

### **My terrorists, your terrorists.**

It's been said so many times before that it now sounds banal. But it's true: Yesterday's terrorists can be tomorrow's heads of state or allies. The clearest example: the case of Nelson Mandela, whose name wasn't removed from US terrorist lists until just a few days before his 90<sup>th</sup> birthday in 2013, shortly before his death. The USA had added Mandela and his organization, the African National Congress (ANC), to the lists during the 1980's. In the intervening period apartheid was abolished, Mandela was democratically elected president of South Africa and went on to be awarded the Nobel Peace Prize.

These kinds of situations, like the one facing the Palestinian Liberation Organization (PLO) today, are precisely the reason that states in the Global South remain reluctant to agree on a definition of terrorism at a UN level. They quite rightly fear that the category may be misused – after decades of witnessing anti- and postcolonial freedom fighters be discredited as terrorist suspects.

The names on the various lists kept by the UN, the EU and individual states, particularly the USA, are not limited to prominent political figures and their organizations. The situation is complicated by the fact that in the USA neither those affected nor the major civil rights organizations such as the ACLU have exact information on who is on what list or why, making it even more difficult to launch a defense.

This is a problem faced by many, many people, including filmmaker Laura Poitras, who is currently presenting her Snowden film *Citizen Four* at major festivals around the world. A recent publication from research portal “The Intercept” estimates that roughly 680,000 people are affected.

That number might be lower in Europe. But even here, governments and their allies continue to exploit the post September 11<sup>th</sup> climate for political purposes. It's not just Al-Qaeda suspects they are putting on these lists; the initial blacklists contained more Basque names than Arabic ones. The lists also included organizations that were involved in armed conflicts in their home countries. These are not – let's just clarify this now – nice organizations by any stretch of the imagination. They include groups responsible for war crimes and kidnappings, including the Tamil Tigers and the Colombian group FARC. But that's not why they were blacklisted. While the official aim of the lists was to block the financing of terrorism, there was relatively little confiscation of funds. Instead the governments involved wanted to do a political favor for their allies in the Philippines, Turkey and Colombia by adding these states' enemies to the lists. The torture, kidnappings and murder carried out by the listed groups was terrorism. Meanwhile the torture, kidnappings and murder committed by the Philippine, Turkish and Colombian governments continues to be conveniently ignored.

This was not a policy based on rule of law concerns, this was pure political opportunism. Had rule of law criteria been applied, the listed individuals would have had the right to hearings and judicial review. This would have led to an open debate on legal action against parties to an armed conflict and paved the way for court proceedings. And if you're going to label one of the conflict parties as a terrorist group, then why not their torturing and murdering opponents?

Once again the situation in the Middle East is a complete shambles. The old enemy Iran – under attack from the People's Mujahedin, which was listed as a terrorist group and yet occasionally gladly utilized by the West – is supporting the Iraqi government. The Iraqi government, which murders but isn't listed, is under attack from the recently listed and even more brutally murderous Islamic State (IS). Their progress could, in turn, be halted only the Kurds, some of whom, namely those in the PKK, are listed as terrorists. Which is why it has proven tricky, legally, to provide them with weapons.

Got that? Me neither.