

Working Party on Human Rights (COHOM)

Rue de la Loi/Wetstraat

175 B-1048 Bruxelles

Belgique



Dear Sir, Madam;

30.01.2023

Ref: COHOM meeting on 01.02.2023 and the Islamic Republic of Iran.

The Islamic Republic of Iran has an appalling Human Rights record. The murder of Miss Mahsa Amini by the so-called morality police sparked a demonstration that has now led to a revolution spearheaded by remarkable brave girls and women and now joined by the entire nation, calling for democracy, equality, and Human Rights as well as the removal of the theocratic dictatorship in Tehran.

The response of the regime to the unarmed protestors has been the discharge of ammunition and baton attacks that have resulted in over 700 deaths, including the deaths of over 60 minors. Over 25,000 protestors are estimated to be in custody facing torture, sexual assault, and rape. The average age of the protestors is only 17. At least four protestors have been executed by hanging following sham trials with no due process.

The unacceptable and inhumane reaction of the regime has been condemned by many politicians, governments, and Human Rights organisations as well as the United Nations. Protests and marches across European cities have shown European solidarity with the Iranian people, a show of humanity, decency, empathy, and love.

The European Parliament recently voted unanimously to proscribe the Islamic Revolutionary Guards Corps (IRGC) as a terrorist organisation. The IRGC is directly responsible for the suppression and deadly crackdown on unarmed protestors.

However, the European Union foreign policy chief, Mr. Borrell, has indicated that the proscription of the IRGC can only be made if a member country first passes a ruling that condemns the IRGC for terrorist activities.

The Association of Iranian Human Rights and Allies sincerely considers the statement of Mr. Borrell to be misleading and ill-informed as members of the IRGC have already been prosecuted in European criminal courts.

Mr. Kazem Darabi was convicted and sentenced to life imprisonment by the Berlin Supreme Court for murdering four Kurdish dissidents in Berlin in 1992.

Mr. Anis Naghsh, involved with overseas missions of the IRGC, was convicted and jailed in France for the attempted assassination of former Iranian prime minister Mr. Shapour Bakhtiar.

Mr. Assadollah Assadi, a 'diplomat' who was acting on the behest of high-ranking Iranian officials, was sentenced by a Belgian court to 20 years in jail for attempted murder and terrorism. His co-conspirators, Nassimeh Naami and Amir Saadouni were jailed for 18 years and 15 years respectively.

Mr. Hamid Nouri, an IRGC member, was charged with mass murder and crimes against humanity in a Swedish court and sentenced to life in prison.

The Asociación Mutual Israelita Argentina (AMIA), a Jewish community centre, was targeted in 1994 with the loss of 85 souls. Shortly after the attack Ansar Allah, a Palestinian organisation widely held as a front for Hezbollah, which has been set up, trained, and funded by the IRGC, reportedly claimed responsibility for the attack.

Argentinian prosecutor, Alberto Nisman published a 502-page indictment accusing Iran of establishing terrorist networks throughout Latin America including in Argentina, Brazil, Paraguay, Uruguay, Chile, Colombia, Guyana, Trinidad and Tobago and Suriname.

The proscription of Hezbollah and Hamas, both linked as proxies to the IRGC, did not require an EU member country to condemn its terrorist activities in court prior to proscription as a terrorist organisation. This alone should set precedence and negate the request of Mr. Borrell.

The IRGC is the mainstay of the Islamic Republic and its proscription will hinder its ability to work efficiently. The ability to reign fear and terror abroad will diminish and most importantly, it will disrupt its ability to fund and support its terror networks outside Iran. Consequently, these proxies will also fail to supply deadly mercenaries that have been employed by the IRGC during the brutal and inhumane crackdown on unarmed civilians in Iran.

The concerns of the EU and the free world with the insatiable appetite of the Islamic Republic for nuclear technology and weapons cannot be ignored or overlooked.

The Joint Comprehensive Plan of Action (JCPoA) was an attempt to arrest, for a time at least, the advancement of the Islamic Republic in its pursuit of nuclear technology and arms.

The E.U, USA, and the UK attempted to revive a new deal, but the Islamic Republic, after demands of conditions that could not be met, walked away from the negotiating table.

The hope of a revived deal as a new JCPOA, or a similar deal, is to prevent the advancement of Iran in the nuclear field. The U.K ambassador to the UN has revealed Iran has over eighteen times the quantity of enriched Uranium permissible under the JCPOA. This will surely negate the purpose of a new deal.

For the last four decades, the Islamic Republic has proven to be untrustworthy and deceitful. It has continuously breached Human Rights and the IRGC is active in overseas terror activities.

Iran, thanks to the short-sightedness of the original JCPOA, has developed ballistic missiles and suicide drones. The ill effects of this military hardware have resulted in significant damage to Ukraine and the loss of life of civilians.

A new or revived JCPOA is an appeasement to a brutal dictatorship that will willingly slaughter its own children, teenagers, and unarmed population in order to maintain power. Tehran is responsible for the human tragedy unfolding in Yemen, as well as the many thousands of innocent children and unarmed civilians lost in Syria. Any appeasement will be comparable to the appeasement of 1938. A significant difference may be that with the failure of this appeasement, we may not face a conventional war, but a nuclear threat.

For the sake of world peace and upholding Human Rights and freedom, the IRGC must be considered for proscription as a terrorist entity by the E.U

Appendix A lists the known terrorist activities and atrocities of the IRGC.

Yours Sincerely,

Association of Iranian Human Rights and Allies.

Appendix A



Proscription of the Islamic Revolutionary Guards.

Background:

The Islamic Republic established the Islamic Revolutionary Guard Corps (IRGC) in May 1979 to domestically promote the theocratic regime's policies, safeguard the regime at home, and counter the regular army which at the time still had pro-imperial sympathy. The IRGC now plays a key role in the politics of Iran and they call for the destruction of the state of Israel and are historically anti-Western.

The IRGC became the powerhouse of the regime soon after the Iran-Iraq war. It now plays a pivotal role in the policies and practices of the regime in Tehran. The IRGC has three military divisions; Army, Navy, and Airforce, and its annual budget is significantly larger than the regular armed forces. There are an estimated 180,000 troops and the IRGC is responsible for the para-military forces commonly referred to as the '*Basij*' which number 90,000 personnel ^{1,2}. The IRGC does not represent the national or regular army/armed forces of Iran. It is a separate entity.

The IRGC and the '*Basij*' are directly responsible for the brutal crackdown and suppression of protesters in 2017, 2019, and 2022.

The Iranian revolution, sparked by the murder of Miss Mahsa Amini in September 2022 reached 100 days on 24.12.2022 despite the brutality of the para-military forces and loss of life, including over 60 minors, as a direct consequence of unproportional and unlawful use of force by the '*Basij*' and IRGC.

Legal framework and Economy:

The IRGC has operational freedom with little government control and it accepts no constitutional restrictions. The commanders and retired officers play a key role in politics and have traditionally opposed any reform and are regarded as hardliners within the politics of the Islamic Republic. The IRGC influences and controls many aspects of Iranian politics and policies^{4,5}. This is in violation of the laws of the Islamic Republic.

With only a 25% contribution to the Iranian economy by the private sector, the main economy of Iran is in the hands of the Islamic Republic regime and the IRGC⁴.

Nearly all industries and sectors have the footprints of the IRGC and in most cases, It is not possible to start a new business or business venture without the consent and approval of the IRGC. Commonly, the shareholders of a private company will include the military officers of the IRGC or their families. The deep-rooted economical corruption of the IRGC has led to a collapse of the Iranian economy, with reports indicating that nearly 50% of the civilians are now under the poverty line.

The following industrial sectors are controlled by the IRGC;

Petrochemical, Gas, Oil, and offshore projects

Military projects including the development of Ballistic missiles and military drones.

Telecommunications

Aviation Industry

Import, Export, Shipping.

Environmental projects.

Agriculture.

Civil Engineering.

Banking and Finance.

Proxies.

The Islamic Republic has invested in multiple proxies in the near east and beyond.

These outfits are extremely loyal to the IRGC and the regime in Tehran and act as mercenaries for the regime if required. Many reports suggest that members from these proxies are now in Iran killing, torturing, and raping civilians and minors.

Global security has listed these proxies and estimated manpower⁶

AFGHANISTAN	15,000	Fatemiyoun Brigade
BAHRAIN	c100	Al-Ashtar Brigades (AAB)
IRAN		Followers of the Party of God / Ansar-i Hezbollah
IRAQ	20,000	Badr Corps
	c100,000	Popular Mobilization Forces
	10,000	Kata'ib Hezbollah / Saraya al-Difaa al-Shaabi
	10,000	Asa'ib Ahl (al-Haq)
LEBANON	45,000	Hizballah
NIGERIA	c50,000	Islamic Movement of Nigeria (IMN)
PAKISTAN	1,000	Zainabiyoun Brigade
PALESTINE	1,000	Palestine Islamic Jihad (PIJ)
	800	PFLP Popular Front for the Liberation of Palestine
	c500	PFLP - General Command (PFLP-GC)
	25,000	HAMAS (Islamic Resistance Movement) Harakat Al-Muqawama Al-Islamia
SAUDI ARABIA	c100	Saudi Hezbollah / Hezbollah al-Hejaz
SYRIA	100,000	Syrian National Defense Force
YEMEN	100,000	Houthi / Shabab al-Moumineen
WEST SAHARA	7,000	Frente Polisario

IRGC Known terror activities outside Iran^{7,9}.

France, July 1980.

Failed assassination attempt of former Iranian prime Minister.

USA, July 1980.

The assassination of a former Iranian diplomat in Maryland.

Austria, July 1989.

The assassination of a regime opponent.

Switzerland, April 1990.

The assassination of a Human Rights activist and regime opponent.

France, August 1991.

The assassination of Iran's former prime minister, Shapor Bakhtiar.

Germany, August 1992.

The assassination of an Iranian political dissident and artist.

Germany, September 1992.

The assassination of four Kurdish opponents of the regime.

Argentina, July 1994.

A bomb attack on the Argentine Israelite Mutual Association building in Buenos Aires killed 85 with many hundreds injured.

Kenya and Tanzania, 1998.

US embassy bomb attacks in Kenya and Tanzania resulted in over 200 fatalities. A federal court ruled that Iran was liable.

India, February 2012.

Terrorists belonging to a branch of Iran's IRGC were responsible for an attack on Israeli diplomats in New Delhi, resulting in injuries.

Thailand, February 2012.

The attempted assassination of Israeli diplomats in Bangkok.

Kenya, June 2012.

Failed plot to bomb US, UK and Israeli targets.

Bahrain, September 2015 and January 2016.

Security forces uncovered a bomb-making factory linked to the IRGC.

A terrorist cell linked to the IRGC was discovered and dismantled.

France, October 2018 and 2022.

A bomb plot against the Iranian opposition was foiled. This would have been an attack with a potentially high death rate as tens of thousands had attended an anti-regime meeting.

Iranian opposition and activists have been threatened by the IRGC in Paris.

Denmark, October 2018.

A plot to assassinate anti-regime activists was foiled.

Albania, December 2018.

The Islamic Republic ambassador and 'diplomats' were expelled after plotting terrorist attacks on Iranian opposition.

United States, 2021 and August 2022.

Failed kidnapping of an Iranian activist in New York and the failed assassination plot of former national security advisor John Bolton.

United Kingdom, January 2022.

Ministry of Information reported threats to Iranian journalists and activists.

France, December 2022 and January 2023.

Direct threats to Iranian opponents in France.

The head of IRGC directly threatens Charlie Hebdo.

Direct Foreign Involvement.

Direct involvement in the Syrian civil war.

Indirect involvement in Yemen. Sphere of influence in Iraq and supply of arms to Iraqi Islamists.

Supply of military advisors and ballistic missiles and suicide drones to Russia for its war effort in Ukraine.

Sea Piracy.

June 2019. Four commercial ships were damaged near the coast of Fujairah. The ships included two Saudi Arabian registered oil tankers, a Norwegian and a UAE oil tanker.

June 2021. The oil tanker "Hankuk Chemy" was seized by IRGC Navy.

August 2021 IRGC Navy seized "Asphalt Princess".

August 2021. IRGC carried out an attack on the Mercer Street oil tanker, resulting in the death of a British national. British Foreign minister Dominic Raab commented, "We believe this attack was a deliberate, targeted, and a clear violation of international law by Iran".

May 2022 Two Greek tankers were seized as punitive action against Athens over the confiscation of Iranian oil by the United States off the Greek coast. The Iranian ship was in breach of international sanctions.

July 2022. HMS Montrose seized Iranian boats smuggling Surface to air missiles in contravention of UN security council resolution 2216 (2015)

November 2022. IRGC launched a drone attack on the "Pacific Zireon" oil tanker. The drone was HESA Shahed 136 self-destroying drone. These drones, as well as ballistic missiles, have been supplied to the Russia and they have caused significant damage to Ukraine's cities resulting in loss of life.

Aviation.

January 2020. The IRGC shot down a civilian airliner from Ukraine after its departure from Tehran, with the loss of 176 civilians.

Close Ties.

Al-Qaeda: The Islamic Republic allegedly formed an alliance during the 1990s in which Hezbollah trained al-Qaeda operatives.

Hamas, Hezbollah, and the Palestinian Islamic Jihad: IRGC provides Financial and military support with logistics and training. Hamas and Hezbollah are recognised as terrorist organisation⁸.

Hostage Taking.

Many tourists, mainly Europeans and dual nationals have been arrested and charged with espionage or activities against the state. They are used as pawns against the West. There are reports that several British-Iranians have been detained in December 2022.

Drug Cartels.

The IRGC is actively involved in the distribution of class-A drugs from Syria and Iran.

Summary and Justification.

The IRGC detrimentally controls the economy of the Islamic Republic. The IRGC considers itself above the law and has no constitutional restrictions. They are, in effect, a government and armed forces within the regime of the Islamic Republic. They are a separate entity to the Iranian armed forces, charged with protecting Iran's borders.

On the 15th of April, 2019, the United States officially designated the IRGC as a foreign terrorist organisation³.

There is ample evidence to suggest and justify why the IRGC should be proscribed onto the list of terror organisations.

The EU Council Common Position of 27.12.2001 article 1 the IRGC has committed all offenses stated in points 2 and 3. The members of the IRGC have also been convicted by European courts.

Proscribing the IRGC will ensure that the Iranian people will be able to determine their own fate and establish an Iran based on democracy, equality, and secularism.

Only then there will be a guarantee of a nuclear-free Iran. The Joint Comprehensive Plan of Action (JCPOA) or any other treaty will be an appeasement to a theocratic dictatorship that has a resume of execution, murder, torture, rape assassination, and terror activities.

Regardless of a revived JCPOA or a 'step-by step' approach which has been suggested previously, the Islamic Republic has amassed a Uranium stockpile that exceeds the JCPOA limits by at least eighteen times and it has continued to produce high enriched Uranium. This is, as stated by Dame Woodward *'unprecedented for a state without a nuclear weapons programme'*.

A nuclear-armed Islamic Republic will be an irreversible threat to world peace and stability. This will lead to nuclear proliferation in a region that is volatile.

The only guarantee of an Iran without nuclear weapons and terrorist activities is an Iran without the Islamic Republic.

1. United States Department of State.
2. Aryan, H. Irans Basij Force. The Mainstay of Domestic Security. 2009.
- 3 U.S. officially designates Iran's Revolutionary Guards a terrorist group. Reuters 2019.
4. Al-Monitor, 2017.
5. Centre for Strategic and International Studies.
6. Global Security
7. Wikipedia IRGC
8. The Economist. 2014-03-29
9. Tony Blair Institute for Global Change