

EIRSpecialReport

Carter's Iranian Commission: Terrorists put the U.S. on trial

by Robert Dreyfuss

President Jimmy Carter, desperate for a foreign policy success on the eve of the crucial New Hampshire primary election, radically shifted U.S. foreign policy on Feb. 13 by announcing that the United States would support the formation of an international commission of inquiry with a mandate to investigate Iranian grievances. In a one-minute statement at his press conference—the first in 11 weeks—President Carter declared:

Since mid-November, we and the Iranian officials have been discussing with Secretary General Waldheim of the United Nations his proposal to send a commission of inquiry to Teheran. We would support steps by the United Nations that would lead to the release of the hostages if the steps are consistent with our goals and our essential international principles.

An appropriate commission with a carefully defined purpose would be a step toward resolution of the crisis.

The Carter statement was issued against a background of intensifying rancor between Carter and challenger Edward Kennedy of Massachusetts. Kennedy, also with an eye on New Hampshire, chose to claim that it was he, and not the President, who could take credit for the initiation of the idea of the commission. "The Administration stubbornly resisted this solution until I and others made the proposal and broke the silence on Iran."

Although the Carter administration immediately shot back that Senator Kennedy's statement is "an elaborate charade with the truth," and Carter himself warned that Kennedy "has not been responsible," there is little doubt that the position of Kennedy—beginning with his Jan. 28 George-



Photo: Ch. Spengler/Sygma

town University speech, in which he endorsed the forming of a U.N. commission—helped to nudge President Carter in that direction.

Legitimizing outlaws and terrorists

Nevertheless, the Carter announcement Feb. 13 that the U.S. will cooperate in the formation of a U.N. commission on Iran represents virtually a complete capitulation by the American government to the demands of the Iranian band of fanatics and assassins led by President Abolhassan Bani-Sadr. At a stroke, Carter—goaded on by Kennedy—has given legitimacy to the outlaw Iranian government, created a major propaganda forum from which they intend to proclaim the necessity of a “worldwide Islamic revolution,” and, in general, opened a Pandora’s box that, even one day after the Carter press conference, may be impossible to close.

In addition, both Carter and Kennedy have assumed a major political risk in attempting to find an accommodation with Iran’s terrorists. This is especially true in light of the fact that the campaign organization of Lyndon LaRouche, the Democratic candidate running strong in New Hampshire, has already saturated the

state with leaflets charging the President with a “cynical election ploy” in scrambling to free the hostages on the eve of the primary after continued inaction and even sabotage of previous negotiations. LaRouche has charged both Carter and Kennedy with deliberate attempts to construct an alliance with “Muslim fundamentalism” and the so-called Muslim Brotherhood secret society controlling the Ayatollah Khomeini.

The *Executive Intelligence Review* has determined the true nature of the commission that the Iranian government intends to establish. Although Bani-Sadr, Foreign Minister Sadegh Ghotbzadeh, and other Iranian officials claim that the commission will have a mandate to investigate alleged “crimes” of the former Shah of Iran and of the United States in the years since the 1953 coup d’état that brought the Shah back to power, the real target of the proposed tribunal will be the very process of industrial development which Iran, until the Khomeini takeover, was undergoing.

In the following exclusive report, the behind-the-scenes story of the Iran crisis negotiations is revealed for the first time.

The *EIR* has already reported, for more than a year now, how the Carter administration, the City of London, and their allies organized the movement that toppled the

Shah of Iran and deliberately installed the Khomeini dictatorship. The machine that was mobilized internationally since the Carter administration came into office in 1977 to accomplish that task included former Attorney General Ramsey Clark, the United Nations Organization, Amnesty International (and, in particular, Amnesty International's Sean MacBride of UNESCO), the radical Transnational Institute and the Institute for Policy Studies, the International Association of Democratic Jurists, the International Red Cross, and so forth. That entire machine—itsself merely an appendage of the British Secret Intelligence Service—has been tapped by the Carter administration in order to negotiate the release of the U.S. hostages.

In the process, the United States has irrevocably allied itself with international terrorism, as represented by the Iranian government and its sympathizers. As pieced together by *EIR*, the operation works in the following way.

First of all, although the President has stated that the proposed U.N. Commission must be "carefully defined" in its responsibility, the Iranians do not want it that way. At least *two entirely separate types* of "commissions" are under discussion. The first, which might be termed the "official" version, will consist of a hand-picked group of five people selected by U.N. Secretary-General, Kurt Waldheim. That commission, reportedly to be headed by Louis-Edmond Pettiti, a French lawyer, will include U.N. Ambassador Mohammed Bedjaoui of Algeria; Adib Daoudi of Syria; Andres Aguilar of Venezuela; and Abbu Sayeed Choudhury of Bangladesh. It is scheduled to arrive in Iran before Feb. 21. The second, "unofficial" commission—far more radical and operating without the approval of the United States or the U.N.—is being assembled by Nuri Albala, a Turkish communist living in Paris.

In an interview with *Le Monde* on Feb. 12, President Bani-Sadr stated his preference for the second version:

Question: Two types of inquiry have been put to you. One submitted by Mr. Kurt Waldheim envisaging a U.N. committee comprising representatives of certain Third World governments. The other, proposed by Mr. Sean MacBride and Mr. Nuri Albala, is considerably different: A "court" formed of non-governmental people who would "try American imperialism," and would be the "Nuremberg of the Third World," to quote Mr. Albala. Which of these solutions do you prefer?

Answer: I prefer the second. However, some Revolutionary Council members lean toward the Waldheim committee. The ideal solution would be a combination of the two. In any case we have sub-

mitted our proposals—the fruits of a consensus—to Imam Khomeini, who is alone capable of taking a decision. We hope to obtain that decision in the next two days. If he accepts our proposals it will then be up to President Carter to give his verdict.

By announcing that he prefers a "combination of the two," Bani-Sadr outlined the central difficulty with Carter's conception, namely, that if—at any time during the process of negotiations—the Iranians decide to renege on their commitment, they can simply announce that they intend to demand a blending of the two commissions, which would either guarantee that the crisis flares up again or that Carter is forced to make even more concessions to the terrorist government of Iran.

In addition, in an exclusive interview Pettiti declared that even his commission, "in the juridical context of the United Nations," may choose to expand its activities by asking for a special session of the entire U.N. General Assembly to "discuss the matter." That would open the door on a formal U.N. condemnation of U.S. activities in Iran. In addition, Pettiti went so far as to credit Albala and MacBride with having "opened the way for the present agreement." (The transcript of the interview with Pettiti is printed below.)

Industrial development as "crime against humanity"

According to Nuri Albala, the proposed "Third World Nuremberg" will have as its chief objective the putting on trial not of mere "American imperialism" or alleged human rights violations by the Shah's government, but instead, the very notion of industrial development in the Third World. Albala told an interviewer (carried below in full) that he is working with former U.S. Attorney-General Ramsey Clark, Princeton University's Prof. Richard Falk, ex-U.N. Ambassador Andrew Young, and Sean MacBride. One of the biggest crimes, according to Albala is the "sale by the United States of a nuclear power plant to Iran," which Iran—says Albala—considers "monstrous."

Mansour Farhang, Iran's ambassador to the United Nations, explained to *EIR* that the most important thing is that the United States "must recognize their guilt" over the past years in Iran, or else "nothing will be done from the Iranian side." He also asserted that the chief aim of Iran under the present circumstances is to establish a tribunal that "will be a combination of both a grand jury, sponsored by the U.N. to judge the Shah, and a Nuremberg-type tribunal aimed at judging the West."

According to Bishara Khader, a Palestinian radical who is close to Albala and who works out of the Univer-

sity of Louvain, Belgium, controlled by the Jesuits, the real purpose of the Albala version of the tribunal will be to focus on "western imperialism and the western way of life." He accused the West of "cultural imperialism," and he said that Albala intends to bring "evidence" to condemn the United States based on its policy of industrializing Iran, using Iran's oil, and so forth.

Joining the work of the second, more radical commission will be the entire European support apparatus connected to the terrorist Baader-Meinhof gang, the Italian Red Brigades, and so forth. According to European sources, the various jurists' associations and human rights groups that Albala and MacBride are backing have been mobilized to bring their terrorist network to bear. Just as the European terrorist international has, in recent years, assassinated such top leaders as former Italian Prime Minister Aldo Moro, Jürgen Ponto of the Dresdner Bank, and others for alleged crimes of "fascist capitalism," now those same forces will join up with a committee supported by a state, namely Iran, whose entire government is terrorist-controlled. This time they will accuse "industrial capitalism" as a whole of being guilty of crimes against humanity.

Among those in West Germany who are working with the Albala group are: Dr. Helmut Gollwitzer, formerly of the Bertrand Russell Tribunal of British intelligence, currently a professor at the Free University of Berlin who has long been a defender of the Baader-Meinhof terrorists; Heinrich Albertz, a Lutheran clergyman and former Deputy Mayor of West Berlin, who has been involved for years with the Baader-Meinhof gang's terrorist activity; and SPD (Social Democratic Party) members H. Gansel and K. Thuesing, both leftists who recently traveled to Iran to meet with Bani-Sadr and who publicly denounced the "insane industrialization of Iran" under the Shah!

Attack national sovereignty

In any case, a major feature of the combined commission and tribunal will be to reshape the existing climate of international law in a way that will greatly reduce the concept of national sovereignty. The role of the World Court of the United Nations at The Hague will be expanded in a manner that will treat the Shah as an example justifying action to deny the right of nations to conduct their own affairs without interference from the United Nations. In addition, the expected legal battle to secure an extradition of the Shah from Panama—which Panama is not inclined to accept—means that Iran will attempt to impose its own "right of revenge" on Panama, claiming that its demand for the Shah supersedes Panama's right not to make the Shah available to the Iranians.

Interviews

"Industrial development is a means of ethnocide"

The following are excerpts from an interview granted by Richard Falk in Massachusetts on Feb. 16.



Prof. Richard Falk

Q: Where do we now stand with the U.N. Commission process?

A: It's still hard to say what will come out of the Commission process in terms of the inquiry. There has been evidence accumulated in Iran by Bani-Sadr when he was Foreign Minister that lays out Iran's case, the range of crimes charged to the Shah, and the U.S. role both in these crimes and in the U.S. policy of using Iran as a regional policeman. But there *may* be some kind of bargain being struck to keep some of the evidence out. Why? Because on the American side, Carter will be vulnerable politically, as soon as the hostages are back, to severe Republican attack for having caved in, this has become an acutely sensitive question. On the Iranian side, Bani-Sadr may acquiesce in Carter's desires because he is eager to get control of the political situation and feels he must get rid of the hostages, he thinks they're paralyzing Iran. So, I see some constraint on the *scope* of the inquiry, combined with an *effort* in Iran to bring together what evidence they are able to obtain.

Q: How do you see this process, if at all, introducing changes of a significant nature in international law?

A: I see possible very important changes. We have a potential opportunity to create a new set of expectations of the accountability of tyrants, and governments that supported tyrants. We can say now that anything that was created *legally* has the potential of being applied to the *creator*. That was the lesson of Nuremberg: now, said Jackson, what we are doing applies to Germany, later it could be appropriate elsewhere.

Q: What possibilities immediately at hand do you see for extending the precedent?

A: Well, certainly Nicaragua is a possibility. There is also the case of Bokassa, who is now in exile in France. The French role could certainly be investigated, as certain French press are calling for. And there is Idi Amin, now living in Sudan. We could look at his crimes, and maybe see some blame for the Sudanese who are harboring him. Any of these forces could become culpable if the people demand to have them held accountable for crimes.

Q: I am intrigued by the notion of ethnocide that is being discussed now. What applications could that have in cases in the future?

A: Ethnocide is seen as an extension of the notion of genocide, it's the killing of the cultural and human identity of individuals and groups. The most blatant cases I know of apply to the Indians of the Americas, North and South. They have a more fundamental grievance against Brazil, Mexico and the U.S. than even the Iranians had against the Shah.

So far, in Mexico, it's been hard to get ethnocide as an issue off the ground. Even the most progressive Mexicans want to evade the issue. But I see ground gained by U.S. Indians, around Russell Means and the Indian Treaty Commission run by his brother Bill in New York, he's thought about this whole question a lot. The AIM is very sensitive to this, they have been in touch with the Iranian students at the embassy, and from what I've picked up, have gained insight from the students

into how to push the International Court of Justice.

It's hard, of course, to draw boundaries around the ethnocide idea, and I've noticed much anxiety about applying it, people think there are too many skeletons in too many closets. But if it grows out of the public *sentiment* and the *moral* conscience then it can operate. Nicaragua, for example, has ethnocide aspects to its grievances. And the Koreans in Japan could have likewise, the Japanese have brutally suppressed Korean customs.

Q: I've heard you also tried to apply the anti-Shah question to the antinuclear by claiming that nuclear energy usage involves repression.

A: Well, this comes from a talk I once gave in Iran. I talked to a work-stoppage demo 1 year ago in Iran, at a nuclear energy facility. Ramsey Clark and I spoke to 1000 people, and made the case that nuclear technology in an underdeveloped country will have to involve police methods just by the nature of the thing. So, there isn't a *direct* parallel with the U.S. case, since we're more advanced. But in an important way, what goes on *here* is even more *sinister* because it is less *manifest*. There is greater confidence here that so-called normal police methods can control the situation. But there is a growing argument tht nuclear energy involves a strong anti-democratic bias, there's an argument in the current *Harvard* or *Yale Law Review* elaborating this argument.



Kurt Waldheim, a Social Democratic "one world" ideologue talks at the U.N. with British spokesman Henry Kissinger, the former U.S. Secretary of State. Waldheim's "Commission of Inquiry" on Iran has as one of its spin-off objectives an attack on the sovereignty of nations.

“The sale of a nuclear plant is the first crime”

A French journalist provided to EIR the following interview with lawyer Nuri Albala, a “Turkish communist” living in Paris.

Q: U.N. Secretary General Waldheim is going to announce the creation of a commission of inquiry on the Iran crisis. Could you explain how this fits into the negotiations you and Sean MacBride have been conducting over the past months on the subject of a tribunal?

Albala: MacBride and I have been working for the creation of a commission—not a tribunal as such—which would have a much broader role and responsibility than the one proposed originally by Waldheim. There have been two approaches. One was to consider the formation of a commission to investigate crimes against the Iranian people—in which case the question of the hostages was more of a burden than anything else. The other was to consider the establishment of a commission aimed at the public, and whose only goal was to reach agreement to release the hostages, as Waldheim proposed.

Q: Bani-Sadr, in his last interview to *Le Monde*, said he favored the idea. Will he push for it?

Albala: First, there is the problem of the faction fight between Ghotbzadeh and Bani-Sadr. Bani-Sadr has discussed with me and MacBride the question of the tribunal. Ghotbzadeh opposes such a scheme. The difference seems to lie in the fact that Ghotbzadeh is willing to use the forum of the United Nations to free the hostages. On the contrary, Bani-Sadr is convinced that it is up to the Iranian government to take a decision on the matter.

Q: How do you expect Bani-Sadr to react to the activity of a commission of inquiry?

Albala: It might be that he would decide himself to call for the creation of a tribunal, using the result of the commission. Otherwise, some private initiative will likely be taken on the issue. A private commission, meeting together with the Iranians, completely distinct from the work of the U.N. sponsored commission. But we will have to wait at least until Waldheim makes the announcement. Otherwise, several organizations would be ready to take up such a task ... the Russell Tribunal, among others.

Q: You just came back from Iran. How do you think the Iranian students will react?

Albala: Well, everything depends on what Khomeini decides. Bani-Sadr said that he has agreed with Khomeini on a secret plan. That might have nothing to do with the commission as such. It is likely that the Iranians will ask for more. Because if you take the composition of a U.N. commission, these are members of governments, most of them. I know that one of the Iranians' grievances that will be presented to the commission is the sale by the U.S.A. of nuclear power plants. The Iranians are saying that such a sale is monstrous. How do you expect the representative from Bangladesh to react to that one? He won't answer and the commission won't answer. It won't work and the Iranians won't be satisfied.

Q: What then?

Albala: That is one of the reasons why the United States apparently wants to keep Sean MacBride absolutely away from the commission. They know that he, long before he became President of Amnesty International, fought and denounced the crimes of the Shah. It is nearly a personal fight for him. But the U.S.A. knows that if he were on the commission it would probably go very far. That is why he proposed the idea of a tribunal to judge the U.S.A. and why the Iranians accepted him.

Q: Is there no one in the U.S.A. who can influence the government?

Albala: Sure, we have coordinated our negotiations with Ramsey Clark, Richard Falk and Andrew Young. If I myself didn't talk with Falk so much, MacBride did. Clark has tried a lot to pressure the Americans to recognize their crimes ... We will see how it develops.

“First, a U.N. commission, and then a tribunal”

The following interview with French lawyer Louis-Edmond Pettiti, a judge at the European Human Rights Court in Strasbourg, was provided to EIR by a French journalist.

Q: Will you be part of Waldheim's commission?

Pettiti: Well, it is still a bit early to say so. We have still to wait until Waldheim makes his official announcement. But this is very likely. Then, the five members of the commission will meet, probably somewhere in the middle of next week, anywhere from Paris to Geneva to New York ... and the commission will be sent to Teheran to begin its investigations, notwithstanding the place where the Secretariat of the Commission is located.

Q: What about a tribunal on the results of the investigations?

Pettiti: We will publish a report in the context of a U.N. sponsored commission of inquiry. That means that it is institutionalized work, in the juridical context of the United Nations. What we can likely expect is that once the report is published, the U.N. will decide to convene the General Assembly to discuss the matter, or will decide to use other U.N. institutions such as the human rights commission to continue the investigation.

Q: What about the hostages?

Pettiti: Well, the two things are not necessarily linked. We will have to discuss the entire procedure to adopt as concerns the release of the hostages.

Q: Albala and MacBride have been working for a tribunal; what about their initiative?

Pettiti: These have been private initiatives, outside of the framework of the U.N. These initiatives have been part of the researches going on for the past two months on what would be the best situation to solve the crisis ... They opened the way for the present agreement.

Q: Will the Iranians ask for more than mere investigations?

Pettiti: There are a lot of hypotheses, and this is one of them. But if the Iranians want more, there is the choice of going further in the debate at the U.N. General Assembly, which is a likely development—where the General Assembly will discuss the results of the investigations and will decide if a tribunal as such has to be set up or not—or else the Iranians want to bypass the context of the U.N. But this is bringing us back to the beginning because that means that the negotiations are broken off, and the whole thing has to begin once again.

Watergating “the Western way of progress”

The following interview is with Richard Fernandez of Clergy and Laity Concerned, who is a self-described “special prosecutor, Watergate-style” who is close to Ramsey Clark and the liberal human rights circle.

Q: There is now talk of three different kinds of Iran investigations: the U.N. Commission idea, an international tribunal, and something that will look into the crimes involved in imposing the “Western style of devel-

opment” like the Shah did. What do you think of all this?

A: It sounds like you read my private memo. I called for looking into five areas, including: (a) human rights violations; (b) the Shah’s money; (c) the geopolitical role of Iran and U.S. assistance for this; (d) Iranian grievances; and (e) something that Thomas Ricks, who we’re working with, labels “ethnocide,” which is a term co-equal with “Westernization.”

The complication on a Nuremberg-style inquiry is that it needs hard evidence. Probably, much of the data has gone through the shredding machine and we’ll never find it. And there are people in Iran who probably don’t want a big tribunal. ... And, here, a lot of high-up people will want to avoid a tribunal. Why? We in our investigation want to go after several U.S. agencies, the Rockefeller Foundation, oil companies, colleges and universities with ties to the Shah, and so on. My friend Eqbal Ahmad of the Transnational Institute, who is working with us, says that he wants to start ten Watergates with this process. I told Eqbal he’s too hardline, I only want five.

Q: What is the thinking behind your Riverside Church Commission idea?

A: The intention of the hearings is to paint a large picture of the five concepts outlined above. We don’t have all the sorry details we want, but there is a way to hear the testimony in such a way as to make the whole picture look coherent. ... Clark made all the preliminary points in a memo he wrote on this. He called it “the grand jury model.” He wanted a jury of 23 people, mostly church people, to get the thing in place. Dick Falk advised us that it would be hard to get a *legal* thing as such off the ground, for several reasons: American public opinion wouldn’t stand for it, we don’t have the necessary evidence, etc. So Ramsey suggested we go all the way with the thing *short of a verdict*. My strong feeling is that something in the next 30-90 days would be very useful to get going. Ramsey has been very helpful to us in planning this. Also working on the case were Falk, Eqbal Ahmad, Faud Ajami, Tom Ricks, the MERIP group in Washington, and Dick Cottam, the former CIA guy in Iran whom Falk was approaching.

Q: What further thinking do you have on this ethnocide idea of Ricks? Where else might it be applicable?

A: Well, maybe Korea. The cases where it’s applicable are where, as with the Shah, *laws* were used to force people to change away from their Muslim customs, to alter the dominant customs and traditions. To Westernize, the Shah *legally* suppressed the reactionary Muslims. Funny enough, the Soviets will face the same problem in Afghanistan. ... The Soviets and U.S. both find themselves burned when they try to impose what we call “the Western way of progress.”