

# Lawyer looking for local victims of international terror

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Toronto lawyer Leo Adler wants to bring those who violate international humanitarian law by their terrorist campaigns against Israel to justice.

Adler, Canadian counsel for The Lawfare Project, believes these human rights violators – more specifically, those who ordered and carried out terrorist attacks – can be, and should be, prosecuted for their breaches of international law, right here in Canada.

To do so, however, would require several difficult and problematic hurdles be cleared, starting with the most basic: finding a Canadian who was a victim of Palestinian terrorism. That would start the ball rolling, leading ultimately, he hopes, to a criminal prosecution of a terrorist perpetrator.

Adler is appealing to victims to come forward. “We would hold their hands through the process,” he said.

Fighting terrorism on a legal battleground is one of many tactics promoted south of the border by The Lawfare Project.

The New York-based NGO describes itself as “a legal think tank that facilitates litigation and other legal actions to protect the civil and human rights of the pro-human rights and counter-terrorism communities, halt the funding of terrorism, and combat the persistent abuses of U.S. and international legal systems by those who oppose democracy and freedom.”

Among its anti-terrorism activities, it cites legal actions against organizations that provide material support for designated terror groups; exposing state-sponsored indoctrination of Palestinian children to become suicide bombers; and pursuing war crimes charges against terror leaders and state sponsors of terrorism.

Adler said the Palestinians have been pursuing Israel at the International Criminal Court (ICC) ever since the Palestinian Authority (PA) was named an observer state by the UN. Even before that, the Comoros Islands and Turkey sought to bring Israel to the ICC bar over the death of nine Turkish jihadis on board the Mavi Marmara, a Comoros Islands-registered ship that was attempting to run Israel’s blockade of Gaza in 2010.

“We’re outraged by how Israel is positioned as the criminal when all you have to do is listen to Palestinian radio and [visit] websites where they promote hate and terrorism and incite their young people,” Adler, who in addition to practising law also teaches international criminal law at Osgoode Hall said.

“We’re into a stabbing stage now. We feel



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the real criminals ought to come to trial. Those real criminals are the people at the head of Hamas, certain people at the head of the Palestinian Authority, and people at the head of Iran. These are the groups and countries that are committing war crimes and crimes against humanity,” Adler said.

“We want to be able to get arrest warrants for those guilty of war crimes and crimes against humanity, or just plain murder, involving Canadians,” he continued. “That means we’re looking for Canadians who were victims, either of the Gaza wars or of other terrorist attacks that occurred.”

Adler believes that once presented with a file prepared by the Lawfare Project, outlining the case in some detail, Canadian authorities will prosecute it.

“The Canadian government has always indicated to me when I’ve spoken to them that they take their obligations to prosecute anyone who commits these types of heinous crimes against Canadians very seriously,” Adler said the prosecution of two Rwandans provides a precedent in prosecuting war crimes committed abroad.

But how does launching a case in Canada bring to justice someone living in Gaza or the Palestinian territories?

There are two mechanisms available, he responded. One is through extradition if and when the alleged perpetrator travels abroad to a country with which Canada maintains an extradition treaty.

In addition, the charges would be relayed to Interpol, which could “red flag” the alleged perpetrator and he would be held if he travels to any of the more than 100 countries in which Interpol operates.

For Adler, prosecuting terrorists who attack Jews is a matter of justice.

“Jews are no longer the lambs to be led to the slaughter,” he said.

“For millenia Jews have been the target of violent injustice,” he said. “If there’s anything we should have learned from our history, including the Shoah, it’s that we cannot allow the perpetrators to avoid justice.” ■

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