³² G.A. Res. 76/250, Holocaust denial (Jan. 13, 2022).

³³ *Holocaust denial in criminal law: Legal frameworks in selected EU Member States*, Think Tank/European Parliament (Jan. 26, 2022), [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2021\)698043](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2021)698043).

³⁴ *David Irving jailed for Holocaust denial*, The Guardian (Feb. 20, 2006), <https://www.theguardian.com/world/2006/feb/20/austria.thefarright>.

³⁵ Australian Holocaust denier sentenced to prison, YNet (May 13, 2009), <https://www.ynetnews.com/articles/0,7340,L-3715568,00.html>.

Understanding the current legal status of Holocaust denial laws provides a robust framework for developing laws to address the denial of the October 7 atrocities. These examples demonstrate that it is possible to balance freedom of expression with the need to prevent hate speech and protect the dignity of atrocity victims and survivors.

IV. Conclusion and Recommendations

As the European Court of Human Rights noted, and this report adheres to, political criticism of the State of Israel, or any state, is protected under freedom of expression. However, in many cases, such as *Garaudy v. France*, individuals do not limit themselves to criticism but pursue an actual racist aim.³⁶

In light of the above, the Jerusalem Institute of Justice urges the implementation of all available actions to address the denialism of October 7 and its use to fuel antisemitism outlined in this document, along with the following specific measures:

- **Governments should enact laws** that forbid and/or criminalize the denial of documented atrocities, such as those committed on October 7, similar to existing Holocaust denial laws. These laws should balance freedom of expression with the necessity to prevent hate speech and incitement.
- **Countries should collaborate** through international bodies like the United Nations to create a unified stance against atrocity denial, ensuring global accountability and the preservation of historical accuracy.

- **Develop and implement educational programs** that explain the atrocities committed on October 7 and emphasize the importance of historical truth and the dangers of atrocity denial.
- **Establish independent bodies** to monitor and report instances of atrocity denial and antisemitism, ensuring that such incidents are documented and addressed promptly.
- **Work with social media platforms** to prevent the spread of denialist content and hate speech, ensuring that these platforms are not used to perpetuate harmful narratives.

In conclusion, combating atrocity denial through robust legal frameworks and educational initiatives is crucial for fostering a more informed, respectful, and just society.

³⁶ *Supra* 4.

V. Annex: Holocaust Denial Database by Country

Country	Law	Jurisprudence	Number of convictions	IHRA	Sponsored resolution A/RES/76/250 about Holocaust denial	Antisemitic cases from October 7 - December 2023 (ADL-TAU report)	2022 antisemitic incidents (ADL-TAU report)	2023 antisemitic incidents (ADL-TAU report)	2024 antisemitic incidents (ADL-TAU report)	Increase percentage (2022-2023)	Increase percentage (2022-2024)
Afghanistan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Albania	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Algeria	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Andorra	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Angola	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Antigua and Barbuda	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Argentina	N/A	In 2000, a man was sentenced to prison for distributing neo-Nazi material that included Holocaust denial. In 2010, the Supreme Court of Argentina upheld a conviction for Holocaust denial, affirming it as a form of hate speech and discrimination against the Jewish community.	N/A	Yes	Yes	325	427	598	679	40%	59%
Armenia	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Australia	N/A	In 2002, the Federal Court of Australia found Fredrick Toben, the director of the Adelaide Institute, guilty of contempt of court for ignoring an order to remove Holocaust denial material from his website.	1	Yes	Yes	662	478	1,200	1,713	151%	258%
Austria	Prohibition Act of 1947: Criminalizes the denial, belittling, approval, or justification of the Holocaust. Sentences can range up to 10 years imprisonment.	N/A	3	Yes	Yes	720	N/A	1147	N/A	N/A	N/A
Azerbaijan	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Bahamas	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bahrain	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bangladesh	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Barbados	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Belarus	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Belgium	Negationism Law: The 'Negationism Law' of 23 March 1995 (amended in 1999) provides for a prison sentence of eight days to one year and a fine of between 26 and 5 000 Belgian francs (approximately €124) for anyone who denies, grossly minimises, attempts to justify, or approves the genocide committed by the German National Socialist regime during World War II.	N/A	N/A	Yes	Yes	62	N/A	N/A	N/A	N/A	N/A
Belize	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Benin	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bhutan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bolivia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bosnia and Herzegovina	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Botswana	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Brazil	Law No. 7,716/1989: criminalizes Holocaust denial under its broader anti-racism laws.	N/A	N/A	Yes (Observer)	Yes	1363	432	1,410	1,788	226%	314%
Brunei Darussalam	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Bulgaria	N/A	N/A	N/A	Yes	Yes	70	N/A	107	50	N/A	N/A
Burkina Faso	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Burundi	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Cambodia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Cameroon	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

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Canada	N/A	Ernst Zündel, a German-born publisher, faced multiple legal battles in Canada over his Holocaust denial publications. In 1992, the Supreme Court of Canada ruled that the country's hate speech laws did not violate the freedom of expression.	N/A	Yes	Yes	N/A	2,769	5,791	6,219	109%	125%
Cape Verde	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Central African Republic	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Chad	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Chile	N/A	There have been cases where Holocaust denial was prosecuted as part of broader hate speech offenses.	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
China	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Colombia	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Comoros	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Congo (Democratic Republic)	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Congo (Republic)	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Costa Rica	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Côte d'Ivoire	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Croatia	N/A	In 2016, a Croatian court convicted a man for hate speech after he praised the Ustaša regime, which included implicit Holocaust denial.	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Cuba	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Cyprus	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Czech Republic	Penal Code: establishes that 'anyone who publicly denies, disputes, approves or attempts to justify a Nazi, communist or other genocide or Nazi, communist or other crimes against humanity or war crimes or crimes against peace will be punished by imprisonment for six months to three years.	N/A	N/A	Yes	Yes	7	25	18	30	-28%	20%
Denmark	N/A	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Djibouti	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Dominica	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Dominican Republic	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Ecuador	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Egypt	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
El Salvador	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Equatorial Guinea	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Eritrea	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Estonia	N/A	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Ethiopia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

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European Union	Council Framework Decision 2008/913/JHA: requires all member states to criminalize hate speech and incitement to violence based on race, religion, ethnicity, or national origin, including denial of the Holocaust. Each member state is responsible for implementing this framework into their national legislation.	N/A	N/A	Yes	No	N/A	N/A	N/A	N/A	N/A	N/A
Fiji	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Finland	N/A	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
France	Gayssot Act: Prohibits the denial of the Holocaust as defined by the Nuremberg Trials. Penalties include fines and imprisonment up to 1 year.	N/A	6	Yes	Yes	1242	436	1,676	1,570	284%	260%
Gabon	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Gambia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Georgia	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Germany	Section 130(3) GCC: whoever publicly or in an assembly approves of, denies or downplays an act committed under the rule of National Socialism of the kind indicated in Section 6 (1) of the Code of Crimes against International Law in a manner that is liable to cause a disturbance of the public peace, incurs a penalty of imprisonment for a term not exceeding five years or a fine.	N/A	9	Yes	Yes	2249	2,811	5,671	5,177	102%	84%
Ghana	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Greece	Law 927/1979: any person that intentionally, orally or through the press, via the internet or by any other means or manner, publicly condones, trivialises or maliciously denies the commission or seriousness of crimes of genocide, war crimes, crimes against humanity, the Holocaust and the Nazi crimes recognised by decisions of international courts or the Hellenic Parliament, is punished with imprisonment of three months to three years and with a fine of €5 000 to €20 000.	N/A	N/A	Yes	Yes	N/A	5	6	4	20%	-20%
Grenada	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Guatemala	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Guinea	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Guinea-Bissau	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Guyana	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Haiti	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Honduras	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A

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Hungary	Penal Code: Criminalizes the denial of the Holocaust and other genocides. Penalties include imprisonment up to 3 years.	N/A	1	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Iceland	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
India	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Indonesia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Iran	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Iraq	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Ireland	N/A	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Israel	Law for the Prohibition of Holocaust Denial: Prohibits the denial of the Holocaust and imposes penalties including fines and imprisonment up to 5 years.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Italy	Law No. 115 of 2016: the penalty of imprisonment from two to six years if propaganda or incitement were based in whole or in part on the denial of the Shoah or crimes of genocide, crimes against humanity and war crimes. This provision establishes the penalty of imprisonment of between two and six years if propaganda or incitement, based in whole or in part on the denial, serious minimisation or apology of the Shoah or crimes of genocide, crimes against humanity and war crimes.	N/A	N/A	Yes	Yes	216	241	454	877	88%	264%
Jamaica	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Japan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Jordan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Kazakhstan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Kenya	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Kiribati	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Korea Republic	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Kuwait	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Kyrgyzstan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Laos	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Latvia	N/A	In 2019, a Latvian court convicted a man for incitement to hatred, which included Holocaust denial.	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Lebanon	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Lesotho	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Liberia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Libya	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Liechtenstein	Penal Code: Criminalizes Holocaust denial and other forms of hate speech. Penalties include fines and imprisonment up to 2 years.	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

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Lithuania	Penal Code: establishes criminal liability for anyone who publicly endorses, denies or grossly minimizes the crimes of genocide, war crimes and crimes against humanity (including the Holocaust), committed by the Soviet Union or Nazi Germany on the territory of the Republic of Lithuania or against its inhabitants. The Criminal Code provides for imprisonment for a term of up to two years, restriction of freedom, arrest or punishment by a fine.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Luxembourg	Penal Code: Criminalizes Holocaust denial and other forms of hate speech. Penalties include fines and imprisonment up to 2 years.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Macedonia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Madagascar	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Malawi	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Malaysia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Maldives	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Mali	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Malta	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Marshall Islands	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Mauritania	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Mauritius	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Mexico	N/A	N/A	N/A	No	Yes	52	21	78	53	271%	152%
Micronesia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Moldova	N/A	N/A	N/A	Yes (Observer)	No	N/A	N/A	N/A	N/A	N/A	N/A
Monaco	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Mongolia	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Montenegro	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Morocco	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Mozambique	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Myanmar	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Namibia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Nauru	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Nepal	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Netherlands	Penal Code: Prohibits Holocaust denial under laws against discrimination and incitement to hatred. Penalties include fines and imprisonment up to 1 year.	N/A	N/A	Yes	Yes	107	N/A	N/A	N/A	N/A	N/A
New Zealand	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	8	134	131	1575%	1538%
Nicaragua	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Niger	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Nigeria	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
North Macedonia	N/A	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A

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Norway	N/A	In 2018, a Norwegian man was convicted for distributing Holocaust denial literature, under the country's hate speech laws.	N/A	Yes	No	N/A	N/A	N/A	N/A	N/A	N/A
Oman	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Pakistan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Palau	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Panama	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Papua New Guinea	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Paraguay	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Peru	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Philippines	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Poland	Act on the Institute of National Remembrance: Under Article 55 of this law, denying – publicly and contrary to facts – the crimes enumerated in its Article 1 is an offense subject to a fine or imprisonment of up to three years, with the judgment made known publicly.	N/A	N/A	Yes	Yes	N/A	111	190	200	71%	80%
Portugal	Penal Code: Criminalizes the denial of genocides, including the Holocaust. Penalties include fines and imprisonment up to 8 years.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Qatar	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Romania	Emergency Ordinance No. 31/2002: Denial, contestation, approval, justification or minimisation in an obvious way by any means in public of the Holocaust or its effects is punished by imprisonment from six months to three years or by a fine.	N/A	1	Yes	Yes	N/A	17	36	45	112%	165%
Russia	Penal Code (Article 354.1): Criminalizes the denial of Nazi crimes, including the Holocaust. Penalties include fines and imprisonment up to 5 years.	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Rwanda	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Saint Kitts and Nevis	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Saint Lucia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Saint Vincent and the Grenadines	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Samoa	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
San Marino	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Sao Tome and Principe	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Saudi Arabia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Senegal	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Serbia	N/A	N/A	N/A	Yes	No	N/A	N/A	N/A	N/A	N/A	N/A
Seychelles	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Sierra Leone	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Singapore	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

Country	Law	Jurisprudence	Number of convictions	IHRA	Sponsored resolution A/RES/76/250 about Holocaust denial	Antisemitic cases from October 7 - December 2023 (ADL-TAU report)	2022 antisemitic incidents (ADL-TAU report)	2023 antisemitic incidents (ADL-TAU report)	2024 antisemitic incidents (ADL-TAU report)	Increase percentage (2022-2023)	Increase percentage (2022-2024)
Slovakia	§ 422(d) of the Criminal Code: 'whoever publicly denies, questions, approves or seeks to justify the Holocaust, the crimes of a regime based on fascist ideology, the crimes of a regime based on communist ideology or the crimes of another similar movement which seeks to suppress fundamental rights and freedoms of persons by violence, threat or other serious harm, shall be punished by imprisonment for a term of six months to three years.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Slovenia	Article 297 of the Criminal Code: criminal offense of public incitement to hatred, violence or intolerance, based on any personal circumstance. Dissemination of racist ideas or denial, diminishing, approval, justifying, ridiculing or defending of the Holocaust or other crimes against humanity are also punishable by imprisonment for up to two years.	N/A	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Solomon Islands	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Somalia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
South Africa	N/A	N/A	N/A	No	No	139	68	207	128	204%	88%
South Sudan	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Spain	Penal Code (Article 607.2): Criminalizes the denial and justification of genocide, including the Holocaust. Penalties include fines and imprisonment up to 2 years.	N/A	N/A	Yes	Yes	42	35	60	170	71%	386%
Sri Lanka	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Sudan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Suriname	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Swaziland	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Sweden	N/A	Ahmed Rami, a former Moroccan army officer, was convicted in the 1990s for broadcasting Holocaust denial material on Radio Islam.	N/A	Yes	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Switzerland	Penal Code (Article 261bis): Criminalizes the denial or gross minimization of genocides, including the Holocaust. Penalties include fines and imprisonment up to 3 years.	N/A	3	Yes	Yes	113	57	155	221	172%	288%
Syria	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Tajikistan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Tanzania	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Thailand	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Timor Leste	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Togo	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Tonga	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

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Trinidad and Tobago	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Tunisia	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Turkey	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Turkmenistan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Tuvalu	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Uganda	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Ukraine	Penal Code: This law includes denying the mass extermination of Jews in the Holocaust as part of its definition of antisemitism. When committed by an individual is punishable by a fine or a prison sentence of up to five years. Public officials would also be fined or imprisoned for up to five years, and banned from holding certain offices for up to three years.	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
United Arab Emirates	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
United Kingdom	N/A	The UK has robust hate speech laws that encompass Holocaust denial. David Irving, a British historian, lost a high-profile libel case in 2000, which effectively ruled his Holocaust denial as being based on deliberate falsification of evidence.	N/A	Yes	Yes	2699	1,662	4,103	3,528	147%	112%
United States	N/A	The First Amendment protects free speech, including Holocaust denial, unless it directly incites violence or constitutes harassment.	N/A	Yes	Yes	3976	3,698	8,873	9,354	140%	153%
Uruguay	N/A	N/A	N/A	Yes (Observer)	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Uzbekistan	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Vanuatu	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Venezuela	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Vietnam	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Yemen	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
Zambia	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Zimbabwe	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A

Submitted by the Jerusalem Institute of Justice (JIJ) on July, 2025



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