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The 33rd Session of the UN Human Rights Council

Exporting Terrorism and Sectarian Discrimination

United Nations - 22 September 2016



The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), in cooperation with Geneva International Centre for Justice, International-Lawyers.Org, the *BRussells* Tribunal and the South Asia Democratic Forum, organized a side event on the 22 September 2016, on the occasion of the 33rd Session of the Human Rights Council.

The event was moderated by **Ms. Gulnoz Saydaminova**, Senior Human Rights Researcher at Geneva International Centre for Justice, and hosted the following distinguished speakers:

Mr. Tahar Boumedra, Former UN Human Rights Chief of the United Nations Assistance Mission in Iraq (UNAMI) in Baghdad and Adviser to the Secretary General's Special Representative for Iraq. His work background allowed him to acquire deep knowledge in the involvement of Iran in the creation of the militias in Iraq as well as its policy against other Arab countries (for instance Iraq, Syria, Saudi Arabia, and Yemen).

Mr. Sabah Al-Mukhtar, President of the Arab Lawyers Association – UK. As a lawyer, and human rights defender, Mr. Al-Mukhtar has been an outspoken person against the activities of terrorist groups, including the rise

of militias and their associated grave human rights violations. He has also analyzed on multiple occasions the role of Iran in the creation and support of these groups and how this is used as a tool to interfere in the internal affairs of its neighboring countries.

Mr. Paulo Casaca, Former EU Parliament Member and Founder of the International Co-operation Association ARCHumankind (Alliance to Renew Co-operation among Humankind). Mr Casaca was a Member of the European Parliament from 1999 to 2009 where he chaired the delegation for relations with NATO Parliamentary Assembly. He was also a member of the national parliament in 1992-1993 and a member of the regional parliament of the Azores in 1990-1991. He lectures in several universities and is the author of several books and reports on economics and international politics.

The panel was also shared by three distinguished discussants:

Ms. Elisabeth Nössing, Member of Foraus Programme on Migration, a Swiss foreign policy think tank, **Mr. Dirk Adriaenses**, Member of the Executive Committee of the BRussells Tribunal, and **Ms. Sigyn Meder**, Member of the Iraqi Solidarity Association in Stockholm (Sweden).

Topic of Discussion

The side event aimed at analyzing the exportation of terrorism through the use of non-state actors and the resulting sectarian tensions in the Middle East.

When thinking about “terrorism”, one immediately associates the term with groups such as Al-Qaeda and the Islamic State of Iraq and Syria (ISIS, or ISIL), whose acronym is ever so mentioned in the media and press.

Whereas these terrorist groups are surely committing heinous crimes against humanity, which indeed deserve media coverage and condemnation by the entire international community, there are numerous other terrorist factions that have emerged in the past few years, whose crimes, in stark contrast, not just do not get as much international interest, but are not even classified as terrorism. These militia groups, supported by local and regional governments, are portrayed as allies in the so-called “fight against terrorism” while they, in fact, implement their own sectarian agenda in the region, committing crimes against humanity and war crimes against certain components of society. A clear example of that are the militias operating in Iraq, Syria and Yemen which are supported, funded, trained and armed by the government of Iran.

Presentations of the Speakers



Mr. Tahar Boumedra opened the panel discussion by identifying the origins of the modern rise of terrorism following the 2003 US-led invasion of Iraq and subsequent regime change, which according to him, can be found in the Iranian Constitution itself. With regards to the Constitution of Iran, it is clearly stated in its Preamble that the country has a duty to export the “Islamic Revolution” through the Iranian Revolutionary Guards across the region. This, in other words, set the legal framework for Iran’s intervention in the internal affairs of neighboring countries. It is only with the 2003 US-led illegal war of aggression though that, according to the speaker, the Iranian regime truly achieved all it had aspired for: expanding the Revolution beyond national borders. This occurred because of what Paul Bremer, Head of the Coalition Provisional Authority (CPA) put in place to run Iraq after the regime fall, by handing over the power to a group of militias, trained and armed by Iran. These militias brought about and started enforcing ideologies of sectarian divide to split up the country.

In this context, the speaker advised that the UN has never really investigated the human rights violations carried out by these groups and has not taken any measures against Iran’s policies of exporting terrorism. The panelist concluded that to be a member of the United Nations one of the basic requirements is to be peace-loving. What should the international community do when the National Constitution of a State and its associated policies do not reflect so, should it be allowed to transgress against its neighbors while at the same time still be a member of the international body?



Mr. Sabah Al-Mukhtar started his intervention by mentioning that international law and domestic law define states responsibility to protect the basic human rights of the citizens living under their territories. Mr. Al-Mukhtar explained that there are multiple instruments, like international and regional treaties, and the UN Charter itself, which further enshrine such provision.

With regards to the situation of Iraq, the speaker expressed that the country is witnessing unprecedented levels of political corruption, following the establishment of the new government after the 2003 US-led invasion and occupation, which has set the basis for the ethno-sectarian divide tearing the country apart today.

This was possible because the legislative system in Iraq has been abused and manipulated. In other words, laws have been used as a subversive political instrument to achieve a desired political process. A striking example has been the inclusion of Iranian-sponsored militias into the army, despite it being against the Iraqi Constitution. These armed groups are totally sectarian in their beliefs and actions and have participated in the absolute destruction of major cities, under the pretext of fighting ISIS. The speaker explained that Iraq is therefore not complying with both its national laws as well as international laws. He then concluded by emphasizing that it is a duty of the international

community and the United Nations, and in particular the Human Rights Council, to make sure that Iraq complies with international law and human rights law and that the rights of Iraqis are restored.

During Mr. Sabah Al-Mukhtar's presentation, the event was brutally disrupted by a few individuals in the room who verbally assaulted the panelists using obscenities, racial slurs, and sectarian slogans in total disorder. One of them flaunted the banner of the Al-Hashid Al-Shaabi sectarian militia in Iraq.

After the offenders vehemently brought the side event to a temporary interruption, UN Security intervened in order to remove few of the untamable ones while others continued, intermittently, to interrupt the panelists, in what was obviously a pre-arranged orchestration to distract participants from the issues and disintegrate the well-planned meeting agenda.

Such offensive tactics with the intent to prevent or derail a meeting point to something profoundly alarming, which is the harassment and intimidation of human rights defenders inside the UN itself. A guest who attended the side event was even threatened with a knife (but not injured) in front of his hotel by members of the same group.

This once more proves that the behavior of the supporters of sectarian militias is not a tolerant and respectful one. On the contrary it is crystal clear that ideologies as such incite hatred, violence and intolerance and pose a real danger to societies, not only in the regions where these groups operate, but also elsewhere.

The event successfully continued after all the offenders had been taken out of the room. The organizers were later informed that the UN Security took the necessary measures against the group, including banning some of them from entering the UN in the future. This matter was also brought to the attention to the Secretariat of the Human Rights Council and the UN competent authorities by the organizers.



Mr. Paulo Casaca started his speech by stating that his knowledge on the matter derives from his personal experience on the ground. According to the speaker, Western countries have a distorted and narrowly channelized view of terrorism, and the policies so far adopted to fight it clearly demonstrate so. For instance, they do not consider militias as terrorist groups, while the crimes these groups are committing are through the use of violence and terror as a weapon against civilians to attain their goals.

The speaker then briefly informed the audience of what he witnessed during the time spent in Iraq, including the death of many political figures at the hands of the Iranian regime. Mr. Casaca expressed that the involvement of Iran in creating, training and ideologically and physically arming militia groups, not only in Iraq but across the region - and for instance in Yemen- was to be traced back to years and years before today's developments. The speaker further stressed that the recent formalization of a "Shia Liberation Army" is, to use his words, "the biggest threat to

peace, stability and democracy.” Mr. Casaca concluded by saying that the international community must be very vigilant of these de facto terrorist groups and should not allow them to continue imposing their will.

Remarks of the Discussants



Ms. Sigyn Meder made a few remarks in response to Mr. Boumedra’s presentation. She emphasized that the role of Iran in exporting terrorism to Iraq is indeed undeniable. However, she questioned whether the U.S. has not had as much, if not more, major role in setting the basis for the sectarian society of today. If Iran’s membership at the UN should be reviewed, then shouldn’t the U.S. suffer the same fate? Ms. Meder concluded her intervention by asking whether the deteriorating situation in the region can ever be solved if the U.S. continues its interference with impunity.



Mr. Dirk Adriaenses started his brief intervention speaking on behalf of The BRussells Tribunal and stating that the view of the organization slightly differs from that of the speakers. Although they recognize that Iran surely plays a major role in exporting terrorism across the region, the biggest responsibility for today’s situation is of the U.S. and its foreign policies. Mr. Adriaenses emphasized that the meddling of imperialist powers is as equally dangerous

as that of regional powers, and it goes against international law. He concluded his short remark by saying that, according to him, Iran is indeed an enemy, but not the main one. Armed militias on all sides are only pawns in a larger game! *“Once, weapons were manufactured to fight wars. Now, wars are manufactured to sell weapons.”*



Ms. Elisabeth Nössing’s short presentation focused mainly on the relation between government-sponsored sectarian militias and refugees in the Middle East and North Africa (MENA) region. In this regard, Ms. Nössing emphasized that the armed groups have not only destroyed the political and economic systems of several countries, but also the social fabric of these societies. Their policies are to be seen as the root cause of the explosion of forced migration with a devastating impact on the lives of the most vulnerable parts of the population. In particular she described the harsh conditions of children in Iraq and Syria.

Replies of the Speakers



Mr. Tahar Boumedra reiterated his view by explaining that the real decision-makers in Iraq since 2004 until today are Iran and U.S., and therefore it is important to underline the role of these two countries in order to understand the rise of terrorism in the region.

Mr. Sabah Al-Mukhtar addressed the issue of what the international community can do with regards to this situation. According to the speaker, it is the responsibility and obligation of the international community to pressure the involved governments to change their governing systems and structures, in order to put an end to corruption and abuses. In this context, the UN Human Rights Council should be more forthright in its condemnation of state and non-state actors' role in exporting terrorism and not concentrate all efforts exclusively on ISIS, which is a terrorist group that imposes a serious danger and threat, but not the only one in the region.

Mr. Paulo Casaca congratulated the work of Ms. Nössing on refugees and added that the prevailing majority of refugees are indeed Sunni Arabs, which shows once more that the policies of militias are against one precise component of society. He concluded by stressing that if more attention was given to the root causes of forced displacement in the region, the picture of terrorism would be rather different today.



Conclusion

The event was then concluded by a few remarks from the audience who thanked the speakers for their presentations, offered their points of view on the matter and raised a few questions. In particular, queries were raised as to what are the instruments to face Iran's interference in the region (and particularly in Iraq and Yemen, where its policies are harming the civilian population to massive extents). Furthermore, the audience advanced questions on why the United Nations does not act in holding Iran accountable for exporting terrorism, as well as, by holding the United States accountable for seemingly combating terrorism while at the same time cooperating with terrorist groups.

The speakers replied that indeed the UN is fully aware of the war crimes and crimes against humanity committed by militias, and this is also evident from the last UNAMI reports. However, the reason why it is not acting upon the situation is that the body is a reflection of the collective will of the powers, which do not want to come to terms with the consequences of their actions. At the same time, the governments directly involved are not in a position to act, and therefore it is the ultimate responsibility of the civil society to pressure the UN to take measures to remedy this intolerable and unacceptable situation.

VIDEO OF SIDE EVENT

Livestream: Exporting Terrorism and Sectarian Discrimination

English to Arabic Interpretation

