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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA, ALL FORMS OF DISCRIMINATION
PROMOTION AND PROTECTION OF HUMAN RIGHTS AND
EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS**

**Written statement* submitted by the Association for World Education,
a non-governmental organization on the Roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 January 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

I. The Charter of the United Nations (1945) and Convention on Prevention of Genocide (1948)

1. On 26 October 2005, at a Teheran conference on 'The World without Zionism,' the President of the Islamic Republic of Iran demanded that Israel be "*wiped off the map*," adding that "*very soon, the stain of this disgrace [Israel] will be purged from the centre of the Islamic world.*" He menaced all peacemakers: "*Anybody who recognizes Israel will burn in the fire of the Islamic nation's fury.*" This is the leadership which is intransigent about Iran's right to develop a nuclear capability.*

2. President Mahmoud Ahmadinejad's call was part of a prepared address. His statement was not an emotional *ad hoc* addition as a response to a chanting crowd, but an element in a world view that denies the possibility of any peaceful coexistence with the State of Israel. In the same speech he provided an Islamic historical overview: "*The establishment of the Zionist regime was a move by the world oppressor against the Islamic world. The skirmishes of the occupied land are part of a war of destiny. The outcome of hundreds of years of war will be defined in Palestinian land.*" *

3. Subsequently, in his early December speech to the Organization of the Islamic Conference in Mecca, he described how "*the Islamic world faces many serious problems and challenges,*" but the major problem was "the presence of the Zionist occupation in the heart of the Islamic region." Its "*judicious removal*", he predicted, "*will pave the way to the appearance of Islam's power in the successful management of global [matters].*" This was followed in another speech by his assurance that all kinds of oppression would come to an end once the rule of Islam prevailed worldwide.*

4. The United Nations – referred to as "the international community" – should heed these words now, and in particular his ideological reference in the Teheran speech to "*the struggle between the Islamic world and the front of the infidels.*" This is the key to the strategic 'Ideology of Jihad' (*Jihad* means 'struggle') for Hitler's *Mein Kampf* ('My Struggle') was not so very different in spirit, with "true Aryans" pitted against non-Aryans. In this twenty-first century, a major clash could easily arise between tolerant democratic societies – whether "Western" or otherwise, where freedom of speech is enshrined – and those forces that wish to destroy the "Other" in the West, East, North or South, because they are considered "infidels" and not "true believers."

4. Such Iranian histrionics are not new and have been repeated annually in Iran since the 1979 Islamic Revolution. However, this is the first time in a public statement since Ayatollah Khomeini's death in 1989, soon after he launched his lethal fatwa against Salman Rushdie, that an Iranian President has made a "*direct and public incitement*" to destroy a Member State of the United Nations, coupled with a reiterated denial of the Holocaust.

5. The 1945 Charter of the United Nations states, under its article 2, that its Members – "*in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles:*

4. *All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the Purposes of the United Nations.*"

6. Article II of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide considers genocide to be those actions "*committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.*"

7. Iran's direct and public incitement for the destruction of the State of Israel – and, thereby, of a significant part of its population – qualifies as a call for genocide, whatever political explanations are given. Such *direct and public incitement to commit genocide* is punishable under the 1948 Genocide Convention, which states in its article III that "*the following acts shall be punishable:*

- (a) *Genocide;*
- (b) *Conspiracy to commit genocide;*
- (c) *Direct and public incitement to commit genocide;*
- (d) *Attempt to commit genocide;*
- (e) *Complicity in genocide."*

8. Those who drafted the 1948 Prevention of Genocide Convention had in memory the long incitement to hatred against the Jews by the Nazi leadership, beginning with *Mein Kampf*. Few took the Nazis seriously in the mid-1930s and did not foresee that hate constantly repeated would lead to a systematic genocidal action. Likewise, in more recent times, few took seriously the constantly repeated verbal attacks against the Tutsis in Rwanda over the radio ("Mille Collines") and in the press. Yet these attacks prepared the ground for the physical destruction of hundreds of thousands of people and created the regional instability which is still weakening the African Great Lakes region. The same applies to the calls to Jihad in Sudan by the Sudanese Government against "infidels" and "apostates", which has led to the death of about 2.5 million people, the exodus of over 4.5 millions, and the enslavement of up to 200,000, while many thousands still remain in bondage.

9. The untried Genocide Convention – in its provisions concerning public incitement – sets the outer limits of political discourse. Groups, peoples, social classes or social categories are not to be attacked and threatened. Thus, the 'Never Again' Genocide Convention is a constant reminder of the need to moderate political discourse so as to debate issues and policies, not peoples or groups.

10. The Genocide Convention is not only a framework for civilized public discussion, it also calls for the punishment of violators in its Article IV: "*Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.*"

11. Article VIII envisaged action by any State Member of the United Nations in clear terms: "*Any Contracting Party may call upon the competent organs of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.*" A direct and public incitement to destroy a State should be seriously considered as "*incitement to commit genocide.*" In appeals to UN Secretary-General Kofi Annan (re: Iran: 29 October; Darfur: 7 and 10 December), we have proposed that the unused mechanisms of the Genocide Convention be activated. Our letter of 20 December 2005 to

the High Commissioner for Human Rights, Mrs Louise Arbour, is reproduced below under section II.

12. The European Parliament Conference of Presidents noted – in reaction to Iran's repeated declarations: *"The expressions of indignation and the unanimous rejection by the European Union and the entire international community, as well as the resolution adopted by the European Parliament on 17 November 2005, unfortunately have had no effect."* Then on 16 December the EU warned Iran that its denial of the Holocaust, and previous threats for *"the Zionist entity to be wiped off the map"* could have serious diplomatic consequences. The Dutch foreign minister, Ben Bot, declared that the EU's relations with Iran were at an all-time low, and three days earlier the Swedish parliament ceased all bilateral contacts with the Iranian Parliament.

13. In another context the UN General Assembly adopted resolution 60/7 on 1 November 2005, designating 27 January as *"an annual International Day of Commemoration in memory of the victims of the Holocaust."* As reported by the Department of Public Information (DPI), during that week at the UN in New York there will be several events organised to mobilise civil society, so as to help prevent future acts of genocide. This will include an NGO briefing under the overall theme of 'Remembrance and Beyond' where this particular aspect could be raised and perhaps debated.

14. Speaking from the Vatican on 15 January 2005, on the subject of the 60th anniversary of the liberation of Auschwitz, Pope John Paul II referred to *"a truth which is often expressed in the Bible: even though man is capable of evil, and at times boundless evil, evil itself will never have the last word...Never again in any part of the world, must others experience what was experienced by these men and women whom we have mourned for sixty years."* And on 25 January in Berlin, German Chancellor Gerhard Schröder stressed that *"faced with an absolute void of morality and the total absurdity of millions of murders, political language is meaningless...Evil is neither a political nor a scientific category. But who, after Auschwitz, could still doubt that it exists and that it manifested itself in the Nazi genocide, inspired by hate..."*

15. This timing could not be more apposite. The time for words and "warnings" is past and the time for urgent action is *now*. As we have pointed out, only one State needs to call on the United Nations to act under article VIII of the Genocide Convention. If speedy action is not taken, we can be sure that there will be further escalations of these genocidal statements. A rapid UN move – at the Security Council, and even at the 62nd session of the Commission – could be based on article III (c): *"Direct and public incitement to commit genocide"* – related to Iranian President Mahmoud Ahmadinejad's call, and the previous calls by State-controlled bodies for the destruction of the State of Israel, a Member State of the United Nations. Harsh sanctions should be taken urgently as a sharp lesson.

For references trans. into English, see MEMRI Special Dispatch No. 1013, "Iranian President at Tehran Conference: 'Very Soon, This Stain of Disgrace [i.e. Israel] Will Be Purged From the Center of the Islamic World and this is Attainable'", 28 October 2005, <http://memri.org/bin/articles.cgi?Page=countries&Area=iran&ID=SP101305>; and MEMRI, Special Report – N° 39, 5 January 2006: "Iranian Leaders: Statements and Positions" (Part I): *Challenges Facing Islam*, 1. Iranian President Ahmadinejad, p.13. http://memri.org/bin/opener_latest.cgi?ID=SR3906; also two reference to Iranian sources: *Jomhourie-e Eslami*(Iran) 8 December 2005; *IRNA* (news agency) 18 December 2005.

II. Letter of 20 December 2005 to the High Commissioner for Human Rights Louise Arbour

Dear Mrs Arbour,

On a number of occasions in the past, our Association has raised the issue of "*direct and public incitement to commit genocide*," which is forbidden under Article III (c) of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. Such public incitement is all the more serious when carried out by a Head of State, the President of the Islamic Republic of Iran.

The repeated statements since 26 October 2005 by President Mahmoud Ahmadinejad have drawn rebuke from many sources: at the United Nations, by the European Parliament, and by individual governments, NGOs, and individuals. No one, however, has yet invoked article VIII of the Genocide Convention, and the possibility of one State Party taking the initiative to act for the first time since 1948 in order to test the various UN mechanisms available as such:

"Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III."

Article II of the 1945 Charter of the United Nations states, under its Principle 4:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the Purposes of the United Nations."

In our press release of 7 December 2005 (enclosed), we raised this possibility in relation to the atrocious ongoing genocide in Darfur (following our letter to you, with other NGOs, of 2 December). We will continue to draw attention for this possibility of a State action, as we have in the attached article, published on 9 December ("Ignoring the Genocide in Darfur").

We believe that you, as High Commissioner of Human Rights, should seriously consider the possibility of States Members of the United Nations invoking article VIII of the Genocide Convention, in regard to its article III – and also its article IV, which states very clearly that:

"Persons committing genocide or any of the acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals."

We would willingly cooperate with your Office in whatever manner you consider appropriate.

Yours respectfully,

René Wadlow

(Main Representative)

The Association for World Education to the United Nations Office in Geneva

David G. Littman

(Representative)