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## **POLAND'S SENATE PASSES CONTROVERSIAL HOLOCAUST BILL**

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BBC (1 February 2018)

Poland's Senate has approved a controversial bill making it illegal to accuse the Polish nation or state of complicity in the Nazi Holocaust.

The bill, which sets fines or a maximum three-year jail term as punishment, must be signed off by the president before becoming law.

President Andrzej Duda says Poland has the right "to defend historical truth".

But it has outraged Israeli MPs, who are now seeking to strengthen their own Holocaust denial laws.

### **What does the bill state?**

It says that "whoever accuses, publicly and against the facts, the Polish nation, or the Polish state, of being responsible or complicit in the Nazi crimes committed by the Third German Reich \* shall be subject to a fine or a penalty of imprisonment of up to three years".

But it adds the caveat that a person "is not committing a crime if he or she commits such an act as part of artistic or scientific activities".

It passed in a late-night sitting of the upper house of the Polish parliament with 57 votes to 23, with two abstaining.

The country has long objected to the use of phrases like "Polish death camps", which suggest the Polish state in some way shared responsibility for camps such as Auschwitz. The camps were built and operated by Nazi Germany after it invaded Poland in 1939.

But the more contentious point raised by the bill is whether it will outlaw references to acts of individual complicity by Poles with the Nazis - something historians say there is clear evidence for.

### **What has been the Israeli reaction?**

The Israelis are furious about the bill, which Prime Minister Benjamin Netanyahu has described as an attempt to rewrite history and deny the Holocaust.

There was particular anger as it came just a few days after the Polish president promised to

engage in dialogue with Israel about the bill amid the outcry.

Deputies from across Israel's often fractious political spectrum have united to denounce it.

Opposition MP Tzipi Livni of the Zionist Union party - normally a staunch critic of Mr Netanyahu - said: "They have spat in Israel's face twice, firstly as the state of the Jewish people that is trying to prevent a second Holocaust, and secondly in the face of an Israeli prime minister who had reached an agreement with his Polish counterpart, and had it ignored."

Centrist MP Yair Lapin was also defiant, tweeting that the law could not change history.

Following the passage of the law, Israel's Foreign Ministry asked to postpone the visit of a senior Polish official.

Pavel Solosh, the head of the Polish National Security Council, will not arrive in Israel on Sunday as was planned.

Now, Israeli MPs are backing a bill that would expand Israel's existing Holocaust denial laws to include a five-year jail sentence for anyone denying or minimising the role of Nazi collaborators, including Poles, in crimes committed in the Holocaust.

The amended law would also give legal aid to any Holocaust survivor telling their story who is prosecuted in a foreign country.

The US state department had also urged the Polish government to rethink the bill.

### **What about in Poland?**

Polish politicians have expressed bafflement at the Israeli response.

"We are very sad and surprised our fight for the truth, for the dignity of Poles, is perceived and interpreted in this way," said Senate speaker Stanislaw Karczewski.

Deputy Justice Minister Marcin Warchol said it was wrong to suggest the bill would stop people researching Polish history.

"Poland is a democratic state of law which respects the freedom of public debate, scientific research, and the right to criticism," he said.

Prime Minister Mateusz Morawiecki said Poland was committed to combating lies about the Holocaust.

"The camps where millions of Jews were murdered were not Polish. This truth needs to be protected," he said.

Poland is governed by a nationalist party, Law and Justice (PiS), which is keen to show the world how Poland was ruthlessly victimised by its German and Soviet neighbours in the war.

Media reaction to the law has been much more ambivalent. "Instead of settling the crisis, we have made it even worse," said a columnist in the conservative daily Rzeczpospolita.

About 100 Polish artists, politicians and journalists have signed an open letter calling for the repeal of the bill, saying it goes too far in trying to make Poland "the only blameless nation in Europe".

## **Analysis: It's not a black and white issue**

by Adam Easton, Warsaw correspondent

"Polish death camps" is a depressingly frequent term in the international media, often as a kind of journalistic shorthand. Even President Obama used it in 2012 during a speech honouring a Polish war hero, Jan Karski. Many Poles believe that the user thinks that Poles created and ran the camps. Of course that's not true.

Poland's right-wing government, while acknowledging that some Poles blackmailed Jews in hiding to enrich themselves, is keen to promote the history of Poland as a victim, of not just the Nazis, but also the Soviets.

The government is rightly proud that more Poles are honoured in Israel for saving Jews during the war than citizens of any other nation in occupied Europe. But Polish-Jewish relations during the war were complex - they were neither black nor white.

Historians say individual Poles denounced their Jewish neighbours to the Germans and also took part in their murder. Critics say this bill may act as a muzzle on people trying to uncover the full complexity of the Holocaust.

## **What happened in World War Two?**

Poland was attacked and occupied by Nazi Germany. Millions of its citizens were killed, including three million Polish Jews in the Holocaust.

Six million Jews were killed in the Holocaust overall.

More Poles have been honoured by Israel for saving the lives of Jews during the war than any other nation.

However, historians say others were complicit by acts such as informing on Jews in hiding for rewards, and participating in Nazi-instigated massacres including in Jedwabne where hundreds of Jews were murdered by their neighbours.

A historian and well-known "Nazi-hunter" at the Simon Wiesenthal Center, Efraim Zuroff, says the number of collaborators runs into "many thousands".

"The Polish state was not complicit in the Holocaust, but many Poles were," Mr Zuroff told the Times of Israel.