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May 13, 2019

Mayor John Tory Members of Toronto City Council Toronto City Hall 100 Queen Street West Toronto ON M5H 2N2

Re: City Council Meeting May 14, 2019 - Hate-Sponsored Rallies (EX5.3) / Al Quds Day Rallies

Dear Mayor Tory and City Councillors:

As I have previously advised the Executive Committee of Toronto City Council, I am legal counsel to the Al Quds Day organizers. I write to you on my clients' behalf in response to Communication EX5.3.8.

A. Introduction

According to the agenda for the City Council's meeting of May 14, City Council will consider on that day two resolutions regarding 'hate-sponsored rallies' adopted by the Executive Committee at its meeting of May 1, 2019 (the "Resolutions").

Although the Resolutions make no reference to the Al Quds Day rallies, it is clear from their history that their primary purpose is to prevent Al Quds Day rallies from occurring on city property.

Indeed, a June 2018 article in *Canadian Jewish News* reported that Councillor James Pasternak, a member of the Executive Committee who is the driving force

behind the Resolutions, "has been vocally opposed to the annual [Al Quds Day] march" and that Mr. Pasternak stated he was working with Mayor Tory "to put this hate rally to an end. We are also working with staff to use every legal means possible to disrupt, impede and stop this appalling display of racism and inciting violence."¹

Shortly prior to the Executive Committee's adoption of the Resolutions on May 1, 2019, Michael Mostyn, the CEO of B'nai Brith Canada, delivered a deputation regarding the Al Quds Day rallies. During his deputation, Mr. Mostyn made reference to an affidavit which, according to him, refuted various statements made by one of the Al Quds Day organizers, Siraj Sabowala, in an affidavit that Mr. Sabowala delivered to the Executive Committee in advance of its meeting of March 21, 2019.

Although Mr. Mostyn's affidavit makes serious allegations against Mr. Sabowala and the other Al Quds Day organizers, Mr. Mostyn did not provide to me a copy of the affidavit before I delivered my own deputation to the Executive Committee on May 1, 2019. I was therefore unable to respond to Mr. Mostyn's affidavit at that Executive Committee meeting. Following the May 1 meeting, I requested and obtained a copy of the affidavit from Mr. Mostyn.

My purpose in writing to you now is to respond to the extensive misinformation contained in his affidavit, which is replete with erroneous statements, glaring omissions, quotations torn out of context and flawed logic.

I ask that City Council consider the following corrective information carefully before voting on these ill-advised Resolutions.

B. The Mostyn Affidavit

1. Mr. Mostyn's Claims About the Origins of Al Quds Day

In paragraph 6 of his affidavit, Mr. Mostyn asserts that Al Quds Day was the "brainchild of Ayotollah Ruholla Khomeini, the late dictator who seized control of Iran in 1979."

¹ "Toronto Al-Quds Day Will Go Ahead, Despite Efforts to Stop It", *Canadian Jewish News*, June 1, 2018: https://www.cjnews.com/news/canada/toronto-al-quds-day-rally-will-go-ahead-despite-efforts-to-stop-it

This statement is false.

In fact, the Al Quds Day rally was the brainchild of Ebrahim Yazdi, an Iranian politician, pharmacist, and diplomat who served as deputy prime minister and minister of foreign affairs in the interim Iranian government of Mehdi Bazargan.

Notably, Mr. Yazdi resigned his positions in the Iranian government in protest over Khomeini's endorsement of the occupation of the American embassy in Tehran. Yazdi was subsequently persecuted by the Iranian regime.

Attached hereto as **Exhibit "A"** is the *Wikipedia* entry for Mr. Yazdi, which recounts these facts.

2. Mr. Mostyn's Claims About Jewish Only Settlements in Occupied Palestinian Territory

In paragraph 8 of his affidavit, Mr. Mostyn asserts that Mr. Sabowala's claim that Israel is building Jewish-only settlements is "totally false" and that "there is nothing stopping non-Jews from living there if they wish to do so."

Mr. Mostyn is woefully mistaken. Attached hereto as **Exhibit "B"** is an Amnesty International report of September 5, 2018 which condemns a recent decision of Israel's Supreme Court to allow the demolition of the Palestinian village of Khan al-Ahmar in the Jerusalem Governorate of the West Bank. According to that Amnesty International report, the Israeli Supreme Court's "shameful and manifestly unlawful ruling... confirmed a pattern of complicity in the crime of forcible transfer of Palestinian communities for the expansion of *Jewish only settlements*" [emphasis added].

Attached hereto as **Exhibit "C"** is a March 11, 2019 report of The Israeli Information Center for Human Rights in the Occupied Territories (B'Tselem), which describes Israel's appalling treatment of Palestinians in East Jerusalem. According to B'Tselem's report, Israel's "settlement enclaves in the Palestinian neighborhoods of East Jerusalem have altered them and made unbearable the lives of the Palestinian residents: they suffer invasion of privacy, economic

pressure, and daily harassment by settlers and their security guards, who are paid for by the authorities."

Mr. Mostyn's suggestion that Palestinians would generally feel welcome to live in Israel's unlawful settlements is, quite frankly, preposterous.

Furthermore, Mr. Mostyn's affidavit completely ignores the fact that the Canadian government has long deemed Israel's settlements in and annexation of East Jerusalem to be a violation of the *Fourth Geneva Convention* and a "serious obstacle to peace."²

3. Mr. Mostyn's Claims About the Composition of the Al Quds Day Rallies

At paragraph 9 of his affidavit, Mr. Mostyn claims that most of the attendees of the Al Quds Day rallies in Toronto come from outside of the city. The 'evidence' he provides in support of that claim is that, at certain of the past rallies, most of the buses the organizers rented to transport protesters to the site of the rally were dispatched to points outside of the city.

If Mr. Mostyn had thought carefully about this information, he would have realized that this information provides no support for his claim. It is entirely to be expected that most of those buses would be dispatched to points outside the city because participants who reside in the city could easily travel to the rally using Toronto's public transport system and would not need to be transported there on buses rented by the organizers.

The fact is that the majority of participants consistently come from the City of Toronto.

Moreover, there is a larger point here which Mr. Mostyn entirely neglects. In his affidavit, Mr. Mostyn does not explain why he considers it relevant that most of the protesters (allegedly) come from outside Toronto. Presumably, he believes

² "Canadian Policy on Key Issues in the Israeli-Palestinian Conflict", Global Affairs Canada: https://international.gc.ca/world-monde/international relations-relations internationales/mena-moan/israeli-palistinian_policy-politique_israelo-palestinien.aspx?lang=eng.

that protesters residing outside of the city have less entitlement to protest on city property than residents of Toronto. If that is his point, then he is sadly mistaken.

The City of Toronto is home to many institutions whose political significance transcends the city of Toronto. Those many institutions include the legislature of Ontario and the United States Consulate. The presence of these institutions confers major benefits on the City. Among other things, these institutions attract visitors to the city, which in turn increases economic activity in Toronto. These institutions also enhance the city's profile and prestige across the province, as well as nationally and internationally. Accordingly, there is nothing remotely unfair about Canadians from outside of Toronto coming to Toronto to exercise their constitutional rights of free speech, assembly and association.

Furthermore, we are highly confident that a Court of law would unequivocally reject any suggestion that Canadians from outside of Toronto have less of a right to protest on Toronto city property than residents of Toronto.

4. Mr. Mostyn's Claims Regarding the Facebook Group for the Toronto Al Quds Day Rally

At para. 18 of his affidavit, Mr. Mostyn correctly surmises that the "Siraj Ali" who administers the Al Quds Day Toronto Facebook Group is Siraj Sabowala, who submitted an affidavit to the Executive Committee in connection with its meeting of March 21, 2019. Mr. Mostyn then discusses a February 5, 2015 Facebook by Mr. Sabowala regarding the leader of ISIS, Abu Bakr Al-Baghdadi.

That post contains a meme condemning al-Baghdadi and accusing him of "playing into the hands of Zionists".

Mr. Sabowala did not create that meme. It was forwarded it to him and he then posted it on Facebook because he strongly agrees that al-Baghdadi is a reprehensible human being.

Mr. Mostyn asserts that the claim that al-Baghdadi "is in any way aligned with Jews/Zionists/Israel is itself an anti-Semitic claim..."

Mr. Mostyn seems oblivious to the fact that mainstream media – including *Israeli media* -- have reported that Israel has given aid to jihadists fighting in the Syrian civil war.

For example, a May 12, 2015 article in *Ynetnews.com*³ reported that Israel had been treating wounded Syrian rebels. According to that article, "It is likely that *most if not all of these nationals are rebels from the rival jihadist Islamic State and al-Nusra Front groups*" [emphasis added]. (The al-Nusra front is Al Qaeda's affiliate in Syria and is deemed to be a terrorist organization by Western governments.)

Similarly, in March 15, 2015, the *Jerusalem Post* reported that, according to the *Wall Street Journal*, Israel had "opened its borders with Syria in order to provide medical treatment to Nusra Front and al-Qaida fighters..."

The *Ynetnews.com* and *Jerusalem Post* articles are attached hereto respectively as **Exhibits "D"** and **"E"**.

Mr. Mostyn also criticizes Mr. Sabowala's post of February 5, 2015 on the basis that that post condemns the killing of Palestinians by Jews in order to establish Israel. It is, however, a historical fact that Jewish Zionists massacred Palestinians in order to establish the State of Israel.

One such massacre was committed in April 1948 in the Palestinian village of Deir Yassin by a Zionist paramilitary group known as "Irgun." (That massacre is referred to in the meme which Mr. Sabowala posted on Facebook on February 5, 2015.) The leader of Irgun was Menachem Begin, who would later become Israel's Prime Minister.

In a December 2, 1948 letter to the *New York Times*, Albert Einstein and dozens of other Jewish dignitaries condemned the massacre at Deir Yassin, describing Irgun as a "terrorist" band and its leader Menachem Begin as a "fascist". Attached hereto as **Exhibit "F"** is a copy of that letter to the *New York Times*.

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³ Ynetnews is the online English-language Israeli news website of Yedioth Ahronoth, Israel's most-read newspaper

Shamefully, on its website, B'nai Brith Canada describes Menachem Begin as a "Zionist hero" and offers to its supporters the possibility of winning a Menachem Begin "action figure".⁴

It is important to understand that, in his February 5, 2015 post, Mr. Sabowala does not blame Jews as a collectivity for the killing of Palestinians. He understands perfectly well that the vast majority of Jews are repulsed by the kinds of atrocities committed by Irgun and by ISIS.

Moreover, it seems not to have occurred to Mr. Mostyn that the February 5, 2015 post undermines his claim that the Al Quds organizers support terrorism, because that post is an unequivocal denunciation of terrorism.

5. B'nai Brith Canda and the Jewish Defence League Canada

At paragraph 24 of his affidavit, Mr. Mostyn claims that B'nai Brith Canada does not support and has no relationship with the Jewish Defence League Canada ("JDL"). It is certainly understandable that Mr. Mostyn would seek to distance himself and his organization from the JDL and its current leader, Meir Weinstein.

In a letter I submitted to the Executive Committee at its meeting of November 28, 2017, I explained that the U.S. Federal Bureau of Investigation has categorized the JDL as a "violent extremist Jewish organization" and that one of its members was recently charged with a hate crime in connection with the savage mob-beating of an elderly Palestinian man in Washington, D.C. Subsequently, a second supporter of the JDL was criminally charged in connection with that same beating. In addition, on May 6, 2017, JDL members assaulted an employee of Canadian Journalists for Free Expression at a rally at Nathan Phillips Square. JDL member Max Bocknek was later charged with assault by Toronto police.

⁴ "Profiling Zionist Heroes: Menachem Begin", B'nai Brith Canada, May 22, 2017: https://www.bnaibrith.ca/profiling zionist heroes menachem begin.

⁵ "Arrest Warrant Still Outstanding for Ottawa Resident Charged with Assault", *Canadian Jewish News*, August 2, 2018: https://www.cjnews.com/news/canada/arrest-warrant-still-outstanding-for-ottawa-resident-charged-with-assault.

⁶ "Statement on the Assault of an Employee by Right-Wing Extremists", Canadian Journalists for Free Expression, May 9, 2017: https://www.cjfe.org/cjfe_statement_on_the_assault_of_an_employee_by_right_wing_extremists.

JDL leader Meir Weinstein has stated "I will always be a loyal disciple of Rabbi [Meir] Kahane", a co-founder of the JDL. Before his death, Meir Kahane was convicted in the United States of terrorism-related crimes. Kach, an Israeli political party that Kahane co-founded, was banned in Israel in 1988 for being "racist" and "antidemocratic."

It is difficult to accept at face value Mr. Mostyn's attempt to distance himself and his organization from this violent extremist group.

Last year, a protest was held at the head office of B'nai Brith Canada in Toronto. The purpose of the protest was to support the Canadian Union of Postal Workers, whom Mr. Mostyn and B'nai Brith Canada had publicly condemned. After the JDL learned of the protest, it promptly organized a counter-protest at the offices of B'nai Brith Canada. On the day of the protest, JDL members stood on the sidewalk adjacent to B'nai Brith Canada's office. There, they were joined by white supremacist and former Toronto mayoral candidate Faith Goldy, who was warmly welcomed by Meir Weinstein.

Attached hereto as **Exhibit "G"** is a screen shot of the JDL's Facebook announcement of its counter-protest. Attached hereto as **Exhibit "H"** is a photograph of Faith Goldy standing with JDL protesters at the JDL counter-protest held next to B'nai Brith's head office in Toronto.

In addition, at the Executive Committee meeting of May 1, 2019, Mr. Mostyn was photographed conferring with Meir Weinstein and James Pasternak. Attached hereto as **Exhibit "I"** is a copy of that photograph.

6. Mr. Mostyn's Claims About Police Investigations Into Past Al Quds Day Rallies

The April 15, 2019 report of city staff to the Executive Committee contained a major revelation which Mr. Mostyn struggles mightily to belittle in his affidavit.

⁷ https://en.wikipedia.org/wiki/Meir Weinstein.

⁸ https://en.wikipedia.org/wiki/Meir Kahane.

After months of hearing false claims that Al Quds Day rallies are 'hate-infested' and that opponents of the rallies had filed a complaint with Toronto police, the April 15 report disclosed that multiple Toronto police officers (including a Superintendent) had examined statements made at the 2017 Al Quds Day rally and had concluded that hate crime charges were not warranted.

Unlike the JDL, no participant in an Al Quds Day rally in Toronto has ever been charged, let alone convicted, with committing a hate crime or any other criminal offence at an Al Quds Day rally.

Despite that fact, Mr. Mostyn, Mr. Pasternak and the other Executive Committee are determined to shut down Al Quds rallies while failing to express the remotest concern about JDL protests on city property. Even worse, they have twice accepted advice about hate rallies from hate-monger Meir Weinstein.

Furthermore, the Al Quds Day organizers categorically reject Mr. Mostyn's claim at paragraph 13 of his affidavit that Toronto police have "warned" the organizers that past speeches at Al Quds Day rallies have been subjected to criminal investigation.

7. Mr. Mostyn's Claims Regarding 'Radio Man'

In his affidavit, Mr. Sabolwala addressed false claims that, at the 2017 Al Quds Day rally in Toronto, the organizers played Arabic-language music calling for Israelis to be killed.

In particular, Mr. Sabowala discussed a video published in late 2017 by a U.S.-based, Islamophobic organization calling itself the "American Center for Democracy" ("ACD"). The video shows an audio speaker sitting on the grass at the Al Quds Day rally. In the video, the above-mentioned music can be heard. Mr. Sabowala notes in his affidavit that the organizers later consulted Saul Bottcher, an individual having substantial expertise in audio equipment, and that, by examining the ACD video closely, Mr. Bottcher was able to identify the model and manufacturer of the speaker shown in the video. Mr Sabowala attached to his affidavit the receipts for the speakers rented by the organizers for that rally and

points out that the speaker appearing in the ACD video is not listed in those receipts.

At paragraph 29 of his affidavit, Mr. Mostyn notes that, months before Mr. Sabowala swore his affidavit, I had authored and published on my website an article in which I raised the possibility that the music in question had been played by a mysterious individual who can be seen repeatedly in various videos carrying a large Dewalt music player. In one of those videos, a bystander can be heard referring to that individual as "radio man."

According to Mr. Mostyn, Mr. Sabowala's affidavit is "directly contrary" to the article that I authored. In making that claim, Mr. Mostyn is clearly implying that Mr. Sabowala admitted in his affidavit that the offensive music was actually played on the speaker featured in the ACD video. That, however, is *false*. Mr. Sabowala *makes no such admission in his affidavit*.

Clearly, the ACD video is designed to convey the impression that the offensive music was played on the speaker featured in the video. Mr. Sabowala simply pointed out in his affidavit that the speaker shown in the ACD video has nothing to do with the organizers of the rally. He offers no opinion on whether the offensive music was actually played on that speaker.

On the contrary, at paragraph 32 of his affidavit, Mr. Sabowala avers that the organizers have no recollection of having heard that music at the 2017 rally.

Because they have no such recollection, they cannot confirm that the music was in fact played on that speaker. All that they can say with high confidence is that they did not hear the music, that they did not authorize anyone to play the music, that they would never have allowed the music to be played if they had known that someone had an intention to play it, and that the music in fact was not played on the speakers they rented.

To this day, the provenance of that offensive music remains an open question.

Further, in his affidavit, Mr. Mostyn attacks the credibility of Mr. Bottcher (whose identity my client readily disclosed to the Executive Committee) on the basis that Mr. Bottcher and I likely know each other. In fact, Mr. Bottcher and I have known

each other since 2016, but that does not mean that Mr. Bottcher is affiliated with the organizers of the Al Quds rally. Before giving his opinion on the speaker in question, Mr. Bottcher had never attended an Al Quds rally, had never helped to organize or fund such a rally, and had never met or spoken to any of the organizers of the Al Quds Day rally.

Most importantly, Mr. Mostyn does not adduce an iota of evidence that Mr. Bottcher's opinion is incorrect. B'nai Brith Canada could have consulted its own expert in audio equipment to identify the speaker appearing in the ACD video, but it apparently did not do so. Mr. Mostyn therefore has *no basis* to assert that that speaker was in fact rented by the Al Quds Day organizers.

Finally, Mr. Mostyn fails to comment in his affidavit on the fact that we discovered the ACD video on the Google Drive of Jonathan Halevi.

As I have previously informed the Executive Committee, the *Toronto Star* published a lengthy exposé on October 22, 2017 entitled "A Toronto imam was accused of hate-preaching against Jews. But that wasn't the whole story." That exposé examined in detail a video which appeared to show a Toronto-based imam making offensive statements about the Jewish people in prayers delivered at a Mosque in Toronto. After the video's publication, B'nai Brith Canada demanded that Ryerson University fire the imam from his teaching position.

According to the *Toronto Star*:

Elkasrawy's prayers were first translated on CIJ News, a website founded and edited by Jonathan Dahoah Halevi.

Halevi describes himself as a retired lieutenant-colonel and intelligence officer with the Israel Defense Forces, who now researches the Middle East and radical Islam. He learned Arabic in school and university, he once explained to an interviewer.

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⁹ "A Toronto imam was accused of hate-preaching against Jews. But that wasn't the whole story", *Toronto Star*, October 22, 2017 https://www.thestar.com/news/gta/2017/10/22/a-toronto-imam-was-accused-of-hate-preaching-against-jews-but-that-wasnt-the-whole-story.html.

He has also been a go-to pundit for the now-defunct Sun News Network and its offshoot Rebel News, a right-wing media website that has drawn controversy for its anti-Muslim coverage.

The *Toronto Star* retained five Arabic experts who independently analyzed Elkasrawy's prayers at the *Star's* request. The experts — from Canada, the United States and the United Kingdom — were Arabic translators, linguists and university professors with published book chapters, academic papers and textbooks.

They concluded that the initial, widely circulated translation was "mistranslated," "decontextualized" and "disingenuous." One expert said it had the hallmarks of a "propaganda translation."

The *Toronto Star* further reported that:

The YouTube clip was particularly troubling for Arabic sociolinguist and dialectologist Atiqa Hachimi, an associate professor at the University of Toronto.

This is because the clip was digitally manipulated: the first two seconds were cut and pasted from a different prayer Elkasrawy had made two minutes earlier. A slanted translation then transformed this Quranic verse from "Thou art our Protector. Help us against those who stand against faith" to "Give us victory over the disbelieving people."

"It changed their meaning in such a way as to promote the dangerous myths that violent extremism and hate are inherent to Islam," Hachimi said.

Halevi declined the *Star's* requests for a phone interview but, in emailed responses, he stood by his original translation of Elkasrawy's prayers. He did not answer specific questions about his translation, nor did he answer questions about the source of the digitally manipulated clip.

In response to questions from the *Star*, B'nai Brith Canada solicited an opinion from Mordechai Kedar, a notorious professor with the Arabic department at Israel's Bar-Ilan University. Shortly before he was consulted by B'nai Brith Canada,

Kedar ignited a firestorm of controversy when he stated that the only way to deter Palestinian terrorists was to rape their mothers and sisters.¹⁰

8. Mr. Mostyn's Claims About Kevin Barrett

At paragraphs 32-37 of Mr. Mostyn's affidavit, he makes various claims in regard to Kevin Barrett, who spoke at the Al Quds Day rally in Toronto in 2017.

Mr. Mostyn acknowledges that, in 2017, B'nai Brith Canada sought to persuade Canadian authorities to bar Mr. Barrett from entering Canada to speak at the Al Quds Day rally in Toronto.

Ultimately, Mr. Barrett was permitted to enter Canada, presumably because, unlike other figures who have been banned, such as white supremacist Richard Spencer, the government found no reason to believe that Barrett would spread hate during his visit.¹¹

Mr. Mostyn attempts to explain away Mr. Barrett's entry on the basis that Holocaust denial is not a criminal offence in Canada, but surely B'nai Brith Canada nonetheless believed at the time that Canadian authorities had grounds to refuse Mr. Barrett's request for admission. Clearly, B'nai Brith was wrong.

During his 15-minute speech at the Al Quds Day rally in Toronto in 2017, Mr. Barrett said nothing – absolutely nothing – that could rationally be characterized as Holocaust denial. On the contrary, during his speech, which can be viewed in its entirety on YouTube, ¹² Mr. Barrett expressly acknowledged "Nazi crimes" against the Jewish people and suggested that it was Germany -- not the Palestinian people -- which should sacrifice land for a Jewish homeland in order to atone for Nazi crimes.

¹⁰ "Israeli Professor's 'Rape as Terror Deterrent' Statement Draws Ire", *Haaretz*, July 22, 2014: https://www.haaretz.com/.premium-prof-s-words-on-stopping-terror-draws-ire-1.5256331.

¹¹ "The Canadian roots of white supremacist Richard Spencer", *Macleans*, November 25, 2016: https://www.macleans.ca/news/world/the-canadian-roots-of-white-supremacist-richard-spencer/.

¹² The video of Mr. Barrett's speech can be found here: https://www.macleans.ca/news/world/the-canadian-roots-of-white-supremacist-richard-spencer/. His discussion of the crimes of the Nazi regime against the Jewish people begins at 9:02 of the video.

In his affidavit, Mr. Mostyn characterizes a June 23, 2017 article published by the *National Post* as iron-clad proof that Mr. Barrett is a Holocaust denier, but that article does not contain evidence of Holocaust denial and describes Mr. Barrett as an "alleged Holocaust denier" [emphasis added].

Without providing evidence or explanation for his allegation, Mr. Mostyn baldly alleges that "it is obvious, from the plain text of the article and the source material that it references, that Mr. Barrett has engaged in Holocaust denial within the definition used by the Government of Canada and the [International Holocaust Remembrance Alliance] ("IHRA")."¹³

Moreover, Mr. Mostyn's affidavit fails to note that the *National Post* article quotes extensively from Mr. Barrett, who emphatically rejects the charge of Holocaust denial and emphasizes that what he has criticized is the exploitation of the Holocaust by Western powers and elites "to excuse the Allied war crimes during and after World War II (which killed far more than six million innocents)..."

At paragraph 36 of his affidavit, Mr. Mostyn claims that Mr. Barrett continues to engage in Holocaust denial. Although Mr. Mostyn acknowledges that Mr. Barrett's stated belief is that the Nazi regime's treatment of the Jewish people was in fact shameful, Mr. Motsyn creates a false impression of Mr. Barrett's views by omitting a key sentence from an article that Mr. Barrett wrote earlier this year. In the paragraph in question, Mr. Barrett refers to the allied forces' fire-bombing of Dresden, in which more than 100,000 civilians died. Mr. Mostyn mentions that decontextualized fact in paragraph 36 of this affidavit, thus creating the impression that Mr. Barrett is implying that fewer than 100,000 Jews were murdered by the Nazis. But, in fact, that paragraph of Mr. Barrett's article opens with this passage:

The real Holocaust, of course, was the war itself. 70 million people were massacred, two thirds of them civilians. Those nearly 50 million civilians were singled out for extermination on the basis of their ethnicity, just as

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¹³ The IHRA is an organization consisting of 32 states whose governments are strongly pro-Israel. Its members are 28 European states, Canada, the United States, Israel and Argentina. None of its members have predominantly Muslim or Arabic populations. The IHRA has no representation from Asia or sub-Saharan Africa and only one member from South America. Among Palestinian solidarity activists, the IHRA is widely viewed as an organization that seeks to deter and even stifle criticism of Israel. See, for example, this statement from Jewish Voice for Peace: https://jewishvoiceforpeace.org/first-ever-40-jewish-groups-worldwide-oppose-equating-antisemitism-with-criticism-of-israel/.

surely as a vastly smaller number of Jews, Gypsies, and Slavs may have been by the Reich.

Thus, Mr. Barrett is not implying that the number of Jews murdered by the Nazis was fewer than 100,000. Rather, Mr. Barrett is asserting that the number of Jews murdered by the Nazis was far smaller than the total number of civilians killed by the forces of the WWII combatants, including Western states. No reasonable, objective observer would characterize this assertion as Holocaust denial.

At paragraph 36 of his affidavit, Mr. Mostyn also asserts that there are "numerous antisemitic remarks" in Mr. Barrett's article of April 13, 2019. However, Mr. Mostyn provides only one alleged example: a quote of Mr. Barrett stating that "Most ordinary Jews are not aware that their collective behaviour is so shamelessly psychopathic". Taken without context, it seems as if Mr. Barrett is saying that Jews, as a whole, are "shamelessly psychopathic", which would indeed be anti-Semitic.

However, Mr. Mostyn has created a false impression of Mr. Barrett's commentary by leaving out crucial context. The full quote from Mr. Barrett's article, with context included, is "... this psychopathic shamelessness is orchestrated by a manipulative, profiteering tribal elite. Most ordinary Jews are not aware that their [the aforementioned elite's] collective behaviour is so shamelessly psychopathic." The behaviour Mr. Barrett refers to here is using deception to facilitate unlawful acts of violence. Thus, this is an allegation against a narrow group who Mr. Barrett feels is misleading Jews at large. Accusing a narrow, identifiable group of Jews of such misleading and shameful conduct is not anti-Semitism.

9. Hezbollah Flags

In his affidavit, Mr. Sabowala averred that the display of Hezbollah flags at Al Quds Day rallies is "not common behavior at rallies". Mr. Mostyn responds to this statement by asserting that the display of Hezbollah flags dates back to at least 2011." Based on that information, Mr. Mostyn accuses Mr. Sabowala of 'self-contradiction.'

First of all, the term 'self-contradiction' means that Mr. Sabowala *has contradicted himself*. The term clearly has no application here because it is Mr. Mostyn, not Mr. Sabowala, who has introduced information which purportedly contradicts Mr. Sabowala's statement.

More importantly, Mr. Sabowala makes no claim in his affidavit about the *number of rallies* at which Hezbollah flags have appeared. In his affidavit, Mr. Sabowala refers to the *number of persons* who have displayed Hezbollah flags. In particular, Mr. Sabowala avers that "only a handful of persons" have been seen displaying Hezbollah flags at past rallies and that their display of Hezbollah flags is neither encouraged nor sanctioned by the organizers. Thus, the information introduced by Mr. Mostyn does not 'contradict' anything said by Mr. Sabowala.

Characteristically, Mr. Mostyn fails to adduce an iota of evidence to contradict Mr. Sabowala's statement that only a handful of persons have displayed these flags and that their display is not sanctioned or encouraged by the organizers. That failure does not, however, prevent Mr. Mostyn from accusing Mr. Sabowala of 'self-contradiction.'

10.Security Risks

At paragraph 39 of his affidavit, Mr. Mostyn seizes upon a statement by Mr. Sabowala to raise the specter of possible violence at Al Quds Day rallies. The statement in question is that the "organizers cannot supervise and monitor the conduct of everyone" who participates in the rallies. Mr. Sabowala makes that statement in the context of discussing the display of Hezbollah flags.

In response, Mr. Mostyn makes the alarmist claim this proves that the organizers of the Al Quds Day rallies cannot control whether persons bring knives or other weapons to the rallies.

First, Mr. Mostyn conveniently ignores that *no participant in an Al Quds Day rally in Toronto has ever been charged – let alone convicted – of having committed a violent (or any other) crime at an Al Quds Day rally*. Despite this unblemished record of peaceful protest, we are now to believe that these rallies give rise to an unacceptable risk of violence.

Second, it is remarkable that Mr. Mostyn does not seem remotely perturbed by the security risks arising from JDL protests. As discussed above, the JDL does in fact have an extensive record of violence, but under the blatant double standards of Mr. Mostyn, that record of violence is of no concern and does not even merit his condemnation.

Third, the fact is that *no organizers* of large protests that are conducted in open, public spaces can exercise perfect crowd control. Let us take the example cited by Mr. Mostyn, namely, the carrying of a knife into a protest. The only way to prevent someone from carrying a knife into a large crowd that has assembled in an open, public space is to surround the crowd with security personnel and to require those security personnel to thoroughly search all persons and their belongings before allowing those persons to enter the crowd.

However, even intrusive searches of that nature are subject to human error.

Moreover, how often are protests in Toronto conducted in this way?

Finally, if the City were to require the Al Quds Day organizers to conduct their rallies in this way -- despite the total absence of violence at past Al Quds Day rallies -- then it would be required to subject *all protests* to the same requirement. Imposing such a requirement only on Al Quds Day rallies, which have always unfolded without violence on the part of participants, would be discriminatory and therefore unlawful.

11.Mr. Mostyn's Claims Regarding the Participation of Jewish Persons in Al Quds Day Rallies

At paragraphs 53-56 of his affidavit, Mr. Mostyn discusses the participation of Jewish persons in the Al Quds Day rallies. In so doing, he confines all of his commentary to the Neturai Karta, a group which he describes as a "tiny Jewish sect". He attempts to discredit the entire group by claiming that six of its members attended a 'Holocaust denial conference' in Iran over 12 years ago. In support of his attack on the Neturai Karta, Mr. Mostyn attaches a 2007 *Haaretz*

article about the participation of those six Neturei Karta members in that conference.

The *Haaretz* article notes that five of the six Neturei Karta members who participated in the Iranian conference apologized afterward for having done so. The sixth member, Rabbi Moshe Aryeh Friedman from Austria, apparently did not apologize but is quoted in the *Haaretz* article as stating that he does not question whether six million Jews were killed in the Holocaust.

Moreover, Mr. Mostyn has adduced *no evidence* that any member of the Neturai Karta who has participated in an Al Quds Day rally in Toronto ever attended the Iranian conference or ever engaged in Holocaust denial. Rather, the tactic employed here by Mr. Mostyn – a tactic which he has employed many times in the past – is to discredit critics of Israel using guilt by association.

In addition, Mr. Mostyn entirely ignores the fact that many Jewish persons other than members of the Neturai Karta have participated in the Al Quds Day rallies.

One such person is Holocaust survivor Suzanne Weiss, who has not only participated in the Al Quds Day rally but who has been a speaker at the rally.

Attached hereto as **Exhibit "J"** is a February 7, 2019 article profiling Ms. Weiss published by *Canadian Jewish News*. In that article, Ms. Weiss is quoted as stating:

I was brought up with people in the orphanages who promoted justice, love, peace and solidarity. That was their Judaism. That was my Judaism. I believe that was the Judaism of my natural parents. It was the Judaism of my adopted parents. They were against segregation, apartheid, the death penalty and fascism.

Ms. Weiss also spoke in defence of the Al Quds Day rallies at the Executive Committee's meeting of May 1, 2019.

Another member of the Jewish community who has spoken at Al Quds Day rallies is Ken Stone of Hamilton. Attached hereto as **Exhibit "K"** is a biography of Mr. Stone. As stated therein, "Ken learned about the evils of racism from his Jewish

family, at least seventy members of which perished during the Nazi genocide in Europe."

C. Conclusion

Due to time constraints and the sheer volume of misinformation contained in Mr. Mostyn's affidavit, I do not attempt in this letter to address every single allegation he makes in his affidavit.

Nonetheless, the analysis above should be sufficient to demonstrate that Mr. Mostyn's relentless attacks on Al Quds Day rallies and those who have participated in them ought never to be taken at face value.

City Council should be particularly sceptical of any *Toronto Sun* articles relied upon by Mr. Mostyn. The *Toronto Sun* is hopelessly biased against Al Quds Day rallies and against critics of Israel generally. The *Sun* routinely sacrifices principles of journalistic integrity to advance its right-wing, Islamophobic agenda.

Finally, at the Executive Committee meeting of May 1, 2019, Mr. Pasternak stated that the cost of mounting a constitutional challenge to the Resolutions would be in the hundreds of thousands of dollars and he implied that the Al Quds Day organizers would not be prepared to incur that cost. City Council should bear in mind that, from the outset, I have represented the Al Quds Day organizers on a *pro bono* basis and I am fully prepared to act for them on a *pro bono* basis in constitutional litigation against the City of Toronto.

Should City Council have any questions in regard to these matters, it should feel free to contact the undersigned.

Yours truly,

Dimitri Lascaris

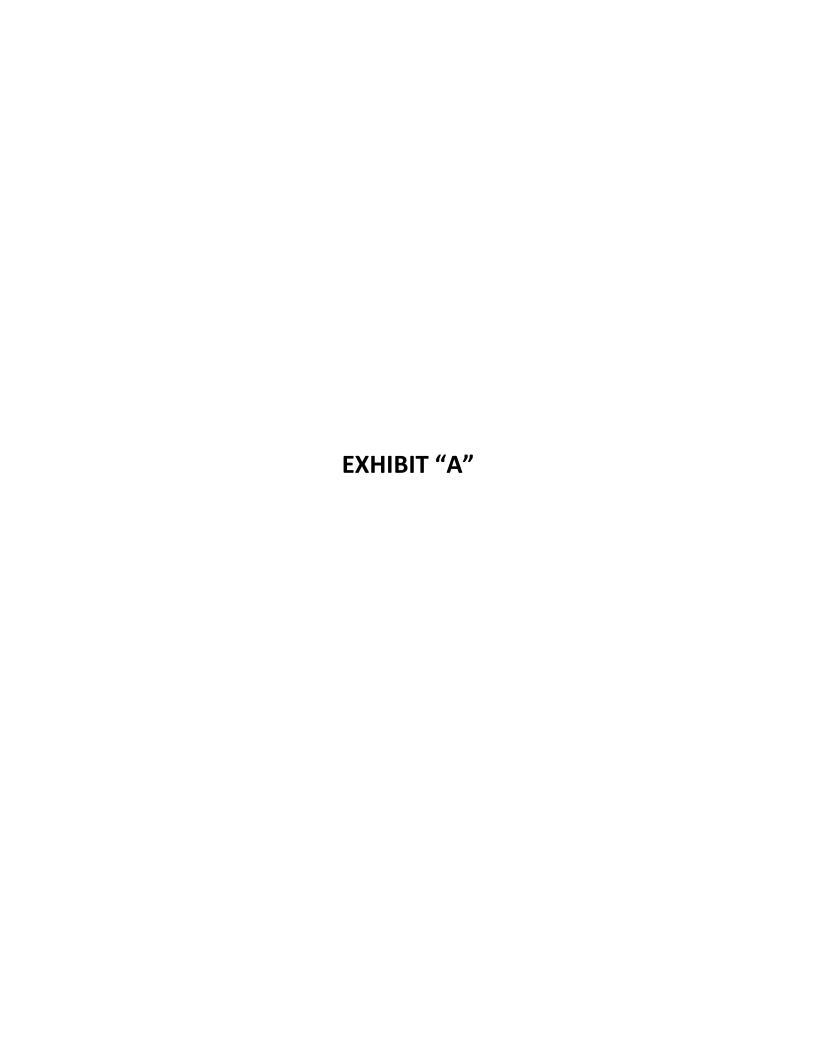
CC: Chris Murray

Toronto City Manager

Email: <u>TalkToCityManager@toronto.ca</u>; chris.murray@toronto.ca

Michael Mostyn B'nai Brith Canada c/o Dana Fields, Executive Assistant to Michael Mostyn

Email: dfields@bnaibrith.ca



Ebrahim Yazdi

Ebrahim Yazdi (Persian: ابراهيم يزدى; 26 September 1931^{[2][3][4][5]} – 27 August 2017) was an <u>Iranian</u> politician, pharmacist, and diplomat who served as deputy prime minister and <u>minister of foreign affairs</u> in the <u>interim</u> government of <u>Mehdi Bazargan</u>, until his resignation in November 1979, in protest at the <u>Iran hostage crisis</u>. From 1995 until 2017, he headed the Freedom Movement of Iran. Yazdi was also a trained cancer researcher. ^[6]

Contents

Early life and education
Career and political activities
Later years and death
Selected works
References
Other sources

Early life and education

Yazdi was born in <u>Qazvin</u> on 26 September 1931.^{[7][8]} He studied pharmacy at the <u>University of Tehran</u>.^[8] Then he received a master's degree in philosophy again from the University of Tehran.^[9]

After the military coup of 1953, which deposed the government of Mohammad Mossadegh, Yazdi joined the underground National Resistance Movement of Iran, and was active in this organization from 1953 to 1960. This organization opposed to the Shah, Mohammad Reza Pahlavi. Yazdi traveled to the United States in 1961^[10] to continue his education and in the US, continued his involvement in political activities against the Shah.

He was cofounder of the Freedom Movement of Iran, Abroad, along with Mostafa Chamran, Ali Shariati, and Sadegh Qotbzadeh in 1961. They were all part of the radical external wing of the group. [11] In 1963, Yazdi, Chamran and Ghotbzadeh went to Egypt and met the authorities to establish an anti-Shah organization in the country, which was later called SAMA, special organization for unity and action. [11] Chamran was chosen as its military

Ebrahim Yazdi



Yazdi in 1979

Minister of Foreign Affairs of Iran

In office

12 April 1979 – 12 November 1979

Prime Minister Mehdi Bazargan

Preceded by Karim Sanjabi

Succeeded by Abolhassan

Banisadr (acting)

Deputy Prime Minister of Iran for Revolutionary Affairs

In office

13 February 1979 – 12 April 1979

Prime Minister Mehdi Bazargan

Succeeded by Mostafa Chamran

Member of the Parliament of Iran

In office

28 May 1980 – 28 May 1984

Constituency Tehran, Rey and

Shemiranat

Majority 1,128,304 (52.9%)

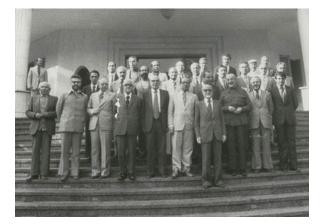
Personal details

head before returning to the US.^[11] In 1966, Yazdi moved headquarters of SAMA to <u>Beirut</u>.^[11] In 1967, he enrolled at <u>Baylor University</u> and received a PhD in biochemistry.^[9]

In 1975, Yazdi was tried in absentia in an Iranian military court and condemned to ten years imprisonment, with orders issued for his arrest upon return to Iran. Because of his activities, he was unable to return to Iran and remained in the <u>United States</u> until July 1977.^[9] He became a naturalized US citizen in <u>Houston</u> in 1971.^[10] When <u>Ayatollah Khomenei</u> moved to <u>Neauphle-le-Château</u>, a <u>Parisian suburb</u>, from <u>Iraq</u> in 1978, Yazdi also went to Neauphle-le-Château and began to serve as an advisor to the Ayatollah.^[12] He was also his spokesperson in Paris.^[10]

Career and political activities

Yazdi worked as a research assistant of pathology and research instructor of pharmacology at <u>Baylor College of Medicine</u> in <u>Houston</u> until 1977.^[9] He also worked at <u>the Veterans Administration Hospital</u> in <u>Houston</u>.^[9] From 1961 to 1977, Yazdi founded the *Muslim Students Association from the United States* and later became a spokesman for Paris-based Ayatollah Ruhollah Khomeini.^[13]



Yazdi as part of Interim Government of Iran

In 1978, he joined Ayatollah Khomeini in <u>Paris</u> where the

latter had been in exile and became one of his advisors.^[14] He translated the reports of Khomeini into English in a press conference on 3 February 1979 in Tehran.^[15] He was the deputy prime minister and minister of foreign affairs in the interim government of Mehdi Bazargan, until 6 November 1979.^[16] Yazdi proposed to celebrate 'Jerusalem Day' and his suggestion was endorsed by Khomeini in August 1979.^[16] In May 1980, he was appointed by Khomenei as head of the *Kayhan* newspaper.^[17]

On 4 November 1979, the US embassy was <u>taken over</u> for a second time, this time by a group calling itself "Students Following the Line of the Imam (i.e.

Ayatollah Khomeini)" and led by Mohammad Mousavi Khoeiniha, who had closer ties to certain revolutionary leaders.

As before, Yazdi was asked to go to the embassy and resolve the crisis. He asked and received permission of Khomeini to expel the occupiers, but shortly thereafter found out Khomeini had changed his mind^[18] and appeared on state television openly endorsed the takeover of the embassy. The entire cabinet of the interim government, including Yazdi and Prime Minister Mehdi Bazargan, resigned in protest the next day. They stated that they opposed the embassy takeover as "contrary to the national interest of Iran".

The embassy takeover is considered to have been motivated in part by an internal struggle between various factions within the revolutionary leadership, with Yazdi and Bazargan on one side, and more radical clergy on the other. The embassy attackers, in subsequent statements indicated that one of their primary objectives in the takeover of the US

Born	26 September 1931 Qazvin, Iran	
Died	27 August 2017 (aged 85) İzmir, Turkey	
Nationality	Iranian	
Political party	Freedom Movement of Iran (1961–2017) National Front (1953–61) Movement of God- Worshipping Socialists (1947–53)	
Spouse(s)	Soran Talie ^[1]	
Children	6	
Alma mater	University of Tehran	

Baylor University

embassy in November 1979 was to force the resignation of Yazdi, Bazargan, and the entire cabinet.

Among the areas of conflict between the two factions was the behavior of the Revolutionary Courts and the Revolutionary Committees. Yazdi and Bazargan supported a general amnesty for all members of the Shah's regime, provided that they cease to act against the revolution. They publicly opposed the secret trials and the summary executions carried out by the Revolutionary Courts, led by Ayatollah Sadegh Khalkhaali. Many sources however have documented that Yazdi was the main member of the revolutionary court that led the violence and execution. Bazargan and other members of the interim government may have called for fair and open trials for those in charge of political posts under the Shah. The radical clerics, on the other hand, stated that the rapid trials and executions were essential to protect the revolution.

After resignation from office, Yazdi and other members of the <u>Freedom Movement of Iran</u> ran in elections for the first post-revolutionary <u>Islamic Consultative Assembly</u> or parliament. Yazdi, Bazargan, and four other members of the Freedom Movement, namely <u>Mostafa Chamran</u>, <u>Ahmad Sadr</u>, <u>Hashem Sabbaghian</u>, and <u>Yadollah Sahabi</u>, were elected. They served at the parliament from 1980 to 1984.

After the Iraqi invasion of Iran in September 1980, Yazdi fully supported the Iranian war effort against the invasion, but opposed the continuation of the war after the Iranian victory in <u>Khorramshahr</u> in 1982. The war continued for an additional six years. During these six years, Yazdi and others in the Freedom Movement issued several open letters to Ayatollah Khomeini opposing the continuation of the war. These letters and other public statements resulted in the firebombing of Yazdi's residence in Tehran in 1985, and the arrest and imprisonment of several member of the Freedom Movement.



Yazdi and Fidel Castro

In subsequent elections in Iran for president, parliament, and city councils, Yazdi and other members of the Freedom Movement filed for candidacy but were barred from running by the <u>Guardian Council</u>, because of their opposition to policies and actions of the government.^[19]

In December 1997, Yazdi was arrested on unknown charges and detained in Evin prison in Tehran. Even after his release, he was barred from leaving the country for many years, and summoned on a regular basis to answer questions before the revolutionary council, with his lawyer, Nobel Prizewinning Shirin Ebadi. As of 2008 Yazdi is still accused of "attempting to

convert the rule of velaii (jurisprudence) into democratic rule."

After the death of Bazargan in January 1995, Yazdi was elected as leader of Freedom Movement of Iran. Under pressure from the revolutionary court prosecutor, Yazdi offered his resignation as FMI Leader from on 20 March 2011 to the leadership council of the FMI. They have yet to accept his resignation and Yazdi continues to function as the leader of the Freedom Movement of Iran.

Later years and death

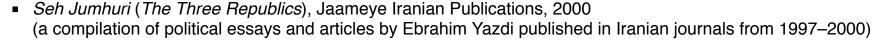
Yazdi was arrested in December 1997 for "desecrating religious sanctities" and freed on 26 December on bail. On 17 June 2009, during the 2009 Iranian election protests, it was reported that Yazdi was arrested while undergoing tests at the Tehran hospital according to the Freedom Movement of Iran website. On 22 June, he was released back to the hospital for a medical procedure. On 28 December 2009, Yazdi was arrested again in the wake of renewed protests, according to the Jaras reformist website.

Yazdi and several others were arrested on 1 October 2010 in Isfahan for participating in an "illegal Friday prayer." All others were freed within days. Ebrahim Yazdi remained in "temporary custody"—first in <u>Evin prison</u> and then in a "secure" facility under the control of Iran's security forces until March 2011. He was released in April 2011. [24]

On 27 August 2017, Yazdi died of <u>pancreatic cancer</u>, at the age of 85 in <u>Izmir</u>, <u>Turkey</u>, where he was under treatment. [25][26] His body transferred to Iran and was buried in Behesht-e Zahra. [27]

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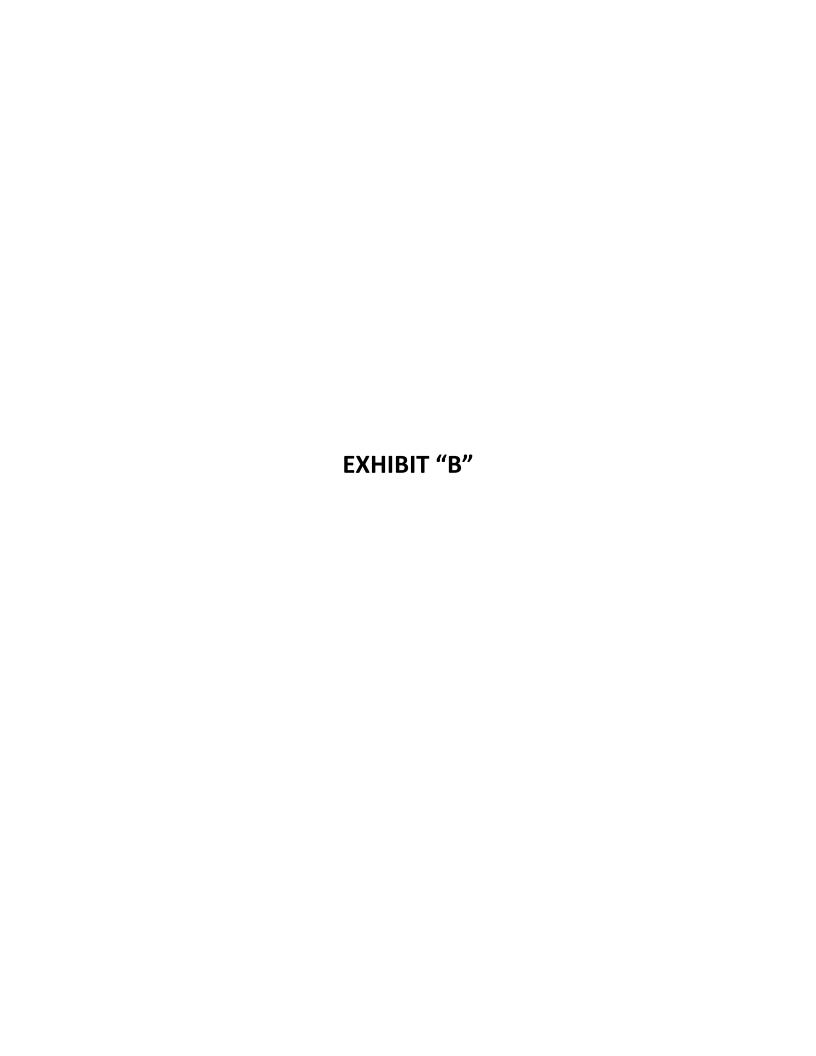
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	Political offices		
Preceded by Karim Sanjabi	Foreign minister of Iran 1979	Succeeded by Sadegh Ghotbzadeh	
	Party political offices		
Preceded by Mehdi Bazargan	Secretary-General of Freedom Movement of Iran 1995–2017	Succeeded by Mohammad Tavasoli	
Preceded by Abbas Amir-Entezam	Head of Political Bureau of Freedom Movement of Iran 1979–1995		
Media offices			
Preceded by Mostafa Mesbahzadeh	Head of Kayhan Institute 1979–1981	Succeeded by Mohammad Khatami	

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ISRAEL AND OCCUPIED PALESTINIAN TERRITORIES ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Israel/OPT: Israeli court approves a war crime by ruling in favour of demolishing the entire village of Khan al-Ahmar

5 September 2018, 16:17 UTC

Responding to the Israeli Supreme Court's decision, the second one in less than two months, to approve the demolition of Khan al-Ahmar, by rejecting the desperate last resort petitions from residents of the West Bank village, Saleh Higazi, Head of Office in Jerusalem for Amnesty International, said:

"With this shameful and manifestly unlawful ruling the Supreme Court has confirmed a pattern of complicity in the crime of forcible transfer of Palestinian communities for the expansion Jewish only settlements. The court has not only completely denied the petitioners the protection provided to them by International Humanitarian Law, it has also validated the discriminatory policies of the Israeli authorities."

"With this shameful and manifestly unlawful ruling the Supreme Court has confirmed a pattern of complicity in the crime of forcible transfer of

Palestinian communities for the expansion Jewish only settlements "

Saleh Higazi, Head of Office in Jerusalem for Amnesty International

"If the international community does not immediately take the necessary action to stop this crime from taking place, thousands of other Palestinians surrounding Jerusalem and in the Jordan Valley will now face an imminent risk of forced displacement."

Background:

Khan al-Ahmar is located east of Jerusalem, near the illegal Israeli settlements of Maale Adumim and Kfar Adumim. Israel's transfer of its citizens to live in these settlements, along with more than 200 others, violates international law and is a war crime.

Khan al-Ahmar is one of 46 Palestinian communities in central West Bank that Israel wants to forcibly transfer to make way for illegal Jewish-only settlements. On 24 May, Israel's Supreme Court ruled in favour of demolishing the village. On 4 July, the Israeli army attempted to forcibly evict the residents of Khan al-Ahmar, violently attacking them and solidarity activists. This propelled further legal action from the community in the hope of protecting their village.

Over the past 10 years, more than 25 homes in Khan al-Ahmar have been demolished by the Israeli authorities. The village has more than 160 structures, including a school, a mosque and a clinic, mostly made of corrugated metal and wood.

Forcible transfer of people under occupation is a serious breach of the IV Geneva Convention. The deportation or transfer of all or parts of the population of the occupied territory within or outside this territory constitutes a war crime under Article 8 of the Rome Statute.

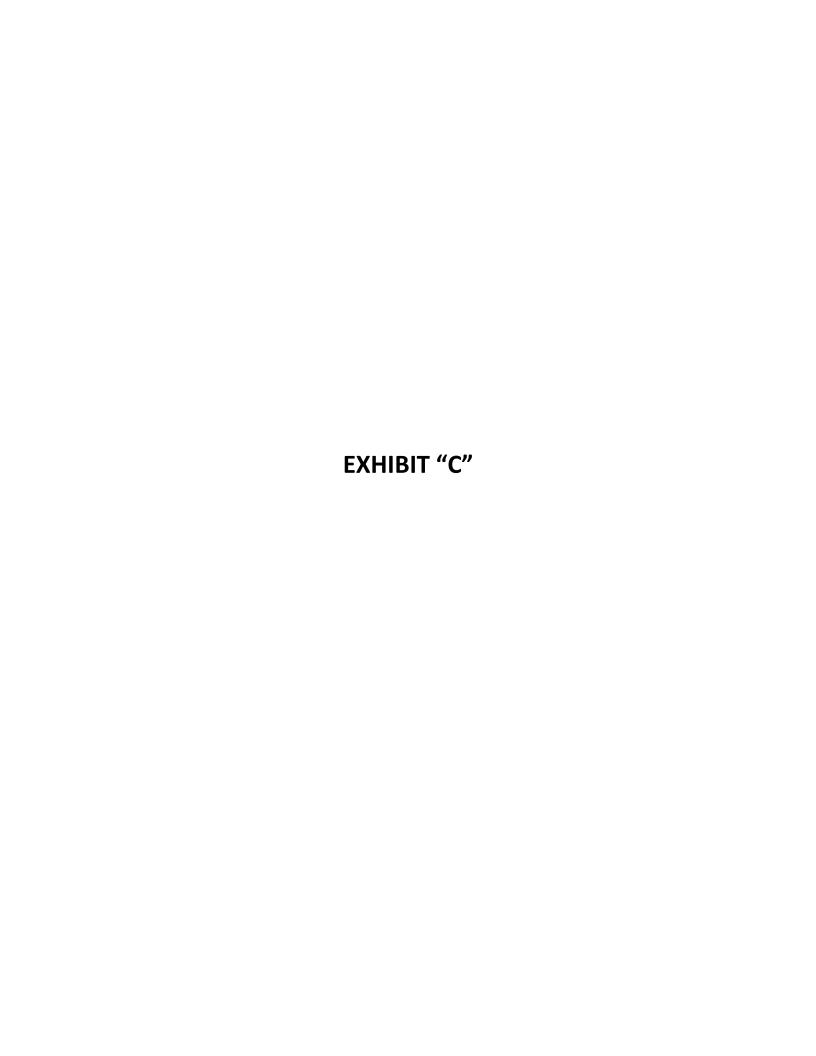
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East Jerusalem cleansing continues: Israel removes more Palestinian families, hands over their homes to settlers

East Jerusalem

11 March 2019

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In recent years, the number of settlers moving into the heart of Palestinian neighborhoods in East Jerusalem - Location in the Old City, Silwan, Ras al-'Amud, a-Tur, Abu Dis and aSheikh Jarrah – has been on the rise, with the settler population there now in the hundreds. They had done so with the approval, backing, budgeting and assistance of all Israeli authorities.

The resulting settlement enclaves in the Palestinian [2] neighborhoods of East Jerusalem have altered them and made unbearable the lives of the Palestinian residents: they suffer invasion of privacy, economic pressure, and daily harassment by settlers and their security guards, who are paid for by the authorities. This state affairs leads to violent clashes between the settlers and young Palestinians. The state and settler organizations, with their vast resources and power, force the Palestinian residents to conduct lengthy and expensive legal More on East proceedings to contest the demands that they leave their homes: in Silwan, suits are underway to remove more Jerusalem than 80 families from their homes; in a-Sheikh Jarrah, 62 families; and dozens of other families in the Old City.

In most cases, various bodies representing the settlers seek to evict Palestinians from their homes by applying the Israeli law which enables Jews to claim ownership of property they or other Jews were in possession of prior to 1948. The state also enacted a law that bars Palestinians from taking such action with regard to property they owned before 1948. Any appeals made by Palestinians to Israeli courts of every instance that they be allowed to remain in their homes failed, with have representatives of the

Leaflet

Background

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Data on demolition of houses built without permits

Settlements population

Data on revocation of residency

Data on land expropriation

Data on building starts

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authorities and judges backing the policy and giving it their seal of approval. Israel does not consider the residents of Jerusalem East as individuals with equal rights, instead seeking to evict from their homes since they stand in the of way the state's objective of Judaize

Jerusalem. Israel uses a variety of methods – all illegal – to achieve that end: it deliberately prevents Palestinians from building in the city – for housing or other purposes; issues demolition orders for homes built without a permit – for want of any other option; and demolishes dozens of homes every year. The Israeli authorities do not invest in infrastructure and services for the Palestinian neighborhoods, be it physical infrastructure, public institutions, education, culture or sanitation, and does not allow residents of Jerusalem who married residents from elsewhere in the West Bank or the Gaza Strip to live together in the city.

The implementation of this policy, aimed at cleansing parts of the city of Palestinians, is not new. Israel has been carrying it out for years, ever since it occupied the West Bank and annexed East Jerusalem and its satellite villages.

In recent weeks, there have been further developments in this process, harming ever more families in the city. Below are the testimonies of two Palestinians whose families were recently hit by this policy. The first is by a resident of the Old City whose family was expelled in February from its home, which was seized by settlers; the second, by a resident of a-Sheikh Jarrah whose family recently received an order to evacuate its home:

The Abu 'Asab family was removed from its

home in the Old City in February 2019:

The family, currently with nine members, had lived in the house since 1952 until being recently evicted. In 2014, settlers instigated proceedings against the family attempting to evict it. The legal battle against the evacuation ended in October 2018, when Israel's High Court of Justice rejected the family's appeal. In January 2019, the family received an eviction order ordering them to leave on 6 February 2019. They later managed to get a stay from the court until 28 February 2019. However, on 17 February 2019, at around 8:00 o'clock in the morning, some twenty policemen from the Special Patrol Unit raided the house without prior warning and removed the family by force.



HATEM ABU 'ASAB. PHOTO BY 'AMER 'ARURI, B'TSELEM, 6 MARCH 2019

Hatem Abu 'Asab (45), a married father of six, related in a testimony he gave to B'Tselem field researcher 'Amer 'Aruri on 6 March 2019, how the family was driven from its home by force:

Three commanding officers told me to vacate the house of my own free will. I explained to them that we had nowhere else to go. Meanwhile, neighbors and relatives gathered near the house. At around 11 o'clock, several policemen attacked me, beat me, handcuffed me, and placed me under arrest. The police also arrested two of my sons, aged 12 and 16, and forcibly removed my wife and aunt from the house without allowing them to take clothes. They stayed near the house with our relatives and neighbors.

At the police station, I saw the policemen leading my two children into the room. At around 3:00 o'clock a commanding officer informed me that he would release my children on condition that I call my wife and ask that she and our relatives and friends who came on the scene, leave the vicinity of the house. We had no choice but to agree. The children were released after everyone evacuated the area.

I was released around 6:00 P.M., after being interrogated for allegedly assaulting a policeman. They issued me an open-ended restraining order from the area by my home. After 12 days, I was allowed to return home with my wife and children to get some of our belongings.

When we went inside, we found the house in a shocking state, everything was topsy turvy and strewn about, and some of the furniture was ruined. Two settlers were sitting on the broken furniture in the middle of the house. I could only

take the clothes and the television. I didn't take the refrigerator or the washing machine, because I have nowhere to put them right now. We ¬- me, my wife, our children and my aunt - are all living in a single room, which includes a kitchen and a bathroom. The place belongs to a relative of mine.

I was overwhelmed with sadness when I went inside and saw two settlers sitting in my home. This is the home where I was born and raised, where I got married and had children. It is the home that holds memories of my grandparents, parents, brothers and sisters, my wife and children. We were at home for about two hours, with a police escort. We took only the most essential items and left.



The a-Sabagh family received an eviction order to leave its house in a-Sheikh Jarrah on 11 March 2019:

The extended a-Sabagh family, which currently consists of 34 members, has been living in its home in a-Sheikh Jarrah since 1956. After a legal battle which began in 2010, the Execution Proceeding Office informed the family in January 2019 that it must vacate its home by 11 March 2019, and if they failed to do so, the family would be removed by force on the said date...



KHADIJAH A-SABAGH IN HER HOME. PHOTO BY 'AMER 'ARURI, B'TSELEM, 15 JANUARY 2019

Khadijah a-Sabagh (55), a married mother of three, told B'Tselem field researcher 'Amer 'Aruri on 15 January 2019 that she has lived in that home since 1979 when she married Bassam a-Sabagh:

I live in an apartment with my husband and two of our children, Asmaa (15) and Mahmoud (20). My son Muhammad (30) and his wife Razan live on the second floor. I'm a refugee from Jaffa. In 1948 my family was displaced and part of it was uprooted to the al-Yarmouk refugee camp in Syria.

My husband's family is also originally a refugee family. But at the time, they gave up the refugee papers in return for a plot of land and a small house, the very place house where we're now living, in accordance with an agreement between the Jordanian government and UNRWA. However, the land and the house had not been registered in the Jordanian land registry before 1967, when there was the war and the Israeli occupation began. Since 2010, proceedings have been underway in court on this issue. The settlement associations claim ownership of the land on which our house was built.

Our family is poor and our house is practically falling apart. The municipality won't allow us to make repairs so we've had to keep living in it in this condition. As the saying goes, "We have accepted the injustice, but the injustice won't accept us." The entire extended family, including my sons and brothers-in-law, received an order from the execution office, that we must leave by 23 January 2019. Then, they gave us a two-week postponement and said that if we did not leave on our own, they would remove us by force. Since we received the eviction order, I've been in a flurry of anxiety, fear and worry. I cry day and night and cannot sleep.

I wouldn't exchange this house for the world, not even for a palace. I was 15 when I got married and moved here. It holds my memories of my children, my husband and the extended a-Sabagh family. I haven't seen my family who are in Syria since the war broke out there in 2011. Some of my relatives drowned when they tried to flee Syria by sea, and some managed to reach Germany. One family emigrated from Syria to Jordan. I have no one else or any place else in the world except for my family here in Jerusalem and this modest home. My children, my husband and I don't know what to do. We have nowhere else to live, and we don't have the money to rent an apartment. Even the cheapest apartment in Jerusalem costs 1,000 dollars a month. I have no idea how we'll manage.



THE A-SABAGHS' HOME IN A-SHEIKH JARRAH. PHOTO BY 'AMER 'ARURI, B'TSELEM, 15 JANUARY 2019

East Jerusalem

Suggested Items







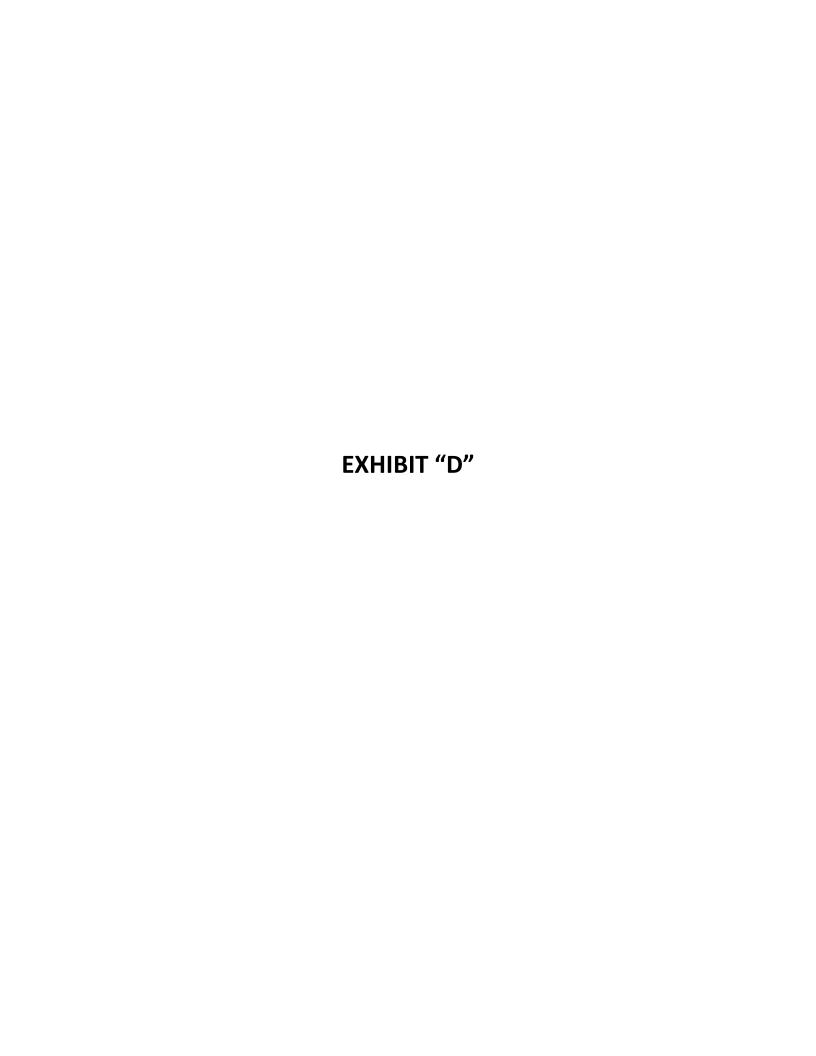
High Court of Justice paves way for cleansing of Palestinians from Silwan



Not only in Iran: Israeli troops fire live ammunition during protests against Trump's declaration, killing 10 Palestinians and injuring hundreds



Israel's regime of occupation is inextricably bound up in human rights violations. B'Tselem strives to end the occupation, as that is the only way forward to a future in which human rights, democracy, liberty and equality are ensured to all people, both Palestinian and Israeli, living between the Jordan River and the Mediterranean Sea.



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et News





Humanitarian Aid



Many of the wounded Syrians recently arriving to Israel in search of medical care belong to Islamic extremist groups, but when Givati troops receive an order, there is only one option: giving the wounded life saving treatment - on the condition that he is not wired with explosives.

Ron Ben-Yishai



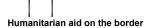
On one recent evening, IDF troops from the 366th Division operating in the Golan Heights received an urgent request for help from the Syrian people across the border - to evacuate a severely wounded Syrian citizen who would die if not immediately taken to a hospital in Israel.

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The soldiers, who were familiar with the Syrian source as a credible one, immediately answered in the affirmative. The division's medical officer and soldiers from the Givati reconnaissance battalion began preparations to receive the wounded man.







Several weeks ago, the rebel groups were able to force out Assad's army and the militias supporting it from most of the area of the Syrian Golan Heights, driving both them and Hezbollah out to the foothills of Mount Hermon. As a result, the hostilities subsided and the number of Syrian wounded seeking medical treatment in Israel has dropped significantly.

The majority of Syrian citizens who were still being evacuated to Israeli hospitals were children, elderly people suffering from severe medical problems, and women with complications from giving birth. For the most part, these citizens were not in need of urgent medical care on the ground. Consequently, the IDF made the decision to close down the special field hospital it had set up in one of the army outposts near the fence, and instead transferred those in need of medical care directly to hospitals in the Galilee area.



IDF troops administering medical aid to wounded Syrian (Photo: IDF Spokesperson's Unit)

However, heavy fighting on the Syrian Golan has recently erupted again. This time, it is between rebel groups who are brutally fighting over control of an area they had taken from the regime's hands.

It is due to this reason that mortar shells have landed in Israel during the past two weeks as part of the internal Syrian conflict spilling over into the country, and it is also why wounded Syrians have been arriving almost daily to the security fence, seeking medical help. It is likely that most if not all of these nationals are rebels from the rival jihadist Islamic State and al-Nusra Front groups.

A day before the division headquarters were notified of the wounded Syrian, the same Syrian source asked to transfer a woman in labor who required a cesarean delivery.

The medical teams, including the Division Medical Officer and other physicians, stationed themselves near the fence and were prepared for the delivery. However, the Syrian official then informed the teams that the woman had successfully given birth on the way to the fence. The humanitarian operation was cancelled and the troops left the area.

On the next day, when a medical evacuation request was made by the Syrians for the severely wounded citizen, there were no doctors present near the transfer point.

The decision was then made that Givati paramedics would meet him near the fence, and transfer him in an armored vehicle to a hidden spot a few hundred meters away, where an ambulance would be waiting to take him to one of the hospitals in the north.



Syrian undergoes treatment (Photo: IDF Spokesperson's Unit)

It was almost two years ago when members of the United Nations Disengagement Observer Force (UNDOF) first initiated the transfer of wounded Syrian citizens from the Syrian Golan to Israel. Most of them had no chance of reaching a hospital without being transferred to one in Israel.

Since then, almost 1,600 wounded Syrians have been treated in Israel. Meanwhile, however, UNDOF posts were attacked and the Quneitra crossing was closed, and communication between the two sides is now conducted between trusted intermediaries.

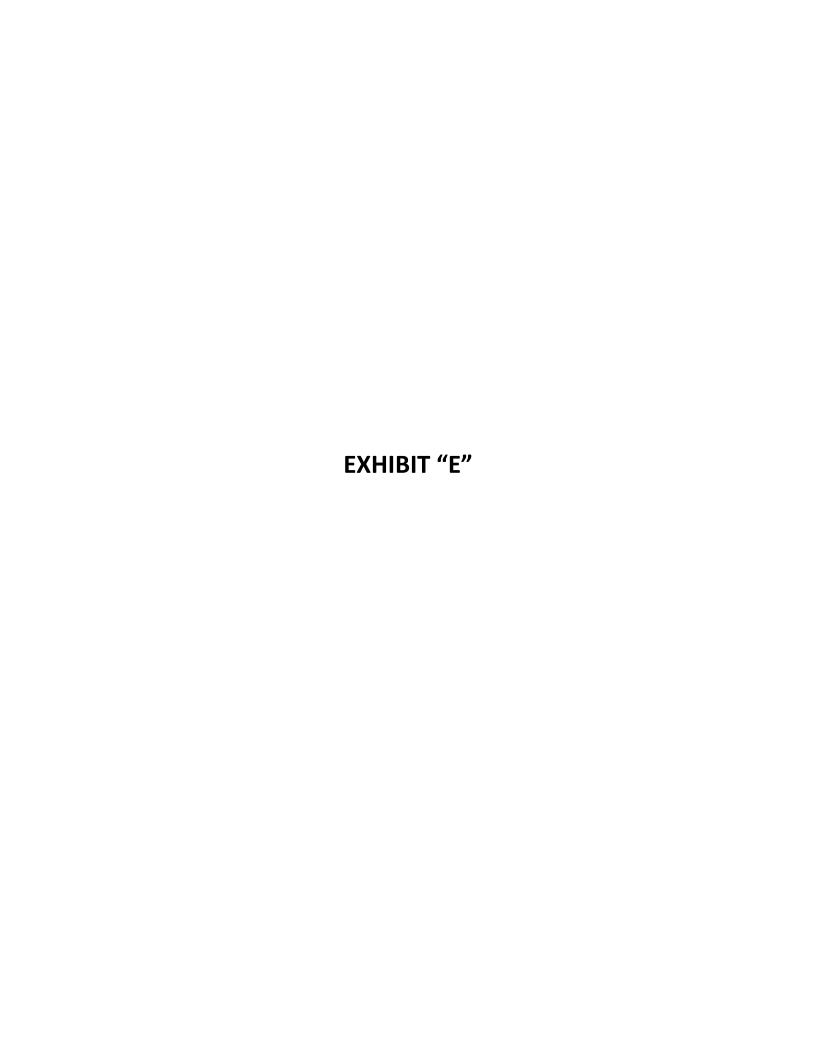
Naturally, one cannot elaborate on the subject for fear of endangering contacts on the Syrian side. All armed groups on the ground, both insurgents or regime fighters, mainly Islamists, refuse to have direct contact with Israel.

In practice, however, at least some of them turn a blind eye, as the issue at hand is saving lives and they have no other alternative.

In addition, it is no secret that the villages on the Syrian Golan Heights and even the Islamist rebels who control them and operate near the border fence have a strong interest in avoiding clashes with the IDF. Israel shares a similar interest in not disrupting routine life in its territory. It is in this way that the humanitarian relationship broadly serves both sides.

At around 8 pm on the day the wounded Syrian was transferred, parties on the Syrian side announced they were approaching the fence. The Israeli ambulance and paramedics readied themselves, while Givati troops received a briefing and then headed out to the fence area. Their role is to make sure that those who sent the wounded citizens to the area had not laden them with explosives, as well as to ensure that the wounded person was not bait in a scheme designed to lure IDF troops into an ambush.

Considering the information Israel has on its new neighbors across the border on the Golan Heights – these extra precautions are necessary. Half an hour later, the commander of the forces stationed near the border gave approval to send out the armored vehicle carrying the paramedics to collect the wounded citizen, who was already waiting on the Israeli side.



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- Jerusalem Post
- Middle East

Report: Israel treating al-Qaida fighters wounded in Syria civil war

Nusra Front is the Sunni Muslim al-Qaida offshoot which is currently fighting the Iranianbacked axis of Bashar Assad and Hezbollah in Syria.

By JPOST.COM STAFF March 13, 2015 21:49

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Israeli soldiers stand atop tanks in the Golan Heights near Israel's border with Syria. (photo credit: REUTERS)



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Israel has opened its borders with Syria in order to provide medical treatment to Nusra Front and al-Qaida fighters wounded in the ongoing civil war, according to *The Wall Street Journal*.

The prominent American newspaper reported that Nusra Front, the Sunni Muslim al-Qaida offshoot which is currently fighting the Iranian-backed axis of Bashar Assad and Hezbollah, "hasn't bothered Israel since seizing the border area last summer" along the Golan Heights.

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While Israel views al-Qaida and its allies as enemies, it is far more disturbed by what it views as an even bigger menace – Iran and its proxies. According to *The Wall Street Journal*, this attitude has caused tension with the United States, which has also targeted al-Qaida and Nusra Front fighters in Syria.

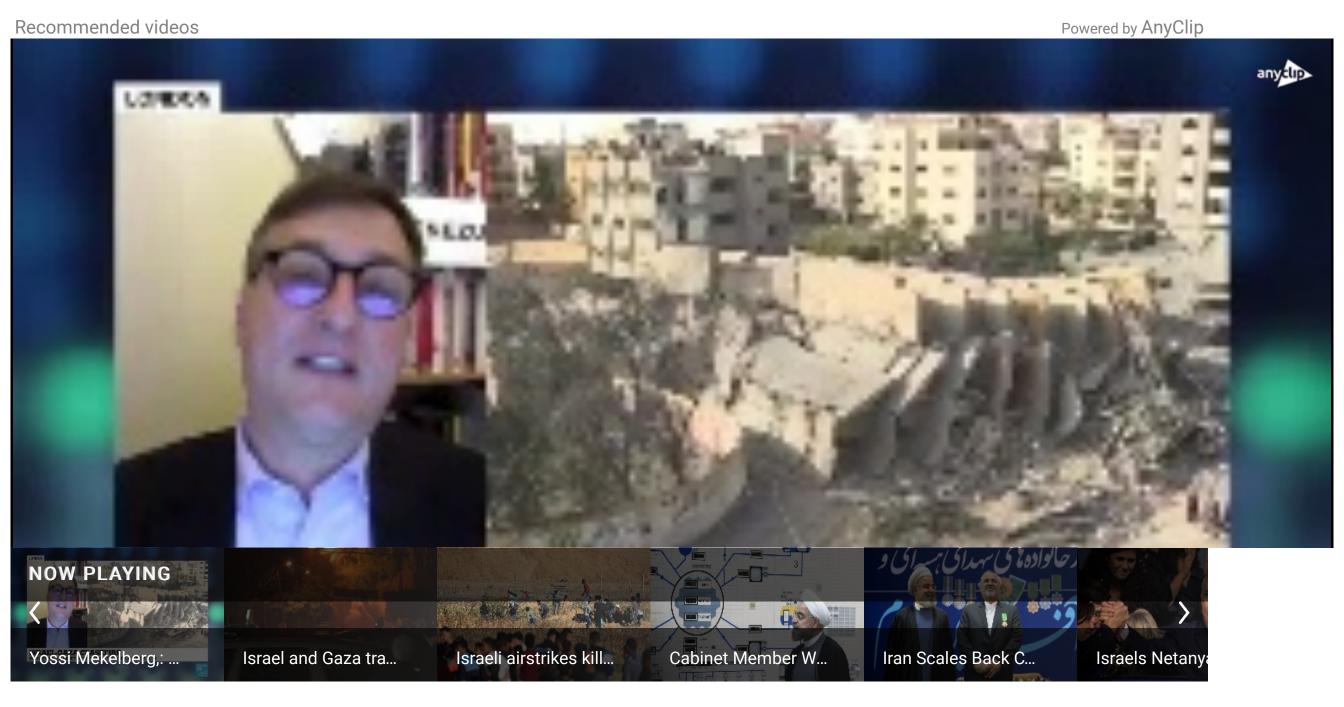
Amos Yadlin, the former military intelligence chief who is currently in the running to be defense minister should the Zionist Union, led by Isaac Herzog, succeed in defeating incumbent Prime Minister Benjamin Netanyahu in the elections next week, told the *Journal* that Hezbollah and Iran "are the major threat to Israel, much more than the radical Sunni Islamists, who are also an enemy."

"Those Sunni elements who control some two-thirds to 90% of the border on the Golan aren't attacking Israel. This gives you some basis to think that they understand who is their real enemy - maybe it isn't Israel," Yadlin is quoted by *The Wall Street Journal* as saying.

The fact that the Israel-Syria border area along the Golan Heights has remained largely quiet has sparked accusations among supporters of embattled President Bashar Assad that the Sunni Islamist alliance, which includes al-Qaida, is backed by Israel.

"Some in Syria joke: 'How can you say that al-Qaida doesn't have an air force? They have the Israeli air force'," Assad told *Foreign Affairs* magazine earlier this year. "They are supporting the rebels in Syria. It is very clear."

Israel has denied actively aiding al-Qaida, though it makes no secret of its determination to thwart Hezbollah's attempts to establish a foothold near the Golan frontier from whence it could harass the North.



Defense Minister Moshe Ya'alon has stated repeatedly his contention that Iran is seeking to open a new front against Israel from the Syrian Golan Heights.

Earlier this year, an air strike attributed by international media reports to Israel struck and killed 12 Iranian Revolutionary Guard Corps and Hezbollah operatives in Quneitra, Syria, near the Israeli border.

In retaliation, Hezbollah guerillas launched a missile attack near the Har Dov region straddling the Lebanon-Israel border weeks later, killing two Israeli soldiers.

Since the outbreak of the Syrian civil war, which has claimed the lives of upwards of 200,000 people, Israel has provided medical assistance to nearly 2,000 Syrians.

The Wall Street Journal quoted "an Israeli military official" who said that most of those treated were armed rebels fighting the regime.

"We don't ask who they are, we don't do any screening," the official said. "Once the treatment is done, we take them back to the border and they go on

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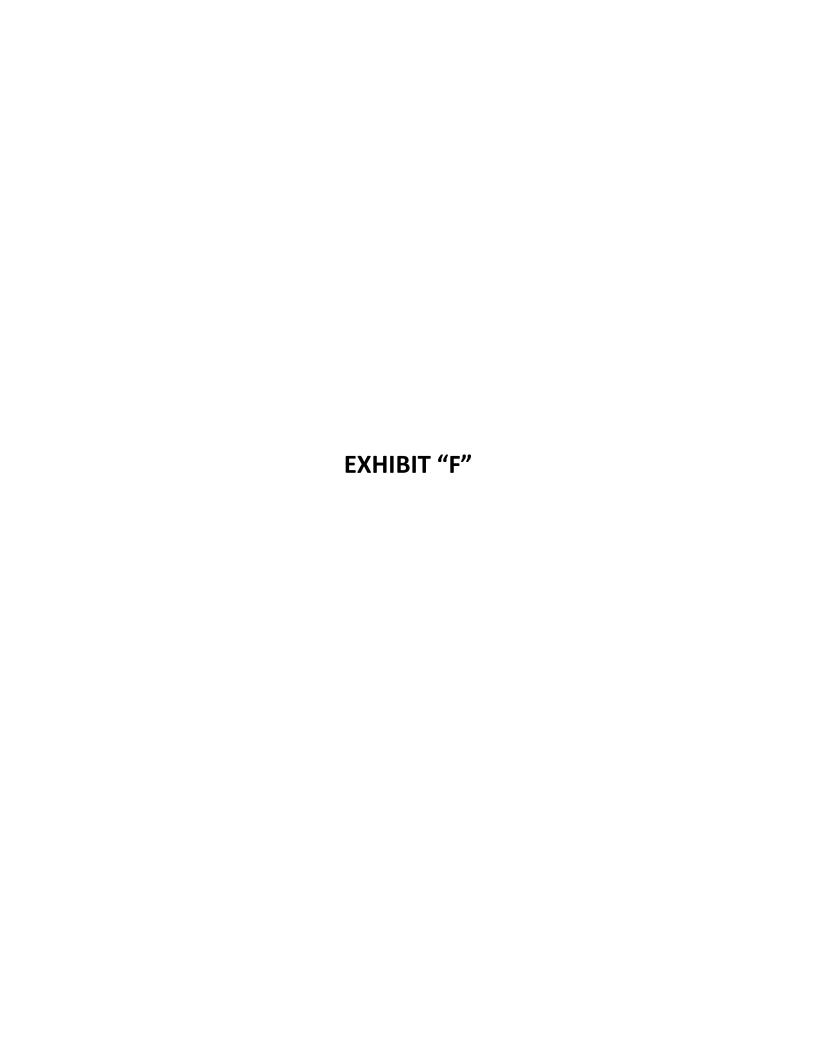
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New Palestine Party

Visit of Menachen Begin and Aims of Political Movement Discussed

TO THE EDITOR OF THE NEW YORK TIMES:

Among the most disturbing political phenomena of our time is the emergence in the newly created state of Israel of the "Freedom Party" (Tnuat Haherut), a political party closely akin in its organization, methods, political philosophy and social appeal to the Nazi and Fascist parties. It was formed out of the membership and for lowing of the former Irgun Zvai Leumi, a terrorist, right-wing, chauvinist organization in Palestine.

The current visit of Menachen Begin,

leader of this party, to the United States is obviously calculated to give the impression of American support for his party in the coming Israeli elections, and to cement political ties with conservative Zionist elements in the United States. Several Americans of national repute have lent their names to welcome his visit. It is inconceivable that those who oppose fascism throughout the world, if correctly informed as to Mr. Begin's political record and perspectives, could add their names and support to the movement he represents.

Before irreparable damage is done by way of financial contributions, public manifestations in Begin's behalf, and the creation in Palestine of the impression that a large segment of America supports Fascist elements in Israel, the American public must be informed as to the record and objectives of Mr. Begin and his movement.

The public avowals of Begin's party are no guide whatever to its actual character. Today they speak of freedom, democracy and anti-imperialism, whereas until recently they openly preached the doctrine of the Fascist state. It is in its actions that the terrorist party betrays its real character; from its past actions we can judge what it may be expected to do in the future.

Attack on Arab Village A shocking example was their be-

havior in the Arab village of Deir Yassin. This village, off the main roads and surrounded by Jewish lands, had taken no part in the war, and had even fought off Arab bands who wanted to use the village as their base. On April 9

(THE NEW YORK TIMES), terrorist bands attacked this peaceful village, which was not a military objective in the fighting, killed most of its inhabitants-240 men, women and children-

and kept a few of them alive to parade as captives through the streets of Jerusalem. Most of the Jewish community was horrified at the deed, and

the Jewish Agency sent a telegram of apology to King Abdullah of Trans-Jordan. But the terrorists, far from being ashamed of their act, were proud of this massacre, publicized it widely, and invited all the foreign correspondents present in the country to view the

at Deir Yassin. The Deir Yassin incident exemplifies the character and actions of the Freedom Party. Within the Jewish community they

heaped corpses and the general havoc

have preached an admixture of ultranationalism, religious mysticism, and racial superiority. Like other Fascist parties they have been used to break strikes, and have themselves pressed for the destruction of free trade unions.

In their stead they have proposed corporate unions on the Italian Fascist model. During the last years of sporadic

anti-British violence, the IZL and Stern groups inaugurated a reign of terror

in the Palestine Jewish community. Teachers were beaten up for speaking against them, adults were shot for not

letting their children join them. By gangster methods, beatings, windowsmashing, and wide-spread robberies, the terrorists intimidated the popula-

tion and exacted a heavy tribute. The people of the Freedom Party have had no part in the constructive achievements in Palestine. They have

reclaimed no land, built no settlements, and only detracted from the Jewish defense activity. Their much-publicized

immigration endeavors were minute, and devoted mainly to bringing in Fascist compatriots.

Discrépancies Seen

The discrepancies between the bold claims now being made by Begin and his party, and their record of past performance in Palestine bear the imprint of no ordinary political party. This is the unmistakable stamp of a Fascist party for whom terrorism (against Jews, Arabs, and British alike), and misrepresentation are means, and a "Leader State" is the goal.

In the light of the foregoing considerations, it is imperative that the truth about Mr. Begin and his movement be made known in this country. It is all the more tragic that the top leadership of American Zionism has refused to campaign against Begin's efforts, or even to expose to its own constituents the dangers to Israel from support to Begin.

The undersigned therefore take this means of publicly presenting a few salient facts concerning Begin and his party; and of urging all concerned not to support this latest manifestation of fascism.

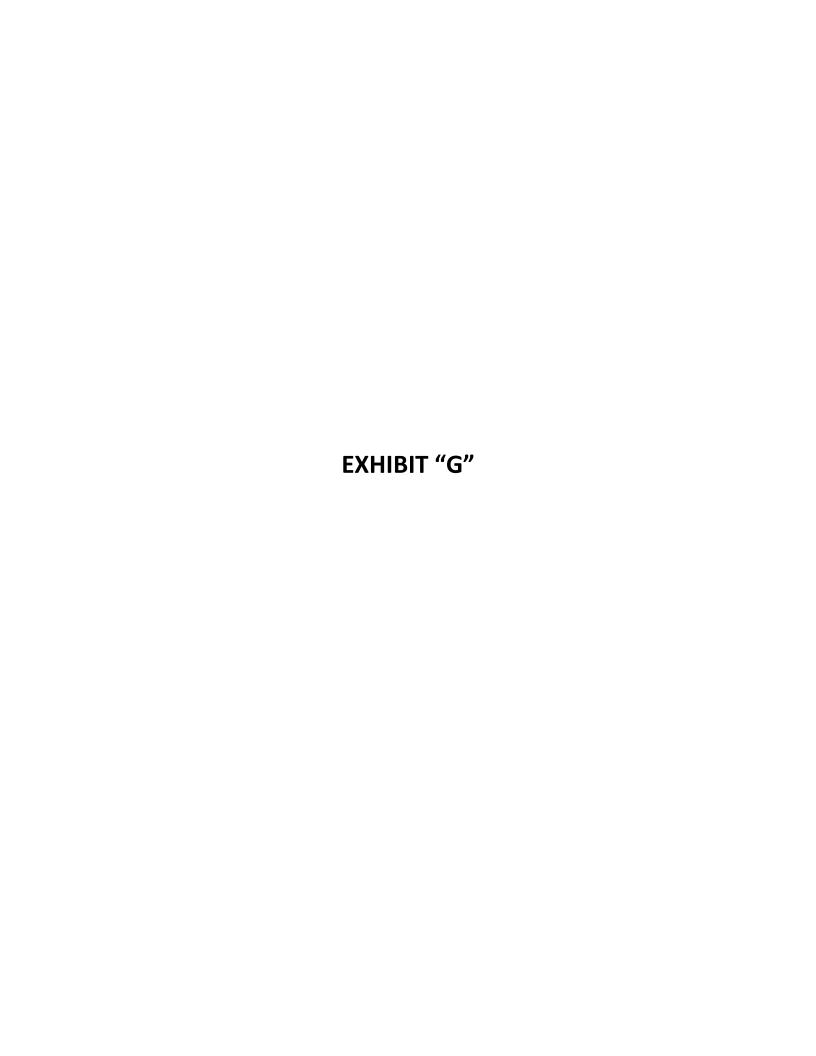
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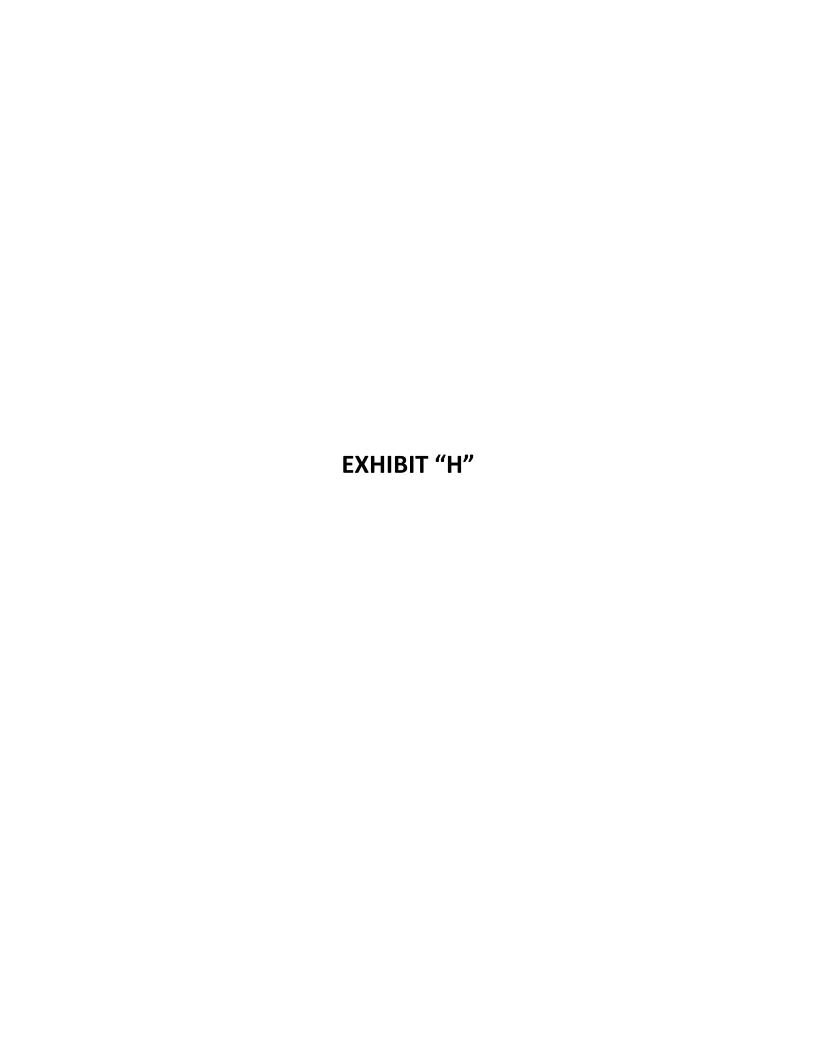
JDL to Counter Pro Islamic Terror March in the Jewish Community: Wednesday, August 29



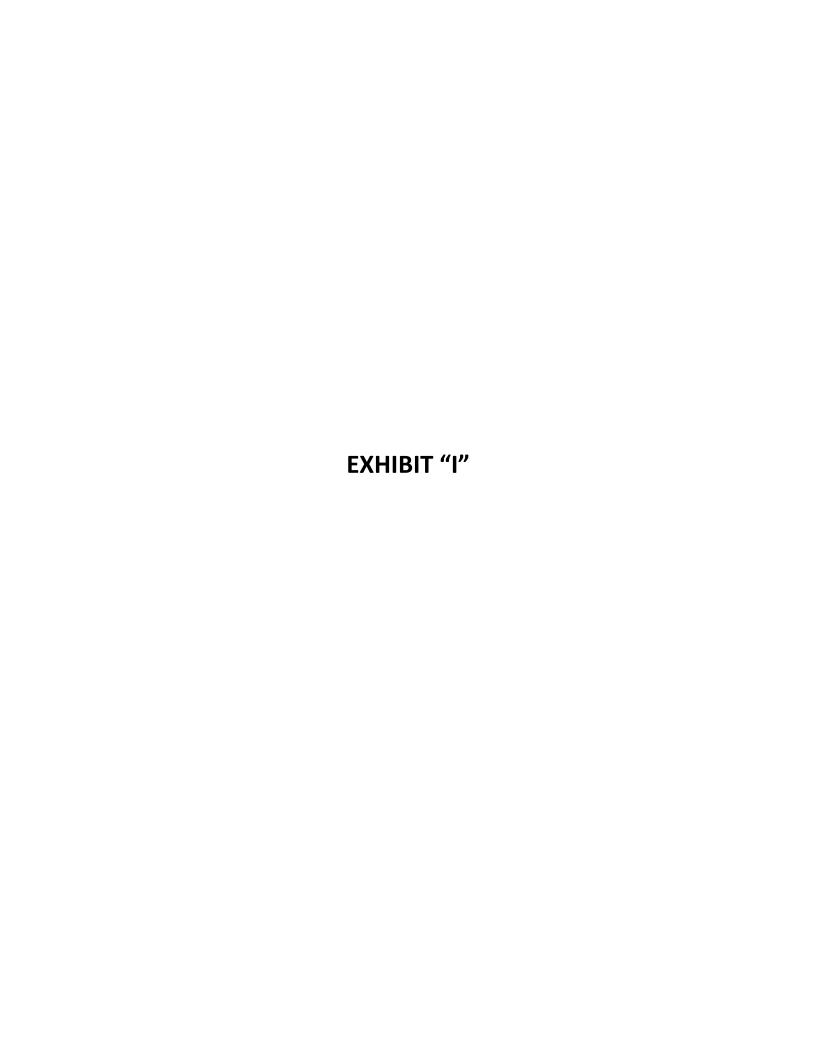
Wednesday, August 29, 2018
4 pm
B'nai Brith Canada
15 Hove Street, Toronto

The Al Quds Day gang and many other radical Islamic gangs are promoting a radical Islamic pro terror march in the middle of the Jewish community, in front of the B'nai Brith building. The Al Quds Day gang includes many from Thornciffe Park, home of the Toronto Danforth terrorist.

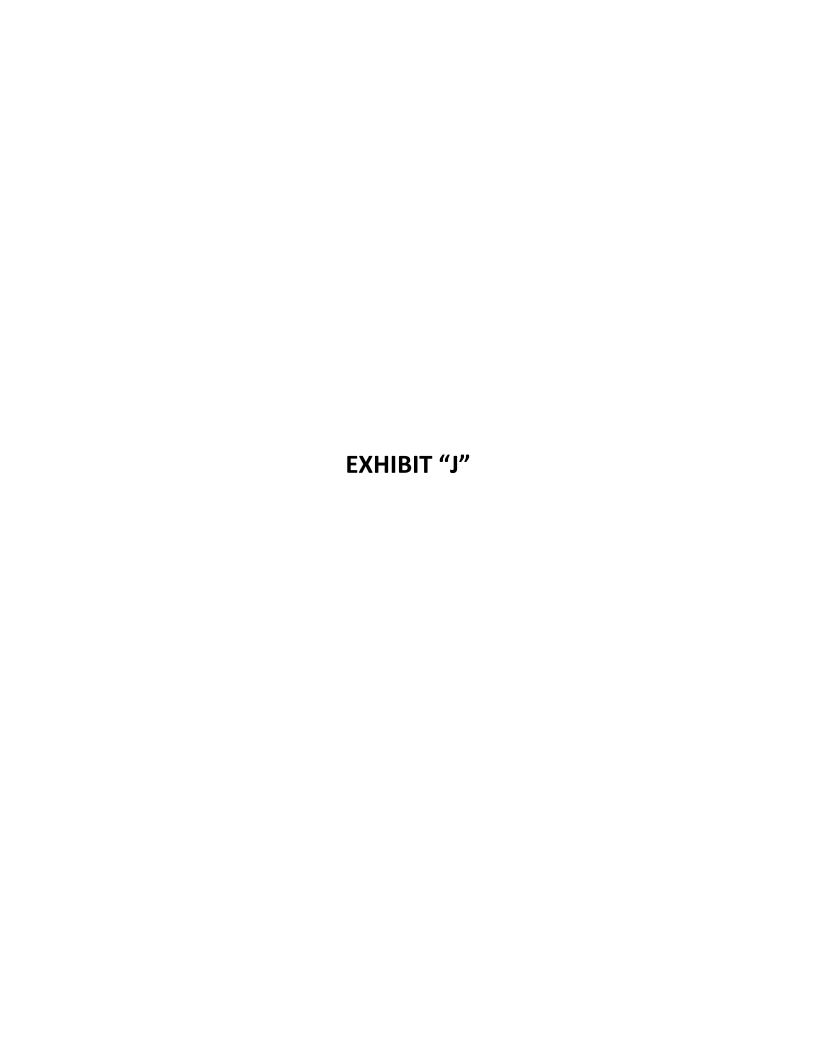
The Jewish Defense League will mobilize a counter protest. **Bring Canadian and Israeli** Flags.











May 12, 2019 - 7 lyar 5779

SURVIVOR DISCUSSES WHY SHE EMBRACES LEFT-WING POLITICS

By Barbara Silverstein - February 7, 2019

Suzanne Weiss

Suzanne Weiss was born in Paris in 1941, during the German occupation. Her Ukrainian father was a prisoner of war. Her mother, a left-wing Polish refugee, was deported from France in 1943 and died later that year in Auschwitz.

Weiss was one of thousands of Jewish children who were rescued by an underground network of Jewish and gentile groups. They placed these youngsters with families and in children's homes throughout southern France.

A long-time political and social activist, Weiss spoke about her experience as a young Holocaust survivor and her 2017 visit to Auvergne, the region where she was hidden, in Toronto on Jan. 31. The event was organized by IfNotNow Toronto – which is dedicated to fighting anti-Semitism, building a Jewish community that values inclusivity and justice, and challenging community support for Israel's occupation of the West Bank – to mark International Holocaust Remembrance Day.

On July 16, 1942, French police arrested 13,150 Jewish refugees. They were herded into the Velodrome d'Hiver (Vel' d'Hiv) and soon after sent to extermination camps, Weiss recounted. "Almost all of them were killed. Why was I spared? I have pieced the story together."

She and her mother, Faiga Berliner, escaped the "Vel' d'Hiv round-up," and headed south, but they ended up in a German transit camp with other Jewish refugees. Weiss was smuggled out and eventually placed with a

family in Auvergne, a region in southern France governed by the Vichy regime.

"Faiga had to entrust me to a left-wing Jewish organization. They placed me with a nursemaid, a non-Jewish nanny," recalls Weiss.

Jewish parents like her mother "understood that they had to hide their children.... A network of anti-Nazi resisters saved the children by dispersing them."

Some were sent to live with gentile families, while others were placed in orphanages. "They were hidden in plain sight of all," she said.

These French villagers and clergy risked their lives to save Jewish children. A network of organizations provided stipends to the gentile families and institutions, to care for the children, Weiss explained.

READ: ORTHODOX MIDWIVES LOOK TO SERVICE THEIR COMMUNITY

The Buchners, friends of her father's who were in the Jewish resistance, also looked out for her, Weiss said, pointing out that an important mission of the French Jewish resistance was to save Jewish lives.

She still does not know the name of the family, or even the village, where she was placed. "I remember nothing. I was on a peasant farm with a family who had wanted to adopt me," she said. "I owe my life to the hospitality of that family."

Weiss did, however, recall that after the war, she was located by her father, Aron Itzkovitch. One of her first memories is of her desire to remain with the French family. "They fought to keep me. I was unwilling to go," said Weiss. "He took my arm and pulled me away."

He returned her to the Jewish community and died shortly thereafter. She lived in a Jewish orphanage in Paris for five years, until she was adopted by the Weisses, a left-wing Jewish-American couple.

"I was brought up with people in the orphanages who promoted justice, love, peace and solidarity. That was their Judaism," she said. "That was my Judaism. I believe that was the Judaism of my natural parents. It was the Judaism of my adopted parents. They were against segregation, apartheid, the death penalty and fascism."

When she visited the French town of Clermont-Ferrand, in the Auvergne region, in 2017, Weiss took the opportunity to thank the people of that area for their bravery, solidarity and generosity.

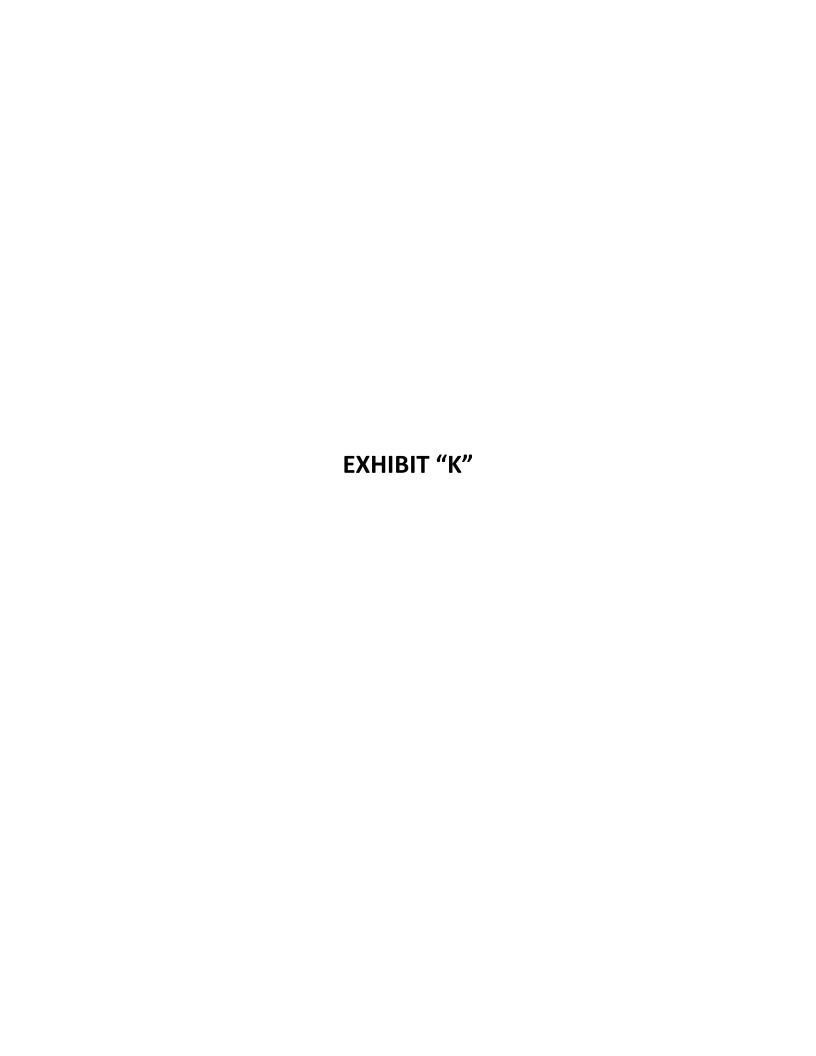
"During the occupation, they accepted a diversity of refugees. The people of Auvergne saved the lives of thousands of people," said Weiss.

"They wove a fabric of solidarity and built a long chain to save lives and change the course of history.

"We have to apply the same humanity to refugees and those fleeing authoritarian regimes."



Barbara Silverstein





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Ken Stone,

B.A., B.Ed., M.A.



Ken Stone has been a leader of the anti-racist movement in Hamilton for three decades, having been a member of the Mayor's Committee Against Racism and Discrimination for about ten years and chair of its Mediation Subcommittee for three. Ken was in the forefront of many local, anti-racist campaigns including the successful fight for equality for East Indian cab drivers at Yellow Cabs; justice for Tilley Johnson, Hamilton's first black stallholder at the historic Hamilton Market; the Rob Gentles Action Committee, which sought prosecution of the Kingston Prison guards responsible for the untimely death of a young black man from Hamilton; Hamilton Grape Boycott Week, an event to show solidarity with the Chicano farmworkers of California; the successful removal from provincial politics of Oakville Liberal MP John Sola, who had called on national television for the death of all Serbs; and the sanctions campaign in Hamilton which helped to end the apartheid regime in South Africa. Ken was also a director of the Social Planning and Research Council and member of its race relations committee. He chaired for a number of years the Human Rights Committee of the Hamilton and District Labour Council and initiated the first ever survey of racial compositions of trade union executive bodies in Canada. Ken was a founding member of the Community Coalition Against Racism in 1989 and was a candidate for alderman for Ward 6 in the 1988 municipal election. He is currently a teacher.

Ken learned about the evils of racism from his Jewish family, at least seventy members of which perished during the Nazi genocide in Europe.

Ken believes that basic changes need to be made to Canadian society in order completely to rid it of its deeply-imbedded racist and religious bias. In the meantime, people of all communities must come together to fight any incidents of racism that threaten anyone of any colour and of any faith.

Return to CCAR Executive