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Letter to the Editor: Criminalizing the Denial of War Crimes, Genocide
The Wall Street Journal

In their April 16 editorial-page commentary "German for Chutzpah," David B. Rivkin and Lee A. Casey misinterpret the recent German-backed EU initiative to criminalize public denial or gross minimization of war crimes, crimes against humanity and genocide, including those found by the International Criminal Court (ICC) in its cases. In fact, the proposal refers to specific provisions within the Rome Statute -- the founding instrument of the ICC -- that offer precise and internationally recognized definitions of war crimes, crimes against humanity and genocide. The adopted proposal simply uses the Rome Statute as a source of international atrocity law.

Additionally, Messrs. Rivkin and Casey fail to mention that the proposal, which won approval April 19 by EU justice and interior ministers, ultimately leaves the determination of criminal liability in such cases up to the discretion of EU members and their courts.

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