

The AMIA bombing 2018

(Remarks delivered at a commemorative event, 18 July 2018, Winnipeg, Manitoba)

We must not forget the bombing of the Jewish community centre in Buenos Aires, Argentina, in 1994, a centre much like the one in which we are holding this event this evening. We must not forget the victims, the eighty five dead and the over 300 injured. We must also not forget the murderers. Mass murder does not just happen. It requires human agency.

Argentina requested Red Notices of wanted fugitives from Interpol for eight Iranians wanted for their role in the AMIA bombing. The Government of Iran contested the request. Interpol issued Red Notices against five of the eight. The five were then Iranian Intelligence Minister Ali Fallahijan, then Iranian cultural attaché in Argentina Mohsen Rabbani, then third secretary of the Iranian embassy in Argentina Ahmad Reza Asghari, then commander of the Islamic Revolutionary Guards Corps Quds Force Ahmad Vahidi and then commander in chief of the Islamic Revolutionary Guards Corps Mohsen Rezai.

Iran remains today listed under the Canadian State Immunity Act as a state supporter of terrorism. That means that the state itself can be sued in Canadian courts under the Justice for Victims of Terrorism Act for damages incurred in terrorist acts it has supported.

B'nai Brith Canada Canada in 2002 asked the Government of Canada to list the whole of Hezbollah as a terrorist entity under the Criminal Code. Listing allows for seizure and forfeiture of Canadian funds and makes participation in the group to enhance its terrorist capacity a criminal act. The Government of Canada initially refused. B'nai Brith Canada commenced Court proceedings against the Government to contest the refusal. Before the Court heard the case, the Government changed its position and listed Hezbollah. Hezbollah and the Islamic Revolutionary Guard Corps' Qods Force are now both listed as terrorist entities under the Anti-Terrorism Act.

Canada continues to maintain sanctions against Iran under the Special Economic Measures

(Iran) Regulations and the Special Economic Measures Act. The Special Economic Measures Act sanctions list includes 41 Iranian individuals but none of five on the Interpol list is on the Canadian list.

A bill before the Canadian Senate stated that these sanctions could not be eased until there were two consecutive annual reports from the Government of significant progress in human rights and no credible evidence of terrorist activity or incitement to hatred emanating from Iran. The bill passed first reading, second reading and the Committee stage, without amendment, but was defeated, regrettably, on third reading by a vote of 43 to 39 on May 9th, 2018.

The House of Commons, by a vote of 248 to 45, on June 12, 2018 passed a motion, amongst other measures, to "strongly condemn the current regime in Iran for its ongoing sponsorship of terrorism around the world", "cease all negotiations or discussions with the Islamic Republic of Iran to restore diplomatic relations" and "immediately designate the Islamic Revolutionary Guard Corps as a listed terrorist entity under the Criminal Code of Canada".

In Argentina, since the last AMIA bombing commemorative event, an official investigative report, submitted in September 2017 to the Argentinean federal courts, concluded that Alberto Nisman, the special prosecutor investigating the AMIA attack, who died in January 2015, was murdered. Twelve people, including former Argentinean President Cristina Fernandez de Kirchner, in December 2017 were charged with treason, abuse of power and cover up of the Iranian role in the AMIA bombing in exchange for a trade deal.

Canada has a new instrument which could address the AMIA bombing, the Justice for Victims of Corrupt Officials Act, also called the Sergei Magnitsky Law. The law provides for asset freezes and travel bans against listed human rights violators. The law came into force in October 2017.

Those listed on Interpol for their role in the AMIA bombing are not listed under either the Special Economic Measures Act sanctions law or the Justice for Victims of Corrupt Officials Act, the Magnitsky Act. They should be.

Although the Justice for Victims of Corrupt Officials Act has the words "corrupt officials" in its title, an official can be listed for something other than corruption. An official can be listed for gross violations of internationally recognized human rights committed against individuals in any foreign state who seek to exercise internationally recognized human rights and freedoms including peaceful assembly and association. That description fits the victims of the AMIA bombing.

The murder by the Iranian regime of the victims of the AMIA bombing was not an isolated act. The regime of the mullahs to this day engages in foreign terrorism. The regime of the mullahs to this day threatens the Jewish people with genocide.

The legacy we should create from the ruins of the AMIA bombing, from the deaths and injuries of the victims is justice, accountability, prevention and remedy. Canadian efforts to combat Iranian global terrorism are far from illusory. But Canada can do more.

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