



May 10, 2025

Hana Human Rights Organization

Ref NO: 20256

Foreign Affairs Committee
The Danish Parliament (Folketinget)
Denmark

Subject: Legal Submission Regarding the Designation of the Islamic Revolutionary Guard Corps (IRGC) as a Terrorist Entity under EU Law

I. Introduction

We, Hana Human Rights organization, an independent non-governmental organization committed to documenting and addressing grave human rights violations in Iran, respectfully submit this legal opinion in support of the initiative before the Foreign Affairs Committee of the Danish Parliament, urging the Council of the European Union to designate the Islamic Revolutionary Guard Corps (IRGC) as a terrorist organization pursuant to applicable EU law and jurisprudence.

II. Legal Nature and Structure of the IRGC

The IRGC was established under Article 150 of the Constitution of the Islamic Republic of Iran and formally recognized in a statute ratified by the Iranian Parliament on September 6, 1983. According to Article 2 of its Statute, the IRGC's primary mission is to protect the "guardianship of the Islamic Revolution" and uphold its achievements.

The IRGC operates as a multi-faceted entity encompassing military, political, and economic functions. Domestically, it exerts substantial control, including through the suppression of dissent, the targeting of civil society, and the surveillance of the population via its Intelligence Organization. The IRGC's intelligence apparatus oversees secret detention facilities, where credible reports indicate the occurrence of arbitrary detention, torture, and enforced disappearance—violations of both domestic law and international legal standards.

Internationally, the IRGC projects Iranian influence primarily through its Quds Force, which orchestrates covert operations and supports armed non-state actors across the Middle East. This support includes the provision of training, weapons, intelligence, and financial resources to groups widely recognized as terrorist organizations, such as Hezbollah, Hamas, and various Shi'a militias in Iraq and Syria.

III. The IRGC's Role in Terrorism and Extraterritorial Violence

The IRGC has played a central role in numerous acts of terrorism and state-sponsored violence. Notable instances include:

- The 1983 bombings of the U.S. Embassy and the U.S. Marine and French paratrooper barracks in Beirut.
- The 1994 bombing of the AMIA building in Buenos Aires, Argentina.

ADDRESS:



Chemin du pré de la Raisse 17 1228 Plan- Les- Quates Geneve Switzerland

EMAIL:



Info@hanahr.org

WEBSITE:



hanahr.org



May 10, 2025

Hana Human Rights Organization

Ref NO: 20256

- The IRGC's ongoing support for Hezbollah in Lebanon, which has been involved in various terrorist activities, including suicide bombings and kidnappings.

The IRGC's control over key sectors of the Iranian economy, including telecommunications, energy, arms manufacturing, and infrastructure, enables it to fund its military operations and strengthen its political influence both at home and abroad. Its vast economic network significantly contributes to financing its destabilizing activities.

IV. EU Legal Framework for Terrorist Listings

Under Council Common Position 2001/931/CFSP and Council Regulation (EC) No. 2580/2001, the EU may impose sanctions on individuals, groups, and entities involved in terrorism. Article 1(4) of the Common Position specifies that the designation process must be based on decisions made by competent authorities, including judicial authorities of EU Member States or third countries.

The Court of Justice of the European Union (CJEU) has affirmed that "competent authorities" may include judicial or administrative bodies. Its jurisprudence further supports the admissibility of decisions issued by courts in third countries—such as those in cases involving Hamas—as a valid legal basis for the designation of entities as terrorist organisations under EU law.

V. Factual and Legal Grounds Supporting the Designation of the IRGC

The following judicial and administrative decisions substantiate the IRGC's designation as a terrorist entity:

- **Germany (2023):** The Oberlandesgericht Düsseldorf (Higher Regional Court) issued a judgment confirming the IRGC's role in orchestrating a terrorist attack against a synagogue in North Rhine-Westphalia (Case No. 6 StS 1/23).
- **Germany (1997 – Mykonos Case):** The Kammergericht Berlin convicted senior Iranian officials, including IRGC operatives, for their involvement in the state-sponsored assassination of Kurdish dissidents in Berlin (Case No. 2 StE 2/93).
- **United States (2019):** The IRGC was designated as a Foreign Terrorist Organization (FTO) by the U.S. government. The U.S. District Court for the District of Columbia held the IRGC liable for its role in the 1996 Khobar Towers bombing in Saudi Arabia (Todd Akins v. Iran, No. 1:20-cv-00786-RDM).
- **Canada (2024):** The Canadian Government listed the IRGC under Section 83.05 of the Criminal Code based on evidence linking it to terrorism and grave human rights violations.

These findings, particularly the rulings from Germany (OLG Düsseldorf and Kammergericht Berlin), represent authoritative and independently verified judicial conclusions that the IRGC has engaged in terrorist activities, meeting the requirements under EU law for designation.

VI. Political and Institutional Support Within the EU

The European Parliament's January 2023 resolution called on the Council to designate the IRGC as a terrorist entity. Several EU Member States, including Germany, France, and the Netherlands, have also expressed support for this move, as has European Commission President Ursula von der Leyen.

ADDRESS:



Chemin du pré de la Raisse 17 1228 Plan- Les- Quates Geneve Switzerland

EMAIL:



Info@hanahr.org



WEBSITE:

hanahr.org



May 10, 2025

Hana Human Rights Organization

Ref NO: 20256

Given the robust legal and intelligence evidence, the designation of the IRGC is both legally justified and politically necessary.

VII. Conclusion

The designation of the IRGC as a terrorist entity under EU law would significantly hinder its operations, protect European citizens and residents, and reaffirm the EU's commitment to human rights and the rule of law. We respectfully urge the Foreign Affairs Committee of the Danish Parliament to advance this proposal with urgency, ensuring that the EU upholds its legal obligations in defence of international peace and security

Hana Human Rights Organization

ADDRESS:



Chemin du pré de la Raisse 17 1228 Plan- Les- Quates Geneve Switzerland

EMAIL:



Info@hanahr.org



WEBSITE:

hanahr.org