



The concept of 'terrorism' has lost all meaning

This transcript may not be 100% accurate due to audio quality or other factors.

We recently launched our crowdfunding campaign so that we can continue our independent and non-profit journalism in 2025. Support us today:

BANKKONTO:
Kontoinhaber: acTVism München e.V.
Bank: GLS Bank
IBAN: DE89430609678224073600
BIC: GENODEM1GLS

PAYPAL:
E-Mail: PayPal@acTVism.org

PATREON:
<https://www.patreon.com/acTVism>

BETTERPLACE:
Link: [Click here](#)

The acTVism Munich e.V. association is a non-profit organization with legal capacity. The association pursues exclusively and directly non-profit and charitable purposes. Donations from Germany are tax-deductible. If you require a donation receipt, please send us an e-mail to: info@acTVism.org

David Kattenburg (DK): Hello and welcome to the Green Planet Monitor. I'm David Kattenburg. On December 8th, against all odds, and after almost a quarter century rule, Syrian President Bashar al-Assad, widely referred to as a dictator, although not everybody agrees with such reference term, was overthrown by a seemingly ragtag but clearly well-organised alliance of Syrian rebel forces led by a group called Hayat Tahrir al-Sham, or HTS. Now, according to Wikipedia – and I always go to Wikipedia to get a fast and dirty explanation for things – according to Wikipedia, and reasonably credible, HTS, according to Wikipedia, pursues, quote, "a Syrianization programme focusing on establishing a stable civilian administration that provides services and connects to humanitarian organisations in addition to maintaining law and order". Sounds like a really respectable thing to be pursuing; that's my own comment. Prior to December 8th, the U.S. and other Western states labelled HTS a terrorist entity with ties to the al-Nusra Front, an offshoot of ISIS in Syria, a bounty was placed on its leader, a guy named Abu Mohammed al-Jolani. Al-Jolani now calls himself Ahmed al-Sharaa, has switched his military fatigues for a sharply cut suit, and is now meeting with Western officials, including a representative of the U.S. State Department and Turkey's Minister of Foreign Affairs. They were together on Al Jazeera yesterday, at least Al Jazeera was live streaming it. In the wake of Bashar Assad's ouster, as if it couldn't have been expected, Israel launched a savage bombing campaign up and down Syria, destroying much of the Syrian air force and navy, such as they are, or were at the time, and other Syrian military and scientific facilities. And Israel promptly seized lands north and east of the Syrian Golan Heights, expanding the area of Golan Heights territory that Israel occupied in 1967 and illegally annexed in 1981. Of course, Israel will hold these lands indefinitely, Prime Minister Benjamin Netanyahu says. Netanyahu now faces an international arrest warrant, that's a totally other story. And Netanyahu says Israel is going to double the number of Jewish colonists now living in the Golan. To make matters absolutely clear, Israeli soldiers have fired on and injured local Druze villagers. They may be happy about Bashar al-Assad's downfall. They're not happy to see Israeli soldiers and settlers steal more Syrian land. With me to talk about all this, the downfall of Bashar al-Assad, how it happened, who engineered it, and wider developments across Southwest Asia from brutalised Gaza and the Palestinian West Bank – and now I'm going to switch to gallery view – and across to Iran, up to Lebanon and across to Iran, is Dimitri Lascaris. Dimitri is a Montreal and Greece based lawyer, rights advocate and journalist, and the founder of a brand new media platform, Right2Resist. Hello, Dimitri Lascaris. Welcome to the Green Planet Monitor.

Dimitri Lascaris (DL): Hi, David, thanks for having me. And by the way, it's Reason2Resist.

DK: Reason2Resist. Ah...

DL: But I like Right2Resist, too.

DK: That's going to totally change my follow up question. Dimitri, for a guy like me, it's a little confusing. Like, you know, I read The Guardian, I watch Al Jazeera all the time. And if you follow their their news reporting, you'd think that Bashar al-Assad just has gone through a well-deserved downfall driven out by, you know, this Islamist group, is referred to as an

Islamist group, and I mean the United States and Israel and Turkey are happy and they've kind of been like helping out, but it was an authentic indigenous, organic movement that overthrew Bashar al-Assad. But if you follow other reporting like radical alternative platforms like Reason2Resist and others, you're not the only one by any means talking to Jeffrey Sachs, who you did and I have. And Jeffrey Sachs has what I'd refer to as a kind of an alternative point of view, radical, very much along the lines of what you put forward. Dimitri, I'd like you to explain for me your own take on Bashar al-Assad's downfall, how it all happened. But before you do that, what sense do you make of this complete divide in media reporting? Like, who's to make any sense of this?

DL: We're into la la land now, David. That's all I can say. I mean, even today, let's just talk about HTS for a moment before we talk about Bashar al-Assad. Even today, you can go on the website of something called the United States Commission on Religious Freedom, which is an arm of the U.S. government and see reports, a report issued in November 2022 – this is not ancient history – which says that HTS has committed rape and other forms of sexual violence, killing in detention, torture and other various and sundry atrocities. And you can go today to the government of Canada website where it lists HTS as a terrorist organisation and accuses a faction within HTS known as JN of having engaged in numerous suicide bombings, including a suicide bombing in 2017 that killed 74 people, including eight children. This organisation, according to a longstanding policy of all Western governments, all major Western governments, has engaged in atrocities that squarely meet the definition of terrorism. And until a few days ago, the leader of HTS, Jolani, whom they're now trying to rebrand with the name al-Sharaa, was the subject of a 10 million dollar bounty issued by the U.S. government. They just removed it after we're told representatives of the U.S. government met with al-Jolani and received assurances that he would not allow ISIS back into Syria, which I find rather amusing because he, in essence, according to Western governments, is himself ISIS or al-Qaeda. In any event, reality is being stood on its head. What is going on...

DK: The question is, who is he? I mean, the question is, who is he and what's the organisation he's involved with? Because, I mean, the United States, Canada, Western Europe, the EU, UK, Germany, France, they refer to Hamas as a brutal terrorist organisation and Hezbollah as a brutal terrorist organisation. And the Turks, of course, refer to the PKK [Kurdistan Workers' Party] and many of the Kurds in northeastern Syria as terrorists. And Russia has its terrorists and China has its terrorists. So to refer to al-Sharaa, whatever his name is, Jolani, simply as a terrorist and write him off as that, as the West used to do, it seems a little bit facile to me.

DL: I'm glad you said this, David, because I want to raise a larger point here. It's not said often enough. Recently, as you know, in Canada, the Canadian government designated an organisation called Samidoun as a terrorist organisation. And the International Civil Liberties Monitoring Group came out with a statement. This is an important, reputable group of human rights experts who said, you know, we should just get rid of this terrorist designation nonsense because it's purely political. And it is. You know, basically the reality is that the terrorists are the people who are fighting on the other person's side, your opponents. This is

the only way you can make sense of terrorist designations in the world today. If they're fighting on your side, they're freedom fighters, and if they're fighting on the other side, they're terrorists. That's really what it comes down to. And if you think about it philosophically, why would we place special importance on crimes of violence that are done for political or ideological reasons? I've never understood why that's worse than committing a crime of violence for purely selfish reasons, like you want to enrich yourself. Why is that worse?

DK: Or for freedom and democracy?

DL: Correct. You know, we should just get rid of this whole nonsense about terrorism. It's really muddied the waters. It is endlessly manipulated by governments around the world. And Syria is a classic example of this.

DK: Okay, so HTS, you've just pointed out, Dimitri, and I have no doubt that HTS and al-Nusra Front before it and a whole bunch of other factions in Syria and elsewhere have committed awful atrocities. The question is – let's get down to it: How do you explain Bashar al-Assad's downfall on December 8th? And this group, who this group was, who seems to have overthrown him at the vanguard of a kind of an array of different factions? Which I gather, you know, al-Jolani and HTS, right, and then Aleppo and then move on to Damascus in a sudden surge. And I'm sure they were assisted and helped certainly with intelligence and logistics by the U.S. and maybe Israel. But I mean, what happened on December 8th, Dimitri?

DL: Well, I think to understand what happened, you have to have a sort of a realistic assessment of who Bashar al-Assad was. You know, Bashar al-Assad, I think he can fairly be described as a dictator. His father and he ruled Syria in an authoritarian manner for approximately 50 years. You know, and there is credible, compelling evidence that his government engaged in numerous human rights violations, including torture. One such person was Maher Arar, a Canadian who was tortured in Syrian dungeons. So at the same time, however, we in the West have been told a one-sided story of Bashar al-Assad. While none of those crimes are justified, he also was somebody who, relative to other governments in West Asia, had ensured that the society of Syria was pluralistic. You know, Christians, Muslims, Sunnis, Shia, up until this war began about a decade ago, lived peacefully and coexisted peacefully. He also treated women much more respectfully than a lot of the U.S. backed regimes, particularly Saudi Arabia, in West Asia. So the record wasn't entirely, I would say, negative, but certainly he had, for good reasons, opponents within Syria, for obvious reasons, there were significant portions of the population. So that worked against him. But I think ultimately what really brought him down was the United States basically crippled his government economically. It occupied the northeast of the country. It stole the oil for years, as Donald Trump openly admitted. It also occupied the areas of the country that produced wheat. It subjected Syria to punishing sanctions. Then you had the Turkish forces allied with the United States to a large degree in Idlib, another significant part of the country. You had the ongoing occupation and annexation of the Syrian Golan Heights and Israel regularly bombing the country, which was going on for years. And so the accumulation of all

these things greatly weakened Bashar al-Assad. Exactly what the mechanics were of the downfall, it's difficult to say. My strong suspicion is that there was some kind of a deal that was done by some combination of Russia, Turkey, the United States and Israel, which essentially enabled HTS to seize power in Damascus with relatively little bloodshed. What the contours of that deal were, I don't know. I don't purport to know and we may never know. But it's hard to believe that the military of Syria ceded the ground all the way to Damascus so readily without some kind of a backdoor arrangement having been struck.

DK: And what do you make of this guy Ahmed al-Sharaa, which he calls himself that, right? It's not the media who's calling him that or the Western powers. I seem to understand that it's this guy himself who now has thrown off his nom de guerre and is calling himself Ahmed al-Sharaa. So what do you think, I would ask you think good times are ahead for Syria? No, I don't think so. There are certainly not. But do you think this group represents a kind of as an organic, authentic expression of the Syrian people's will for self-determination to some degree?

DL: So, first of all, I'm not convinced his name actually is al-Sharaa, okay? I'm not sure it's al-Jolani either. Al-Sharaa is a famous family in Syria. The most famous member of that family was the vice president of Syria back in around the time that the wars began until 2011. And he was a very respectable figure who resigned when he realised that that war could not be avoided by means of negotiation. He gave a famous speech at the Madrid peace conference where he castigated Israel for its brutalization of the Palestinian people. And I think so basically what this Jolani character is or whatever his actual name is, he's trying to traffic off of the high esteem in which Farouk al-Sharaa is held by the people of Syria. But at the end of the day it doesn't really matter. All we really need to bear in mind here, to me this is the most revealing fact of all, David, is that at the very moment when he seized power in Damascus, when Israel was driving further into southern Syria, seizing more land, ethnically cleansing parts of the territory it newly occupied, and bombing the bejesus out of the country, al-Jolani said effectively, we have no quarrel with Syria, the real enemy here is Hezbollah and Iran.

DK: We've got no quarrel with Israel.

DL: Correct. As Israel is bombing the country, and as Israel is stealing more land, let's recall that Israel has illegally occupied the Golan Heights, which are of strategic importance to Syria since 1967. And when that happened in 1967, Iran was under the rule of the Shah, who was pro-Israel. So the seizure of the Golan Heights and Israel's refusal to give it up had nothing whatsoever to do with any kind of a threat from Iran. It was just a naked land grab and an attempt to subjugate Syria. So how could this man, who claims now to be the saviour of the Syrian state and the Syrian people, declare as Israel is bombing his country and stealing more land, that he has no quarrel with the Israelis, wants to make peace with them, and the real enemy is a government, Iran, which is not threatening to attack Syria. In fact, they've been quite diplomatic in their language since Jolani seized power. And Hezbollah is not threatening to attack Syria, and Hezbollah is really, frankly, not in any condition to do so, because it just went through an extremely punishing war with Israel. So I think that tells you

all you need to know about al-Jolani. Al-Jolani, and this is why the bounty has been removed from his head, is a pawn of the United States and Turkey. And he's making nice with Israel because that's what they want him to do.

DK: Maybe he's "making nice with Israel", quote unquote, because he realises that if he starts issuing really angry, much less threatening comments, demanding that Israel get out of the Golan, that his goose will be cooked, so he's keeping his powder dry.

DL: Well, first of all, he could do a lot more without having to take up arms against Israel. By the way, how is it that they had the capacity to go all the way to Damascus, this HTS militant group, and basically run over the Syrian army, and yet they don't have the ability to put up any armed resistance whatsoever to Israel on their own land? That doesn't make any sense to me. If they had the military capacity to seize Damascus, they could put up at least some armed resistance.

DK: Well, Israel exercises effectively complete sovereignty over Syrian territory. It did even when Assad was in power with all his Russian missiles, his Russian Scuds or whatever, that the Russians would never let Assad fire off at the Israeli F-35s.

DL: Actually, David, I think that's not borne out by the evidence, what you just said. Israel has systematically struck air defence systems that were all over the country, and Israeli commentators themselves are now saying that because the Syrian army has been dismantled, and they've taken out all these air defence systems, they can now freely use Syrian airspace to attack Iran. This is a common theme in the Israeli discourse. So, in fact, even though they did successfully attack Syria on numerous occasions, there was enough air defence capacity in Syria to pose a serious problem for the Israeli military. That's now gone.

DK: When was the last time that a Syrian anti-aircraft-ground-based battery shot down an Israeli plane over Syrian territory? When was the last time that happened?

DL: Well, you're assuming that they were over Syrian territory.

DK: Oh, they overfly Lebanese and Syrian territory, well...

DL: Yeah, you could strike targets in Syria by flying your plane over the Golan Heights, the part that's occupied by Israel. You don't have to enter Syrian airspace with the modern technologies in order to strike targets within Syria, but not being able to enter its airspace does place some limitations on what you can do militarily. In any event, I want to go back to al-Jolani here for a second. Al-Jolani doesn't even have to put up armed resistance to at least make a showing of being the saviour of the Syrian state. He could have said something along these lines: I'm calling upon the United Nations to act now to stop Israel's aggression against my country. I'm calling upon the UN Security Council to convene an emergency meeting and consider what measures are necessary to bring an end to this aggression. He could have done that. He didn't even do that. He made no call for the international community to intervene. This is disgraceful. This man is the saviour of the Syrian state? I mean, come on. I don't think so. And at the end of the day, the record of this organisation, HTS, particularly in Idlib,

suggests that it is going to be highly sectarian. Once the Western media stops showering affection upon al-Jolani and begins to ignore what's going on in Syria, I think it's reasonable to expect that the Christian elements and the Shia elements and the Druze elements in the society are going to be subjected to quite severe oppression. That's what the record of HTS in Idlib points to. You are what your record says you are, and that is what HTS has been in Idlib.

DK: And there's going to be a continuation of just this factionalism, like dozens of factions fighting each other, you know, Turkey backing some, the Americans backing others, the Israelis, I suppose, playing it either way. But what the Israelis want is for Syria to be a basket case, completely divided, completely incapable of defending itself, increasingly occupied. It's interesting that people like Smotrich are calling on Israel to move right up to Damascus, right? Like the southern suburbs of Damascus are the northern borders of greater Israel.

DL: Yeah. And sadly, David, I think you're right. This is very likely to descend into chaos. I hope I'm wrong. The Syrian people have suffered enough. They deserve a prosperous, free, democratic society as much as anybody. But I think you look at the reality on the ground. And by the way, they haven't even lifted the sanctions yet, these devastating sanctions. The U.S. has given no indication it's going to give up, return the oil and the wheat to the jurisdiction of Damascus. Turkey's not going anywhere. In fact, they're waging war against the Kurds in the northeast of the country. As you indicated, the factions that make up HTS and the rebel groups have disparate agendas, disparate visions for the country. None of these groups has any democratic legitimacy. They've not been elected. And you've got huge, large numbers of Syrian refugees who have nothing, absolutely nothing. I was in Lebanon several times, as you know, in the past couple of years, and I saw the camps in which the Syrians were living just on the Lebanese side of the border with Syria. And these people were in destitution and they're coming back now. And there's no plan for receiving them, no plan for reintegrating them into Syrian society. What if their homes are destroyed? What if their homes are now occupied by others? How are these people going to be cared for and reintegrated into society? This is a mess. And although, you know, Israel and the United States are crowing now about the downfall of Bashar al-Assad, this could become quite a quagmire and a difficult situation for all the regional powers to have to contend with.

DK: All the more challenging because there is no rule of law in the world today. International law has been completely hollowed out. It's been Israel and the United States. I refer to it as Israel-USA has proven that international law, they hate conventions, the Geneva Conventions, the UN Charter, the covenants on civil and political and economic and social cultural rights and all these things, the Rome Statute, they're all totally devoid of meaning. They're an empty shell. So given, you can comment on this, but it makes the current situation, events in Syria, you know, adding on to what's going on in Gaza and the West Bank and Lebanon and everywhere in between really scary.

DL: I completely concur, David. We've seen the wholesale destruction of the international legal architecture over the last 18 months. I mean, of course, there have always been states, including in the West, particularly the US, that have violated international law. Israel has been doing it for a long time. But my feeling is that nonetheless, international law did influence the

behaviour of governments and the major powers and did impose some kind of a constraint on their behaviour, at least publicly, I think that that's all gone now. And we are living in the era of the jungle today. So where all of this is going to lead, it's horrifying to even contemplate in the current circumstances. But this isn't over by a long shot. Anybody who thinks that the resistance to US hegemony in West Asia is over, I think is dreaming. It isn't over. They're going to continue. They haven't even defeated Hamas in Gaza. They haven't defeated Hezbollah. Hezbollah continues to exist and continues to have something of a missile arsenal. Iran has all of the missile capability that it had before Bashar al-Assad fell. And Israel seems hell bent on eliminating any and all resistance. And as its leaders are fond of saying: On cutting off the head of the snake. And with an incoming Trump administration that is full of Iran hawks and neocons like Marco Rubio, it's hard to see how this isn't going to escalate in the months ahead. Again, I very much hope I'm wrong, but I just can't see how this isn't going to escalate.

DK: And bringing it all back home, it would seem that if ever there were a time for the Canadian government to just issue a ban on Israeli settlement products or on Golan Heights wines, falsely labelled product of Israel – Golan Heights wines from the Israeli illegally annexed Syrian Golan Heights sold in Canada as a product of Israel. And they're there on the store shelves, the liquor control board of Ontario, the largest liquor retailer in the world, now's the time to ban them. And of course, full disclosure before you respond to that, for those who don't know, I was involved in a court case together with Dimitri Lascaris calling on the Canadian government agency to label West Bank settlement wines as such rather than products of Israel. And Dimitri won this case over the course of five years. Won't get into it, this is just full disclosure. So, but Dimitri, I mean, now is the time if ever for the Trudeau government to say we're banning Golan Heights wines.

DL: Yes, David, we thought we won. And you are the person who drove that litigation. You are the person who made it possible. So I want to be clear about that and commend you highly for your commitment to the Palestinian cause. But even there, David, as you properly point out, you know, the government has not, in fact, acted on the decisions of the courts and just basic principles of international law, its own foreign policy, which is that the settlements are a violation of the Fourth Geneva Convention to remove these labels from these wines. I mean, it won't even do that much in a time of genocide. This exemplifies the degree to which we now live in the era of the law of the jungle.

DK: But here, post post fall of Assad with the future of Syria on everyone's mind, Syrian self-determination, autonomy, capacity to produce economic vibrance, I mean, these are all very high hopes amongst the most productive regions in Syria. It's kind of high altitude and cold, but the Golan Heights, Israel's producing wines there and it's actually exploiting oil and gas in the Golan Heights. I mean, wow. If Canada, if the Trudeau government had a position on the path forward for Syria in the wake of Assad, what better signal to send out than to say, you know, henceforth, we're no longer allowing Golan Heights products of Israel wines into Canada. They're just banned. And it's not going to do it. It's not going to do it.

DL: Yeah. It's a quite dark time we live in, David. I still believe at the end of the day, and it's

not based upon, in my view, some wishful thinking, but just sort of a cold heart assessment of what is happening on the ground, not just in West Asia, but globally, that the U.S. and its satellite, it's massive military base masquerading as a country, namely Israel, will ultimately be forced to deal in a responsible manner with the human rights of the Palestinian people and the other indigenous peoples of the region. If for no other reason that the U.S. militarily, economically, and politically is in rapid decline and without U.S. hegemony, Israel cannot be a regional hegemon. It depends, as its own leaders have acknowledged during the last 14 months, it depends critically on support from the United States. The United States simply isn't going to have the capacity to do what it has been doing for the last 50 years globally, because of the inherent defects in its own economic and political system. Which nobody in the U.S. political elite seems intent upon addressing. This is a country that's in serious trouble...

DK: Now you're talking about Israel.

DL: Israel, because it is so reliant upon U.S. power and because U.S. power is in decline, this is going to have profound consequences in the long run for Israel. Personally, David, I think, if I were the leader of Israel and I didn't give a damn about the Palestinian people, just to protect my own country, I would do a deal with them now. I would do a deal with them now. I would say you can have a state along the 1967 borders because that's a fantastic deal for Israel, okay? It gives the vast majority of the territory of historic Palestine to the Jewish population of Israel, which constitutes approximately half of the total population of historic Palestine. And that's probably the best deal they're going to get in the long run. So I would secure that deal now, bring an end to all of this, normalise with the Arab States while they're in a position of strength, because their position is going to weaken over time. And it will get to a point where the Palestinians are saying, no, we're not taking that deal anymore. Sorry. We want the whole enchilada. That's where this is heading. So these people, if even if they were just acting purely in the interest of the state of Israel and the Jewish population of Israel, and they were thinking longterm about the harsh realities confronting Israel as U.S. power wanes from the region, that's in my opinion, that's the sensible thing for them to do.

DK: Let's think about strategic lawsuits as a vehicle for convincing Israel to come to its senses and become a normal country, an ordinary country, whatever that is. I was just reading in the Guardian today that there is now a lawsuit being launched in the United Kingdom with a handful of Gazans, British Gazans as plaintiffs, suing British Petroleum, BP, demanding that it cease to provide the Israeli military with petroleum, coming down from Azerbaijan through, wherever, Turkey, and then down to Israel where it gets refined, providing Israel's F-35 jets with what they need to go bomb Gaza. And these plaintiffs, they're suing British Petroleum in Britain. They've launched a lawsuit. Can you comment on this Dimitri? And if you feel prepared, share whatever you can share about this other strategic lawsuit, if I can call it out, that you're involved with in Canada. Can you talk about that?

DL: Sure. I don't know too much about this case, involving BP that you just referred to. There's quite a bit of litigation ongoing now. But I just want to part company with your use of the term strategic lawsuit. I understand why you're using that term, but in the litigation world

amongst lawyers, that's a pejorative term. From a lot of people's perspective, it's kind of like you bring litigation for illegitimate reasons in order to achieve some kind of a larger objective, which isn't necessarily consistent with the interests of justice. I don't view these lawsuits as being strategic. I view them as being entirely well-founded and quite arguably the best way to vindicate the basic human rights of the Palestinian people. So in the case of BP, this is a, I think, very promising approach. There are a number of major Western corporations that are profiting from the oppression and ongoing annihilation of the Palestinian people. They make for very unsympathetic defendants in the courts of law of the West. And when you go to court, David, I've personally found, as was the case in your claim against the Canadian government, that the courtroom is a more level playing field for Palestinians and their advocates than the court of public opinion. And the reason for this is because there are rules that you have to comply with in a courtroom that you can simply ignore in the court of public opinion. Number one, you have to give evidence under oath. And if you lie, you could be subjected to a criminal charge of perjury and sent to jail. Number two, you have to be subjected to cross-examination. As you recall in your case, the government put up a witness, and I had the opportunity to examine him under oath in a conference room in Toronto. And secondly, the judges are required to follow established precedent, and they are required to explain their reasons. Again, this was a principle that we saw put into action in your case, where the federal court of appeals said that the Canadian food inspection agency had not adequately explained its reasons for allowing these products of Israel labels on these wines. So there's a requirement of transparency, a requirement of justification for your decision. None of this is strictly speaking required in the court of public opinion. People can pretty much get away, especially when it comes to Israel with saying anything they want, not being subjected to any meaningful scrutiny. And it's really a very difficult environment in which to operate. I think legal action against Israel and those corporations that are complicit in its crimes, if done intelligently with capable counsel and the plaintiffs who are truly committed and present a very sympathetic set of facts to the court, that this is a very promising way in the longer term, to achieve justice for the Palestinian people. The downside of course, is that litigation, as you found out, David, we're now into what, seven years since we started your case, and it's still not been definitively resolved, is that they're very time consuming. They move at a glacial pace, especially if the defendants want to slow them down. And the Palestinian people in Gaza don't have that much time. That's the downside. So litigation is an important tool, but it's not the only tool that we need to bring to bear to protect our brothers and sisters in Palestine.

DK: Now, can you talk about the case in Canada that you're associated with?

DL: Sure. So in this case there's a group of seven lawyers. We're all working on a pro bono basis from around the country. and we represent two Palestinian Canadians who have family in Gaza, who have lost dozens of family members during the past 14 months. And one of whom was actually in Gaza visiting on October 7th and who narrowly escaped with his life after having been largely ignored by the Canadian government. These are our clients. We have filed a claim in early November alleging essentially two things. The first is that the Canadian government's obligation under Article one of the genocide convention to prevent

genocide has been triggered because there is a material risk of genocide in Gaza. And secondly, that the Canadian government is not only floating that obligation under Article one of the genocide convention, but is violating the constitutional rights of our clients, specifically their right to equality and the right to security of the person. So to start any litigation, you have to file something called the statement of claim, which sets forth the facts underlying your claim, the legal basis of the claim and the relief that you're seeking. And we filed that with the court on November 5th, and the government is now obliged to do one of two things. It has to file either a statement of defence, which is its response to our allegations, or it has to bring a motion to strike out some or all of the claim. We don't know which of those two things the government is going to do. It has not yet clearly communicated its intentions to us, but it's going to have to do that very soon. Once we resolve those issues, in theory the next phase of litigation is the discovery where we actually have to produce, as does the government, all relevant non privileged evidence in their possession and then there are things called examinations for discovery. These are interrogations that take place under oath out of court. And then after that, there's a trial. So the bottom line is we're at a very early stage of this litigation. We are going to push it forward as quickly as we can, but I suspect the government is going to want to slow it down as much as possible.

DK: And it's interesting that attempts have been made to charge Joe Biden and Antony Blinken and Lloyd Austin in the United States. There was a case that went before the Northern District of California last year, which the judge was very sympathetic to. This was like right, like within hours of the International Court of Justice ruling that there was a plausible case for South Africa to want to protect the right of the Gazan people not to be killed in a genocide. It's a little convoluted. And the judge took great sympathy in that and said, you got a lot going with your arguments, but we're not allowed to charge the President and the Secretary of State and minister of war with war crimes. But the battle continues. Those guys are arguably guilty of genocide.

DL: Oh, they are. I mean, there's just no question about this. Certainly there are aiding and abetting genocide, which is prescribed by the Genocide Convention. But I think it's worse than that. I think there are actual co-perpetrators, but you wouldn't have to establish that in order to succeed on a claim under the genocide convention, because as I indicated, aiding and abetting genocide is itself a crime under the genocide convention. No question they're doing that. But just to be clear about what happened to that case, as you indicated, the trial judge embraced the position of the International Court of Justice, that it was plausible that Israel was committing genocide. But he then invoked something called the political question doctrine, which basically means that if it engages a matter of national security and foreign policy of the United States, the courts cannot intervene. Really, I mean, this is just a fancy way – they call it the political question doctrine – it's just a fancy way of saying the court doesn't want to touch the hot potato. That's all it really means. And I think that's an abdication of the court's responsibility. Especially when you're talking about the crime of crimes, genocide. This went to the court of appeal, this decision and the court of appeal sadly upheld the decision. I understand that the plaintiffs in the U.S. litigation are thinking about whether to seek leave to appeal to the United States Supreme court. If they did seek leave, the odds

are that they wouldn't get it. And even if they did, given the composition of the United States Supreme court, I don't know that they would get a sympathetic hearing there. I doubt that they would, so I don't know whether they're going to seek leave. And that case is, I think fairly we can say it's hanging by a thread. But there's another case out there, that's been brought and it is brought under something called the Leahy law. It was just filed. And this is a law, which I think was sponsored by Senator Patrick Leahy, a Democrat who actually did care about international human rights. And the law basically says that the U.S. Government can't sell military equipment to somebody who's committing severe human rights abuses. So the plaintiffs in that case, which has just begun, are saying that the U.S., the Biden administration, is violating domestic laws of the United States by sending weapons to Israel. Again, I wouldn't be surprised if the government invokes the same doctrine, I even hesitate to use the word doctrine, because it isn't a doctrine. That's a euphemism. It's just, as I said, an abdication of judicial responsibility and they may defeat that case on that basis alone. But I think that's going to be hard because you're talking about a domestic law that is very clear. And I think the government is going to have quite a challenge on its hands, the U.S. government in defeating that case.

DK: Dimitri Lascaris, we're coming to the end of our conversation. Donald Trump is going to be sitting down again in the White House on January 20th. It's coming soon. It's a scary notion for some, it's exciting for others. What do you think he's going to do in the Middle East and wider Southwest Asia? I'm reckoning that Trump is going to green light full Israeli annexation of the West Bank and give its blessing for that. And also give its blessing for Israel to totally expel a million and a half Gazans from Gaza, driving them into who knows where, into the Egyptian desert, the Sinai or across the border into Jordan or who knows what. I think that Trump's going to green light that, and who knows what else in Syria and Iran. What are your thoughts about this? What are your prognostications, taking out your crystal ball?

DL: Let me stress that it is a crystal ball. Sometimes it doesn't work. So I just want to be clear about that. Look, again, you are what your record says you are. When has Donald Trump not given Israel what it wants? You know, he gave them the Golan Heights. He gave them Jerusalem as their capital. He gave them piles of money. He's defended them at the UN security. He killed Qasem Soleimani, the top general in Iran, almost igniting a war between Iran and the United States. When has he not given Israel what it wants? So I think it's pretty much a no brainer that he will green light the annexation of the West bank. Now, when it comes to the expulsion, see there is one countervailing consideration here, David, and that is Trump is concerned about economic collapse. I don't think he wants to see the United States go into an economic tailspin. And if he has half a brain up in that orange head of his, he'll know that a full blown war with Iran is going to cause havoc to the global economy. The price of oil is going to soar. Iran has the capacity to effectively stop the flow of oil out of West Asia, including to Europe. And this is really a very, very dangerous path to go down; just from a purely economic perspective. And if he's getting sound military advice, they're going to tell them, look, we can't stop those hypersonic missiles that the Iranians have. We tried that and it didn't work. So maybe this isn't such a good idea. And also while I'm sure

Trump doesn't give a damn about the expulsion of the Palestinians into the Sinai and into Jordan, I don't think that the autocrats of Egypt and Jordan have any interest in going there at all. This is going to be highly, highly destabilising to their countries. If they allow that to happen, David, I think we can all, and I think they understand this, and the Muslim world understands this, if something like that happens, the next step is going to be the destruction of the Al-Aqsa mosque. I mean, do you think if Israel gets away with expelling the Palestinians from Gaza and the West Bank, does anybody think they'll have any compunction about destroying the Al-Aqsa mosque? Of course they will. So we're talking here about a situation that is explosive, that could cause a huge uproar in the Muslim and Arab world and introduce a level of instability into the region that the likes of which we've never seen in our lifetime. So hopefully, hopefully Donald Trump has enough sense in his head and the advisors around him are cognizant enough of the risks that he's not going to push the more extreme aspects of Israel's agenda. But I don't know. I don't know whether he has enough sense in his head not to do that. If he does give Israel again, everything that it wants, look out man, because there is going to be a massive explosion coming.

DK: Is Iran, on that question, is Iran going for a bomb? Do you think?

DL: Well, again, if it were me, I would be doing precisely that right now. North Korea has demonstrated beyond a shadow of a doubt developing your own nuclear arsenal is a pretty powerful deterrent to U.S. aggression. And by all accounts, many experts say that Iran has the capacity to do it and that they're relatively close to doing it because Trump destroyed the Obama-era nuclear deal, which Iran was complying with. This is one of the many ways in which Trump's foreign policies have turned out in disastrous ways. If Iran does develop a nuke, this by any rational measure would be a huge strategic defeat for the United States and Israel. It would enormously change the equation in West Asia and impose very serious...

DK: I think that Dimitri has frozen.

DL: Can you hear me?

DK: Yeah. We picked you up again, thank heavens. Keep going. If Iran gets a bomb, it's going to be a huge strategic defeat for the U.S. and Israel.

DL: Right. It'd be a game changer. It won't mean that Iran will dominate the region, but it will mean that the United States and Israel would be forced to pay some heed to the strategic interests of Iran and will probably not be interested in waging an all out war against Iran because of the danger that they themselves will be on the receiving end of a nuke. The bets are all off at this stage as to what's going to happen in that regard. Iran might be in the process of developing a nuclear weapon as we speak

DK: Dimitri Lascaris, last question. Reason2Resist, your new media platform, why resist? What reason would you put forward to people to resist? And resist against what?

DL: To resist imperialism. The primary objective of my programme is to expose the many ways in which the imperialist agenda of Western governments is causing suffering in this

world, oppression in this world, and really constitutes an existential threat to all of humanity. I think that the greatest threat we confront today is not climate change, as much as I worry about that very serious threat, it's Western imperialism. It's out of control. It's run amok. These people have lost their minds. We're very fortunate not to have descended into a nuclear exchange with the Russian Federation at this point. They are hell bent on quote unquote "containing China", agitating for Taiwanese independence, which is extraordinarily provocative and dangerous. And of course we have the situation in West Asia, which we've been discussing. There are two reasons to resist Western imperialism from my perspective. The one is just basic human decency. You know, if you want to have a just democratic world where people are truly treated with dignity and respect, then you have an obligation in some manner to resist Western imperialism. And the other is a practical one of human survival. I'm not going to repeat what I said, but this is really a matter of our survival. So, I think we have abundant reason to resist. And my goal in doing this programme is to encourage people to do just that.

DK: Dimitri Lascaris, thank you so much for joining me on the Green Planet Monitor.

DL: Thank you for having me, David. It's always a pleasure speaking with you.

DK: Dimitri Lascaris is a lawyer, human rights advocate, and journalist based in Montreal and Greece. We shall link to Dimitri's media platform, Reason2Resist at greenplanetmonitor.net. Thank you so much for joining us today.

END