

THE WALL STREET JOURNAL

December 5, 2008

EU Court Strikes Blacklisting of Iranian Opposition Group

BRUSSELS -- A top European Union court ruled for the third time that EU countries must take an Iranian opposition group off the bloc's list of terrorist organizations.

The ruling on Thursday dealt an embarrassing blow to the bloc and will force EU governments to decide whether to drop the listing or directly flout the court over the way it penalizes terrorist groups.

The Luxembourg-based European Court of First Instance said EU governments had "violated the rights of defense" of the People's Mujahideen Organization of Iran, also known as Mujahideen e-Khalq or MEK, and that EU governments haven't provided sufficient proof to blacklist the group.

MEK leaders and supporters in Europe's parliaments have long claimed that the decision to keep the group listed as terrorist is politically motivated. They say the U.K. and France are unwilling to provoke Iran by legitimizing the group during negotiations to end Iran's nuclear fuel program; such fuel also can be used to make weapons. The governments deny those accusations.

The MEK, which conducted numerous terrorist attacks in Iran from the 1970s through the 1990s, says it is no longer a terrorist group, having renounced violence in 2001.

The court made clear its exasperation with efforts by EU governments to evade its earlier decisions by relisting the group on different terms and justifications. The court stressed that the decision -- turned around in a day -- was its fastest ever. As a result the ruling -- unlike the previous two -- applies to the current blacklisting, not an earlier expired one.

Blacklisting requires EU nations to freeze the assets of a group or individual. The court said France's refusal to disclose evidence against the group to the court made the blacklisting illegal. France took over as sponsor of the EU's case against the MEK this year, after the U.K., the original sponsor, was forced by English courts to end its blacklisting of the group for lack of evidence.