

MARCH 4, 2014

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BEFORE THE HOUSE FOREIGN AFFAIRS SUBCOMMITTEES ON TERRORISM,

NONPROLIFERATION, AND TRADE; MIDDLE EAST AND NORTH AFRICA



Iran's Dark Past Foreshadows an Even Darker Future

Chairwoman Ros-Lehtinen, Chairman Poe, Ranking Members Deutch and Sherman, and the distinguished members of the House Committee on Foreign Affairs: Thank you for inviting me to testify at today's important hearing on Iran.

I have had the pleasure of working with many of you, and I understand your deep commitment to shaping and influencing American foreign policy. I appreciate your bipartisan efforts to achieve that end.

As talks between the P5+1 nations and Iran over its nuclear program continue, we need to examine Iran's past and present, and determine how that will foreshadow its future.

We are all well-aware of the threats and actions of the Islamic Republic over the past 30 years – including its failure to pay what is now \$18 billion in damages awarded to victims of its terror attacks in U.S. courts – which I will discuss later in my testimony. However, it is the future and evolving threat about which we must be most concerned. My intelligence background tells me that we need to anticipate potential developments and ask the tough questions about where Iran may be heading. We know the past. How does that inform the future?

What are the potential dramatic developments that could transform the threat from Iran, and its proxy Hizballah? There are at least three areas that I believe will significantly magnify the threat that the United States will face from Iran. These go well beyond Iran's commitment to continue to use its conventional terrorist tactics, expand its sphere of influence, and develop its ballistic missile and nuclear program. Transformational areas include:

- An increasing sophistication of Iran's cyber program and capability to conduct cyber warfare.
- A strengthening of the relationship between Iran and Russia.
- The possibility of more collaboration between Iran, Hizballah, Hamas, al Qaeda, and the Muslim Brotherhood, as well as other Islamist terror groups.

The developments in these areas will significantly impact America's security moving forward. It is important to note that none of these issues can be considered in isolation. They all impact one another in various ways.

Please allow me to discuss each of these in more detail before I elaborate on Iran's and Hizballah's history.

Cyber Threat

Cyber space is the new battlefield, and it is an especially difficult environment. Cyber is hard to detect. It is difficult to identify attackers. It can result in significant damage. It can reach globally and cross borders effortlessly.

Unfortunately, the U.S. has no unified strategy to protect its cyber space.

Gen. Keith Alexander, commander of the U.S. Cyber Command, recently testified before Congress where he cautioned against a potential attack “that galvanizes some of these Islamic fundamentalists into a true fighting force...we don’t have the proper footing...to stop that.” He went on to state that regardless of the work at Cyber Command, “I worry that we might not be ready in time.”

The Iranian regime is fully aware of our vulnerabilities, and it reportedly has grand ambitions for its cyber warfare capabilities. Only a few years ago most experts rated Iran at tier two or tier three cyber capabilities. Today many are surprised and believe that Iran has dramatically closed the gap and ranks closely behind tier one cyber powers such as the U.S., Russia, China, and Israel. They are not only surprised, but they are perplexed at how Iran could have made up so much ground so quickly.

In March 2012, Ayatollah Ali Khomeini, the Supreme Leader of Iran, announced the creation of a new Supreme Council of Cyberspace to oversee the defense of the Islamic Republic's computer networks and develop offensive avenues to infiltrate or attack the computer networks of its enemies, according to reporting by Shane Harris in Foreign Policy.

As with many of its capabilities, Iran is not afraid to use them once they have them. Iran’s cyber warfare program is sophisticated enough to have carried out attacks on major U.S. banks, including J.P. Morgan and Bank of America; major Persian Gulf oil companies, including the Saudi Arabian state-owned oil company, ARAMCO, and Qatar's natural gas producer Rasgas; and cyber attacks penetrated into an unclassified U.S. Navy computer network that reportedly took four months to resolve. It also claims to have used cyber capabilities to take control of a U.S. drone and capture it.

Furthermore, an Iranian military official recently said that its armed forces are equipped with the most advanced information technologies and should be ready to confront enemies in the field of electronic warfare, reports the Iranian Fars News Agency.

The very nature of cyber warfare and Iran's increasing capability should be of major concern to the United States.

Ties with Russia

The relationship between Russia and Iran has always been a complex roller coaster. Recently it appears that both of its leaders see a mutual benefit in forging stronger ties in the economic – such as energy and trade – and security spheres.

Cooperation in the security sphere is easier to understand, with both seeing the U.S. as their primary target.

Russia and Iran have long been suspected of providing arms and other support to the brutal Bashar al-Assad regime as it builds up its death toll in Syria's civil war.

Russia's invasion of Ukraine ensures a much closer relationship with Iran. It has moved from "if" to "how far and how fast" the relationship will grow. Russia and Iran, who both have global ambitions, have much to gain from more significant cooperation.

The immediate impacts will be profound. The P5+1 talks with Iran were difficult enough to begin with, but Russia's aggression in Ukraine, and therefore against Western powers, makes it almost impossible for negotiations over Iran's nuclear program to achieve any measure of success.

Re-imposing sanctions will be difficult if not impossible without Russian support, and without sanctions there is no pressure on Iran to change its behavior.

Russia – which is largely suspected of helping Iran to develop its advanced cyber capability in the first place – will continue to support and increase its assistance to Iran's cyber program.

Will Iran itself serve as a proxy in Russia's aggressive posture against the U.S.? Just how much is Russia working with Iran to foment violence in areas like Iraq and Afghanistan and assert itself in other Middle Eastern affairs? Recent reports about Russian intentions for military basing in Central and South America should also be of concern.

How far will a closer relationship between Iran and Russia go, and what will that mean to U.S. national security? Cooperation between these two U.S. antagonists creates a dangerous new dynamic.

Iran's Affairs with Islamist Terror Groups

What is the prospect for Iran, Hizballah, al Qaeda, Hamas, the Muslim Brotherhood, and other Islamist terror groups, to work together in the future to achieve their goals of destroying the U.S., the West, and Israel?

Again, these are very complex relationships. These groups are deeply divided in the brutal and deadly Syrian war. There is the long history of conflict between Sunni and Shia Muslims. Their differences are well-understood and historically documented.

However, in the past they have bridged their differences and have found opportunities to work together successfully.

In the multidistrict case in regard to the terror attacks on September 11, 2001, plaintiffs' attorneys demonstrated that Iran, Hizballah, and al Qaeda formed an alliance in the early 1990s. Experts testified that Iran had been waging an undeclared war on the U.S. and Israel since 1979, often through proxies such as Hizballah, al Qaeda, and Hamas.

For more than 20 years, Iran, via its Islamic Revolutionary Guard Corps (IRGC), provided training to Hizballah and al Qaeda.

Furthermore, according to court documents, Iran's facilitation of the travel of at least eight of the 9/11 hijackers amounted to essential material support, indeed direct support, for the 9/11 attacks.

The United States needs to understand the capabilities of each of these organizations individually, as well as the threat that they pose in their totality. They share the same goals, as Senator Dianne Feinstein, the Democratic Chairwoman of the Senate Intelligence Committee, has said. They want to engage in jihad, impose Sharia law, and establish the Islamic Caliphate.

They have much that separates them, but they also have much in common.

Developments in cyber warfare, Russian and Iranian relationships, and cooperation among Islamist terror groups will do much to shape the nature of future capabilities not only of Iran, but the entirety of the threat that the United States faces. Developments in these areas will determine whether there is transformational change.

Sanctions against Iran

Negotiating sanctions has been one of the most important tools that the Islamic Republic of Iran has used to buy time over the years to further develop its illicit programs and engage in illegal behavior.

They have never been limited in scope to its nuclear weapons activities; they have always been used to target a wide range of Iranian actions.

President Carter ordered a freeze on all Iranian assets in the first series of sanctions against Iran, which resulted from the 1979 Iranian hostage crisis in which the Supreme Leader of Iran Ayatollah Khomeini held 52 Americans in the U.S. Embassy for 444 days. Nuclear weapons were not an issue at this time.

Additional sanctions were introduced in 1984 when Iran was implicated in the bombing of U.S. Marine barracks in Beirut, Lebanon. Since the attack, consecutive administrations have designated Iran as a state sponsor of terrorism and banned all foreign aid to Tehran.

In 1992, the Iran-Iraq Arms Nonproliferation Act targeted the acquisition of chemical, biological, nuclear, or destabilizing numbers and types of advanced conventional weapons.

The Iran and Libya Sanctions Act of 1995 imposed new sanctions on foreign companies that engage in specified economic transactions with Iran or Libya. It was intended to help deny Iran and Libya revenues that could be used to finance international terrorism, as well as limit the flow of resources necessary to obtain weapons of mass destruction.

President Bush froze the assets of any entity determined to be supporting international terror following the attacks of Sept. 11, 2001 in New York and Washington. These included individuals, organizations, and financial institutions in Iran.

In 2011, the United States designated the entire Iranian banking system as potentially supporting terrorist activities. In 2012, President Obama issued an executive order aimed at disrupting Iran's oil revenue.

The support for further strengthening sanctions in Congress is strong.

There is in fact growing bipartisan support in the Senate for introducing new penalties related to its ballistic missile stockpiles, which are the ideal delivery systems for nuclear warheads.

Senate Foreign Relations Committee Chairman Robert Menendez (D-N.J.) and Ranking Republican Mark Kirk (R-IL) have introduced legislation, but President Obama has issued a veto threat citing the ongoing negotiations.

Iran's International Terror Network and Global Reach

In testimony before the Senate Armed Services Committee on March 5, 2013, outgoing Marine Corps Gen. James N. Mattis described Iran as "the single-most significant regional threat to stability and prosperity."¹

Over the years the Iran-controlled Shia terror network comprising the Iranian Revolutionary Guard Corps-Quds Force (IRGC-QF) and Tehran's proxy in Lebanon, Hizballah, have plotted numerous attacks on Western and Israeli targets.

On Oct. 23, 1983, a devastating suicide attack on the U.S. Marine barracks in Beirut by Hizballah under orders from Iran killed 241 American servicemen.² It was the deadliest terror attack against Americans up to that time, and it signaled the emergence of the Shia terror network on the world stage as a lethal anti-Western terrorist force. Another attack on June 25, 1996, by the Saudi Hizballah supported by Iran targeted the Khobar Towers housing compound at the King Abdul Aziz Air Base near Dhahran, Saudi Arabia, killing 19 U.S. Air Force personnel.³ The

¹ Army Sgt. 1st Class Tyrone C. Marshall Jr., "Mattis: Iran 'Most Significant Threat' to Regional Stability," *American Forces Press Service*, U.S. Department of Defense, March 5 2013 <http://www.defense.gov/news/newsarticle.aspx?id=119440>

² Jarret Murphy, "Beirut Barracks Attack Remembered," *CBS News*, October 23, 2003, <http://www.cbsnews.com/news/beirut-barracks-attack-remembered/>

³ Carol D. Leonnig, "Iran Held Liable In Khobar Attack," *Washington Post*, December 23, 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/22/AR2006122200455.html>

Iran-controlled terror network was also behind the attacks on the Israeli Embassy in Argentina in 1992 and a Jewish cultural center in Buenos Aires in 1994.⁴

More recently, in 2011 and 2012, Iran through its elite Quds Force and proxy Hizballah executed a spate of attacks around the world as part of a larger “coordinated shadow war targeting Israeli, American, British, and Gulf state interests.”⁵ In addition to exacting revenge for the killings of Iranian nuclear scientists and the 2008 assassination of Hizballah commander Imad Mughniyeh, the attacks sought to create “a deterrent threat by convincing Western powers that an attack on Iran would result in—among other things—asymmetric terrorist attacks worldwide.”⁶

According to the 2012 State Department report on international terrorism that was released May 30, 2013, “Iran increased its terrorist-related activity, including attacks or attempted attacks in India, Thailand, Georgia, and Kenya. Iran provided financial, material, and logistical support for terrorist and militant groups in the Middle East and Central Asia. Iran used the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF) and militant groups to implement foreign policy goals, provide cover for intelligence operations, and stir up instability in the Middle East.”⁷

Recent Iran-sponsored attempted attacks include an attempt in January 2012 to assassinate Israeli diplomats in Bangkok, Thailand. The plot was thwarted after Thai police arrested two Iranians after they accidentally set off explosives in their rented home.⁸ Azerbaijan, a former Soviet republic that borders Iran, has become a haven for terrorism and other subversive activities sponsored by the Islamic Republic.⁹ In March 2012, Azeri police arrested 22 people that they alleged were hired by Iran to carry out terrorist attacks against the U.S. and Israeli embassies as well as other Western-related targets. Azerbaijan’s Ministry of National Security said that the men, all Azeri citizens, were trained by Iran. A month earlier, authorities had arrested another suspected terrorist allegedly working at the behest of Iran to target a Jewish

⁴ “Investigation finds Iranian, Hezbollah and Syrian Involvement in 1994 bombing of Argentine Jewish Community Center,” Anti-Defamation League, October 2003

http://archive.adl.org/terror/terror_buenos_aries_attack.html#.UwfDhmyPLq5

⁵ Matthew Levitt, *Hezbollah: The Global Footprint of Lebanon’s Party of God* (Washington, DC: Georgetown University Press, 2013), p. 361

⁶ Matthew Levitt, *Hezbollah: The Global Footprint of Lebanon’s Party of God* (Washington, DC: Georgetown University Press, 2013), p. 361

⁷ “Chapter 3: State Sponsors of Terrorism Overview,” *Country Reports on Terrorism 2012*, U.S. Department of State, Released May 30, 2013, <http://www.state.gov/j/ct/rls/crt/2012/209985.htm>

⁸ Peter Shadbolt, “Thai court jails Iranian pair over botched bomb plot,” *CNN*, August 22, 2013, <http://www.cnn.com/2013/08/22/world/asia/thailand-iranians/>

⁹ “Azerbaijan as an arena for Iranian terrorism and subversion,” *The Meir Amit Intelligence and Terrorism Information Center*, November 4, 2012, http://www.terrorism-info.org.il/Data/articles/Art_20416/E_199_12_932157709.pdf

school in the capital, Baku.¹⁰ In 2009, Azeri authorities thwarted a plot to blow up the Israeli embassy in Baku.¹¹

In July 2012, five Israeli tourists and a Bulgarian bus driver were killed in a bus explosion in the resort city of Burgas. An investigative report issued by Bulgarian authorities in February 2013 blamed Hizballah's military wing for planning and carrying out the attack. The report revealed that the two men who assisted the bomber who died in the attack had Australian and Canadian passports.¹² Authorities recently identified a third suspect in the attack as being tied to an alleged Canadian member of Hizballah.¹³ In July 2013, a few months after the release of the Bulgarian report accusing Hizballah in the Burgas bombing, the European Union added the military wing of Hizballah to its list of terrorist organizations in a major embarrassment to the Lebanese Shia group.¹⁴

Iran-sponsored terrorist plots against Israeli diplomats and officials were also carried out in India (the wife of an Israeli diplomat was seriously wounded in a car bomb attack in New Delhi in February 2012),¹⁵ Georgia (an embassy staffer discovered a bomb underneath his car on his way to the Israeli embassy in Tbilisi),¹⁶ Cyprus (a Hizballah courier was found guilty in March 2013 of plotting an attack on Israeli tourists there),¹⁷ and Kenya (two Iranian nationals with alleged ties to the IRGC-QF were sentenced to life in prison in May 2013 for plotting attacks against Western and Israeli targets in Nairobi).¹⁸

¹⁰ "Azerbaijan arrests alleged Iran-hired terrorists," *Associated Press*, March 14, 2012,

<http://www.foxnews.com/world/2012/03/14/22-arrested-in-azerbaijan-in-plot-on-us-israeli-embassies/>

¹¹ Sebastian Rotella, "Azerbaijan seen as a new front in Mideast conflict," *Los Angeles Times*, May 30, 2009,

<http://articles.latimes.com/2009/may/30/world/fg-shadow30>

¹² "The report issued by Bulgaria about the terrorist attack in Burgas clearly indicates that Hezbollah was involved in its planning and execution," *The Meir Amit Intelligence and Terrorism Information Center*, February 8, 2013, <http://www.terrorism-info.org.il/en/article/20474>

¹³ Stewart Bell, "Authorities identify third suspect in Bulgarian bus bombing linked to Canadian member of Hezbollah," *National Post*, February 20, 2014, <http://news.nationalpost.com/2014/02/20/authorities-identify-third-suspect-in-bulgarian-bus-bombing-linked-to-canadian-member-of-hezbollah/>

¹⁴ James Kanter and Jodi Rudoren, "European Union Adds Military Wing of Hezbollah to List of Terrorist Organizations," *New York Times*, July 22, 2013,

<http://www.nytimes.com/2013/07/23/world/middleeast/european-union-adds-hezbollah-wing-to-terror-list.html>

¹⁵ Ian Black, "Israeli embassy attacks in Delhi and Tbilisi could set off a conflagration," *The Guardian*, February 13, 2012, <http://www.theguardian.com/world/2012/feb/13/israeli-embassy-attacks-delhi-tbilisi>

¹⁶ Ian Black, "Israeli embassy attacks in Delhi and Tbilisi could set off a conflagration," *The Guardian*, February 13, 2012, <http://www.theguardian.com/world/2012/feb/13/israeli-embassy-attacks-delhi-tbilisi>

¹⁷ Nicholas Kulish, "Hezbollah Courier Found Guilty in Plot to Attack Israeli Tourists in Cyprus," *New York Times*, March 21, 2013, <http://www.nytimes.com/2013/03/22/world/middleeast/hezbollah-courier-guilty-of-role-in-cyprus-terror-plot.html>

¹⁸ David Barnett, "Kenyan court gives life sentences to 2 Iranians for terror plots," *Long War Journal*, May 6, 2013, http://www.longwarjournal.org/threat-matrix/archives/2013/05/kenyan_court_gives_life_senten.php

Iranian Support to Designated Terrorist Groups

Hamas and Palestinian Islamic Jihad (PIJ): Iran has been a key supplier of weapons and rockets to Palestinian terror groups, including Hamas and PIJ. Through the years, arms from Iran have found their way into the Gaza Strip through a web of land, sea, and air routes operated by a cross-border network of smugglers and merchants. A prime route for smuggling arms to Palestinian terrorists from Iran was to Sudan and then Egypt from where it was transferred to the Gaza Strip through Hamas-controlled smuggling tunnels.¹⁹

Sea routes have also been used to ship arms to terrorists in the Gaza Strip. In March 2011, for example, Israeli commandos intercepted the Liberian-flagged cargo ship *Victoria* that was loaded with Iranian arms intended for Hamas terrorists in the Gaza Strip.²⁰ According to an Israeli intelligence report, the seized weapons were manufactured in Iran and included 120mm mortar shells, C-704 anti-ship missiles, and ammunition for Kalashnikov assault rifles. This was the first time that anti-ship missiles were seized by Israeli authorities. The missiles “could be used to attack not only military and civilian vessels but also strategic targets in the southern Israeli cities of Ashdod and Ashqelon” the report said.²¹ This was not the first time that Israeli commandos had seized Iranian arms bound for Gaza. In 2002, Israeli Navy and Air Force commandos captured the *Karina-A* on the Red Sea. The ship was loaded with 50 tons of advanced weaponry intended for the Palestinian Authority.²² Authorities also captured a weapons shipment in Cyprus in January 2009 containing anti-tank weapons, artillery, and materials for manufacturing rockets. The weapons were seized from a Cypriot ship that had been leased by an Iranian shipping company.²³ The same month, Israeli Air Force commandos raided a convoy of 20 trucks in Sudan that contained weapons intended for terrorists in Gaza. The weapons included long-range Fajr missiles that could reach Tel Aviv from Gaza.²⁴

Hizballah: Iran has used sea routes to ship arms not only to Palestinian terrorists but also to Hizballah in Lebanon. In November 2009, the Israeli Navy halted an Iranian arms shipment destined for Libya by way of Syria. Approximately 500 tons of weapons hidden in 36 containers were seized from the cargo ship *MV Francop*, including rockets, artillery shells, hand grenades,

¹⁹ “Iranian support for the Palestinian terrorist organizations,” *The Meir Amit Intelligence and Terrorism Information Center*, January 20, 2013, <http://www.terrorism-info.org.il/en/article/20459>

²⁰ Yaakov Katz, “Navy intercepts ship with Iranian arms bound for Hamas,” *Jerusalem Post*, March 15, 2011, <http://www.jpost.com/Video-Articles/Video/Navy-intercepts-ship-with-Iranian-arms-bound-for-Hamas>

²¹ “Iranian support for the Palestinian terrorist organizations,” *The Meir Amit Intelligence and Terrorism Information Center*, January 20, 2013, <http://www.terrorism-info.org.il/en/article/20459>

²² “Seizing of the Palestinian Weapons Ship *Karine A*,” *Israeli Ministry of Foreign Affairs*, January 4, 2002, <http://www.mfa.gov.il/mfa/pressroom/2002/pages/seizing%20of%20the%20palestinian%20weapons%20ship%20karine%20a%20-.aspx>

²³ “The Israeli Navy captures a ship carrying a large shipment of weapons (including rockets, mortar shells and anti-tank weapons) from Iran,” *The Meir Amit Intelligence and Terrorism Information Center*, November 5, 2009, <http://www.terrorism-info.org.il/en/article/18190>

²⁴ “The Israeli Navy captures a ship carrying a large shipment of weapons (including rockets, mortar shells and anti-tank weapons) from Iran,” *The Meir Amit Intelligence and Terrorism Information Center*, November 5, 2009, <http://www.terrorism-info.org.il/en/article/18190>

and several types of light weapon ammunition.²⁵ In December 2003 and January 2004, Iran flew in weapons to Hizballah through Syria. The weapons were flown on flights returning to Damascus that had earlier delivered humanitarian assistance into southern Iran to earthquake victims.²⁶ In May 2007, rocket launchers and ammunition, mortar shells, and light arms intended for Hizballah were seized in Turkey aboard an Iranian train.²⁷

Al Qaeda: In February, the U.S. Department of the Treasury designated “a key Iran-based al-Qa’ida facilitator who supports al-Qaida’s vital facilitation network in Iran, that operates there with the knowledge of Iranian authorities.” A Treasury press announcement noted that “[t]he network also uses Iran as a transit point for moving funding and foreign fighters through Turkey to support al-Qa’ida-affiliated elements in Syria, including the al-Nusra Front.”²⁸ The al-Nusra Front or Jabhat al-Nusra is a Syrian jihadist group that is tied to al Qaeda.²⁹

Al-Shabaab: Recent reports accuse Iran of supplying weapons to Islamist militants operating out of the Horn of Africa, including the Somali terrorist group, al-Shabaab. Iran has reportedly used its supply networks in Yemen to ensure that weapons and ammunition find their way into the hands of al-Shabaab fighters in Somalia.³⁰

Taliban: Iran’s Quds Force has provided training to Taliban fighters in Afghanistan. According to the State Department’s 2009 report on global terror, “Iran’s Qods Force provided training to the Taliban in Afghanistan on small unit tactics, small arms, explosives, and indirect fire weapons. Since at least 2006, Iran has arranged arms shipments to select Taliban members, including small arms and associated ammunition, rocket propelled grenades, mortar rounds, 107mm rockets, and plastic explosives.”³¹ In February, the U.S. Treasury Department designated IRGC-QF officials connected with Iranian operations in Afghanistan. “This action underscores Tehran’s use of terrorism and intelligence operations as tools of influence against the Government of the Islamic Republic of Afghanistan,” a Treasury press release announcing the designations said.³²

²⁵ “The Israeli Navy captures a ship carrying a large shipment of arms,” *The Meir Amit Intelligence and Terrorism Information Center*, November 5, 2009, <http://www.terrorism-info.org.il/en/article/18190>

²⁶ “The Israeli Navy captures a ship carrying a large shipment of arms,” *The Meir Amit Intelligence and Terrorism Information Center*, November 5, 2009, <http://www.terrorism-info.org.il/en/article/18190>

²⁷ “The Israeli Navy captures a ship carrying a large shipment of arms,” *The Meir Amit Intelligence and Terrorism Information Center*, November 5, 2009, <http://www.terrorism-info.org.il/en/article/18190>

²⁸ “Treasury Targets Networks Linked to Iran,” *U.S. Department of the Treasury Press Release*, February 6, 2014, <http://www.treasury.gov/press-center/press-releases/Pages/jl2287.aspx>

²⁹ “Profile: Syria’s al-Nusra Front,” *BBC News*, April 10, 2013, <http://www.bbc.com/news/world-middle-east-18048033>

³⁰ Louis Charbonneau, “Exclusive: U.N. Monitors See Arms Reaching Somalia from Yemen, Iran,” *Reuters*, February 11, 2013, <http://www.reuters.com/article/2013/02/11/us-somalia-arms-un-idUSBRE91A12B20130211>

³¹ “Chapter 3: State Sponsors of Terrorism,” *Country Reports on Terrorism 2009*, U.S. Department of State, Released August 5, 2010, <http://www.state.gov/j/ct/rls/crt/2009/140889.htm>

³² “Treasury Targets Networks Linked to Iran,” *U.S. Department of the Treasury Press Release*, February 6, 2014, <http://www.treasury.gov/press-center/press-releases/Pages/jl2287.aspx>

Iraqi Militant Groups: The State Department’s 2010 Country Reports on Terrorism (released August 2011), highlighted Iran’s sponsorship and support for Shia extremist groups inside Iraq: “Iran continued to fund, train, and provide weapons and ammunition to Shia extremist groups that carried out attacks against Iraqi and U.S. forces. Although attacks by these groups have decreased, their Iranian-supported networks continued to operate throughout Iraq’s southern provinces.”³³

Abu Musa Daqduq al-Musawi (Daqduq), a senior Hezbollah operative handled by the Iranian Quds Force, was captured by Coalition Forces in southern Iraq in March 2007 following his involvement in an attack earlier that year that claimed the lives of five American soldiers. Daqduq, a member of Hezbollah since 1983, was ordered by the Lebanese terror group’s leadership to work with the Quds Force to provide training and equipment to Iraqi militants in Jaysh al-Mahdi (JAM) Special Groups (now known as Asa’ib Ahl al-Haq) to launch attacks on U.S. troops.³⁴

He was handed over to the Iraqi government in December 2011, which released him a year later despite protests from senior U.S. administration officials.³⁵ The U.S. Treasury Department designated Daqduq as a terrorist on November 19, 2012, just a few days after his release from Iraqi custody. A Treasury press release announcing the designation said, “Ali Mussa Daqduq al-Musawi is a dangerous Hezbollah operative responsible for planning and carrying out numerous acts of terrorism in Iraq.”³⁶ It added that “Hezbollah, along with its Iranian allies, trained and advised Iraqi militants to carry out numerous terrorist attacks against Coalition and Iraqi forces.”³⁷

Houthi Rebels in Yemen: Recent years have witnessed an uptick in Iran-sponsored subversive activities in Yemen to include shipments of high-end weapons, explosives, and military equipment to Shia Houthi rebel forces in southern Yemen.³⁸ In January 2013, U.S. Navy and Yemeni security forces intercepted an Iranian vessel containing large quantities of explosives, weapons, and money destined for Houthi rebel forces. The shipment reportedly included 10 sophisticated QW-1M Chinese anti-craft missiles on board the ship that bore stencil marks of

³³ “Chapter 2. Country Reports: Middle East and North Africa Overview,” *Country Reports on Terrorism 2010*, U.S. Department of State, Released August 18, 2011, <http://www.state.gov/j/ct/rls/crt/2010/170257.htm>

³⁴ “Treasury Designates Hezbollah Commander Responsible for American Deaths in Iraq,” *U.S. Department of the Treasury Press Release*, November 19, 2012, <http://www.treasury.gov/press-center/press-releases/Pages/tg1775.aspx>

³⁵ Michael R. Gordon, “Against U.S. Wishes, Iraq Releases Man Accused of Killing American Soldiers,” *New York Times*, November 16, 2012, <http://www.nytimes.com/2012/11/17/world/middleeast/iraq-said-to-release-hezbollah-operative.html>

³⁶ “Treasury Designates Hezbollah Commander Responsible for American Deaths in Iraq,” *U.S. Department of the Treasury Press Release*, November 19, 2012, <http://www.treasury.gov/press-center/press-releases/Pages/tg1775.aspx>

³⁷ “Treasury Designates Hezbollah Commander Responsible for American Deaths in Iraq,” *U.S. Department of the Treasury Press Release*, November 19, 2012, <http://www.treasury.gov/press-center/press-releases/Pages/tg1775.aspx>

³⁸ “Iranian subversion in Yemen,” *The Meir Amit Intelligence and Terrorism Information Center*, February 11, 2013

the state-owned China National Precision Machinery Import and Export Corporation (CPMIEC).³⁹ The U.S. has sanctioned CPMIEC for proliferating missile technology to Iran and Pakistan.⁴⁰

Iranian Presence in Central America and the Western Hemisphere

Iran has an active presence and extensive network in Central America and the broader Western Hemisphere. In addition to enjoying strong bilateral ties and state support from governments including in Cuba, Ecuador, Nicaragua, Venezuela, and potentially El Salvador, the Islamic Republic “maintains a network of intelligence agents specifically tasked with sponsoring and executing terrorist attacks in the Western Hemisphere.”⁴¹ A 500-page indictment released⁴² by Alberto Nisman, chief prosecutor of the investigation into the July 1994 bombing of the Asociacion Mutual Israelita Argentina (AMIA) Jewish Community Center in Buenos Aires corroborated evidence of Iran’s infiltration into Latin America. “For the first time in the Argentine and world judicial history, it has been gathered and substantiated in a judicial file, evidence that proved the steps taken by a terrorist regime, the Islamic Republic of Iran, to infiltrate, for decades, large regions of Latin America, through the establishment of clandestine intelligence stations and operative agents which are used to execute terrorist attacks when the Iranian regime decides so, both directly or through its proxy, the terrorist organization Hezbollah,” a release accompanying the indictment said.⁴³ In addition to Argentina, where the AMIA bombing took place, the report named Brazil, Paraguay, Chile, Colombia, Guyana, Trinidad & Tobago, and Suriname as countries that had been deeply infiltrated by Iranian intelligence networks.⁴⁴

An earlier indictment related to the AMIA bombing from 2003 referenced a document seized from the house of an Iranian diplomat that proposed a strategy to export the Iranian revolution and Islam from South America to North America.⁴⁵ The document said that areas with large

³⁹ Robert F. Worth and C.J. Chivers, “Seized Chinese Weapons Raise Concern on Iran,” *New York Times*, March 2, 2013, <http://www.nytimes.com/2013/03/03/world/middleeast/seized-arms-off-yemen-raise-alarm-over-iran.html>

⁴⁰ “Iran, North Korea, and Syria Nonproliferation Act: Imposed Sanctions,” *U.S. Department of State*, updated May 29, 2013, <http://www.state.gov/t/isn/inksna/c28836.htm>

⁴¹ Matthew Levitt, “Examining the State Department’s Report on Iranian Presence in the Western Hemisphere Nineteen Years After the AMIA Attack,” Testimony submitted to the House Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa and Subcommittee on the Western Hemisphere, August 1, 2013, <http://docs.house.gov/meetings/FA/FA13/20130801/101238/HHRG-113-FA13-Wstate-LevittM-20130801.pdf>

⁴² http://www.defenddemocracy.org/stuff/uploads/documents/summary_%2831_pages%29.pdf

⁴³ http://www.defenddemocracy.org/stuff/uploads/documents/summary_%2831_pages%29.pdf

⁴⁴ http://www.defenddemocracy.org/stuff/uploads/documents/summary_%2831_pages%29.pdf

⁴⁵ Buenos Aires, Argentina Judicial Branch, AMIA Indictment, Office of the National Federal Court No. 17, Criminal and Correctional Matters No. 9, Case no. 1156, March 5, 2003, p. 61, cited in Matthew Levitt, “Examining the State Department’s Report on Iranian Presence in the Western Hemisphere Nineteen Years After the AMIA Attack,” Testimony submitted to the House Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa and Subcommittee on the Western Hemisphere, August 1, 2013, <http://docs.house.gov/meetings/FA/FA13/20130801/101238/HHRG-113-FA13-Wstate-LevittM-20130801.pdf>

Muslim populations “will be used from Argentina as [the] center of penetration of Islam and its ideology towards the North American continent.”⁴⁶

Court records show that four people charged in a plot to attack New York’s John F. Kennedy International Airport (JFK) in Queens, NY, sought support from leading international terror groups and individuals, including Mohsen Rabbani, the former Iranian cultural attache indicted for his role as the chief architect of the AMIA bombing.⁴⁷

There have been reports of Iran and Hizballah militants working in collusion with Mexican narco-traffickers as part of their larger global, asymmetric warfare against the United States. A leaked 2010 Tucson Police Department report cited increasing use of improvised explosive devices and car bombs by Mexican terror organizations, signaling possible collaboration with Hizballah that specializes in such explosive devices.⁴⁸ Hizballah is also helping Mexican cartels set up “narco tunnels” along the border to help get narcotics into the U.S. from Mexico. As national security expert Douglas Farah notes in his October 2011 testimony before the House Committee on Homeland Security, “There is growing concern that Hezbollah is providing technology for the increasingly sophisticated narco tunnels now being found along the U.S.-Mexican border which strongly resemble the types used by Hezbollah in Lebanon.”⁴⁹

Several cases of Hizballah activity in Mexico have been recorded in the past decade: Salim Boughder-Mucharrille, a Mexican of Lebanese descent who ran a café in Tijuana, smuggled at least 200 “Lebanese nationals sympathetic to Hamas and Hezbollah into the United States” from Mexico.⁵⁰ Boughder-Mucharrille was sentenced to 60 years in prison on immigrant smuggling and organized crime charges.⁵¹ In early 2001, Hizballah operative Mahmoud Youssef Kourani “surreptitiously entered the United States by sneaking across the U.S.-Mexico border in the trunk of a car.”⁵² He pleaded guilty to providing material support to Hizballah and was

⁴⁶ Buenos Aires, Argentina Judicial Branch, AMIA Indictment, Office of the National Federal Court No. 17, Criminal and Correctional Matters No. 9, Case no. 1156, March 5, 2003, p. 61, cited in Matthew Levitt, “Examining the State Department’s Report on Iranian Presence in the Western Hemisphere Nineteen Years After the AMIA Attack,” Testimony submitted to the House Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa and Subcommittee on the Western Hemisphere, August 1, 2013,

<http://docs.house.gov/meetings/FA/FA13/20130801/101238/HHRG-113-FA13-Wstate-LevittM-20130801.pdf>

⁴⁷ “Imam from Trinidad Convicted of Conspiracy to Launch Terrorist Attack at JFK Airport,” *Department of Justice Press Release*, May 26, 2011, <http://www.justice.gov/usao/nye/pr/2011/2011may26b.html>

⁴⁸ Tucson Police Department Report, September 20, 2010, <http://publicintelligence.info/AZ-Hezbollah.pdf>

⁴⁹ “Hezbollah in Latin America: Implications for U.S. Security,” Testimony of Douglas Farah Before the House Committee on Homeland Security Subcommittee on Counterterrorism and Intelligence,” July 7, 2011, p. 2, <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20Farah.pdf>

⁵⁰ “9/11 and Terrorist Travel,” *Staff Report of the National Commission on Terrorist Attacks Upon the United States*, August 21, 2004, p. 75, http://www.9-11commission.gov/staff_statements/911_TerrTrav_Monograph.pdf

⁵¹ Roger F. Noriega and Jose R. Cardenas, “The Mounting Hezbollah Threat in Latin America,” *American Enterprise Institute for Public Policy Research*, No. 3, October 2011, p. 4, <http://www.aei.org/files/2011/10/06/Updated-No3LatinAmerican%202011g.pdf>

⁵² *USA v. Kourani*, 03-CR-81030, “Government’s Written Proffer in Support of its Request for Detention Pending Trial” (E.D. Mich. January 20, 2004), p. 4, http://www.investigativeproject.org/documents/case_docs/154.pdf

sentenced to 54 months in prison.⁵³ Jameel Nasr was charged in 2001 with setting up a Hizballah network consisting of Mexican nationals with ties to Lebanon to attack Western and Israeli targets. Nasr regularly traveled to Lebanon to meet with Hizballah leadership.⁵⁴ Jamal Yousef, a former member of the Syrian military and Hizballah operative, was arrested in New York in 2009. Yousef operated an arms smuggling ring that stole weapons from American troops stationed in Iraq and sent them to Mexico, where they were later sold to the Colombian terrorist group Revolutionary Armed Forces of Colombia in exchange for drugs that were then smuggled into the U.S.⁵⁵

In a high-profile case from October 2011, U.S. authorities arrested a Texas car salesman of Iranian origin for involvement in an Iranian plot to kill Saudi Arabia's ambassador to Washington. The suspect, Mansoor Arbabsiar, told federal agents following his arrest that "he was recruited, funded and directed by men he understood to be senior officials in Iran's Qods Force."⁵⁶ The Iranians believed they were dealing with a "large and sophisticated" Mexican cartel to help carry out the attack, when in fact the cartel representative was a Drug Enforcement Administration informant. Arbabsiar pleaded guilty to the charges and was sentenced to 25 years in prison in May 2013.⁵⁷ The plot brought to the fore the possibility of a direct attack in the United States by Iranian agents.

In January 2012 testimony before the Senate Select Committee on Intelligence, Director of National Intelligence James Clapper said: "The 2011 plot to assassinate the Saudi Ambassador to the United States shows that some Iranian officials – probably including Supreme Leader Ali Khamenei – have changed their calculus and are now more willing to conduct an attack in the United States in response to real or perceived U.S. actions that threaten the regime."⁵⁸

Two months later in December, a Lebanese man was indicted in Virginia with smuggling 100 tons of Colombian cocaine destined for the United States to the Los Zetas Mexican drug

⁵³ *USA v. Kourani*, 03-CR-81030, "Judgment" (E.D. Mich. June 14, 2005), http://www.investigativeproject.org/documents/case_docs/155.pdf

⁵⁴ Jack Khoury, "Mexico thwarts Hezbollah bid to set up South American network," *Haaretz*, July 6, 2010, <http://www.haaretz.com/news/diplomacy-defense/mexico-thwarts-hezbollah-bid-to-set-up-south-american-network-1.300360>

⁵⁵ Anna Mahjar-Barducci, "Hezbollah in Mexico," *Gatestone Institute*, July 15, 2011, <http://www.gatestoneinstitute.org/2269/hezbollah-mexico>

⁵⁶ *USA v. Arbabsiar*, 11-MG-2617, "Complaint" (S.D.N.Y. October 11, 2011), p.7 ._docs/1712

⁵⁷ "Mansoor Arbabsiar Sentenced in New York City Federal Court to 25 Years in Prison for Conspiring with Iranian Military Officials to Assassinate the Saudi Arabian ambassador to the United States," *U.S. Department of Justice Press Release*, May 30, 2013, http://www.investigativeproject.org/documents/case_docs/2178.pdf

⁵⁸ James R. Clapper, "Unclassified Statement for the Record on the Worldwide Threat Assessment of the US Intelligence Community for the Senate Select Committee on Intelligence," January 31, 2012, p. 5, <http://www.intelligence.senate.gov/120131/clapper.pdf>

cartel.⁵⁹ The U.S. Treasury Department has previously claimed that Hizballah “derived financial support from the criminal activities of the Joumaa network.”⁶⁰

Iran’s proxy Hizballah has engaged in a wide range of criminal activities, including cigarette-smuggling scams, procurement scams, intellectual property crime, tax evasion, counterfeiting, and drug trafficking to raise millions of dollars in the United States.

A November 1994 declassified threat assessment prepared by the FBI highlighted Hizballah fundraising efforts in the United States. “Fund-raising is a major role of Hizballah members in North America. Wealthy donors and sympathetic Lebanese merchants are solicited for funds,” the FBI report said. “Individual Hizballah members are also known to engage in criminal enterprise. The profits from these endeavors are, for the most part, for personal gain; however, an unknown percentage appears earmarked for Hizballah activities.”⁶¹ Since then several cases involving Hizballah-related criminal activities have been prosecuted successfully in the U.S.⁶²

Iranian and Hizballah Activity in the U.S.

One of the most high-profile and publicized Hizballah cases in the U.S. known as “Operation Smokescreen” comprised cigarette smuggling, bank fraud, and money laundering. This extremely complex criminal enterprise based out of North Carolina involved operatives stationed in Michigan, Canada, and Lebanon. Operatives purchased large volumes of cigarettes in North Carolina and resold them in Michigan, which had higher cigarette taxes. Mohamad Youssef Hammoud, the group’s ringleader was resentenced to 30 years in prison on charges related to his activities of providing material support to Hizballah. He was originally sentenced in 2003 to 155 years in prison.⁶³

Hizballah’s fundraising efforts in the U.S. continue unabated. A March 2012 preliminary investigative report by the Committee on Homeland Security noted that “Counterterrorism officials consider Hezbollah fundraising cells to be prevalent across the United States. Sophisticated operations have been uncovered within large Lebanese communities in Michigan

⁵⁹ *USA v. Joumaa*, “Indictment” (E.D.Va. November 3, 2011), http://www.investigativeproject.org/documents/case_docs/1856.pdf

⁶⁰ “Treasury Identifies Lebanese Canadian Bank Sal as a ‘Primary Money Laundering Concern,’” *U.S. Department of the Treasury Press Release*, February 10, 2011, http://www.investigativeproject.org/documents/case_docs/1858.pdf

⁶¹ “International Radical Fundamentalism: An Analytical Overview of Groups and Trends,” *Federal Bureau of Investigation*, November 1994 (declassified on November 20, 2008), <http://www.investigativeproject.org/documents/misc/469.pdf>

⁶² “America’s Surprisingly Rich History of Hizballah Prosecutions,” *IPT News*, November 19, 2010, <http://www.investigativeproject.org/2334/america-surprisingly-rich-history-of-hizballah>

⁶³ “Mohamad Youssef Hammoud sentenced to 30 years in terrorism financing case,” *U.S. Immigration and Customs Enforcement (ICE) press release*, January 27, 2011, <https://www.ice.gov/news/releases/1101/110127charlotte.htm>

and New York, but also in places such as Charlotte, NC.”⁶⁴ The report added that “[t]here is general consensus among dozens of experts as well as current and former law enforcement and intelligence officials interviewed by the Majority Investigative Staff that Hezbollah – more than any other terror group – is the most capable of flipping a U.S.-based fundraising cell into a lethal terror force, should Iran decide that it is in its interests.”⁶⁵

Cases against Iran in U.S. courts

The Secretary of State has designated the Islamic Republic of Iran as a state sponsor of terrorism every year⁶⁶ since January 19, 1984⁶⁷ following the October 1983 bombing of the U.S. Marines barracks in Beirut, Lebanon.⁶⁸ In numerous cases brought in U.S. courts under the state-sponsored terrorism exception to jurisdictional immunity of the Foreign Sovereign Immunities Act (FSIA) after it was amended in 1996,⁶⁹ Iran has defaulted and been found liable for acts of terror that have killed or maimed U.S. citizens, both domestically and internationally. Iran generally does not fight against a judgment, but hires major U.S. firms to fight the collection of the award. The plaintiffs in these cases include victims of: the 1983 bombing of the U.S. Marines barracks in Beirut;⁷⁰ the 1996 bombing of the U.S. Air Force residence at Khobar Towers in Saudi Arabia; numerous suicide bombings, rocket attacks and other assaults by Middle Eastern terrorist groups, financed and facilitated by Iran;⁷¹ the September 11, 2001 attacks; and other violent attacks on Americans.⁷² While award amounts have risen over the years, judgments are largely unsatisfied.⁷³

⁶⁴ “Iran, Hezbollah and the Threat to the Homeland,” Majority Preliminary Investigative Findings, U.S. House of Representatives Committee on Homeland Security,” March 21, 2012, http://homeland.house.gov/sites/homeland.house.gov/files/Investigative_Findings_Iran_Hezbollah_Threat.pdf

⁶⁵ “Iran, Hezbollah and the Threat to the Homeland,” Majority Preliminary Investigative Findings, U.S. House of Representatives Committee on Homeland Security,” March 21, 2012, http://homeland.house.gov/sites/homeland.house.gov/files/Investigative_Findings_Iran_Hezbollah_Threat.pdf

⁶⁶ *In re Terrorist Attacks on September 11, 2001, Havlish et al. v. Islamic Republic of Iran et al.*, Findings of Fact and Conclusions of Law, December 22, 2011, Findings of Fact, ¶ 4, page 6, http://information.iran911case.com/Havlish_Findings_of_Fact_and_Conclusions_of_Law_Signed_12-22-11.pdf

⁶⁷ “State Sponsors of Terrorism,” US Department of State, <http://www.state.gov/j/ct/list/c14151.htm>. Currently four countries are so designated: Cuba, Iran, Sudan and Syria. *Id.* More details may be found in the State Department’s Country Reports on Terrorism, <http://www.state.gov/j/ct/rls/crt/>

⁶⁸ Kenneth Katzman, “Iran Sanctions,” Congressional Research Service (CRS), January 31, 2014, page 3, <https://www.fas.org/sgp/crs/mideast/RS20871.pdf>

⁶⁹ For a detailed history of the statutes Congress enacted and modified to allow U.S. citizens to bring civil suits against state sponsors of terrorism, see Congressional Research Service (CRS) Report for Congress, Jennifer K. Elsea, “Suits Against Terrorist States by Victims of Terrorism,” Order Code RL31258, August 8, 2008, <https://www.fas.org/sgp/crs/terror/RL31258.pdf> (accessed February 23, 2014)

⁷⁰ See, e.g., *Peterson v. Islamic Republic of Iran et al.*, 264 F. Supp. 2d 46 (D.D.C. 2003)

⁷¹ Numerous cases were brought in U.S. courts by families of victims of attacks by Hamas, Palestinian Islamic Jihad, and Hizballah. A partial list with summaries of the cases’ status is found at <http://www.israellawcenter.org/page.asp?id=335&show=reports2>

⁷² Damages awarded for an attack in the U.S. include those suffered from the assassination of Rabbi Meier Kahane and the shooting of Irving Franklin and U.S. Postal Officer Carlos Acosta on November 5, 1990 in New York City. *Acosta et al. v. Islamic Republic of Iran, et al.*, 574 F. Supp. 2d 15 (D.D.C. 2008). Similarly, damages were awarded in the case brought by Jeremy Levin and his wife. Levin, during his tenure as the CNN bureau chief in Lebanon, was

The bombing of the U.S. Marines barracks in Beirut on October 23, 1983 killed 241 American servicemen operating under peacetime rules of engagement. After a bench trial in March 2003, the district court found that Iran and the Iranian Ministry of Information and Security (MOIS) were liable for damages from the attack because they provided material financial and logistical support to Hizballah to carry it out.⁷⁴ On September 7, 2007, the court entered a default judgment against the defendants in the total amount of \$2,656,944,877.⁷⁵

The June 25, 1996 bombing of the Khobar Towers residence in Saudi Arabia killed 19 U.S. Air Force personnel and wounded hundreds more.⁷⁶ The Department of Justice announced the indictment in June 2001 of 13 members of the Saudi Hizballah group⁷⁷ and one member of Lebanese Hizballah who assisted with the construction of the tanker truck, but the defendants were never tried in the U.S. on those criminal charges.⁷⁸ The indictment noted the linkage of entities:

These Hizballah organizations were inspired, supported, and directed by elements of the Iranian government. Saudi Hizballah, also known as Hizballah Al-Hijaz, was a terrorist organization that operated primarily in the Kingdom of Saudi Arabia and that promoted, among other things, the use of violence against nationals and property of the United States located in Saudi Arabia. Because Saudi Hizballah was an outlaw organization in the Kingdom of Saudi Arabia, its members frequently met and trained in Lebanon, Syria, or Iran.⁷⁹

A series of cases brought by victims and their families alleged that Iran, the MOIS, the Iranian Islamic Revolutionary Guard Corp (“IRGC” or “the Pasdaran”), and “John Does” were “liable for damages from the attack because they provided material support and assistance to Hezbollah,

taken hostage March 7, 1984 and held and tortured by Hizballah for 11 1/2 months. After his escape from his captors, Mr. Levin returned to the United States. *Levin v Islamic Republic of Iran et al.*, 529 F. Supp. 2d 1 (D.D.C. 2007). On February 6, 2008, the trial court entered judgment in favor of the Levins, against the Islamic Republic of Iran, the Iranian Ministry on Information and Security, and the Iranian Islamic Revolutionary Guard Corp. *Levin v Bank of New York et al.*, 2011 U.S. Dist. LEXIS 23779 (S.D.N.Y. 2011)

⁷³ Zoe Tillman, “Judgments Pile Up: Civil awards in terror suits rise, but little relief for plaintiffs,” *National Law Journal*, May 20, 2013

⁷⁴ *Peterson v. Islamic Republic of Iran et al.*, 264 F. Supp. 2d 46, 61 (D.D.C. 2003)

⁷⁵ *Peterson v. Islamic Republic of Iran et al.*, 563 F. Supp. 2d 268, 271 (D.D.C. 2008)

⁷⁶ *Estate of Heiser et al. v. Islamic Republic of Iran et al.*, 735 F.3d 934 (D.C.Cir. 2013)

⁷⁷ FBI National Press Office, “Terrorism charges have been brought against 13 members of the pro-Iran Saudi Hizballah,” June 21, 2001, <http://www.fbi.gov/news/pressrel/press-releases/terrorism-charges-have-been-brought-against-13-members-of-the-pro-iran-saudi-hizballah> (accessed February 23, 2014)

⁷⁸ Editorial, “Justice for the Khobar Towers Victims,” *Washington Times*, June 24, 2011, <http://www.washingtontimes.com/news/2011/jun/24/justice-for-the-khobar-towers-victims/> (accessed February 23, 2014)

⁷⁹ *United States v. Ahmed Al-Mughassil et al.*, Criminal Action No. 01-228-A, Indictment, ¶1 (E.D. Va.). For extensive details about Iran’s role in international terrorism, see *In re Terrorist Attacks on September 11, 2001, Havlish et al. v. Islamic Republic of Iran et al.*, 03 MDL 1570, 03 Civ. 9848, Findings of Fact and Conclusions of Law, December 22, 2011, Findings of Fact, http://information.iran911case.com/Havlish_Findings_of_Fact_and_Conclusions_of_Law_Signed_12-22-11.pdf

the terrorist organization that orchestrated and carried out the bombing.”⁸⁰ The trial judge found that “the Khobar Towers bombing was planned, funded, and sponsored by senior leadership in the government of the Islamic Republic of Iran; the IRGC had the responsibility and worked with Saudi Hizbollah to execute the plan, and the MOIS participated in the planning and funding of the attack.”⁸¹ As of November 2013, the judgment awarded in these cases stood at approximately \$591 million in punitive and compensatory damages, as plaintiffs continued to attempt to collect.⁸²

Similarly, numerous cases were filed in U.S. courts against Iran for damages from bombings, rocket attacks, and other terrorist events by Hamas, PIJ, and Hizballah. The courts found that Iran materially supported the terror groups, and was therefore liable for the damages from the attacks.⁸³ As one court held:

“Iran funnels much of its support to Hamas through MOIS, a ministry with approximately 30,000 employees and a budget of between \$100,000,000 and \$400,000,000 [citations omitted]. With Iranian government funds, MOIS ‘spends between \$ 50,000,000 and \$ 100,000,000 a year sponsoring terrorist activities of various organizations such as Hamas.’... The bombing also would not have occurred without Iranian sponsorship.”⁸⁴

At a hearing in 2009, after Congress modified the FSIA to include punitive damages,⁸⁵ the federal district court judge presiding over a consolidation of cases brought by American terror victims against Iran noted:

“The cases against Iran that will be addressed by the Court today involve **more than one thousand individual plaintiffs**. Like countless others before them, the plaintiffs in these actions have demonstrated through competent evidence – including the testimony of several prominent experts in the field of national security – that Iran has provided material support to terrorist organizations, like Hezbollah and Hamas, that have orchestrated unconscionable acts of violence that have killed or injured hundreds of Americans. As a result of these civil actions, Iran faces **more than nine billion dollars in liability** in the form of court judgments for money damages. Despite plaintiffs’ best efforts to execute these court judgments, **virtually all have gone unsatisfied.**”⁸⁶ (emphasis added)

More recently, in the multidistrict case, *In re Terrorist Attacks on September 11, 2001*, plaintiffs’ attorneys demonstrated that Iran, Hizballah, and al Qaeda formed an alliance in the early

⁸⁰ *Estate of Heiser et al., v. Islamic Republic of Iran et al.*, 466 F. Supp. 2d 229, 248 (D.D.C. 2006)

⁸¹ *Estate of Heiser et al., v. Islamic Republic of Iran et al.*, 466 F. Supp. 2d 229, 265 (D.D.C. 2006)

⁸² *Heiser, et al., v. Islamic Republic of Iran, et al.*, 735 F.3d 934 (D.C. Cir. 2013)

⁸³ *See, e.g., Campuzano et al., v Islamic Republic of Iran, et al.*, 2003 U.S. Dist. LEXIS 15963 (D.D.C. 2003)

⁸⁴ *Campuzano et al., v Islamic Republic of Iran, et al.*, 2003 U.S. Dist. LEXIS 15963 *6-*7 (D.D.C. 2003)

⁸⁵ *In re Islamic Republic of Iran Terrorism Litigation*, 659 F. Supp. 2d 31, 36 (D.D.C. 2009)

⁸⁶ *In re Islamic Republic of Iran Terrorism Litigation*, 659 F. Supp. 2d 31, 36 (D.D.C. 2009)

1990s. The alliance between Iran, Hizballah, and al Qaeda resulted in a string of terrorist attacks directed at the U.S. and its allies.⁸⁷ Furthermore, Iran's facilitation of the travel of at least eight of the 9/11 hijackers "amounted to essential material support, indeed direct support, for the 9/11 attacks."⁸⁸ The court held in 2012 that the Islamic Republic of Iran, Ayatollah Ali Hoseini Khamenei, Hizballah, and other Iranian individuals and entities were liable for "economic damages totaling \$394,277,884;... damages for pain and suffering of \$2,000,000 per decedent totaling \$94,000,000;... punitive damages totaling \$4,686,235,921; and ...damages for personal suffering totaling \$874,000,000."⁸⁹

Of course, efforts to collect funds to satisfy the judgments have yielded almost nothing. The federal district court in Washington has "awarded more than \$18 billion in judgments against Iran since 2008 for its support of terrorism."⁹⁰ While award amounts have risen, judgments remain largely unsatisfied.⁹¹

Iranian Support in Syria

Iran's support for Syrian President Bashar al-Assad, who has been fighting a bloody conflict turned civil war since March, 2011, is of great strategic importance with both regional consequences as well as politically strategic ones for Iran itself. Syria is Iran's greatest "resistance camp" ally,⁹² providing them with a strong political and military foothold in the heart of the Middle East. Syria plays a vital role in support of Iran terror proxy Hizballah's military capabilities against Israel and has served as an effective weapons conduit. For Iran, the fall of the Syrian regime would be a game-changer. Iran supports the Syrian regime on multiple fronts with weapons, funds, strategic advice, intelligence and cyber-tracking, military training, propaganda support, and economic aid (taxing Iran financially beyond capacity).⁹³ There are numerous reports of Iranian troops present in Syria involved with training, advising, and

⁸⁷ *In re Terrorist Attacks on September 11, 2001, Havlish et al. v. Islamic Republic of Iran et al.*, 03 MDL 1570, 03 Civ. 9848, Findings of Fact and Conclusions of Law, December 22, 2011, Findings of Fact, ¶¶90-115, pages 18-22, http://information.iran911case.com/Havlish_Findings_of_Fact_and_Conclusions_of_Law_Signed_12-22-11.pdf

⁸⁸ *In re Terrorist Attacks on September 11, 2001, Havlish et al. v. Islamic Republic of Iran et al.*, 03 MDL 1570, 03 Civ. 9848, Findings of Fact and Conclusions of Law, December 22, 2011, Findings of Fact, ¶116, page 22, http://information.iran911case.com/Havlish_Findings_of_Fact_and_Conclusions_of_Law_Signed_12-22-11.pdf

⁸⁹ *In re Terrorist Attacks on September 11, 2001, Havlish et al. v. bin Laden et al.*, 03 MDL 1570, 03 Civ. 9848, 2012 U.S. Dist. LEXIS 143525, *83 (S.D.N.Y. Oct. 3, 2012)

⁹⁰ Zoe Tillman, "D.C. Circuit Denies Terror Victims Access to Frozen Funds," *The BLT: The Blog of Legal Times*, November 19, 2013, <http://legaltimes.typepad.com/blt/2013/11/dc-circuit-denies-terror-victims-access-to-frozen-funds.html> (accessed February 24, 2014)

⁹¹ Zoe Tillman, "Judgments Pile Up: Civil awards in terror suits rise, but little relief for plaintiffs," *National Law Journal*, May 20, 2013

⁹² "Lt. Col. (ret.) Michael Segall Iran: The Syrian Highway in the Fight Against Israel Is Still Open." *Jerusalem Center For Public Affairs*, January 24, 2012; <http://jcpa.org/article/iran-the-syrian-highway-in-the-fight-against-israel-is-still-open/>

⁹³ The Meir Amit Intelligence and Terrorism Information Center; Hezbollah Involvement in the Syrian Civil War; April 6, 2013 <http://www.terrorism-info.org.il/en/article/20521>

participating in some battles. Weapons are supplied in abundance⁹⁴ and borders with neighboring countries (such as Turkey where Iranians need no visas) facilitate transfer. Iran's continued support for Syria has significant regional implications with the inflamed sectarian conflict that has the potential to escalate and spread, and may culminate only when one side is victorious over the other. The Obama Administration has made overtures to Iran, seeking its support in ending Syria's deadly civil war, with the latest reliable estimate (U.N. June 2013) was at 100,000 but is said to have exceeded 130,000 deaths.⁹⁵ The Syrian regime's victory would be regarded as a "humiliating defeat of the United States at the hands of Iran." (Elliot Abrams)⁹⁶

As summarized by Will Fulton, Joseph Holliday, and Sam Wyer in the analytical paper "Iranian Strategy in Syria."⁹⁷

"The Islamic Republic of Iran has conducted an extensive, expensive, and integrated effort to keep President Bashar al-Assad in power as long as possible while setting conditions to retain its ability to use Syrian territory and assets to pursue its regional interests should Assad fall. The Iranian security and intelligence services are advising and assisting the Syrian military in order to preserve Bashar al-Assad's hold on power. These efforts have evolved into an expeditionary training mission using Islamic Revolutionary Guards Corps (IRGC) Ground Forces, Quds Force, intelligence services, and law enforcement forces. The deployment of IRGC Ground Forces to conflict abroad is a notable expansion of Iran's willingness and ability to project military force beyond its borders. Iran has been providing essential military supplies to Assad, primarily by air. Opposition gains in Syria have interdicted many ground resupply routes between Baghdad and Damascus, and the relative paucity of Iranian port-visits in Syria suggests that Iran's sea-lanes to Syria are more symbolic than practical. The air line of communication between Iran and Syria is thus a key vulnerability for Iranian strategy in Syria.

Iran would not be able to maintain its current level of support to Assad if this air route were interdicted through a no-fly zone or rebel capture of Syrian airfields. Iran is also assisting pro-government shabiha militias, partly to hedge against Assad's fall or the contraction of the regime into Damascus and a coastal Alawite enclave. These militias will become even more dependent on Tehran in such a scenario, allowing Iran to maintain some ability to operate in and project force from Syria.

⁹⁴ Beirut airport a major conduit for Iranian military equipment sent by Iran via Mahan Air and Iran Air using neighboring airspace (Al-Watan Al-Arabi, May 3, 2013)

⁹⁵ John Helprin. "The Big Story." *The Big Story*, Associated Press, 7 Jan. 2014. <http://bigstory.ap.org/article/un-decides-stop-updating-syria-death-toll>; http://www.huffingtonpost.com/2013/12/31/death-toll-syria_n_4524443.html

⁹⁶ Former Bush administration Deputy National Security Adviser Elliot Abrams : The Brezhnev Doctrine, Iran-style Tehran pulls out all the stops to win in Syria; *The Weekly Standard* Jun 3, 2013, Vol. 18, No. 36 http://www.weeklystandard.com/articles/brezhnev-doctrine-iran-style_728993.html

⁹⁷ Will Fulton, Joseph Holliday, Sam Wyer, "Iranian Strategy in Syria ©2013 by Institute for the Study of War and AEI's Critical Threats Project; http://www.irantracker.org/sites/default/files/imce-images/Iranian_Strategy_in_Syria.pdf

The main strategic implications for Iran should Assad's regime in Syria fall:

A. Regional Military and Political Influence

Assad's fall would weaken Iran's regional position once again. Iran was strengthened by U.S. intervention in Iraq and Afghanistan, pursuant to the removal of its two greatest regional threats, the Taliban in 2001 and Saddam Hussein in 2003. Over the next decade, Iran gained further leverage regionally but was increasingly impacted by incrementally stringent economic sanctions.⁹⁸ The latest U.S. drawdown of troops from both Iraq and Afghanistan caused further impact to Iran due to the resulting rise of Sunni al Qaeda-affiliated groups along its borders and the eminent return of the Afghan Taliban, causing a regression to pre-2001 conditions.⁹⁹

In Syria specifically, the Iranian Quds forces and IRGC¹⁰⁰ have enjoyed a local base in the city of Zabadani, which has facilitated weapons supply to Hizballah.¹⁰¹ The town has historically been "IRGC's main support facility for Hezbollah and possibly chemical weapons depot."¹⁰² In 2012, the Revolutionary Guard reportedly asked Hizballah to help defend Zabadani, apparently with Assad's cooperation.¹⁰³ A fierce battle was fought to retake the city from the rebels in which Iranian soldiers were captured.¹⁰⁴ This may have prompted more active support by Hizballah in Syria to safeguard its supply line.

The demise of Assad's regime would severely impact Iran's proxy terror organization Hizballah military and political capabilities in Lebanon and undo the gains of recent years. Hizballah has

⁹⁸ *Stick With Iranian Sanctions to Finish the Job*, by Emanuele Ottolenghi, senior fellow at the Foundation for Defense of Democracies. Updated November 19, 2013, 9:49 PM
<http://www.nytimes.com/roomfordebate/2013/11/19/sanctions-successes-and-failures/stick-with-iranian-sanctions-to-finish-the-job>

⁹⁹ Nasser Hadian, "Nasser Hadian: Reasons Iran Wants Peace in Syria." The Iran Primer, 24 Feb. 2014
<http://iranprimer.usip.org/blog/2014/feb/04/nasser-hadian-reasons-iran-wants-peace-syria>

¹⁰⁰ John Pike "Pasdaran – Iranian Revolutionary Guard Corps (IRGC)". Global Security.
<http://www.globalsecurity.org/military/world/iran/pasdaran.htm>

¹⁰¹ Joseph Holliday, *Syria's Armed Opposition*. Middle East Security Report 3. Institute for the Study of War. p. 25, March 2012. http://www.understandingwar.org/sites/default/files/Syrias_Armed_Opposition.pdf

¹⁰² "Evidence Grows Iran Aiding Syria's Assad." UPI. N.p., 2 June 2011.
http://www.upi.com/Top_News/Special/2011/06/02/Evidence-grows-Iran-aiding-Syrias-Assad/UPI-72061307024479/

¹⁰³ Brig.-Gen. (ret.) Dr. Shimon Shapira "Assassination of Iranian General in Syria," Jerusalem Center for Public Affairs Vol. 13, No. 4 21 February 2013, <http://jcpa.org/article/hizbullah-and-the-assassination-of-the-iranian-general-in-syria/#sthash.uz285IZD.dpuf>; Behind the curtain of the assassination of Shateri, in the words of the Iranian ambassador," ABNA, February 18, 2013. <http://jcpa.org/article/hizbullah-and-the-assassination-of-the-iranian-general-in-syria/>

¹⁰⁴ Jack Khoury, "Syrian rebels claim they captured Iranian soldiers: 'Free Syria Army' posts video featuring who they claim are soldiers from the Revolutionary Guards, who call on Ayatollah Khamanei to pull back Iran forces from Syria." *Haaretz* Jan. 27, 2012 <http://www.haaretz.com/news/middle-east/syrian-rebels-claim-they-captured-iranian-soldiers-1.409525>

enjoyed greater and greater political leverage as well as expansion of its social programs in Southern Lebanon. Its dependence upon Syria as a conduit for weapons is undisputed.

B. Oil Dependence

Perhaps an intended consequence of the Syrian war is the radical decrease in oil production by Assad's regime and its increased reliance on Iran as its main oil supplier.¹⁰⁵ Previously the largest oil and gas producer in the region, Syria's production has plummeted from 400,000 barrels per day (bpd) to estimates of 25,000, causing billions in losses.¹⁰⁶ Iran extended Assad 3 billion USD in credit towards the import of oil and fuels, corroborated by the Energy Information Administration. It indicates that Iran sent Syria around 30,000 bpd.¹⁰⁷ In 2012, Iran committed to supply Syria with 10 million barrels per year of liquefied petroleum gas.¹⁰⁸ Most of the country's oil fields are near the Eastern border, now under the control of rebels who have apparently resumed export for financial support. Should Assad retake the oil fields, he would be prevented from exporting by imposed sanctions; therefore Iran's role is crucial.

C. Religious Sectarian: Shia vs. Sunni

Beyond regional strategic interest, a major motivator in Iran's support for Syria is the sectarian religious alignment with the Shia (and Alawite) population (estimated 400,000-450,000 mostly in the areas of Damascus, Noboul, and Homs¹⁰⁹). Sectarian attacks have stoked a broader regional upheaval, evident in the targeting of Syrian Shias and their holy sites in Syria by the rebels (particularly al-Nusra Front and other al-Qaeda affiliates who consider Shias to be infidels). Shia leader Hassan Nasrallah's May 25 contention that the Syrian war is "our battle"¹¹⁰ was countered by Sunni counterpart Yusuf al-Qaradawi, spiritual leader of the Muslim Brotherhood, who issued a *fatwa* calling for all Muslims with military training to fight and noting that the Syrian conflict is a struggle between "100 million Shias" and "1.7 billion [Sunni] Muslims."¹¹¹

¹⁰⁵ Julia Payne. "Exclusive: Assad's Secret Oil Lifeline: Iraqi Crude from Egypt." *Reuters*. Thomson Reuters, 23 Dec. 2013 <http://www.reuters.com/article/2013/12/23/us-syria-oil-idUSBRE9BMORI20131223>

¹⁰⁶ Paula Ditrack. "EIA: Syria's Oil Production Unlikely to Recover for Months, Maybe Years." *Oil and Gas Journal*. N.p., 19 Feb. 2014 <http://www.ogj.com/articles/2014/02/eia-syria-s-oil-production-unlikely-to-recover-for-months-maybe-years.html>

¹⁰⁷ U.S. Energy Information Administration, <http://www.eia.gov/countries/analysisbriefs/Syria/syria.pdf>

¹⁰⁸ Christopher Helman, Forbes Staff Report: Russia And Iran Help Assad Prop Up Syria's Collapsing Oil Industry 2/19/2014 <http://www.forbes.com/sites/christopherhelman/2014/02/19/report-russia-and-iran-help-assad-prop-up-syrias-collapsing-oil-industry/>

¹⁰⁹ "Hezbollah: Portrait of a Terrorist Organization" *Meir Amit Intelligence and Terrorism Information Center*, December 18, 2012, http://www.terrorism-info.org.il/Data/articles/Art_20436/E_158_12_1231723028.pdf

¹¹⁰ Anne Barnard "Hezbollah Commits to an All-Out Fight To Save Assad." *The New York Times*, 25 May 2013 http://www.nytimes.com/2013/05/26/world/middleeast/syrian-army-and-hezbollah-step-up-raids-on-rebels.html?pagewanted=all&_r=0

¹¹¹ "Top Muslim Cleric Al-Qaradawi Urges Sunnis to Join Syria War - *Ahram Online*. (AFP) 1 June 2013 <http://english.ahram.org.eg/NewsContent/1/64/72857/Egypt/Politics-/Top-Muslim-cleric-AIqaradawi-urges-Sunnis-to-join-.aspx>

Sectarian violence that impacts Iran as Shia Islamic State leader is spreading to other Shia-populated Arab nations such as Lebanon, where Sunni cleric factions resentful of Hizballah attacks on Sunnis in Syria are launching local attacks;¹¹² and in Iraq, where violence in Anbar province has displaced more than 300,000 Iraqis in the past few months.¹¹³ To this end, Iran is exploiting the sectarian rift to gain further advantage in the region by helping Syria establish a popular army of Syrian Shias and Alawites. They are also acutely aware of the ramifications of the spread of Sunni Takfiris, or al Qaeda factions, in the region should the Assad regime fall and the resulting perception of a Sunni Islamist victory.

Iranian Avenues of Support

Given these dangerous repercussions, Iran seeks to throw its support behind the Syrian regime to maximize its chances for survival via financial, military, economic, and propagandist support. Iran will exploit the potential advantages from the weakening of the Syrian regime and its deepening dependence upon Iran should the regime prevail. At the same time, they are cultivating a more regional solution in the event of Syria's fall to the Sunnis to safeguard Shia status by founding a popular army with an estimated 100,000-150,000, to have leverage and position in the region.

a. Financial Support

At last count, the Iranian government has spent more than \$15 billion dollars to support Bashar al-Assad.¹¹⁴ In addition, the governor of the Central Syrian Bank, Adib Mayala, said that Tehran had opened a line of credit of \$1 billion.¹¹⁵ These outlays are in addition to the pre-existing massive annual expenditures to support proxy Hizballah with weapons and funding.¹¹⁶ A recent congressional report claimed that Iran is donating billions in funds to Syria above and beyond its capacity and damaging its economy.¹¹⁷ In concert with the financial losses incurred from

¹¹² Gareth Smyth. "Lebanon Drawn into Syria's Sectarian Conflict – Analysis." *Theguardian.com*. Guardian News and Media, 21 Jan. 2014 <http://www.theguardian.com/world/iran-blog/2014/jan/21/lebanon-drawn-into-syrias-sectarian-conflict-analysis>

¹¹³ Duraid Adnan, "Islamic Extremists Slaughter 15 Soldiers in Northern Iraqi City." *The New York Times* 11 Feb. 2014. http://www.nytimes.com/2014/02/12/world/middleeast/islamic-extremists-slaughter-15-soldiers-in-northern-iraqi-city.html?_r=0 ; <http://jordantimes.com/violence-in-anbar-displaces-up-to-300000----un>

¹¹⁴ The Syrian Minister of Finance and Economy in the Syrian interim government, Ibrahim Mir, "The friends of Bashar's regime do not need bureaucracy to provide support to him, and they gave him billions of dollars, and the Iranian regime has given more than 15 billion dollars." January 24, 2014. The Interim Finance Minister: 15 Billion Dollars Iranian Support to Assad (This article is translated from Arabic) (translated). "The Interim Finance Minister: 15 Billion Dollars Iranian Support to Assad." Syrian Economic Forum RSS. Al Arabiya, 24 Jan. 2014 Original Article: <http://www.syrianef.org/En/?p=3029>

¹¹⁵ Reuters, Damascus, April 24, 2013)

¹¹⁶ Dexter Filkins, "The Shadow Commander." *The New Yorker*. (September 30, 2013). "From 2000 to 2006, Iran contributed a hundred million dollars a year to Hezbollah. Its fighters are attractive proxies: unlike the Iranians, they speak Arabic, making them better equipped to operate in Syria and elsewhere in the Arab world." Gary Gambill, Arms for Peace in Syria? *Foreign Policy Research Institute* August 16, 2013, www.fpri.org/3584/syria-arms

¹¹⁷ U.S. intelligence: Iran sacrificed its economy to invest billions in Syria; February 10th, 2014 World Tribune; <http://www.worldtribune.com/2014/02/10/u-s-intelligence-iran-sacrificed-its-economy-to-invest-billions-in-syria/>

international sanctions over the past years, it is understandable that Iran was motivated to strike the recent deal, resulting in a much-needed influx (estimated at \$12.6 billion¹¹⁸) back into their coffers.

b. Military Support

Air supplies are a crucial part of Iranian military support to Assad's Syria as well as supplies and other material. Several commercial Iranian airlines have been identified as conduits into Syria, using a variety of regional airports.¹¹⁹ Three have been sanctioned by the U.S. Department of Treasury.¹²⁰ As noted in the Critical Threats Project: Iranian Strategy in Syria:¹²¹

"In June 2011, (Department of Treasury) USDOT designated Iran Air for transporting military equipment that included "missile or rocket components to Syria. According to the designation, the IRGC disguises military equipment as "medicine or generic spare parts" in order to transport the illicit cargo. Yas Air was designated in March 2012 for transporting IRGC-QF (Iranian Revolutionary Guard) personnel and weapons, including small arms, ammunition, rockets, anti-aircraft guns, and mortar shells. The designation describes a series of IRGC-QF-coordinated Yas Air flights in March 2011, at the very outset of the conflict, which transported weapons to Hezbollah and Syrian officials."¹²²

c. Intelligence

The Iranian government has provided the Assad regime with technology to monitor email, cell phones, and social media, which it developed following the 2009 Iran protests.¹²³ Iran spent

¹¹⁸ USD 12.6 billion so far released to Iran (4.6 in oil revenue+8 in frozen assets) IMRA; November 26, 2013 <http://www.imra.org.il/story.php3?id=62475>

¹¹⁹"On a number of occasions in 2012, the American media revealed that Iran was flying cargoes of weapons through Iraqi air space. On March 16, 2012, the Washington Post reported that Iranian plans had flown 30 tons of arms to Syria with manifests indicating they were "agricultural equipment." On September 5, 2012 The New York Times reported that in July 2012 Iran had renewed its shipments of arms to Syria through Iraqi air space. According to another report, based on "Western intelligence services," the Iranians were making daily flights to Syria through Iraqi air space on planes carrying members of the Islamic Revolutionary Guards and tens of tons of weapons and ammunition" Louis Charbonneau, Exclusive: Western Report *Reuters*, September 19, 2012 <http://www.reuters.com/article/2012/09/19/us-syria-crisis-iran-iraq-idUSBRE88I17B20120919>

¹²⁰ "Fact Sheet: Treasury Sanctions Major Iranian Commercial Entities," US Department of the Treasury, June 23, 2012, <http://www.treasury.gov/press-center/press-releases/Pages/tg1217.aspx>

¹²¹ "Will Fulton, Joseph Holliday, Sam Wyer, "Iranian Strategy in Syria ©2013 by Institute for the Study of War and AEI's Critical Threats Project; http://www.irantracker.org/sites/default/files/imce-images/Iranian_Strategy_in_Syria.pdf

¹²² "A UN report on illegal arms transfers found that Syria was the top destination for illicit arms shipments from Iran. These arms were then often passed on to Lebanese and Palestinian militants" <http://www.understandingwar.org/sites/default/files/IranianStrategyinSyria-1MAY.pdf>

¹²³ Mark Hosenball, "Iran Helping Assad to Put down Protests: Officials." *Reuters*. Thomson Reuters, 23 March. 2012, <http://www.reuters.com/article/2012/03/23/us-iran-syria-crackdown-idUSBRE82M18220120323>

considerable resources establishing a “cyber army” to track down dissidents online.¹²⁴ In fact it is considered to be the most sophisticated technology available aside from China¹²⁵ (who assisted Iran with its program).¹²⁶

U.S. Department of Treasury designations in June, 2011 indicate that Iranian governmental organizations have been involved, including the Ministry of Intelligence and Security, Law Enforcement Forces, and even defense contractor Iran Electronics Industries beginning in early 2011 providing “material support to the Syrian General Intelligence Directorate (GID) and dispatched personnel to Damascus... to assist the Syrian government in suppressing the Syrian people.”¹²⁷ Control of these organizations is at the leadership level of Iran.

In March 2012 an unidentified official noted “unarmed drones that Damascus is using along with its own technology to monitor opposition forces,” as well as “monitoring tools to help the regime suppress the opposition.”¹²⁸ Syrian activists filmed an Iranian Monajer surveillance drone flying over Homs.^{129 130}

d. Boots on the ground: Training and Paramilitaries

U.S. Secretary of Defense Leon Panetta first acknowledged local Iranian support for Syrians in August 2012, when he testified that there are “indications that [Iran is] trying to develop or trying to train a militia within Syria to be able to fight on behalf of the regime.”¹³¹ While the presence of Iranian military personnel in Syria is not new, military experts believe that hundreds more have been sent in recent months.¹³²

Quds Force senior commanders and IRGC members participate in both training and intelligence-gathering. A notable example is the strategy and training provided by Quds veteran Qassem Suleimani, an Iranian operative who has been involved in previous conflicts.¹³³

¹²⁴ Editorial. “Iranian Government Strengthens Electronic Curtain.” VOA. N.p., 20 May 2012

<http://editorials.voa.gov/content/iranian-government-strengthens-el-152300675/1493140.html>

¹²⁵ “How Iran Keeps Assad in Power in Syria.” *Inside Iran*. 5 September 2011

<http://www.foreignaffairs.com/articles/68230/geneive-abdo/how-iran-keeps-assad-in-power-in-syria?page=2>

¹²⁶ Steve Stecklow. “Special Report: Chinese Firm Helps Iran Spy on Citizens.” *Reuters*. Thomson Reuters, 22 Mar.

2012 <http://www.reuters.com/article/2012/03/22/us-iran-telecoms-idUSBRE82LOB820120322>

¹²⁷ “Treasury Sanctions Syrian, Iranian Security Forces for Involvement in Syrian Crackdown,” US Department of the

Treasury, June 29, 2011 <http://www.treasury.gov/press-center/press-releases/Pages/tg1224.asp>

¹²⁸ Mark Hosenball, “Iran helping Assad put down protests: officials,” *Reuters*, March 23, 2012,

<http://www.reuters.com/article/2012/03/23/us-iran-syria-crackdown-idUSBRE82M18220120323>

¹²⁹ “Spy Plane over locals”, published February 14, 2012, http://www.youtube.com/watch?v=KApa_VfNu6I

¹³⁰ US Department of the Treasury “Treasury Designates Syrian Entity, Others Involved in Arms and Communications Procurement Networks and Identifies Blocked Iranian Aircraft,” , September 19, 2012,

<http://www.treasury.gov/press-center/press-releases/Pages/>

¹³¹ Nick Simeone “Panetta: Iran Increases Support to Assad Regime,” DOD: American Forces Press Service, August 14, 2012; <http://www.defense.gov/News/NewsArticle.aspx?ID=117501>

¹³² <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/10654144/Iran-boosts-support-to-Syria.html>

¹³³ Dexter Filkins “The Shadow Commander”, *New Yorker* September 30, 2013

http://www.newyorker.com/reporting/2013/09/30/130930fa_fact_filkins?currentPage=all

Soon after the Syrian uprising, by March 2011, there was an Iranian presence in Syria along with reports of Syrian protesters hearing security-force members speaking Persian.¹³⁴ In June, 2013 a British newspaper reported that 4,000 IRGC soldiers were preparing to deploy to Syria.¹³⁵

Iranian boots on the ground is not as simple a proposition as it might seem. Due to language barriers, Iranian forces on the ground have included some Arabic speakers. According to Reuel Marc Gerecht "it would be difficult to integrate Iranians into Arab combat operations and they would essentially have to run their own combat operations since they would be loathe to put themselves under the Alawite control."¹³⁶ In addition, a former IRGC commander notes:¹³⁷

"[...] top Quds Force commanders numbered 60 to 70 at any given time. Revolutionary Guards directed the fighting on the instructions of the Quds Force commanders, he added. The former IRGC commander said these personnel were also backed up by thousands of Iranian paramilitary Basij volunteer fighters as well as Arabic speakers including Shi'ites from Iraq. The former Iranian official and a Syrian opposition source also put auxiliary forces in the thousands. The figures could not be independently verified from Syria, but the deaths of at least two IRGC commanders in Syria have been publicly reported." They are trying to work with the Syrians in ramping up the number of (Syrian) troops they can put in the field and making sure those guys can hold the line as well as carry out certain offensive operations," he said. "[...] Assad is a member of the Alawite sect, an offshoot of Shi'ite Islam. Torbjorn Soltvedt, of risk consultancy Maplecroft, said Iran's role in training and coordinating "constitutes a lifeline for the regime." "The involvement of Iranian Revolutionary Guard personnel and Shia militias such as Hezbollah remains crucial to the Syrian regime's war effort," Soltvedt said.

Denial and Evidence of Iranian Military Presence

An Iranian Foreign Ministry official said: "We always have said that we support our Syrian brothers and respect their will ... Iran has never got involved in Syria by providing arms or financially or by sending troops." This is contradicted by a former senior Iranian official with close IRGC links who said Iranian forces were active in Syria. He said the Quds force was gathering intelligence in Syria, which Iran regarded as a top priority and that a few hundred

¹³⁴ Emmanuel Navon, "Iran, Hezbollah assisting in Syria protest suppression." *Jerusalem Post* 27 March 2011, https://www.facebook.com/note.php?note_id=205214592831486

¹³⁵ Robert Fisk, "Iran to Send 4,000 Troops to Aid Assad in Syria." *The Independent*. Independent Digital News and Media <http://www.independent.co.uk/news/world/middle-east/iran-to-send-4000-troops-to-aid-president-assad-forces-in-syria-8660358.html>

¹³⁶ Jonathan Saul and Parisa Hafezi LONDON/ANKARA Feb 21, 2014 Reuel Marc Gerecht who is now with U.S. think-tank the Foundation for Defense of Democracies Iran boosts military support in Syria to bolster Assad <http://www.reuters.com/article/2014/02/21/us-syria-crisis-iran-idUSBREA1K09U20140221>

¹³⁷ Jonathan Saul and Parisa Hafezi LONDON/ANKARA Iran boosts military support in Syria to bolster Assad Feb 21, 2014 <http://www.reuters.com/article/2014/02/21/us-syria-crisis-iran-idUSBREA1K09U20140221> Iran boosts military support in Syria to bolster Assad, LONDON/ANKARA, Feb 21, 2014 <http://www.reuters.com/article/2014/02/21/us-syria-crisis-iran-idUSBREA1K09U20140221>

Quds and IRGC commanders were in Syria, but they did not get involved directly in the fighting.¹³⁸ Also, IRGC Commander Ali Jafari admitted in September 2012 that Qods Forces “were present” in Syria.¹³⁹ Despite evidence to the contrary, Iran continues to deny and deflect accusations by U.S., European, and Arab governments, who have repeatedly charged that Iran's elite military unit, the IRGC, is deploying soldiers to Syria.

In February 2013, Iranian Brigadier General Hassan Shateri, a senior Quds Force commander operating in Lebanon since 2006 under the alias Hessem Khoshnevis, was assassinated near Damascus en route to Beirut from Aleppo.¹⁴⁰ His mission in Syria possibly related to the chemical weapons and SCUD missile facility near Aleppo. In a leaked video of a Syrian Republican Guard briefing in Baba Amr, the Brigadier General tells his troops, “we are forming the 416th Special Forces Battalion and they are being trained now by domestic and foreign trainers.”^{141 142}

A number of YouTube videos show evidence of Iranian presence in Syria:

Armed man speaking in Persian in Syria with some broken Arabic

<http://www.youtube.com/watch?v=mDslwi7mrPs>

A report about the Iranian fighters in Syria with subtitles

<https://www.youtube.com/watch?v=z2J02DutU2c>

Leaked videos: Persian language

http://www.youtube.com/watch?v=1Qbm8mNZ_8s

Capture of Iranians near Homs

http://www.youtube.com/watch?v=sAzqb_KSulY

A chart indicating the members of the Iranian Advisory Mission in Syria:¹⁴³

¹³⁸ *ibid*

¹³⁹ Ali Alfoneh. “What Is Iran Doing in Syria?” *Foreign Policy*. 21 September 2012

http://www.foreignpolicy.com/articles/2012/09/21/what_is_iran_doing_in_syria

¹⁴⁰ Will Fulton, “The Assassination of Iranian Quds Force General Hassan Shateri in Syria,” AEI’s Critical Threats Project, February 28, 2013. <http://www.irantracker.org/analysis/fulton-assassination-iranian-quds-force-general-hassan-shateri-syria-february-28-2013>

¹⁴¹ “Republican Guard Briefing in Bab Amr,” published April 4, 2012, <http://youtu.be/voBwOwYnOX4.13>.

Will Fulton, “IRGC Shows Its (True) Hand in Syria,” AEI’s Critical Threats Project, January 14, 2013,

<http://www.irantracker.org/analysis/fulton-irgc-shows-its-true-hand-syria-january-14-2013>

¹⁴² Will Fulton, “The Assassination of Iranian Quds Force General Hassan Shateri in Syria.” “Iran aids Syria’s CW programme,” *Jane’s Defense Weekly*, October 21, 2005; “Syria blast ‘linked to chemical weapons’: report,” *Agence France Presse*, September 19, 2007, <http://afp.google.com/article/ALeqM5iJuglQvDKwkwupz9eULk1ml6OZ4>

¹⁴³ Will Fulton “Iranian Strategy in Syria.” *May 2013*.; A joint Report by AEI’s critical threats project & Institute for the Study of War. http://www.irantracker.org/sites/default/files/imce-images/Iranian_Strategy_in_Syria.pdf



CHART 1 | KNOWN SENIOR PERSONNEL IN IRAN'S ADVISORY MISSION TO SYRIA

e. Shia “Foreign Legion” Militia

Iran continues to guide Shia fighters into the battlefield. Both Hizballah and the Quds forces have helped create the Syrian Shia militias mentioned previously, Jaysh al-Shabi and Liwa Abu Al fadh al Abbas Abbas, by providing training, money, and weapons and they report to senior Al Quds' commanders. In addition, there is a Shia Iraqi component. Initially organized as a protection force for the defense of Shia holy sites (such as the tomb of Sayyida Zeinaba. In fact, Asaib Ahl al-Haq recently established a sub-unit called Liwa Kafeel Zeinab (Supporters of Zeinab Brigade) to defend that holy site. A University of Maryland Shia military researcher Phillip Smyth notes that a “rough guesstimate” for the number of Iraqi Shias in Syria is 2,000 to 3,000, although he says totaling the numbers published by the main Iraqi factions reaches 3,500 to 4,000.¹⁴⁴

Jaish al-Shabi (the People's Army), was designated as a terrorist organization by the U.S. Department of Treasury in December, 2013.¹⁴⁵

f. Hizballah in Syria

¹⁴⁴ Iran guiding thousands of Shia fighters to Syria, September 23, 2013, <http://www.csmonitor.com/%2FWorld/%2FSecurity>

¹⁴⁵Treasury Sanctions Al-Nusrah Front Leaders, Militia Groups in Syria 11 December 2012 “IIP Digital | U.S. Department of State.” *Treasury Sanctions Al-Nusrah Front Leaders, Militia Groups in Syria*. N.p., 11 Dec. 2012 <http://iipdigital.usembassy.gov/st/english/article/2012/12/20121211139861.html#axzz2GxiqHxql>

Hizballah began a more direct combat role within Syria as the Assad regime faltered in 2012. 3,000-4,000 Hizballah operatives were involved in the initial fighting.¹⁴⁶ The rebel Free Syrian Army estimates there are more than 10,000, though Hizballah refuses to discuss military details. At least 141 Hizballah fighters were killed in just one month fighting in the battle for Qusayr, many of whom were elite fighters who are not easily replaced.^{147 148}

In his May, 2013 speech Hassan Nasrallah exhorted participation in the Syrian war to protect Lebanon, Palestine and Syria.¹⁴⁹ Hizballah is training Shia fighters especially in the Qusayr region. Estimates are that it numbers up to 50,000 fighters.¹⁵⁰ In addition there are recent indications that Hizballah itself is actively recruiting and positioning European recruits in the battlefield. Apparently funds are flowing for the recruits who wear identifying yellow bands as they receive a large salary and family insurance.¹⁵¹

Regional impact on Israel:

Analytical paper "Iranian Strategy in Syria:" Will Fulton, Joseph Holliday, and Sam Wyer:^{152 153}

"In addition to providing a response to potential dangers, Hezbollah seeks to acquire advanced military capabilities from the Syrian regime, the possession of which could deter Israel and challenge its technological superiority. Such advanced capabilities

¹⁴⁶ John Irish. "France Says 3,000-4,000 Hezbollah Are Fighting in Syria." *The Daily Star Newspaper*, 29 May 2013. Agence France-Presse, May 29, 2013 <http://www.dailystar.com.lb/News/Middle-East/2013/May-29/218790-france-says-3000-4000-hezbollah-fighters-in-syria.ashx#axzz2v8VO7pUE>

¹⁴⁷ Anne Barnard, "By Inserting Itself Into Syrian War, Hezbollah Makes Dramatic Gamble." *The New York Times*, 27 May 2013 http://www.nytimes.com/2013/05/28/world/middleeast/by-inserting-itself-into-syrian-war-hezbollah-makes-historic-gamble.html?pagewanted=all&_r=2&gwh=A28AC47AFE87D67A9933352746BF66DC&gwt=pay

¹⁴⁸ Hizballah: According to head of Israel military intelligence General Aviv Cochavi (March 2013), Hezbollah sent several hundred fighters from its special units to Syria. According to media reports, the numbers grew and as of May 2012 there were several thousand. On April 18, 2013, the All4Syria website, affiliated the Syrian opposition reported that 700 armed fighters had been sent to the Al-Qusayr region. On April 14, 2013, the Saudi Arabian website Al-Watan reported that 1,200 Hezbollah fighters had been sent by sea to the Syrian port of Tartus. On May 19, 2013, the Lebanese newspaper Al-Hayat reported that "knowledgeable French sources" said that France had "definite information" that 1,500 Hezbollah fighters were fighting for the Syrian regime. Will Fulton, "Iranian Strategy in Syria." *May 2013*; A joint Report by AEI's critical threats project & Institute for the Study of War.

http://www.irantracker.org/sites/default/files/imce-images/Iranian_Strategy_in_Syria.pdf

¹⁴⁹ <http://www.youtube.com/watch?v=wHHnYwr2044>

¹⁵⁰ Karen DeYoung, and Joby Warrick. "Iran and Hezbollah Build Militia Networks in Syria in Event That Assad Falls, Officials Say." *The Washington Post*, 11 Feb. 2013 http://www.washingtonpost.com/world/national-security/iran-hezbollah-build-militia-networks-in-syria-in-event-that-assad-falls-officials-say/2013/02/10/257a41c8-720a-11e2-ac36-3d8d9dcaa2e2_story.html

¹⁵¹ Antoine Ghattas Saab "Hezbollah channels European mercenaries to Syria," 21 Feb 2014.

<http://www.dailystar.com.lb/News/Lebanon-News/2014/Feb-21/248012-hezbollah-channels-european-mercenaries-to-syria.ashx#axzz2uGUtPxqh> European mercenaries are being recruited with the help of Hezbollah to join Bashar Assad's forces in the war in Syria, security sources said.: [Antoine Ghattas Saab](#)

¹⁵² Will Fulton, Joseph Holliday, Sam Wyer "Iranian Strategy in Syria" ©2013 by Institute for the Study of War and AEI's Critical Threats Project; http://www.irantracker.org/sites/default/files/imce-images/Iranian_Strategy_in_Syria.pdf

¹⁵³ *ibid*

include advanced surface-to-surface missiles (such as the Iranian Fateh-110s), anti-ship cruise missiles (Russian Yakhonts) and anti-aircraft missiles (Russian SA-17s and other systems). In our assessment also Hezbollah wants to exploit the weakness and strategic distress of the Assad regime to gain a foothold in the Golan Heights from which to carry out terrorist attacks against Israeli. Hezbollah's desire for "game-changing weapons and its willingness to "help" the so-called "Syrian popular resistance" in the Golan Heights were openly mentioned in a speech given by Hassan Nasrallah on May 9, 2013. Israeli policy, as stated by Israeli Prime Minister Benyamin Netanyahu, was "to prevent, the transfer of advanced weapons to Hezbollah and to [other] terrorist elements."²⁵. Iranian policy regarding the civil war in Syria is handled by the Qods Force (commanded by Qassem Suleimani), with Hezbollah as Iran's main subcontractor. Hezbollah's involvement in the Syrian civil war is manifested by its sending several thousand operatives to participate in the fighting in Shi'ite regions. Hezbollah also supports the Syrian regime by training (its forces in guerilla warfare), providing it with intelligence, securing the Syrian-Lebanese border, taking preventive measures inside Lebanon, and waging propaganda campaigns."

Iranian Support for Al Qaeda

Despite the seeming religious sectarian disparity of Shia vs. Sunni, Iran has supported and financed Sunni groups in the past such as Hamas, whose relationship has become shaky as a result of sectarian tensions of the Syria conflict.¹⁵⁴ There are indications that al Qaeda's Iran-based network has been functioning in Iran with the support of IRGC forces.¹⁵⁵ The U.S. Department of Treasury sanctioned Jafar al-Uzbeki, an Uzbek senior al Qaeda, for allegedly using Iran to move fighters into Syria, suggesting that Jafar is operating from Iran and may be moving fighters into Pakistan and Afghanistan as well as through Turkey "and operates there with the knowledge of Iranian authorities."¹⁵⁶ Iranian Foreign Minister Javad Zarif, recently denied they are supporting al Qaeda or other Sunni militant groups.¹⁵⁷ The U.S. Department of Treasury has charged Iran for assisting al Qaeda operatives based in Iran, alleging that they have been supporting Syrian operations.^{158 159}

¹⁵⁴ Jessica Chasmar, "Iran Cuts Hamas' Funding for Backing Syrian Opposition." *Washington Times*. The Washington Times, 02 June 2013 <http://www.washingtontimes.com/news/2013/jun/2/iran-cuts-hamas-funding-backing-syrian-opposition/>

¹⁵⁵ Majid Rafizadeh, "Complex double game: Iran supporting Assad AND al-Qaeda?" *Al Arabiya News* February 14, 2014 <http://english.alarabiya.net/en/views/news/middle-east/2014/02/14/Complex-double-game-Iran-supporting-Assad-AND-al-Qaeda-.html>

¹⁵⁶ Jay Solomon. "Treasury's Charge Sees Tehran Enabling Al Qaeda in Syria." *The Wall Street Journal*. Dow Jones & Company, 6 Feb. 2014 <http://online.wsj.com/news/articles/SB10001424052702304680904579367361392665786>

¹⁵⁷ Jay Solomon. "Treasury's Charge Sees Tehran Enabling Al Qaeda in Syria." *The Wall Street Journal*. Dow Jones & Company, 6 Feb. 2014 <http://online.wsj.com/news/articles/SB10001424052702304680904579367361392665786>

¹⁵⁸ U.S. Treasury Department Targets Networks Linked To Iran February 6, 2014 <http://www.treasury.gov/press-center/press-releases/Pages/jl2287.aspx>

¹⁵⁹ Majid Rafizadeh "Complex double game: Iran supporting Assad AND al-Qaeda?" 14 February 2014 <http://english.alarabiya.net/en/views/news/middle-east/2014/02/14/Complex-double-game-Iran-supporting-Assad-AND-al-Qaeda-.html>

Assad's standing contention that he is attempting to stop the overthrow of his government by al Qaeda terrorists is shared by Iran, so it is theoretically in Iran's interests to keep al Qaeda operatives functioning in order to bolster Assad's claims as well as to provide a justification for continued fighting against these terrorists, and with which Western powers might then find no fault. There are reports that Iran has facilitated the exchange of oil for money and recruits between al Qaeda affiliated al-Nusra Front, Islamic State of Iraq and al-Shams, and the Assad regime.¹⁶⁰ From a practical standpoint, it serves Iran to control the extremist elements that exist in Syria and the region to impact the spigot of funds and influence. Also, in the event of Assad's downfall, Iran would be in a powerful position of influence with the victors.

Conclusion

Iran has long been an outlaw state. For decades the United States has faced an Iranian threat consisting of brutal terrorist attacks. It has watched Iranian influence grow around the world. It has watched it develop networks near our borders and even within U.S. borders. It has watched with great concern Iran's development of ballistic missile capabilities and its pursuit of nuclear weapons capability.

Iran in fact all but declared war against the United States when its agents attempted to assassinate the Saudi Arabian ambassador on U.S. soil in 2011. The threat is real and growing. The question is now whether the threat is entering a transformational phase.

The Investigative Project on Terrorism believes the Iranian theocracy has a very dark past and present, and in that context we are very concerned about its future. Iran will view cyber warfare, a closer relationship with Russia, and the possibility of closer cooperation with other Islamist terror groups, as potential opportunities to radically change the national security equation for the U.S. and its allies. Just like the nuclear program, each of these will take some time to develop. But that's what it has always been with Iran: buying time.

Iran has skirted away from accepting responsibility for the regime's actions since the 1979 revolution. After billions of dollars in judgments against Iran, it is time for those who have suffered greatly from Iran's brutal actions to receive just compensation. Even Muammar Gaddafi in Libya was required to do so under the Iran and Libya Sanctions Act of 1996.

Libya fulfilled its obligations under the bill by accepting responsibility for the 270 people who died in the 1988 bombing of PanAm 103, renouncing terrorism, and arranging for the payment of appropriate compensation to the families of the victims.

The bill is now titled the Iran Sanctions Act because Iran has refused to do the same.

¹⁶⁰ Barak Barfi and Aaron Y. Zelin "al Qaeda's Syrian Strategy," *Foreign Policy* October 15, 2013 http://www.foreignpolicy.com/articles/2013/10/10/al_qaeda_s_syrian_strategy

We need to keep in mind that Iran is a ruthless killing machine, it is committed to creating a global Islamic Caliphate ruled by Shariah law by any means possible, and it flagrantly makes a mockery of international laws and norms.

Can we really expect Iran to fulfill any of its unenforceable commitments reached during the ongoing negotiations over its nuclear program, especially keeping in mind that it has never really been held accountable for its actions prior to now?