

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating Application Under the Australian Human Rights Commission Act 1986 - Form 116 - Rule 34.163(1)
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File Number:	VID404/2025
File Title:	ALON CASSUTO v MARY KOSTAKIDIS
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



**Originating application under the Australian Human Rights
Commission Act 1986**

No. of 20

Federal Court of Australia

District Registry: General

Division: Victoria

ALON CASSUTO

Applicant

MARY KOSTAKIDIS

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Filed on behalf of (name & role of party)	The Applicant
Prepared by (name of person/lawyer)	Leon Zwier and Raphael Leibler
Law firm (if applicable)	Arnold Bloch Leibler
Tel +61 3 9229 9693	Fax
Email	lzwier@abl.com.au and rleibler@abl.com.au
Address for service (include state and postcode)	Level 21, 333 Collins Street, Melbourne, VIC, 3000



Time and date for hearing: [Registry will insert time and date]

Place: Owen Dixon Commonwealth Law Building

305 William Street

MELBOURNE VIC 3000

Date:

Signed by an officer acting with the authority
of the District Registrar



Details of claim under the Australian Human Rights Commission Act 1986

The Applicant claims that:

1. The Applicant is Jewish and a dual Australian-Israeli citizen.
2. The Respondent is a former newsreader for SBS World News and operates a public account on X (formerly Twitter under the handle @MaryKostakidis).
3. On 4 January 2024, the Respondent posted (**4 January Post**) a post on her public X account which included:
 - a. her own statement which contained the following words:

The Israeli govt getting some of its own medicine.

Israel has started something it can't finish with this genocide.

#Gaza
 - b. reposted a post from an X Account, @CensoredMen, which contained:
 - i. the following words:

The leader of Hezbollah, Hassan Nasrallah, tells the Israelis they will never be welcome in the region.

"Here you don't have a future' from the river to the sea the land of Palestine is for the Palestinian people, and the Palestinian people only."...
 - ii. and a link to a video of a speech by the leader of Hezbollah (a terrorist organisation listed under the *Criminal Code Act 1995* (Cth)), Hassan Nasrallah (**Nasrallah Video**), which is translated into English, where Mr Nasrallah states:

The number of military vehicles and the number of tanks that are being destroyed every day, the psychological situation, Yediot Ahronot said that one of the results of the Al-Aqsa Flood Battle is that 300,000 new people have sought therapy – have sought psychological therapy. So, you want to stay here, that's very difficult. Here, it's going to be very difficult for you. If you want to be secure, if you want to feel secure, you have an American passport, go back to the United States. You have a British passport go back to the UK. Here, you don't have future, and from the river to the sea, the land of Palestine is for the Palestinian people and for the Palestinian people only – the resilient Palestinian people, the mujahideen.



4. On 13 January 2024, the Respondent reposted (**13 January Post**) a post on her public X Account from an X Account, @CensoredMen, which included:
 - a. a statement which contained the following words:

Nasrallah's message to Israelis:

"If you want to be secure and sage, you have a US passport, go back to the US. You have a British passport, go back to the UK.

Here you don't have a future. From the river to the sea, the land of Palestine is for the Palestinian people only."
 - b. and a link to the Nasrallah Video.
5. The publication of the 4 January Post and/or the 13 January Post constituted unlawful conduct under section 18C of the *Racial Discrimination Act 1975* (Cth), in that:
 - a. the act was done in public;
 - b. the act was reasonably likely in all the circumstances to offend, insult, humiliate and/or intimidate Jews and/or Israelis; and
 - c. the act was done because of the race or national or ethnic origin of Israelis and/or Jews.
6. On 14 July 2024, the Applicant made a complaint to the Australian Human Rights Commission (**AHRC**).
7. On 29 January 2025, pursuant to s 46PH(1B)(b) of the *Australian Human Rights Commission Act 1998* (Cth), a delegate of the President of the AHRC terminated the complaint on the basis that there was no reasonable prospect of the matter being settled by conciliation.

Legislation

The Applicant claims that the conduct complained of is unlawful under s 18C of the *Racial Discrimination Act 1975* (Cth).

Remedy sought

The Applicant asks the Court for orders:

- (a) a declaration that the making of the 4 January Post and/or the 13 January Post breached s 18C of the *Racial Discrimination Act 1975* (Cth);
- (b) an apology;
- (c) an order requiring the Respondent to remove the 4 January Post and the 13 January Post;



- (d) costs; and
- (e) any other order *this Honourable Court* might think fit.

Accompanying documents

This application is accompanied by:

1. A copy of the Applicant's original complaint to the AHRC, dated 14 July 2024.
2. The notice of termination of complaint given by a delegate of the President of the AHRC, dated 29 January 2025.
3. A statement of claim dated 31 March 2025.

Applicant's details

The Applicant's relationship to the Respondent is: other (no personal relationship).

The Applicant is over 18 years.

Applicant's address

The Applicant's address for service is:

Place: Level 21, 333 Collins Street, Melbourne, 3000

Email: lzwier@abl.com.au and rleibler@abl.com.au

The Applicant's address is c/o Arnold Bloch Leibler, Level 21, 333 Collins Street, Melbourne VIC 3000.

Service on the Respondent

It is intended to serve this application on the Respondent.



Date: 31 March 2025

A handwritten signature in blue ink, appearing to be "L. Zwier", written over a horizontal line.

Signed by Leon Zwier

Lawyer for the Applicant

A handwritten signature in blue ink, appearing to be "Raphael Leibler", written over a horizontal line.

Signed by Raphael Leibler

Lawyer for the Applicant



AUSTRALIAN HUMAN RIGHTS COMMISSION

FILE NO: 2024-10140

Between

Alon Cassuto

Complainant

AND

Mary Kostakidis

Respondent

NOTICE OF TERMINATION

Issued under section 46PH(2) of the [*Australian Human Rights Commission Act 1986 \(Cth\)*](#) (AHRCA)

This complaint alleging unlawful discrimination under the *Racial Discrimination Act 1975 (Cth)* has been terminated under section 46PH(1B)(b) of the AHRCA on the ground that I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Section 46PO of the AHRCA provides that if a complaint has been terminated under section 46PH(1B)(b) of the AHRCA:

- the person affected by the alleged discrimination or the person who lodged the complaint on their behalf may make an application to the Federal Circuit and Family Court of Australia (**FCFCOA**) or the Federal Court of Australia (**FCA**) alleging unlawful discrimination by one or more of the respondents to the terminated complaint;
- the FCFCOA and FCA can award costs in proceedings in certain circumstances (see also section 46PSA of the AHRCA); and
- any application to the court must be made within 60 days of the date on this Notice of Termination.



Reasons for this decision are provided in Attachment A.

A copy of the complaint is provided at Attachment B.

DATED 29 January 2025.

A handwritten signature in blue ink that reads "Jodie Ball". The signature is fluid and cursive, with the first name "Jodie" and the last name "Ball" clearly distinguishable.

Jodie Ball

Delegate of the President

ATTACHMENT A

Our ref: 2024-10140

29 January 2025

Mr Raphael Leibler
Partner
Arnold Bloch Leibler

Sent by email: RLeibler@abl.com.au
Copied to: LZwier@abl.com.au; LWinn@abl.com.au

Dear Mr Leibler

Termination of the complaint

I am writing to advise you of my decision regarding your client, Mr Alon Cassuto's complaint lodged with the Australian Human Rights Commission (**the Commission**) against Ms Mary Kostakidis, alleging racial hatred under the *Racial Discrimination Act 1975* (Cth).

Complaint

Complaint documents

The complaint totals 38 pages. A copy of the complaint was emailed to your office on 22 July 2024. Another copy is provided with this letter, marked as 'Attachment B'.

Contact with the respondent

A copy of the complaint was provided to Ms Kostakidis on 22 July 2024. The Commission received a response from Ms Kostakidis through her legal representative on 26 August 2024. The Commission sent your office a copy of this response on 28 August 2024.



My decision

Under section 46PH(1B)(b) of the [Australian Human Rights Commission Act 1986 \(Cth\) \(AHRCA\)](#) the President must terminate a complaint if satisfied that there is no reasonable prospect of the matter being settled by conciliation.

I note that the Commission held a conciliation conference in Sydney on 11 December 2024 attended by the parties and their respective legal representatives. I also note that the Commission facilitated a further video conciliation meeting on 13 December 2024 attended by the parties' legal representatives. While the parties participated in the Commission-facilitated conciliation process in December 2024, I understand that currently the complaint has not been able to be resolved, because the parties have not been able to reach a final agreement on how to resolve the complaint. The information currently before me does not support that the complaint is able to be resolved through the Commission's processes.

In the circumstances, I have therefore decided to terminate the complaint under 46PH(1B)(b) of the AHRCA, as I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Possible further action

Court option

Section 46PO of the AHRCA says that after a complaint is terminated:

- the person affected by the alleged discrimination or the person who lodged the complaint on their behalf may apply to the [Federal Circuit and Family Court of Australia \(FCFCOA\)](#) or the [Federal Court of Australia \(FCA\)](#) to have the allegations decided by the court;
- any such application must be made within 60 days of the date on the Notice of Termination; and
- the FCFCOA and FCA can award costs in proceedings in certain circumstances (see also section 46PSA of the AHRCA).

Information about the court or the court process is available from a court registry or from its websites.



Lodging at court

If Mr Cassuto applies to the FCFCOA or the FCA, he will need to attach the following documents to the application:

- Notice of Termination (enclosed)
- Attachment A (this letter)
- Attachment B (the complaint, as enclosed)

Please provide a copy of this letter to Mr Cassuto for his records.

Yours sincerely

A handwritten signature in black ink, which appears to read "Jodie Ball".

Jodie Ball

Delegate of the President

Complaints Mailbox

From: Lauren Winn <LWinn@abl.com.au>
Sent: Sunday, 14 July 2024 3:50 PM
To: Complaints Mailbox
Cc: Raphael Leibler; Leon Zwier
Subject: Alon Cassuto | Complaint
Attachments: AHRC complaint form - signed.pdf; Authority to Act - signed.pdf; Statement of Complaint.pdf; Attachment 1 - Table of Tweets.pdf; Attachment 2 - ABL Letter - 8 July 2024.pdf

You don't often get email from lwinn@abl.com.au. [Learn why this is important](#)

CAUTION: This email originated from outside of the organisation. Verify the sender before you click links or open attachments. Email purporting to be from staff may be an impersonation attempt.

Dear Australian Human Rights Commission

We act for Alon Cassuto. Please see attached an Authority to Act.

Please also see attached the following documents by way of lodgement of a complaint on behalf of our client:

1. AHRC Complaint Form dated 14 July 2024
2. Statement of Complaint
3. Attachment 1 to Statement of Complaint – Table of Tweets
4. Attachment 2 to Statement of Complaint – Letter dated 8 July 2024

Regards

Lauren Winn | Lawyer

Arnold Bloch Leibler
Level 21, 333 Collins Street, Melbourne Victoria 3000
E: LWinn@abl.com.au | T: 61 3 9229 9640 | M: 0438 768 321

Wurundjeri Country

Arnold Bloch Leibler
Lawyers and Advisers

Lauren Winn | Lawyer

Arnold Bloch Leibler
Level 21, 333 Collins Street, Melbourne Victoria 3000
E: LWinn@abl.com.au | T: 61 3 9229 9640 | M: 0438 768 321

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Wurundjeri Country

Arnold Bloch Leibler
Lawyers and Advisers

----- Disclaimer -----

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DisclaimerID:AUUYYGH000012



AUTHORITY TO ACT

I, Alon Cassuto (insert name of aggrieved person/s)

authorise Raphael Leibler (insert name of authorised person/s)

to act on my behalf in relation to the complaint I have made to the Australian Human Rights Commission (the Commission) against the Mary Kostakidis

(insert name of respondent/s).

I understand that officers of the Commission will deal directly with

Raphael Leibler (insert name of authorised person/s)

in relation to this complaint.

I authorise Raphael Leibler (insert name of authorised person/s)
to:

- Provide information and documents to the Commission in connection with the Commission's assessment, investigation and conciliation of my complaint.
- Receive information and documents from the Commission about my complaint. These documents could include responses provided by the respondent/s and correspondence from the Commission.
- Discuss my complaint with officers of the Commission.

I understand that I can withdraw my authority to act at any time by contacting the Commission.

I understand that the Commission will use and store my personal information in accordance with the *Privacy Act 1988* (Cth).

Signed:

Name:

Alon Cassuto

(insert name of aggrieved person/s)

Date:

14/07/2024



COMPLAINT FORM

The Australian Human Rights Commission investigates and conciliates complaints about discrimination and breaches of human rights.

We will need to contact you about your complaint, so please provide your name and contact details, including one contact number if possible. If you do not provide this information we may not be able to deal with your complaint.

We will use the information you provide to assess, investigate and/or conciliate your complaint. We will usually provide a copy of your complaint (excluding your contact details) to the person or organisation you are complaining about and, if necessary, others who have relevant information about your complaint. By completing and submitting this form you consent to the Commission using your information for these purposes. If you have any questions about this or need help to complete this form please contact our National Information Service on 1300 656 419 or 02 9284 9600.

Your personal information will be used and stored in accordance with the *Privacy Act 1988* (Cth). The Commission's privacy policy is available at www.humanrights.gov.au.

* * * * *

Part A – About you, the complainants

Complainant 1

Title: Mr
First name: Cassuto
Last name: Alon
Address: C/O Arnold Bloch Leibler Level 21, 333 Collins Street
Suburb: Melbourne
State/Territory: VIC
Postcode: 3000
Email: lwier@abl.com.au & rleibler@abl.com.au
Phone (BH): 61 3 9229 9646 & 61 3 9229 9693
Mobile: 0407 540 142 & 0402 611 906

If someone is assisting you with the complaint, for example, a legal representative, advocate or union representative, please provide the following details about this person.

Legal Advisor 1

Title: Mr
First name: Leibler
Last name: Raphael
Position: Partner
Organisation: Arnold Bloch Leibler
Address: Level 21, 333 Collins Street
Suburb: Melbourne
State/Territory: VIC
Postcode: 3001
Email: rleibler@abl.com.au
Phone (BH): 61 3 9229 9693
Mobile: 0402 611 906

Legal Advisor 2

Title: Mr
First name: Leon
Last name: Zwier
Position: Partner
Organisation: Arnold Bloch Leibler
Address: Level 21, 333 Collins Street
Suburb: Melbourne
State/Territory: VIC
Postcode: 3001
Email: lzwier@abl.com.au
Phone (BH): 61 3 9229 9646
Mobile: 0439 381 683

Part B – Who is the complaint about?

Respondent

Name of person or organisation: Mary Kostakidis
ABN of organisation (if relevant):
Address: [REDACTED]

Suburb: [REDACTED]
State/Territory: [REDACTED]
Postcode: [REDACTED]
Email: [REDACTED]
Phone (BH):
Mobile:
What is your relationship to this respondent? N/A

Part C – What are you complaining about? *

We are complaining because we believe:
(Please select at least one reason below)

☒ **I have experienced racial hatred**

☒ What is your race/national or ethnic origin/background? Jewish and Israeli
Australia

When did the alleged event(s) happen?

4 January 2024 and 13 January 2024. See **attached** Statement of Complaint and Annexures.

What happened?

See **attached** Statement of Complaint and Annexures.

Supporting documents

See **attached** Statement of Complaint and Annexures

How do you think this complaint could be resolved?

The complainant seeks from Ms Kostakidis:

- (a) a public apology;
- (b) the removal of all offensive materials from her social media account;
- (c) undertakings not to repeat the conduct about which he complains; and
- (d) payment of his legal costs.

Have you made a complaint to another organisation?



For example, a state anti-discrimination or equal opportunity agency, a workers compensation agency, an ombudsman or the Fair Work Commission.

☒ No

Part D – Lodging the complaint

Please send the complaint form to the Commission by:

Post: Australian Human Rights Commission
GPO Box 5218
Sydney NSW 2001

Fax: 02 9284 9611

Email: complaints@humanrights.gov.au

Signature:

A handwritten signature in black ink, appearing to be "R. J. O'Connell", is written over the signature line.

Date: 14/07/2024



Statement of Complaint

OVERVIEW OF COMPLAINT

- 1 The complainant submits that the respondent, Mary Kostakidis, has engaged in conduct that was reasonably likely to offend, insult, humiliate and/or intimidate him and other Jews and Israelis, and that this conduct was based on the race or national or ethnic origin of Jews or Israelis in breach of section 18C(1) of the *Racial Discrimination Act 1975* (Cth). All references to legislation in this complaint relate to the *Racial Discrimination Act 1975* (Cth).
- 2 The relevant conduct relates to two publications by Ms Kostakidis on her X (formerly Twitter) account on 4 and 13 January 2024 (the **Posts**). In each of the Posts, Ms Kostakidis re-posted a video and reproduced the text from a recent speech by the leader of Hezbollah, Hassan Nasrallah, calling for the ethnic cleansing of Jews in Israel (see paragraphs 26 to 32 below).
- 3 This complaint is structured in the following way: Background (Part A); Discrimination Claim (Part B); AHRC Process (Part C); and Outcome (Part D).

PART A: BACKGROUND

Parties

- 4 The complainant, Alon Cassuto, is a dual Australian-Israeli citizen and an active member of the Australian Jewish community.
- 5 The respondent, Mary Kostakidis, is a journalist and former presenter of SBS World News for 20 years. She is active on social media and has over 28,000 followers on X (formerly Twitter).

Antisemitism

- 6 The late historian, Professor Robert Wistrich, described antisemitism as the 'longest hatred'.¹ Although antisemitism has evolved over the course of history, it is a shape-shifting hatred that invariably leads to attacks on Jews and Jewish life.
- 7 While certain forms of antisemitism are overtly anti-Jewish, including traditional right-wing Jew-hatred, newer strains of antisemitism prevalent in progressive circles hide behind the veil of 'anti-Zionism'. They manifest in the demonisation of Israel and dehumanisation of Israelis and their supporters.² (This is distinct from legitimate criticism of Israel similar to that levelled against any other country, which is not antisemitic).
- 8 This newer strain of antisemitism adopts the language of 'decolonisation' to deny Jewish connection and history in Israel. The Jewish connection to the Land of Israel dates back over

¹ Robert S Wistrich, 'Antisemitism: The Longest Hatred', Thames Methuen, 1991.

² International Holocaust Remembrance Alliance, *Working Definition of Antisemitism: illustrative examples* (accessible at: <https://holocaustremembrance.com/resources/working-definition-antisemitism>).



three thousand years, to King David and even before, more than a thousand years before the birth of Christ. Despite having been exiled twice, Jewish people have since retained an unbroken connection with and presence in the land of Israel.

- 9 The new antisemitism also borrows from antisemitic tropes to falsely portray Jews as the 'powerful' white colonial Europeans who should return to the 'west'.³ This harmful narrative disregards the socio-demographic composition of Israel, with over half of its Jewish population coming from the Muslim Middle East and North Africa,⁴ and a substantial proportion of its European ancestry having sought refuge in their ancestral homeland after surviving the Holocaust.
- 10 The embrace of common anti-Jewish attitudes by the far-left and the far-right has been described as an example of 'horseshoe theory': extremist elements converge with respect to their position on Jews and Israel.
- 11 In 2016, the International Holocaust Remembrance Alliance (IHRA) published the following working definition of antisemitism:⁵

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

- 12 The IHRA definition recognises both old and newer iterations of antisemitism. It provides examples of modern antisemitism from the extreme left and radical Islamists, including:⁶
 - (a) Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
 - (b) Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
 - (c) Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
 - (d) Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- 13 The IHRA definition has been adopted by 43 countries, including Australia.

³ Rachel Timoner, senior rabbi of Congregation Beth Elohim in New York, 'Opinion: Don't take your mezzusah off your door', The New York Times International Edition, 19 October 2023 (accessible at: <https://www.nytimes.com/2023/10/17/opinion/israelis-palestinians-torah-humanity.html>).

⁴ Expert Report of Suzanne Rutland, filed in *Riazaty & Anor v UMSU Inc* S ECI 2023 01945, at 48 [181]; Jewish Virtual Library, *Latest Population Statistic for Israel* (published 9 May 2024) (accessible at: <https://www.jewishvirtuallibrary.org/latest-population-statistics-for-israel>).

⁵ International Holocaust Remembrance Alliance, *Working Definition of Antisemitism* (adopted 26 May 2016 at the IHRA Plenary in Bucharest) (accessible at: <https://holocaustremembrance.com/resources/working-definition-antisemitism>).

⁶ International Holocaust Remembrance Alliance, *Working Definition of Antisemitism: illustrative examples* (accessible at: <https://holocaustremembrance.com/resources/working-definition-antisemitism>).



Australian Jewry and the recent rise of antisemitism

- 14 The vast majority of Australian Jews feel a high level of personal connection to Israel and concern for Israel's safety.⁷ They regard themselves as Zionists because they support the right of the Jewish people to self-determination and statehood in their ancestral homeland.⁸ Many, like the complainant, have close family living in Israel.
- 15 The Australian community's understanding of the need for a Jewish homeland is due in part to its large population of Holocaust survivors and its awareness across the generations of the catastrophic consequences of antisemitism (Melbourne received proportionally more Holocaust survivors than any other city in the world outside of Israel).⁹
- 16 Given its close ties to Israel, the Australian Jewish community has experienced profound grief and shock in the aftermath of the Hamas terror attacks on 7 October 2023 (**October 7**). As has been widely reported, on October 7, Hamas terrorists infiltrated the South of Israel, murdering 1,200 Israelis and taking approximately 240 people hostage. They also injured approximately 6,000 people and inflicted multiple types of harm upon the people in Southern Israel, including rape, genital mutilation, live incineration and dismemberment. More Jews were killed on October 7 than on any single day since the Holocaust.¹⁰
- 17 Since October 7, there has been an unprecedented spike in racism towards Jews and Israelis in Australia and around the globe.¹¹ In October and November 2023 alone, there was a 738% increase in reported antisemitic incidents in Australia, including death threats, vandalism, verbal abuse and intimidation.¹² Recently, over 100 Australian Holocaust survivors issued a statement condemning this new wave of "*senseless and virulent*" antisemitism in Australia.¹³

⁷ 88% of Australian Jews feel a high level of connection to Israel, 80% feel a high level of concern for safety of Israel (see Monash University and Plus61J Media, *Crossroads23: Surveying Australian Jews on Israel* (June 2023) at p. 3 (accessible at: https://jewishindependent.yourcreative.com.au/wp-content/uploads/2023/06/Crossroads23_Survey_Report_June_2023_2-1.pdf).

⁸ Australian Centre for Jewish Civilisation, Monash University and JCA (lead authors David Graham and Andrew Markus), *Gen17 Australian Jewish Community Survey: Preliminary Findings*, (first published March 2018), ps. 5-6, 18, 20, 61-62 (accessible at: <https://jca.org.au/wp-content/uploads/2022/05/Graham-Markus-2018-Gen17-Initial-Findings-report-ONLINE-copy.pdf>).

⁹ *Ibid*, p. 15.

¹⁰ United Nations Meeting Coverage, Coverage of UN Security Council 9572nd Meeting (SC/15621), 11 March 2024 (accessible at: <https://press.un.org/en/2024/sc15621.doc.htm>); See eg, *Hamas's attack was the bloodiest in Israel's history*, The Economist (published online 12 October 2023) (accessible at: <https://www.economist.com/briefing/2023/10/12/hamass-attack-was-the-bloodiest-in-israels-history>), Avner Cohen, *Deadliest day for Jews since the Holocaust spurs a crisis of confidence in the idea of Israel – and its possible renewal*, The Conversation (published online 15 October 2023) (accessible at: <https://theconversation.com/deadliest-day-for-jews-since-the-holocaust-spurs-a-crisis-of-confidence-in-the-idea-of-israel-and-its-possible-renewal-215507>).

¹¹ Anti-Defamation League, *Global Antisemitic Incidents In the Wake of Hamas' War on Israel* (published online 20 May 2024) (accessible at: <https://www.adl.org/resources/blog/global-antisemitic-incidents-wake-hamas-war-israel>).

¹² Australian Centre for Jewish Civilisation, Monash University and JCA (lead authors Adina Bankier-Karp and David Graham), *Australian Jews in the Shadow of War: Main Survey Findings*, ps. 20-22, 26-28 (accessible at: https://www.researchgate.net/publication/380976882_Australian_Jews_in_the_Shadow_of_War_Main_Survey_Findings); Julie Nathan, Research Director, Executive Council of Australian Jewry, *Report on Antisemitism in Australia 2023 (1 October 2022 – 30 September 2023)*, p. 84 (accessible at: <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-Antisemitism-Report-2023.pdf>).

¹³ *Open Letter: A statement by Australian Holocaust survivors*, (first published in *The Australian* on 9 November 2023), (accessible at: <https://origin.go.theaustralian.com.au/wp-content/uploads/2023/11/Holocaust-letter.pdf>).



- 18 This rise in antisemitism cannot be explained away as legitimate criticisms of policies of the current Israeli government, or of the response by Israel to the massacre of its people on October 7. These shameful events began to unfold well before Israel had even responded to the invasion by Hamas – with protestors on October 8 in Sydney who celebrated the massacre as “a day of victory,”¹⁴ and who outside the Opera House on October 9 chanted “where are the Jews”, which the Prime Minister rightly described as “antisemitic and just appalling”.¹⁵

Hezbollah and Hassan Nasrallah

- 19 Hezbollah is listed as a terrorist organization under the *Criminal Code Act 1995* (Cth).¹⁶ A key pillar of Hezbollah’s ideology is its commitment to the violent destruction of the State of Israel.¹⁷ Since its establishment in the early 80s, Hezbollah has been responsible for scores of attacks on Israeli and Jewish targets around the world.¹⁸
- 20 Hassan Nasrallah is the Secretary General and leader of Hezbollah. Nasrallah has described Hezbollah’s ideology as having “two main axes: firstly, a belief in the rule by the just jurisconsult and adherence to [Iranian Ayatolla] Khomeini’s leadership; and secondly, the continued need to struggle against the Israeli enemy”.¹⁹
- 21 More recently, Nasrallah praised Hamas for the October 7 attacks and has made genocidal statements towards Israel and Jews on multiple occasions.²⁰ For example, he has stated that God gathered Jews in Israel because “...God wants to save you from going after them all over the world”.²¹ He has also said that Jews are “the enemies of God”, that God “imprinted blasphemy” on their hearts, and that “the Jews invented the legend of the Nazi atrocities”.²²

¹⁴ Gavin Coote, ‘Pro-Palestinian rally at Lakemba in Sydney criticised for ‘celebration’ of attacks on Israel’, *ABC News Online* (9 October 2023) (accessible at: <https://www.abc.net.au/news/2023-10-09/nsw-palestinian-rally-lakemba-sydney-israel-wong/102950238>).

¹⁵ See eg, Daniel Hurst, Paul Karp and Tamsin Rose, ‘Australia’s leaders condemn ‘abhorrent’ scenes after anti-Jewish chants filmed at Sydney rally’, *The Guardian* (10 October 2023) (accessible at: <https://www.theguardian.com/australia-news/2023/oct/10/pro-palestine-rally-sydney-opera-house-protest-australia-leaders-condemn-anti-jewish-chants>).

¹⁶ Australian Government, *Listed Terrorist Organisations: Hizballah*, originally listed as a proscribed terrorist organisation under Division 102 of the *Criminal Code Act 1995* on 5 June 2003, (National Security information sheet accessible at: <https://www.nationalsecurity.gov.au/what-australia-is-doing/terrorist-organisations/listed-terrorist-organisations/hizballah>).

¹⁷ International Institute for Counter-Terrorism, ‘The Hizballah Program: An Open Letter’, (a translation of *Nass al-Risala al-Maftuha allati wajahaha Hizballah ila-l-Mustad’afin fi Lubnan wa-l-Alam* as was published 16 February 1985 in *al-Safir*), ps. 3, 7-8 (accessible at: [Doctrine of Hezbollah | Wilson Center](https://www.wilsoncenter.org/publication/doctrine-of-hezbollah)).

¹⁸ Council on Foreign Relations, *Background: What is Hezbollah?*, last updated 14 October 2023 (accessible at: <https://www.cfr.org/backgrounder/what-hezbollah>).

¹⁹ Ettela’at, 13 February 1993. In Ranstorp, *Hizb’allah in Lebanon*, (1997), p. 48.

²⁰ See eg, Speech of Hassan Nasrallah, 3 November 2023 (accessible at: [link](#)), Speech of Hassan Nasrallah, 3 January 2024 (accessible at: [link](#)), Speech of Hassan Nasrallah, 5 January 2024 (accessible at: [link](#)).

²¹ Hassan Nasrallah, “Speech by His Excellency Hezbollah Secretary General Hassan Nasrallah on the Occasion of the Birthdate of the Savior, Master of Age and Time, 15 Shaaban 1423, corresponding to October 22, 2002”, (accessible in Arabic at: <https://web.archive.org/web/20030210024940fw/http://nasrollah.org/arabic/hassan/khitabat/khitabat64.htm>).

²² Anti-Defamation League, *Report: Teaching Antisemitism and Terrorism in Hezbollah School* (published 19 May 2020) (accessible at: <https://www.adl.org/resources/report/teaching-antisemitism-and-terrorism-hezbollah-schools>).



- 22 Nasrallah regularly calls for the annihilation of Israel,²³ and has repeatedly stated that the region “from the river to the sea” belongs to Palestinians and that Jewish Israelis must leave.²⁴
- 23 Since October 7, Hezbollah under Nasrallah’s leadership has fired thousands of rockets at Israel, including at areas populated by Israeli civilians, killing 24 people and displacing 70,000.²⁵ Hezbollah’s rocket strikes have significantly impacted the complainant’s family who are located in the city of Nahariya, a frequent target of rocket attacks in Northern Israel.

‘From the River to the Sea, Palestine will be Free’

- 24 “From the River to the Sea, Palestine will be Free” is a dog-whistle for the ethnic cleansing of Jewish people in Israel. The phrase advocates for a Palestinian state spanning the land between the Jordan River and the Mediterranean Sea, erasing Israel from the map. It denies Israel’s right to exist and promotes the removal of Jews from their historical homeland (by whatever means necessary). The use of this slogan heightens feelings of insecurity and exclusion among Jewish communities.
- 25 This view has been embraced by Australia’s politicians and intelligence establishment. For example:
- (a) On 16 May 2024, the Government and Opposition voted to condemn the phrase in the Senate, which passed 56 to 12. The motion recorded that “*the slogan ‘from the river to the sea, Palestine will be free’ opposes Israel’s right to exist, and is frequently used by those who seek to intimidate Jewish Australians via acts of antisemitism.*”
 - (b) Prime Minister Albanese has publicly agreed that the phrase is “*a very violent statement*” that “*has no place on Australian streets*” (7 May 2024) and described the phrase as “*inappropriate*” (16 May 2024) and “[*calling*] for opposition to a two-state solution” (6 May 2024).
 - (c) On 7 May 2024, Dennis Richardson, former ASIO Director-General, Secretary of the Department of Defence and Secretary of the Department of Foreign Affairs, described the slogan as “*a very violent statement*” that had the potential to “*very easily flow into actions of violence against communities in our own country*”.

²³ Toi Staff, ‘In Quds Day speech, Nasrallah says Jews must leave Israel’, *The Times of Israel* (22 May 2020) (accessible at: <https://www.timesofisrael.com/in-quds-day-speech-nasrallah-says-jews-must-leave-israel/>); MEMRI, ‘Hizbullah Secretary General Hassan Nasrallah on Al-Quds Day: ‘Israel Must Be Wiped Out of Existence’’, (26 October 2009) (accessible at: <https://www.memri.org/reports/hizbullah-secretary-general-hassan-nasrallah-al-quds-day-israel-must-be-wiped-out-existence>); Barry Rubin, ‘Israel’s “Northern Front”: Relations with Syria and Lebanon’, *Council of American Ambassadors* (Fall 2008), p. 68, (accessible at: <https://www.americanambassadors.org/publications/ambassadors-review/fall-2008/israel-s-northern-front-relations-with-syria-and-lebanon>).

²⁴ See eg, Speech of Hassan Nasrallah, 3 January 2024 (accessible at: [link](#)).

²⁵ Centre for Strategic & International Studies, *The Coming Conflict with Hezbollah*, (21 March 2024) (accessible at: <https://www.csis.org/analysis/coming-conflict-hezbollah>).

PART B: DISCRIMINATION CLAIM

26 Since October 7, Ms Kostakidis has published a series of antisemitic posts, including statements about Israel, Hamas and the Holocaust. A compilation of some of Ms Kostakidis' tweets is at **Attachment 1**.

27 This complaint relates to two of Ms Kostakidis' posts, from January 2024. On 4 and 13 January 2024, Ms Kostakidis published two posts on X (formerly Twitter) in which she republished a video of a recent speech from the leader of Hezbollah (**Video**). The Video can be accessed [here](#).

28 Both posts extracted the following text from Nasrallah's speech:

Here you don't have a future.

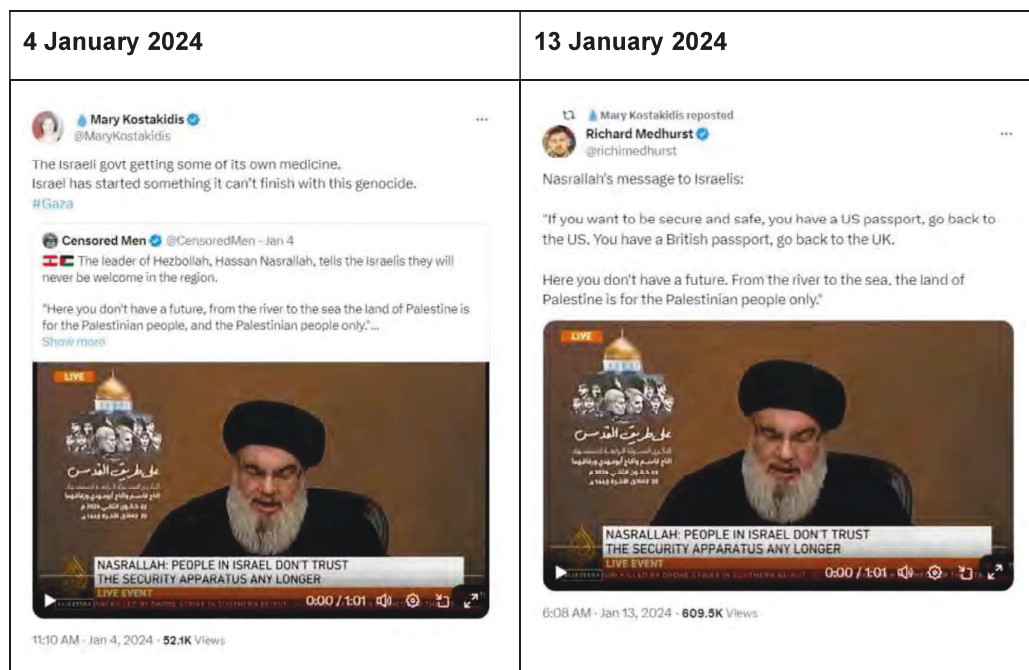
From the river to the sea, the land of Palestine is for the Palestinian people only.

29 In the 4 January 2024 post, Ms Kostakidis shared a link to the Video from user 'Censored Men' and added the following statement:

The Israeli govt getting some of its own medicine. Israel has started something it can't finish with this genocide. #Gaza.

30 In the 13 January 2024 post, Ms Kostakidis shared a post from user Richard Medhurst in which he provided a link to the Video and referred to "Nasrallah's message to Israelis".

31 A screenshot of the Posts is below:



32 A transcript of the video is below:

The number of military vehicles and the number of tanks that are being destroyed every day, Yediot Ahronot said that one of the results of



the Al-Aqsa Flood Battle is that 300,000 new people have sought therapy – have sought psychological therapy. So, you want to stay here, that's very difficult. Here, it's going to be very difficult for you. If you want to be secure, if you want to feel secure, you have an American passport, go back to the United States. You have a British passport go back to the UK. Here, you don't have future, and from the river to the sea, the land of Palestine is for the Palestinian people and for the Palestinian people only – the resilient Palestinian people, the mujahideen.

Breach of s 18C

33 By the conduct described in paragraph 27 to 32, Ms Kostakidis has breached s 18C(1) by committing a public act that:

- (a) was reasonably likely to offend, insult, humiliate or otherwise intimidate Israelis and/or Jews (s 18C(1)(a)); and
- (b) was done because of the race or national or ethnic origin of Israelis or Jews (s 18C(1)(b)).

Reasonable likely to offend, insult, humiliate or intimidate

34 The content shared and endorsed by Ms Kostakidis in the Posts is threatening, offensive, insulting and intimidating to those of Jewish or Israeli national or ethnic origin.

35 The Posts convey general messages or imputations to the effect that Jewish Israelis:

- (a) deserve to be, and may soon be, eliminated or ethnically cleansed;
- (b) there is no future for Jews in Israel;
- (c) Jews are unsafe in Israel; and
- (d) Jews are not indigenous to Israel and should return to their purported countries of origin.

36 The offence likely to be caused by the Posts is magnified given "*all the circumstances*"²⁶ including the context of October 7, the history of genocide against Jewish people, the recent rise in antisemitism, the proscription of Hezbollah as a terrorist organisation, previous genocidal statements made by Nasrallah, and other antisemitic posts by Ms Kostakidis.

37 Ms Kostakidis ought not have published the Posts or reposted the propaganda of the leader of a terrorist organisation. And if she had wished to do so for some arguably legitimate purpose, she ought to have disavowed the contents of the Video and made clear that she did not endorse those views.

²⁶ *Kaplan v State of Victoria (No 8)* [2023] FCA 1092, [515]-[516].



Because of the race, ethnicity or nationality

- 38 At least one reason (it is not required to be the sole reason²⁷) Ms Kostakidis issued the Posts was “because of” the race or ethnic or national origin of Jews or Israelis.²⁸
- 39 The statements in the Video, proclaimed by the leader of Hezbollah, are racialised and directed to Israelis and Jews. The Posts refer to “Nasrallah’s message to Israelis” and states what Nasrallah “tells the Israelis”. While these were not Ms Kostakidis’ own words, she republished them. They convey a message to Israelis and Jews, including those in the diaspora, that they are not safe in Israel and that they, and their families, do not have a future there. Ethnic cleansing of Jews from their ancestral homeland is plainly threatened. This goes well beyond legitimate criticism of the Israeli government.
- 40 Ms Kostakidis’ history of vitriolic posts about Israel and its supporters further demonstrates her pattern of vilifying Jews and Israelis (see paragraph 26 of this complaint).

PART C: AHRC PROCESS

- 41 On 8 July 2024, the complainant’s solicitors Arnold Bloch Leibler sent a letter to Ms Kostakidis regarding the Posts and other antisemitic materials Ms Kostakidis has shared on her X account. The letter notified Ms Kostakidis that the complainant intends to make a complaint to the AHRC and asked Ms Kostakidis to confirm whether she would engage in the AHRC conciliation process in good faith. A copy of this letter is at **Attachment 2**.
- 42 Ms Kostakidis has failed to respond to the letter or remove any of the offensive materials. Since receiving the letter, she has continued to share offensive posts, including tweets denying October 7 and justifying Hamas terrorism.²⁹
- 43 The complainant submits that given Ms Kostakidis’s failure to respond, there may be no reasonable prospect of the matter being resolved by conciliation, in which case the President ought to dismiss the complaint pursuant to section 46PH(1B) of the *Australian Human Rights Commission Act 1986* (Cth) (**AHRC Act**).
- 44 If the President considers that there are reasonable prospects of success at a conciliation, the complainant respectfully requests that the President expedites her inquiry and lists the conciliation for the earliest available date pursuant to the principles set out in section 46PF(10) of the AHRC Act that:

The President must, having regard to:

- (i) the nature of the complaint; and*
- (ii) the needs of the complainant or complainants; and*
- (iii) the needs of the respondent;*

act expeditiously in dealing with the complaint in accordance with this section.

²⁷ *Racial Discrimination Act 1975* (Cth) s 18B.

²⁸ Section 18C(1)(b).

²⁹ The table at **Attachment 1** includes examples of these recent tweets.



- 45 The complainant requests an expedited process on the basis of the following circumstances relevant to s 46PF(10):
- (i) The complaint involves serious allegations that Ms Kostakidis is sharing calls by terrorists for the ethnic cleansing of Jewish and Israeli people to a wide readership.
 - (ii) Ms Kostakidis's is constantly publishing materials on X daily that are threatening, harassing and intimidating to the complainant and other members of the Jewish and Israeli community. This conduct poses a threat to social cohesion in the Australian community.
 - (iii) There is no prejudice to Ms Kostakidis in undergoing an expedited process as the complaint relates to two Posts therefore the materials required to prepare her response are minimal.




PART D: OUTCOME






- 46 The complainant seeks from Ms Kostakidis:
- (a) a public apology;
 - (b) the removal of all offensive materials from her social media account;
 - (c) undertakings not to repeat the conduct about which he complains; and
 - (d) payment of his legal costs.




















ATTACHMENT 1



Complaint to AHRC Under s 18C *Racial Discrimination Act 1975* (Cth)
Re: MARY KOSTAKIDIS

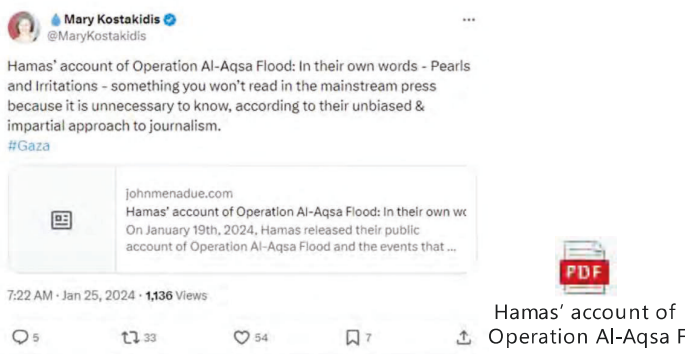


Examples of antisemitic posts on X (formerly Twitter) by Mary Kostakidis (@MaryKostakidis)


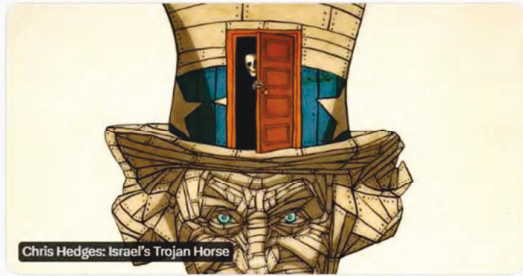
	Date	Post
1.	18 April 2012	
2.	10 October 2023	
3.	2 December 2023	

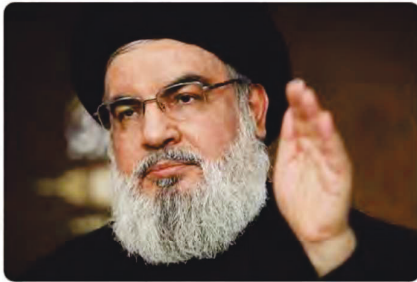
4.	27 December 2023	<p> Mary Kostakidis @MaryKostakidis · Dec 27, 2023 They lie. And they lie, and they lie, and they lie. #Israel #Gaza</p> <p> Adam Houda @LawyerAdamHouda · Dec 26, 2023 Listen to what Alexei Sayle, a British Jewish comedian, says about Zionist Jews. #FreePalestine</p>  <p>white, brown, gay, straight, trans, you name it.</p> <p>26 142 437 9.5K</p>
5.	30 December 2023	<p> Mary Kostakidis @MaryKostakidis</p> <p>Israel's Genocide Betrays the Holocaust 'If we forget the lessons of the Holocaust ..seek our moral worth in the past, rather than the present..We condemn.. Palestinians, to an endless cycle of slaughter. We become the evil we abhor. We consecrate horror' chrishedges.substack.com/p/israels-geno...</p> <p>12:16 PM · Dec 30, 2023 · 592 Views</p> <p>3 10 19</p>
6.	3 January 2024	<p> Mary Kostakidis @MaryKostakidis</p> <p>Israel's Genocide Betrays the Holocaust 'The Holocaust was weaponized from almost the moment Israel was founded. It was bastardized to serve the apartheid state. If we forget the lessons of the Holocaust, we forget who we are and what we are capable of becoming. We seek our moral worth in the past, rather than the present. We condemn others, including the Palestinians, to an endless cycle of slaughter. We become the evil we abhor. We consecrate the horror.' #Gaza chrishedges.substack.com/p/israels-geno...</p> <p>10:45 AM · Jan 3, 2024 · 709 Views</p> <p>5 13 25</p>


7.	4 January 2024	<p data-bbox="727 195 906 231">  Mary Kostakidis @MaryKostakidis </p> <p data-bbox="727 241 1136 300"> The Israeli govt getting some of its own medicine. Israel has started something it can't finish with this genocide. #Gaza </p> <div data-bbox="735 317 1211 730"> <p data-bbox="735 317 1008 342">  Censored Men · Jan 4 </p> <p data-bbox="735 346 1177 384">  The leader of Hezbollah, Hassan Nasrallah, tells the Israelis they will never be welcome in the region. </p> <p data-bbox="735 394 1193 432"> "Here you don't have a future, from the river to the sea the land of Palestine is for the Palestinian people, and the Palestinian people only"... Show more </p> <div data-bbox="735 464 1211 730"> <p data-bbox="735 464 768 485">LIVE</p>  <p data-bbox="735 667 1060 699"> NASRALLAH SAYS ISRAEL WILL NOT BE ABLE TO ACHIEVE THE GOALS OF ITS WAR </p> <p data-bbox="735 709 1211 730"> LIVE EVENT AT LEAST SEVEN PEOPLE HAVE BEEN KILLED IN STRIKE ON HAMAS OFFICE IN BEIRUT </p> </div> </div> <p data-bbox="727 741 938 762">11:10 AM · Jan 4, 2024 · 52.3K Views</p> <p data-bbox="727 783 1211 804">  96  55  166  6  </p>
8.	7 January 2024	<div data-bbox="573 825 930 888"> <p data-bbox="573 825 751 852">  Mary Kostakidis @MaryKostakidis </p> <p data-bbox="573 856 898 888"> Too many people are joining the dots to ignore or dismiss this as conspiracy theory. An actual conspiracy? </p> </div> <div data-bbox="573 905 930 1371"> <p data-bbox="573 905 784 930">  Keith Woods · Jan 7 </p> <p data-bbox="573 934 881 955"> JEFFREY EPSTEIN WAS AN AGENT OF ISRAEL. THE EVIDENCE: </p> <ul data-bbox="573 961 930 993" style="list-style-type: none"> Former Israeli Intelligence officer Ari Ben-Menashe alleges Epstein ran a honeytrap for Mossad after being recruited by Ghislaine Maxwell <p data-bbox="573 997 638 1018">Show more</p> <div data-bbox="573 1024 930 1371">  <p data-bbox="573 1234 638 1255">← Post</p>  </div> </div> <p data-bbox="573 1392 727 1413">7:48 PM · Jan 7, 2024 · 2,720 Views</p> <p data-bbox="573 1434 930 1455">  12  15  57  4  </p> <div data-bbox="946 825 1367 1877"> <p data-bbox="946 825 1060 852">  Keith Woods · Jan 7 </p> <p data-bbox="946 867 1304 888"> JEFFREY EPSTEIN WAS AN AGENT OF ISRAEL. THE EVIDENCE: </p> <ul data-bbox="946 898 1367 1759" style="list-style-type: none"> Former Israeli intelligence officer Ari Ben-Menashe alleges Epstein ran a honeytrap for Mossad after being recruited by Ghislaine Maxwell Maria Farmer, the first victim to report Epstein to the FBI, said everyone involved in the operation was a Jewish supremacist who racially abused her as a non-Jew - she claimed the operation was led by the Mega group Mega group is an organisation of exclusively Jewish billionaires set up to fund Jewish and pro-Israel causes One of the co-founders of Mega was Victor's Secret owner Les Wexner, who provided Epstein with his \$77 million house in Manhattan which he used for his blackmail ring NV Times article from the 1990s reported on the apartment when Wexner owned it, describing it as reminiscent of James Bond movies Wexner was the only client of Epstein's mysterious hedge fund and the apparent source of his wealth Epstein was hired to work for Bear Stearns in 1970 by Alan Greenberg, another member of Mega group. Prior to this Epstein was just a school teacher Mega group member Ronald Lauder is president of the World Jewish Congress and has been a big donor to Netanyahu's Likud party Epstein's associate Ghislaine Maxwell is the daughter of Robert Maxwell, a top Mossad spy Robert Maxwell's business partner was Charles Bronfman, a co-founder of the Mega group Epstein's lawyer and long-time friend Alan Dershowitz is an ultra-Zionist, author of The Case for Israel, and was considered by Israel to represent them at the ICJ Epstein had multiple meetings with former Israeli PM Ehud Barak in his New York apartment Les Wexner's Wexner Foundation gave Barak \$2 million in 2004 for still unspecified research Barak says he was first introduced to Epstein by former Israeli Prime Minister Shimon Peres, who gave a eulogy at Robert Maxwell's funeral Epstein and Barak were business partners in a tech company - the company's executive team were all former members of Israeli intelligence <p data-bbox="946 1717 1367 1759"> The conclusion is unavoidable: Jeffrey Epstein was running a blackmail operation for Israel, backed by very powerful and connected Zionists with ties to the very top of the Israeli government. </p>  </div>

9.	13 January 2024	<p>Mary Kostakidis reposted</p> <p>Richard Medhurst @richmedhurst</p> <p>Nasrallah's message to Israelis:</p> <p>"If you want to be secure and safe, you have a US passport, go back to the US. You have a British passport, go back to the UK.</p> <p>Here you don't have a future. From the river to the sea, the land of Palestine is for the Palestinian people only."</p>  <p>6:08 AM · Jan 13, 2024 · 609.5K Views</p>
10.	20 January 2024	<p>Mary Kostakidis</p> <p>@MaryKostakidis</p> <p>Why the Guardian's ' Hamas mass rape' story doesn't pass the sniff test</p> <p>'The woman leading the "Hamas mass rape" campaign – now an academic – is a former spokesperson for the Israeli military. Their job, as any honest reporter will tell you, is to lie to journalists to excuse Israel's incessant war crimes.'</p> <p>jonathan-cook.net/blog/2024-01-1...</p> <p>9:39 PM · Jan 20, 2024 · 60.1K Views</p> <p>156 597 1.6K 80</p>
11.	22 January 2024	<p>Mary Kostakidis</p> <p>@MaryKostakidis</p> <p>Historical background helps.</p> <p>Unfortunately in the West, looking at everything thru our narrative lens is 'impartial' and 'balanced', which is of course bollocks.</p> <p>(Troll alert)</p> <p>#Gaza #Zionism</p> <p>Sulaiman Ahmed @ShaykhSulaiman · Jan 22</p> <p>BREAKING: HAMAS RELEASE 17 PAGE BOOK ON WHAT REALLY HAPPENED ON OCT 7</p> <p>HAMAS AL-AQSA FLOOD OPERATION</p> <p>... Show more</p>  <p>9:58 AM · Jan 22, 2024 · 1,732 Views</p> <p>4 25 53 3</p>









12.	25 January 2024	 <p>Twitter post by Mary Kostakidis (@MaryKostakidis) dated 25 January 2024. The tweet discusses Hamas' account of Operation Al-Aqsa Flood, stating it is something not read in the mainstream press due to its unbiased and impartial approach to journalism. It includes a link to johnmenadue.com and a PDF icon. The tweet has 5 replies, 33 retweets, 54 likes, and 7 bookmarks. It was posted at 7:22 AM on Jan 25, 2024, with 1,136 views.</p>
13.	20 February 2024	 <p>Twitter post by Mary Kostakidis (@MaryKostakidis) dated 20 February 2024. The tweet expresses grief over Israel's actions, comparing them to the Holocaust and Guantanamo Bay. It includes a video from Quds News Network (@QudsNen) showing a school attack in northern Gaza. The tweet has 25 replies, 286 retweets, 409 likes, and 8 bookmarks. It was posted at 10:23 PM on Feb 20, 2024, with 8,351 views.</p>
14.	21 February 2024	 <p>Twitter post by Mary Kostakidis (@MaryKostakidis) dated 21 February 2024. The tweet discusses the time to occupy Israel, mentioning international outrage and relief. It includes a video from Prof2uantRes (Prof2uantRes) showing a Star of David and a hammer. The tweet has 3 replies, 17 retweets, 35 likes, and 756 bookmarks. It was posted at 10:23 PM on Feb 21, 2024, with 756 views.</p>


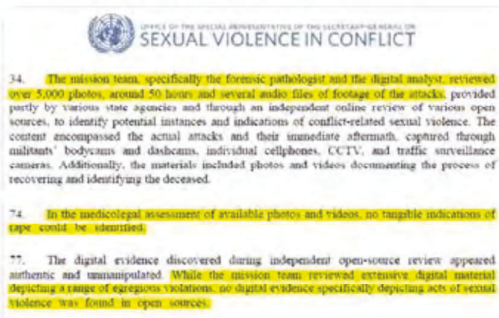
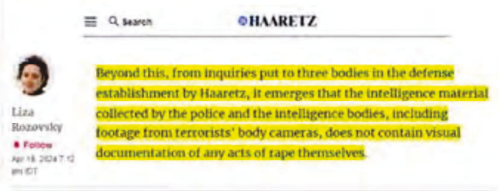
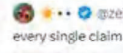

15.	10 March 2024	<div><div><div><div><div></div><div>Mary Kostakidis</div></div><div><div></div><div>@MaryKostakidis</div></div></div><div><div><div>The perpetrators are the people whose recent ancestors were herded into Gas ovens. This is madness. After the gas ovens came the UN, the Charter, a state called Israel. All 3 have lost meaning.</div><div>#Gaza</div></div></div></div><div><div><div><div><div></div><div>Abier</div></div><div><div>@abierkhatib</div><div>· Mar 10</div></div></div><div><div>" we are being killed like sheep, buried in mass graves"</div><div>A chilling Message to the so called "Islamic ummah"</div></div><div><div><div><div><div></div><div>0:22</div></div><div></div></div></div><div><div>7:58 AM · Mar 10, 2024 · 3,196 Views</div><div><div><div><div></div><div>11</div></div><div><div></div><div>79</div></div><div><div></div><div>141</div></div><div><div></div><div>1</div></div><div><div></div><div></div></div></div></div></div></div></div></div></div>
16.	22 March 2024	<div><div><div><div><div></div><div>Mary Kostakidis</div></div><div><div></div><div>@MaryKostakidis · Mar 22</div></div></div><div><div><div>Chris Hedges: Israel's Trojan Horse @Consortiumnews</div><div>"The "temporary pier" being built on the Mediterranean coast of #Gaza is not there to alleviate the famine, but to herd Palestinians onto ships and into permanent exile."</div></div></div><div><div><div><div><div></div><div>Chris Hedges: Israel's Trojan Horse</div></div><div></div></div></div><div><div>From consortiumnews.com</div><div><div><div><div></div><div>8</div></div><div><div></div><div>93</div></div><div><div></div><div>136</div></div><div><div></div><div>1.9K</div></div><div><div></div><div></div></div><div><div></div><div></div></div></div></div></div></div></div></div>
17.	24 March 2024	<div><div><div><div><div></div><div>Post</div></div><div><div></div><div>Mary Kostakidis</div></div><div><div></div><div>@MaryKostakidis</div></div></div><div><div><div>Nothing can save Israel from the catastrophe you have visited on a whole population.</div><div>11:58 AM · Mar 24, 2024 · 1,677 Views</div></div></div><div><div><div><div></div><div>6</div></div><div><div></div><div>6</div></div><div><div></div><div>74</div></div><div><div></div><div>1</div></div><div><div></div><div></div></div></div></div></div></div>
18.	3 April 2024	<div><div><div><div><div></div><div>Mary Kostakidis reposted</div></div><div><div></div><div>Steven Cotterill</div></div><div><div></div><div>@socialiststeve6 · Apr 3</div></div></div><div><div><div>Does Israel have to right to exist?</div><div><div><div><div><div></div><div>Yes (please reply).</div><div>28.2%</div></div><div><div></div><div>No (please reply).</div><div>65.8%</div></div><div><div></div><div>Other (please reply).</div><div>6%</div></div></div></div></div><div><div>5,442 votes · Final results</div><div><div><div><div></div><div>532</div></div><div><div></div><div>325</div></div><div><div></div><div>281</div></div><div><div></div><div>34K</div></div><div><div></div><div></div></div><div><div></div><div></div></div></div></div></div></div></div></div></div>

19.	4 April 2024	<p>Mary Kostakidis reposted</p> <p>Jonathan Cook @Jonathan_K_Cook</p> <p>Israel was founded as a Jewish supremacist state. Some observers mistakenly assume that, as a result, Israel sees Palestinian or Arab lives as of less value. No, as the calculated strike on the World Kitchen aid convoy shows, Israel views all non-Jewish life as of less value.</p> <p>That's at the core of its apartheid system. The fact that so many Jews have been persuaded by antisemites, Israel and western establishments to conflate their Jewish identity with the dangerous political ideology of Zionism is a tragedy, both for them and for all those Israel oppresses in the name of Jews.</p> <p>5:13 AM · Apr 4, 2024 · 265.2K Views</p> <p>456 3.2K 8K 460</p>
20.	9 April 2024	<p>Mary Kostakidis reposted</p> <p>Megatron @Megatron_ron</p> <p>The leader of Hezbollah, Nasrallah is giving a speech right now:</p> <p>'General Zahedi' and his comrades were killed in the most important and central battle in the world.</p> <p>The holy battle against the Zionist enemy'</p> <p>'Based on international law, the Israeli attack took place on Iranian territory, because the embassy is considered Iranian land'</p> <p>"The Israelis miscalculated, they attacked Iran directly, which resulted in Imam Khamenei being clear that the response will come, and the punishment will definitely take place"</p> <p>"The whole world, including America and Israel, knows that Iran will respond, and retaliation is Iran's inherent right"</p> <p>t.me/megatron_ron</p>  <p>12:10 AM · Apr 9, 2024 · 394.5K Views</p>
21.	24 April 2024	<p>Mary Kostakidis reposted</p> <p>Adam Houda @LawyerAdamHouda</p> <p>The daily slaughter of children, babies & civilians continues with impunity. Somebody wake me from this nightmare. How is it possible that Nazism, repackaged as Zionism, be allowed to resurface on this earth? #IsraeliNazis #FreePalestine #GenocideinPalestine #auspol #IsraelisISIS</p> <p>9:04 PM · Apr 24, 2024 · 3,816 Views</p>


22.	26 April 2024	<p>Mary Kostakidis reposted</p> <p>Censored Men @CensoredMen</p> <p>75% of Ivy League Schools Are Run By Zionist Jews</p> <p>These are the current presidents of all Ivy League schools:</p> <ol style="list-style-type: none"> 1. Alan Garber - Zionist Jew - Harvard 2. Peter Salovey - Zionist Jew - Yale 3. Christopher L. Eisgruber - Zionist Jew - Princeton 4. Minouche Shafik - Egyptian-American - Columbia 5. J. Larry Jameson - American - University of Pennsylvania 6. Sian Beilock - Zionist Jew - Dartmouth College 7. Christina H. Paxson - Zionist Jew - Brown University 8. Martha Pollack - Zionist Jew - Cornell University <p>For context, Jews make up 2% of America's population.</p>  <p>10:33 AM · Apr 26, 2024 · 1.3M Views</p>
23.	4 May 2024	<p>Mary Kostakidis @MaryKostakidis · May 4</p> <p>Who runs America? Israel owns our military and Congress via NGO's FDD & JINSA - Israel Palestine News</p> <p>'The Israeli complex of control over US Military, US Congress, US policy, US debt, US allies and enemies is in full spectrum hegemony. They drive what America does militarily,...</p> <p>Show more</p> <p>6 26 61 1.1K</p>
24.	9 May 2024	<p>Post</p> <p>Mary Kostakidis @MaryKostakidis</p> <p>The Israel lobby's power over Congress: Both parties obey</p> <p>'Pro-Israel organizations and individuals have acquired major power in Congress among both parties, driving many US policies. A number of books have described this situation, including "The Israel Lobby" by Professors John Mearsheimer and Stephen Walt, "They Dare to speak Out" by former Congressman Paul Findley, "The Lobby" by Edward Tivnan, "Big Israel" by Grant Smith, and "Against Our Better Judgment" by Alison Weir. The AIPAC conference in the video is the national convention of the American Israel Public Affairs Committee, one of the most powerful lobbies in the U.S.'</p> <p>youtu.be/EHkNdpre400?si... via @YouTube</p> <p>9:39 PM · May 9, 2024 · 1,502 Views</p> <p>9 29 60 3</p>










25.	20 May 2024	<div><div>← Post</div><div> Mary Kostakidis  @MaryKostakidis</div><div>The AIJAC propaganda machine - @johnmenadue</div><div>Well oiled and prominent in the mainstream media and the halls of Australia's parliament, they have long shaped public opinion</div><div></div><div>The AIJAC propaganda machine - Pearls and Irritations</div><div>From johnmenadue.com</div><div>10:17 AM · May 20, 2024 · 2,101 Views</div><div> 12  52  70  4 </div></div>
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26.	23 May 2024	<p>  this is the actual breaking story: October 7 is the most filmed military operation in human history, both from the Hamas side with bodycams, and the Israel with CCTV and cell phones. And they have zero, literally zero footage of any sexual violence. So they do fake subtitles </p> <p>  34. The mission team, specifically the forensic pathologist and the digital analyst, reviewed over 3,000 photos, around 50 hours and several audio files of footage of the attacks, provided partly by various state agencies and through an independent online review of various open sources, to identify potential instances and indications of conflict-related sexual violence. The content encompassed the actual attacks and their immediate aftermath, captured through militants' bodycams and dashcams, individual cellphones, CCTV, and traffic surveillance cameras. Additionally, the materials included photos and videos documenting the process of recovering and identifying the deceased. </p> <p> 74. In the medicolegal assessment of available photos and videos, no tangible indications of rape could be identified. </p> <p> 77. The digital evidence discovered during independent open-source review appeared authentic and unmanipulated. While the mission team reviewed extensive digital material depicting a range of egregious violations, no digital evidence specifically depicting acts of sexual violence was found in open sources. </p> <p>  Beyond this, from inquiries put to three bodies in the defense establishment by Haaretz, it emerges that the intelligence material collected by the police and the intelligence bodies, including footage from terrorists' body cameras, does not contain visual documentation of any acts of rape themselves. </p> <p>  every single claim here is a lie. The "young Israeli women" are IDF soldiers. </p> <p>  'You're so beautiful... the girls who can get pregnant': Horrifying new footage shows Hamas fanatics taunt young Israeli women with the threat of rape and making them have their children as the hostages - one still in her Snoopy pyjamas - plead to be freed t1b.al/ekdYv4 5:18 PM · May 22, 2024 · 37K Views </p> <p> 6:26 AM · May 23, 2024 · 318.4K Views </p>
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




27.	23 May 2024	<p>← Post</p> <p>Mary Kostakidis reposted</p> <p>David Miller @Tracking_Power</p> <p>In March last year I travelled to Tehran. I spent around 5 days exploring the city and talking to a wide variety of people. We made a film about my trip. I did not find anything like the picture presented by the Western Media.</p> <p>Instead I found a vibrant society which honours its revolutionary past and resists Western influences and most obviously sanctions. But, nevertheless there are Western influence in Iran. These are best described in the Farsi word <i>Gharbzadegi</i>.</p> <p>In English it means <i>Westoxification</i> or <i>West-stuck-ness</i>. It was popularised by a book written in 1962 by the famous Iranian novelist Jalal Al-e-Ahmad.</p> <p>Although the term applies to the effect of Western culture on Iran - it seems to me that it is also useful in understanding Western societies and the toxic values and commitments that they encourage.</p> <p>You can watch the documentary we made on my trip below. It's called Decolonisation of the Mind.</p>  <p>5:32 AM · May 23, 2024 · 21K Views</p> <p>29 271 518 207</p>
28.	25 May 2024	<p>Mary Kostakidis reposted</p> <p>thecarmencita @thecarmencita</p> <p>Looks like the overlords are furiously stifling discourse by any means necessary. Why are all comments under this post concealed?</p> <div data-bbox="732 1150 1192 1297"> <p>Show additional replies, including those that may contain offensive content</p> <p>Show</p> </div> <p>12:10 PM · May 25, 2024 · 776 Views</p> <p>2 4 13</p>

29.	25 May 2024	<p> Syrian Girl  @Partisangirl</p> <p>Harvard university is now a pro-Palestinian university and there is no amount of money the Zionists can pay to stop this.</p>  <p>12:06 AM · May 25, 2024 · 2.7M Views</p> <p>2.1K 60K 235K 4.1K</p>
30.	26 May 2024	<p> Mary Kostakidis  @MaryKostakidis</p> <p>Moves to limit free speech have to be watched very carefully. At a time where the Zionist Lobby have been exposed for their control of the narrative in the western world including in Australia, and there have been no consequences for political interference on behalf of another country, criminal penalties for speaking out about Zionism will just serve to entrench the advantage of those with direct access to the powerful and deep pockets. #auspol</p>  <p>8:45 AM · May 26, 2024 · 17.8K Views</p> <p>68 424 939 27</p>
31.	26 May 2024	<p> Mary Kostakidis  @MaryKostakidis</p> <p>Unfortunately like other major Party candidates, he throws his support behind the ideology driven Zionist lobby which needs to be neutered. It has taken a genocide, and because our leaders won't do it (political or administrative), the grass roots, the citizenry of countries all over the world has taken that one on. It's a mammoth contest with a sea of Davids, mostly the young who still believe life should not be one big lie.</p> <p>8:28 AM · May 26, 2024 · 792 Views</p> <p>1 7 25</p>




32.	27 May 2024	<p>Haaretz.com @haaretzcom · May 26</p> <p>1/3 The IDF's General Staff lost control over the units, especially reserve units, months ago. In Gaza, in the West Bank and in bases in Israel, soldiers record themselves destroying Palestinian property and civilian infrastructure / Amos Harel</p>  <p>ICJ ruling won't immediately change war in Gaza, but danger still looms for Israel</p> <p>From haaretz.com</p> <p>365 3.8K 5.4K 1.3M</p> <p>Scott Ritter @RealScottRitter</p> <p>I've been saying this for months.</p> <p>Mary Kostakidis reposted</p> <p>Scott Ritter @RealScottRitter</p> <p>I've been saying this for months.</p> <p>The IDF has turned into a gang of genocidal Talmudic-reading psychopaths.</p> <p>And now the U.S. Congress wants to provide the 20,000 U.S. "citizens" who are currently serving in the IDF and perpetuating this genocide the same rights as US reservists and National Guards in terms of employment protection.</p> <p>We shouldn't give them employment protection.</p> <p>We should arrest each and every one of them upon return to the U.S. on suspicion of genocide, and prosecute them to the full extent of the law.</p> <p>12:43 PM · May 27, 2024 · 109.4K Views</p> <p>137 1.4K 4.9K 147</p>
33.	29 May 2024	<p>Mary Kostakidis @MaryKostakidis</p> <p>German foreign minister lies about seeing 7 October "rape video" youtu.be/xEQ2p8ys3QE?si... via @YouTube</p>  <p>youtube.com German foreign minister lies about seeing 7 October "rape vi German Foreign Minister Annalena Baerbock speaking at the "Democracy Festival" in Berlin on 26 May claims she ...</p> <p>8:06 PM · May 29, 2024 · 424 Views</p> <p>1 5 7 1</p>
34.	29 May 2024	<p>Mary Kostakidis @MaryKostakidis</p> <p>Netanyahu and His Nightmare Coalition Are the 'New Antisemites' - Opinion - Peter Beinart, Haaretz</p> <p>'Israel, with its actions, provides vital fuel for antisemitism. And in exchange, antisemitism provides Israel with a host of excuses for its actions, and helps to nurture Israelis' paranoia and hysteria, which is so vital for taming the citizenry and preserving the rotten government.'</p> <p>haaretz.com/opinion/2024-0...</p> <p>7:29 PM · May 29, 2024 · 872 Views</p> <p>6 15 37 2</p>



35.	29 May 2024	<p>← Post</p> <p> Mary Kostakidis  @MaryKostakidis</p> <p>Under cover of 'charity' status, the Israel lobby is subverting UK politics - @Jonathan_K_Cook '..stamp of approval to groups hounding Jewish critics out of the Labour party & assisting Israel in the ethnic cleansing of Palestinians' jonathancook.substack.com/p/under-cover-...</p> <p>7:17 PM · May 29, 2024 · 412 Views</p> <p>2 3 12 1</p>
36.	31 May 2024	<p>  Mary Kostakidis reposted</p> <p> Afshin Rattansi  @afshinrattansi</p> <p>Could you imagine the political scandal if a sitting US President was paid over \$11 million by lobbying groups to act in the interests of Russia or China?</p> <p>But since it's pro-Israel lobbying, it's not considered meddling or interference.</p> <p>youtu.be/dO8GSirKVfo?si...</p> <div data-bbox="760 720 1185 1134">  </div> <p>12:19 AM · May 31, 2024 · 34.7K Views</p>



37.	1 June 2024	<p> </p>
38.	3 June 2024	<p> </p>
39.	6 June 2024	<p> </p>

40.	25 June 2024	 <p>Brilliant article based on historical facts and eye popping quotes. Well worth the read.</p> <p>The Treachery of the Nazi-Zionist Alliance</p> <p>From conservativejournal.com</p> <p>6:17 PM · Jun 25, 2024 · 2,908 Views</p>
41.	4 July 2024	 <p>When is terrorism justified? - @IRanalyst in @johnmenadue</p> <p>'Because states have a long record of inflicting death and destruction on innocent humans, and an unmatched capacity to keep doing so, scrutiny of their actions should always be much greater than that which is applied to sub-state actors.'</p> <p>johnmenadue.com/when-is-terror...</p> <p>9:21 AM · Jul 4, 2024 · 744 Views</p>
42.	9 July 2024	 <p>Mr Lowy has two dates he can call home. Palestinians don't have one. As for his inability to find an explanation for the rise of antisemitism in Australia, he could start by looking at what the government of the state he now calls home is doing in Gaza. Or is that antisemitic?</p> <p>60 MOST INFLUENTIAL</p> <p>'The Australia I love is the land of the fair go, not of anti-Semitism'</p> <p>From his home in Tel Aviv, Sir Frank Lowy cannot reconcile the Australia he knew with the Australia he has read about since October 7. As the nation is blighted by unprecedented levels of anti-Semitism, he reflects on the past 60 years.</p>



43.	9 July 2024	<div><div>Mary Kostakidis  @MaryKostakidis · Jul 9</div><div>'It makes Israel a full partner in the slaughter of its own citizens and soldiers.' Oct 7 #Gaza</div></div> <div><div>Chris Hedges  @ChrisLynnHedges · Jul 9</div><div>The Israeli newspaper Ha'artez has confirmed what outlets such as The Electronic @Intifada, @AJEnglish and @TheGrayzoneNews reported months ago, that in the chaotic fighting that took place once Hamas militants entered Israel on October 7, the Israeli military targeted not only x.com/MaxBlumenthal/...</div><div>Show more</div><div><div>  12  31  1.4K  </div></div></div>
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MELBOURNE
SYDNEY

Partners

Mark M Leibler AC
Henry D Lanzer AM
Joseph Borensztajn AM
Leon Zwier
Philip Chester
Ross A Paterson
Stephen L Sharp
Kevin F Frawley
Zaven Mardrossian
Jonathan M Wenig
Paul Sokolowski
Paul Rubenstein
Peter M Seidel
John Mitchell
Ben Mahoney
Jonathan Milner
John Mengolian
Matthew Lees
Genevieve Sexton
Jeremy Leibler
Nathan Briner
Justin Vaatstra
Clint Harding
Susanna Ford
Tyrone McCarthy
Teresa Ward
Christine Fleer
Jeremy Lanzer
Bridget Little
Gia Cari
Jason van Grieken
Elyse Hilton
Jonathan Ortner
Stephen Lloyd
Scott Phillips
Gavin Hammerschlag
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Greg Judd
Elly Bishop
Mark Macrae
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Emily Korda
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Micaela Bernfield
Crosby Radburn
Jessica Wills
George Bassil
Harriet Craig
Ellie Mason
Jessica Orner
Cameron Sivwright
Andrew Spierings
Freeman Zhong
Ben Chahoud
Ora-Tali Korbi

8 July 24

By-Email and Express Post

Mary Kostakidis



Partner

Raphael Leibler
Direct 61 3 9229 9693
rleibler@abl.com.au

Dear Ms Kostakidis

Australian Human Rights Complaint against Mary Kostakidis

We act for Alon Cassuto, a dual Australian-Israeli citizen.

Our instructions are set out below.

- On 7 October 2023, Hamas terrorists infiltrated the South of Israel, murdering 1,200 Israelis and taking approximately 240 people hostage. Hamas also injured over 6,000 people and caused multiple types of harm to people in Southern Israel, including rape, genital mutilation, live incineration and dismemberment. More Jews were killed on 7 October than on any single day since the Holocaust. The events of that day have resulted in a profound impact on the people of Israel and Gaza and Jewish communities across the globe, including Australia.
- As the face of SBS for many years, you were entrusted by Australians nationwide as a symbol of truth and integrity.
- Since 7 October, you have regrettably misused your considerable profile to spread hateful and antisemitic rhetoric. Your public campaign of vilification has caused harm to Mr Cassuto and to members of Jewish and Israeli communities in Australia.
- The purpose of this letter is to privately offer you an opportunity to make amends, withdraw and publicly apologise to Mr Cassuto and to members of his Jewish and Israeli communities for certain unlawful and antisemitic posts that you have published on social media since 7 October 2023.
- Set out below are some examples of this conduct.
- 7 October denial:** As reported in the Nine Newspapers on 7 July 2024, you have repeatedly engaged in dishonest descriptions of the events of 7 October. This includes a post on 10 October 2023 suggesting that Israel knowingly allowed the attacks on 7 October to justify commencing a retaliatory war (link [here](#)).
- On 14 January 2024, you republished a report containing the conspiracy that Israel was responsible for the majority of civilian deaths on 7 October (link [here](#)). You have also denied that the rape of Israeli women took place on 7 October 2023 (link [here](#)).
- Support of Terrorist Organisations:** You have made numerous statements expressing personal support for Hamas and Hezbollah, thereby encouraging other Australians to support these organisations. Both call for the annihilation of the State of Israel. Both are listed as terrorist organisations under the *Criminal Code Act 1995* (Cth).



Arnold Bloch Leibler

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Date: 5 July 2024

Hamas and Hezbollah are responsible for scores of attacks on Israeli and Jewish targets around the world over decades.

9. On 24 and 25 December 2023, you reposted a video of Scott Ritter in which he says “Do I condemn Hamas? Hell no!” (link [here](#)).
10. On 22 January 2024, you reposted a thread of 17 tweets summarising a book released by Hamas explaining “*what really happened on Oct 7*” with a caption: “*historical background helps*” (link [here](#)).
11. **Holocaust Inversion:** You have repeatedly propagated antisemitic Holocaust inversion. You have described Israelis as Judeo-Nazis (link [here](#)) and justified 7 October by stating that Jews would have acted the same way if they had “*similarly*” escaped the concentration camps during the Holocaust. On 2 December 2023, you posted the following on X (formerly Twitter) (link [here](#)):

If the Jews being shot and shovelled into ovens could just break through that wall, of course, they would kill anyone they found partying right on the other side of it! And, of course, they would take women and children hostage and drag them back into their hell inside if doing so would give them leverage to free their fellow Jews from torture and death! This thought, of course, set in motion an obvious but taboo moral question in my mind about one of the most pressing matters of our time: Is it understandable why people in Gaza, similarly trapped behind a wall in a concentration camp and experiencing genocide, would kill or take hostage people they found partying on the other side of the wall holding them in?

12. **Conspiracy Theories:** You have spread and thereby endorsed conspiracy theories about Israel and Jewish power and influence, including statements that Israel has control over the US Military, Congress, policy, debt, allies and enemies (4 May 2024 – link [here](#)), that Zionists and their sympathisers “*pushed*” the Iraq war (26 April 2024 – link [here](#)), and that the “*Zionist lobby*” has “*control*” over the UK Government and Opposition (link [here](#)). On 7 January 2024, you suggested that Jeffrey Epstein was an agent of Israel (link [here](#)). On 6 June 2024, you republished a conspiracy theory that Israel was responsible for the assassinations of President John F. Kennedy and his brother Robert F. Kennedy, asking “*Why has Israel been avoided when discussing the Kennedy [sic] assassinations?*” (link [here](#)).
13. This is a small sample. It is not the purpose of this letter to set out all of the hateful and antisemitic statements that you have made since 7 October. Our client’s failure to do so should not be construed as nor is it a reflection of any of his rights.

Unlawful Posts: s 18C Racial Discrimination Act 1975

14. On 4 and 13 January 2024, you re-posted a video of a speech from Hassan Nasrallah, Secretary General of Hezbollah, in which he advocates the ethnic cleansing of Jewish Israelis in Israel (the **Unlawful Posts**) (link [here](#)). Screenshots of the Unlawful Posts are also annexed to this letter.
15. Both of the Unlawful Posts extracted the following quote: “*Here you don’t have a future, from the river to the sea the land of Palestine is for the Palestinian people, and the Palestinian People only*”. The full transcript of the video is as follows:

The number of military vehicles and the number of tanks that are being destroyed every day, the psychological situation, Yediot Ahronot said that one of the results of the Al Aksa Flood Battle is that 300,000 new people have sought therapy – have sought psychological therapy. So, you want to stay here, that’s very difficult. Here, it’s going to be very difficult for you. If you want to be secure, if you want to feel secure, you have an American passport, go back to the United States. You have a British passport go back to the UK. Here, you don’t have future, and from the river to the sea, the land of Palestine is for the Palestinian people and for the Palestinian people only – the resilient Palestinian people, the mujahideen.



16. The Unlawful Posts endorse the calls by a proscribed terrorist organisation for the ethnic cleansing of Jews in Israel.
17. The Unlawful Posts contravene section 18C of the *Racial Discrimination Act 1975* (Cth). The Unlawful Posts are threatening, offensive, insulting and intimidating to those of Jewish or Israeli national or ethnic origin. They convey general messages or imputations to the effect that Jewish Israelis:
 - (a) deserve to be, and may soon be, eliminated or ethnically cleansed;
 - (b) there is no future for Jews in Israel;
 - (c) Jews are unsafe in Israel; and
 - (d) Jews are not indigenous to Israel and should return to their purported countries of origin.
18. You published the Unlawful Posts because of the race or ethnic or national origin of Jews or Israelis. The Unlawful Posts refer to "*Nasrallah's message to Israelis*" and states what Nasrallah "*tells the Israelis*". There is no defence or justification for promoting unambiguous calls by terrorist organisations for ethnic cleansing of Israeli Jews.

Demand

19. Mr Cassuto's objective is to stop the proliferation of antisemitism and hateful content emanating from social media accounts like your own which are threatening and insulting to him, his friends and his community. They are dangerous and contribute to the extremism that threatens the social cohesion of Australian communities – in particular the Jewish community. They are also contrary to the laws of Australia.
20. Mr Cassuto's preference is to avoid a costly, time consuming and protracted process.
21. Mr Cassuto is willing to agree not to take these matters further if you immediately agree in principle to the following:
 - (a) **(Apology)** Publish on your X account and in the Nine newspapers or The Australian newspaper an apology to the Jewish community of Australia which:
 - (i) will be on terms agreed with Mr Cassuto;
 - (ii) acknowledges that the Unlawful Posts amount to hate speech in breach of s 18C of the *Racial Discrimination Act 1975* (Cth);
 - (iii) will remain 'pinned' for a period of at least 6 months; and
 - (iv) will not ever be deleted.
 - (b) **(Removal)** Remove the Unlawful Posts and other antisemitic materials from your social media account; and
 - (c) **(Undertaking)** Undertake not to repeat the same or similar conduct in future.

If you do not agree to do so by **4.00 pm on 12 July 2024**, we are instructed to file a complaint of racial vilification with the Australian Human Rights Commission or other legal processes without further notice. As you may appreciate, the AHRC process generally leads to conciliation. If you are unwilling to participate in good faith in a



Arnold Bloch Leibler

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Date: 5 July 2024

conciliation or consider that it is likely to be futile, please let us know, so that our client may consider other options and avoid wasting time and costs seeking conciliation with a person whose views are so entrenched that it will be a total waste of effort.

All our client's legal rights and civil rights to speak out against antisemitism, hate speech, and the breakdown of social cohesion in Australia, are expressly reserved.

Yours sincerely

Arnold Bloch Leibler









A handwritten signature in black ink, appearing to read "L. Zwier".

Leon Zwier
Partner

A handwritten signature in black ink, appearing to read "Raphael Leibler".

Raphael Leibler
Partner

ANNEXURE: UNLAWFUL POSTS

4 January 2024	13 January 2024
<p data-bbox="245 472 418 506">  Mary Kostakidis  @MaryKostakidis </p> <p data-bbox="245 516 643 575"> The Israeli govt getting some of its own medicine. Israel has started something it can't finish with this genocide. #Gaza </p> <div data-bbox="245 590 716 716"> <p>Censored Men  @CensoredMen · Jan 4</p> <p> The leader of Hezbollah, Hassan Nasrallah, tells the Israelis they will never be welcome in the region.</p> <p>"Here you don't have a future, from the river to the sea the land of Palestine is for the Palestinian people, and the Palestinian people only..."</p> <p>Show more</p> </div> <div data-bbox="245 726 716 989"> <p>LIVE</p>  <p>NASRALLAH: PEOPLE IN ISRAEL DON'T TRUST THE SECURITY APPARATUS ANY LONGER</p> <p>LIVE EVENT</p> <p>11:10 AM · Jan 4, 2024 · 52.1K Views</p> </div>	<p data-bbox="753 472 959 520">  Mary Kostakidis reposted Richard Medhurst  @richmedhurst </p> <p data-bbox="753 533 967 554">Nasrallah's message to Israelis:</p> <p data-bbox="753 575 1230 617"> "If you want to be secure and safe, you have a US passport, go back to the US. You have a British passport, go back to the UK. </p> <p data-bbox="753 638 1198 680"> Here you don't have a future. From the river to the sea, the land of Palestine is for the Palestinian people only." </p> <div data-bbox="753 690 1247 974"> <p>LIVE</p>  <p>NASRALLAH: PEOPLE IN ISRAEL DON'T TRUST THE SECURITY APPARATUS ANY LONGER</p> <p>LIVE EVENT</p> <p>6:08 AM · Jan 13, 2024 · 609.5K Views</p> </div>