

**To:** Honourable members of the Foreign Affairs Committee in the Danish Parliament  
**Submitted by:** Komala Party of Iranian Kurdistan's bureau of International Relations

Dear members of the Foreign Affairs Committee in the Danish Parliament

We, the Komala Party of Iranian Kurdistan, a political organization committed to the promotion of democratic governance, human rights, and the rule of law, respectfully submit this legal submission in support of the initiative presently before the Foreign Affairs Committee of the Danish Parliament. This initiative calls upon Member States of the European Union to take appropriate legal measures to designate the Islamic Revolutionary Guard Corps (IRGC) as a terrorist organization, in accordance with Council Common Position 2001/931/CFSP, related EU counterterrorism instruments, and the applicable principles of international and national law. This submission outlines the legal basis, factual evidence, and jurisprudential precedents that substantiate such a designation under EU law.

## **I. Legal Status and Function of the IRGC**

The IRGC was established under Article 150 of the Constitution of the Islamic Republic of Iran and formally recognized through a statute enacted by the Iranian Parliament on 6 September 1983. Article 2 of its Statute designates its primary mission as the protection of the “guardianship of the Islamic Revolution” and the defence of its ideological foundations. In line with this mandate, the IRGC has acquired extensive powers across Iran's political, economic, intelligence, and military domains.

Domestically, the IRGC has played a decisive role in suppressing political dissidents, monitoring civil society, and operating clandestine detention facilities under its Intelligence Organization. Credible documentation points to systemic human rights abuses, including arbitrary detention, torture, and enforced disappearance—acts which contravene both Iranian law and international human rights obligations.

Internationally, the IRGC's Quds Force functions as a vehicle of extraterritorial state violence, providing support to armed non-state actors such as Hezbollah, Hamas, and various Shi'a militias in Iraq, Syria, and Yemen. These activities have included training, financial assistance, intelligence sharing, and weapons provision. Notably, the IRGC has been implicated in major international terrorist incidents, including the 1983 Beirut barracks bombings, the 1994 AMIA bombing in Buenos Aires, and the Mykonos restaurant assassinations in Berlin.



A former IRGC minister, Brigadier General Mohsen Rafighdoost, has publicly confirmed the Corps' orchestration of overseas assassinations targeting Iranian dissidents. The Komala Party itself has lost numerous members to IRGC-sponsored terrorist actions abroad. In Denmark, IRGC-affiliated operatives have planned and attempted terrorist operations, including the 2018 assassination plot against an Al-Ahwaz opposition figure and the 2024 attempted bombing near the Israeli Embassy in Copenhagen. Reports from Danish intelligence agencies substantiate the IRGC's operational presence within EU borders, thereby satisfying the evidentiary threshold for EU terrorist listing procedures.

## II. Legal Basis for the Designation of the IRGC under EU and International Law

Under European Union law, the designation of individuals, groups, or entities as terrorist organizations is primarily governed by Council Common Position 2001/931/CFSP and Council Regulation (EC) No 2580/2001, which implement the EU's obligations under UN Security Council Resolution 1373 (2001) and the International Convention for the Suppression of the Financing of Terrorism (1999). These instruments provide the legal foundation for targeted sanctions, including asset freezes and restrictions on economic resources, against those involved in terrorist activities.

According to Article 1(3) of Council Common Position 2001/931/CFSP, a "terrorist act" includes intentional acts designed to:

- Seriously intimidate a population;
- Unduly compel a government or international organization to perform or abstain from performing any act;
- Seriously destabilize or destroy the fundamental political, constitutional, economic, or social structures of a country or international organization.

Acts such as attacks on life and physical integrity, hostage-taking, and causing mass destruction are explicitly included. The IRGC, through its military arm (Quds Force) and its network of proxies, has repeatedly committed such acts both within and outside Iran.

To be designated under this framework, there must be a decision by a competent authority—typically judicial or administrative—within an EU Member State confirming the group's involvement in terrorism. The following decisions constitute strong legal precedents supporting the IRGC's designation:

- Germany (2023 – Düsseldorf Judgment): In *Case No. 6 StS 1/23*, the Oberlandesgericht Düsseldorf (Higher Regional Court) confirmed the IRGC's role in planning and supporting a terrorist attack against a synagogue in North Rhine-Westphalia. The court's findings established operational links between IRGC operatives and the perpetrator, thereby qualifying as a competent decision under EU law.



- Germany (1997 – Mykonos Case): In *Case No. 2 StE 2/93*, the Kammergericht Berlin found that senior officials of the Iranian regime, including IRGC agents, orchestrated the extrajudicial killings of Kurdish opposition members at the Mykonos restaurant in Berlin. The court concluded that these acts were directed by Iran’s leadership and executed by IRGC personnel. This case remains one of the strongest precedents for attributing acts of terrorism to a state organ in Europe.
- Denmark (2018–2024): Danish intelligence services (PET) uncovered and disrupted multiple IRGC-directed plots, including a 2018 assassination attempt against an Iranian-Arab dissident and a 2024 attempted terrorist act near the Israeli Embassy in Copenhagen. These operations were directly linked to the IRGC and its agents. Danish authorities have publicly named the IRGC as the entity behind these acts, which qualifies as an “administrative decision” for purposes of Article 1(4) of Common Position 2001/931/CFSP.
- United States (2019): The U.S. formally designated the IRGC as a Foreign Terrorist Organization (FTO) under §219 of the Immigration and Nationality Act. In *Todd Akins v. Iran*, No. 1:20-cv-00786-RDM, the U.S. District Court for the District of Columbia held the IRGC liable for the 1996 Khobar Towers bombing, which killed 19 U.S. service members in Saudi Arabia.
- Canada (2024): The Canadian government listed the IRGC under Section 83.05 of the Criminal Code, following a review by national security services. The designation was based on the IRGC’s provision of material support to terrorist organizations and its involvement in systematic human rights abuses, including torture and extrajudicial killings.

These judicial and administrative findings—particularly those issued by EU Member States—fulfill the evidentiary requirement of Article 1(4) of the Common Position, enabling the Council of the EU to lawfully add the IRGC to its terrorist list.

In parallel, international law supports such designation. Article 2(1)(a) of the 1999 International Convention for the Suppression of the Financing of Terrorism prohibits the provision of funds or resources with the knowledge that they will be used to carry out acts intended to intimidate or coerce populations or governments. The IRGC’s ongoing financial and operational support to groups such as Hezbollah, Hamas, and Shi’a militias in Iraq and Syria clearly falls within this prohibition.



Furthermore, under the ILC Articles on State Responsibility, particularly Article 4, acts committed by an official organ of a state—such as the IRGC—are attributable to that state. The IRGC is formally embedded in Iran’s constitutional and military structure, established under Article 150 of the Iranian Constitution. Its conduct, therefore, constitutes state-sponsored terrorism, implicating Iran in ongoing violations of international law.

Taken together, the legal instruments of the EU, the jurisprudence and administrative findings of national authorities, and international legal norms all converge to support the lawful designation of the IRGC as a terrorist entity.

### **III. Conclusion and Recommendation**

The Islamic Revolutionary Guard Corps meets the legal, factual, and procedural requirements for designation as a terrorist organization under Council Common Position 2001/931/CFSP. Its conduct, both domestically and internationally, reflects a sustained pattern of terrorist activity and human rights violations directly attributable to the Iranian state. EU Member States, including Denmark, possess substantial evidentiary findings that satisfy the criteria for listing.

Accordingly, we respectfully urge the Danish Parliament’s Foreign Affairs Committee to recommend that the Council of the European Union initiate the formal procedure to designate the IRGC as a terrorist entity. Such a step would reflect the European Union’s commitment to international law, human rights, and the collective security of its Member States.

We remain available to provide further legal documentation or testimony as required to support this initiative.

Best regards,

Keywan Faramarzi, head of International Relations

  
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