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Subcommittee on Terrorism, Nonproliferation and Trade

Countering Iranian Proxies in Iraq

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Chairman Poe, Ranking Member Keating, distinguished members of the Subcommittee on Terrorism, Trade, and Nonproliferation at the House Foreign Affairs Committee, on behalf of the Foundation for Defense of Democracies, thank you for inviting me to testify. It is a privilege to present my analysis alongside Dr. Kimberly Kagan, Mr. Michael Pregent, and Ambassador Barbara Leaf, all of whose work on Iraq and Iran, as well as their service to our country, I respect and admire.

Today, I will focus my comments on Iran's proxy strategy and militias while highlighting measures to counter these forces in Iraq. Designating Iran's armed agents of influence can serve as a predicate for a new Iraq policy beyond the anti-Islamic State mission. It can also help implement the regional component of a more comprehensive Iran policy, which the current U.S. administration called for almost one year ago.¹

Broader Iranian Motivations and Strategy

Properly orienting the present discussion about Iranian militias in Iraq begins not in Baghdad but in Tehran. The radical Khomeinist interpretation of Shiite Islam underpinning the 1979 Islamic Revolution was something Iranian revolutionaries intended for export. Despite emphasis on the prioritization of "regime survival"² in assessments of Iranian strategy, the regime's ideology and desire to export the revolution remain important drivers of Iranian foreign and security policy. Indeed, surveying the chaos in the Middle East in 2015, the commander of Iran's Islamic Revolutionary Guard Corps' Quds-Force (IRGC-QF), Qassem Soleimni, boasted, "We are witnessing the export of the Islamic Revolution throughout the region. From Bahrain and Iraq to Syria, Yemen and North Africa."³ Scrutinizing that list reveals a host of conflict zones, almost all of which feature a malign Iranian element in the form of a proxy or militia group that is destabilizing the region or subverting the status quo.

Although Tehran also employs soft power methods to export the revolution throughout the region and beyond,⁴ the Islamic Republic's reliance on a diverse array of militants to wield hard power abroad is unquestionable. Iran has spent nearly four decades creating, cultivating, arming, funding, and training groups in various theaters to further its revolutionary cause. Iran has also worked to

¹ The White House, "Remarks by President Trump on Iran Strategy," October 13, 2017.

(<https://www.whitehouse.gov/briefings-statements/remarks-president-trump-iran-strategy/>)

² U.S. Department of Defense, "Unclassified Report on the Military Power of Iran," April 2010, page 1.

(https://fas.org/man/eprint/dod_iran_2010.pdf). Looking at history, the regime has always had a penchant for expediency and self-preservation, but only when backed into a corner. Notable instances include: 1) Ayatollah Khomeini's begrudging acceptance of a United Nations Security Council-sponsored ceasefire agreement in July 1988 to end the bloody 1980-1988 Iran-Iraq War. Khomeini famously likened this acceptance to drinking from a "poisoned chalice." 2) In September 2013, after years of escalating sanctions against Iran's illicit nuclear program, Khomeini's successor Ayatollah Khamenei called for showing "heroic flexibility," thereby authorizing a new era of nuclear diplomacy with the P5+1 that led to the interim (JPOA) and final (JCPOA) nuclear deals.

³ Qassem Soleimani, cited in: Jeremy Bender and Michael B Kelley, "This sentence should cause a lot concern about Iran taking over Iraq," *Business Insider*, March 17, 2015. (<https://www.businessinsider.com/concern-about-iran-take-over-iraq-2015-3>)

⁴ For Iran's penetration of the Western Hemisphere using this model, see: Emanuele Ottolenghi, "State Sponsors of Terrorism: An Examination of Iran's Global Terrorism Network," *Testimony before the House Homeland Security committee Subcommittee on Counterterrorism and Intelligence*, April 17, 2018, page 1.

(http://www.defenddemocracy.org/content/uploads/documents/EO_HHSC_WrittenTestimony.pdf)

co-opt existing groups or their members. Among Iran's longest-running and most successful attempts to do the former include Lebanese Hezbollah⁵ and the Badr Organization in Iraq.⁶ Evidence of the latter is found in Iran's more recent arming⁷ of the Houthi rebels in Yemen.

Why Proxies?

The Islamic Republic's proclivity for using proxies is not only consistent with its ideological goals, but also reflects a cognizance of escalation dynamics and the country's military strengths and weaknesses.⁸ Iran uses proxies, terror groups,⁹ and militias throughout the Middle East (and in Iraq, in particular) because they enable the regime to do five key things:

- **Help mask its hand abroad:** By drawing on non-Iranian actors¹⁰ with pre-existing grievances, Tehran achieves a measure of plausible deniability in the asymmetric assaults and terror attacks it orders against its adversaries.
- **Dampen prospects for escalation against Iranian territory:** Should Iran's "hand" be revealed, having a robust proxy network spread out across the Middle East – or even multiple groups within a single country like Iraq – can deter escalation against Iranian equities while keeping conflict localized and, most importantly, away from the Iranian homeland.
- **Play to its strengths – and its adversaries' weakness – by operating in the "gray zone":**¹¹ Iran's ability to engage in graduated escalation without provoking an outright response from its conventionally superior foes highlights Tehran's understanding of its

⁵ Ranj Alaadin, "Iran Used the Hezbollah Model to Dominate Iraq and Syria," *The New York Times*, March 30, 2018. (<https://www.nytimes.com/2018/03/30/opinion/iran-hezbollah-iraq-syria.html>)

⁶ Amir Toumaj, "Death of a General: What Shaban Nasiri Reveals About Iran's Secretive Qods Force," *War on the Rocks*, March 23, 2018. (<https://warontherocks.com/2018/03/death-of-a-general-what-shaban-nasiri-reveals-about-irans-secretive-qods-force/>)

⁷ See: Phil Stewart, "In first, U.S. presents its evidence of Iran weaponry from Yemen," *Reuters*, December 14, 2017. (<https://www.reuters.com/article/us-usa-iran-arms/in-first-u-s-presents-its-evidence-of-iran-weaponry-from-yemen-idUSKBN1E82J6>); Behnam Ben Taleblu, "A peek inside Houthi Rebel's recent missile strikes in Saudi Arabia," *FDD's Long War Journal*, March 28, 2018. (<https://www.longwarjournal.org/archives/2018/03/a-peek-inside-houthi-rebels-recent-missile-strikes-in-saudi-arabia.php>); and Jerrica Goodson, Simon Chin, and Valerie Lincy, "Iranian Arms Shipments to Yemen Violate U.N. Resolutions," *Iran Watch*, November 3, 2016. (<https://www.iranwatch.org/our-publications/policy-briefs/iranian-arms-shipments-yemen-violate-un-resolutions>)

⁸ For an analysis of these issues, see: J. Matthew McInnis, "The Future of Iran's Security Policy: Inside Tehran's Strategic Thinking," *American Enterprise Institute*, May 2017. (<https://cdn.mashreghnews.ir/d/2017/07/06/0/1982034.pdf>)

⁹ See: Carol Morello, "Terrorism is down worldwide, but State Department says Iran maintains 'near-global reach,'" *The Washington Post*, September 19, 2018. (https://www.washingtonpost.com/world/national-security/terrorism-is-down-worldwide-but-state-department-says-iran-maintains-near-global-reach/2018/09/19/fc3a85b1-dbac-4496-a295-b78599cd6720_story.html?utm_term=.e62d1bbf9e5f)

¹⁰ Despite being "local" and "non-Iranian," many of these groups pledge allegiance to Iran. For example, see: Bill Roggio and Caleb Weiss, "Iraqi Shiite militia leader says he would overthrow government if ordered by Iran's supreme leader," *FDD's Long War Journal*, November 12, 2015. (<https://www.longwarjournal.org/archives/2015/11/us-designated-terrorist-of-iraqi-militia-reportedly-in-aleppo.php>)

¹¹ For more on gray zone conflicts, see: U.S. Department of State, The International Security Advisory Board, "Report on Gray Zone Conflict," January 3, 2017. (<https://www.state.gov/documents/organization/266849.pdf>)

adversaries' high bar for the use of force as well as their reservations about employing that force. Iran frequently uses proxies and terror groups to impose costs on adversaries while avoiding direct retaliation, enabling Tehran to make incremental gains with limited costs.¹²

- **Enter conflicts at an earlier stage and shape the outcome:**¹³ Equipping and deploying militias to a theater of conflict is far cheaper than training and sending conventional forces. This reduced price tag lowers the bar for intervention and for the use of force by Iran and its proxies. Taken as a measure of their political commitment, an early intervention can – but does not always – enable Tehran greater say over the direction of a conflict over time.
- **Translate relatively cheap military power into durable political influence:** For Iran, a longstanding and successful relationship between a patron and a proxy moves beyond men, money, and munitions, and focuses instead on political support to co-opt key state institutions or the entire state where the proxy is active. Thus, Lebanese Hezbollah is playing an influential¹⁴ – and by some estimates, the most influential¹⁵ – role in Lebanese politics today. The same threat exists in Iraq today with respect to IRGC-backed militias.

The Evolution of Iran Proxies' Objectives

Prior to the Arab Spring in 2011, Iran employed proxies for two basic purposes: conducting acts of terrorism against targets antithetical to regime interests and ideals, and subverting or co-opting central authority in states that were at odds with Tehran. After 2011, when Syria's Assad regime was in peril, Iran surged Lebanese Hezbollah and the IRGC into the Syrian theater. Iran also created, trained, and armed Arab and non-Arab Shiite militias to rally in defense of the one Arab government Tehran could count as an ally. This soon became the model for the third type of proxy employment: militia support to shore up states aligned with, or favorable towards, Tehran. Building on Iran's extensive proxy network in Iraq,¹⁶ a similar cadre of actors was marshaled in 2014 to reconquer territory from the Islamic State. The regime helped channel Iraqis (mostly Shiites) and other newly created proxies into the broad umbrella force called the Popular Mobilization Units (PMUs). Battlefield experience for this "Shiite Liberation Army,"¹⁷ an

¹² This strategy defined the Iranian experience in Iraq from 2003-2011. See: Ben Connable, Jason H. Campbell, Dan Madden, "Stretching and Exploiting Thresholds for High-Order War: How Russia, China, and Iran Are Eroding American Influence Using Time-Tested Measures Short of War," *Rand Corporation*, 2016, page 25.

(https://www.rand.org/content/dam/rand/pubs/research_reports/RR1000/RR1003/RAND_RR1003.pdf)

¹³ Noted in: Behnam Ben Taleblu, "Missing The Point On Iran's Ballistic Missiles," *War on the Rocks*, April 28, 2017. (<https://warontherocks.com/2017/04/missing-the-point-on-irans-ballistic-missiles/>)

¹⁴ Israeli Defense Forces, "Hezbollah's Influence over the Lebanese Political System," accessed September 19, 2018. (<https://www.idf.il/en/minisites/facts-and-figures/hezbollah/hezbollahs-influence-over-the-lebanese-political-system/>)

¹⁵ "Israeli minister says 'Lebanon equals Hezbollah' after election," *Reuters*, May 7, 2018.

(<https://www.reuters.com/article/us-lebanon-election-israel/israeli-minister-says-lebanon-equals-hezbollah-after-election-idUSKBN1I80FW>). Some scholars contest this interpretation. See: Bilal Y. Saab, "The United States Has Not Lost Lebanon," *Foreign Policy*, May 8, 2018. (<https://foreignpolicy.com/2018/05/08/dont-scrap-washingtons-lebanon-policy-its-working/>)

¹⁶ Entities like Badr, Kata'ib Hezbollah, and Asa'ib Ahl al-Haq.

¹⁷ In Western parlance, this is called Iran's "Shiite Foreign Legion." But in 2016, an IRGC official coined the term "Shiite Liberation Army" during an interview with hardline media. See: «فاطمیون» پیش‌قراول نبرد سوریه بودند/«ارتش» (The Fatemiyoun Were The Forefront of The War In Syria/'The Artesh' Has Several Volunteer Martyrdom Divisions)," *Tasnim News Agency* (Iran), August 18, 2016.

integrated multi-ethnic force loyal to the IRGC-QF that can be deployed across national boundaries in service of the Islamic Republic's foreign adventures, marks a potentially new era in Iran's use of proxy forces.

Identifying Iran's Agents of Influence in Iraq

Shiite militias in Iraq have come a long way since the first years after the fall of Saddam Hussein, when firebrand cleric Muqtada al-Sadr's Jaish al-Mahdi (JAM) and the Badr Brigade dominated the scene.¹⁸ The multiplicity of militias in Iraq today is a product of the splintering of the JAM's "Special Groups"¹⁹ during the Iraq War, as well as the mobilization of what became the PMU in 2014. The threat, according to experts, is that "this constellation of Iranian-backed militias is eclipsing official Iraqi institutions, and sowing the seeds of conflict for decades to come."²⁰ But more than checking or overshadowing Iraqi institutions is the threat that comes from integrating militias²¹ into the Iraqi security forces or seating them in government without vetting and disarming them, or ignoring what their true allegiances may be.²²

While political and religious groups lie outside the scope of this testimony, Iran-backed militias often contain some political or religious components that ground them in the state and society in which they operate. With reference to Iraq, it is important to recall that revolutionary Iran has had long-standing ties to the Da'wa party,²³ and that Iran was once home to many Iraqi Shiites in exile, particularly during the 1980-1988 Iran-Iraq War. Iran's continued relationship with, and cultivation of, these entities is strategic. Over time, these relationships have provided Iran with inroads into Iraq's politics, society, and economy. As Soleimani once claimed, "We're not like the Americans. We don't abandon our friends."²⁴

Soleimani's dictums matter not only because they offer insight into the mind of a noted terrorist, but because as IRGC-QF chief, he is one of few Iranian security officials sufficiently empowered

(<https://www.tasnimnews.com/fa/news/1395/05/28/1161426/-چندین-لشکر-داوطلب-شهادت-دارد>)

¹⁸ These two groups clashed with each other multiple times. See: Qassim Abdul-Zahra And Hamza Hendawi, "Rival Militias Threaten Iraq's South," *Associated Press*, October 25, 2006. (http://www.washingtonpost.com/wp-dyn/content/article/2006/10/25/AR2006102501432_pf.html)

¹⁹ For example, see: U.S. Department of the Treasury, Press Release, "Treasury Designates Hizballah Commander Responsible for American Deaths in Iraq," November 19, 2012. (<https://www.treasury.gov/press-center/press-releases/Pages/tg1775.aspx>)

²⁰ Ali Khedery, "Iran's Shiite Militias Are Running Amok in Iraq," *Foreign Policy*, February 19, 2015. (<https://foreignpolicy.com/2015/02/19/irans-shiite-militias-are-running-amok-in-iraq/>)

²¹ See threat from Qais al-Khazali in: "Notorious Iraq militia leader once held by US threatens Americans on the battlefield," *Fox News*, August 9, 2016. (<http://www.foxnews.com/world/2016/08/09/notorious-iraq-militia-leader-once-held-by-us-threatens-americans-on-battlefield.html>)

²² Tyler Stapleton and Amir Toumaj, "Iraq Opens its Gates to Iran's Trojan Horse," *Foundation for Defense of Democracies*, August 3, 2016. (<http://www.defenddemocracy.org/media-hit/tyler-stapleton-iraq-opens-its-gates-to-irans-trojan-horse/>); Amir Toumaj and Romany Shaker, "Top Iraqi-Shiite cleric endorses incorporation of PMF into the state," *FDD's Long War Journal*, December 28, 2018. (<https://www.longwarjournal.org/archives/2017/12/top-iraqi-shiite-cleric-endorses-incorporation-of-pmf-into-the-state.php>)

²³ Colonel Terry M. Lee, "Iran's Influence in Iraq," *U.S. Army War College*, June 7, 2010, page 6. (<http://www.dtic.mil/dtic/tr/fulltext/u2/a545054.pdf>)

²⁴ Qassem Soleimani, quoted in: Dexter Filkins, "The Shadow Commander," *The New Yorker*, September 30, 2013. (<https://www.newyorker.com/magazine/2013/09/30/the-shadow-commander>)

to have the capability to see his intentions through.²⁵ Many Shiite militias have received training, weapons, or direction from Tehran, usually at the behest of the IRGC-QF.²⁶ Recent news of Iranian missile proliferation to Shiite militias in Iraq should come as no surprise as it is a measure of Tehran's fondness for, and investment in, these groups.²⁷ For these militias, it is a point of pride to be visited by Soleimani on the battlefield and be photographed alongside him.²⁸

Knowing Your Enemy – Profiles of Four Key Militias

The profiles below present important details about four of the most influential Iran-backed Shiite militias in Iraq. Of those four, Asa'ib Ahl al-Haq and Harakat Hezbollah al-Nujaba have the most overt links to Iran and to (not yet designated) elements of the Iranian threat network in Iraq. The list below is not exhaustive. There are many other Iran-backed forces in Iraq, as well as others operating in Syria and across the region. For additional information on militias operating in both theaters, I highly recommend the scholarship of my colleagues David Adesnik and Amir Toumaj, who produced 10 militia profiles for the Foundation for Defense of Democracies in February 2018.²⁹

Munathama Badr³⁰ (Badr)

- Name (English): The Badr Organization
- Year founded: 1982, renamed in 2012³¹
- Current leader: Hadi al-Amiri³²
- Current sanctions: None

²⁵ See the note Soleimani reportedly sent General Petraeus about Iran's regional policy, cited in: Ali Alfoneh, "Brigadier General Qassem Suleimani: A Biography," *American Enterprise Institute*, January 2011, page 1. (<http://www.aei.org/wp-content/uploads/2011/10/suleimani.pdf>)

²⁶ For example, see: "Asa'ib Ahl al-Haq," *Stanford University*, March 24, 2017.

(<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/143?highlight=haqqani+network>)

²⁷ Behnam Ben Taleblu, "Iran moves missiles to Iraq in attempt to fortify security, influence," *Axios*, September 7, 2018. (<https://www.axios.com/iran-moves-missiles-to-iraq-in-attempt-to-fortify-security-influence-df603c7e-f08c-40c6-834a-54a995f69226.html>); Tovah Lazaroff, "Nikki Haley: Iran Proxies Reportedly Developing Missile Production In Iraq," *The Jerusalem Post* (Israel), September 21, 2018. (<https://www.jpost.com/International/Nikki-Haley-Iran-proxies-reportedly-develop-missile-production-in-Iraq-567691>)

²⁸ Jeremy Bender, "Here are photos of Iran's military mastermind drinking tea on the front lines of the war against ISIS," *Business Insider*, March 5, 2015. (<https://www.businessinsider.com/2-photos-of-irans-qassem-suleimani-on-front-lines-of-isis-war-2015-3>); Caleb Weiss, "Qods Force commander photographed with Iraqi militia in Aleppo," *FDD's Long War Journal*, October 18, 2015. (<https://www.longwarjournal.org/archives/2015/10/qods-force-commander-photographed-with-iraqi-militia-in-aleppo.php>)

²⁹ David Adesnik and Amir Toumaj, "FDD Profiles of Leading Iranian-Backed Militias," *Foundation for Defense of Democracies*, February 28, 2018. (<http://www.defenddemocracy.org/media-hit/iranian-backed-militia-profiles/>)

³⁰ Transliterated from Arabic: منظمة بدر

³¹ Philip Smyth, "Should Iraq's ISCI Forces Really Be Considered 'Good Militias'?", *The Washington Institute for Near East Policy*, August 17, 2016. (<https://www.washingtoninstitute.org/policy-analysis/view/should-iraqs-isci-forces-really-be-considered-good-militias>)

³² Susannah George, "Breaking Badr," *Foreign Policy*, November 6, 2014. (<https://foreignpolicy.com/2014/11/06/breaking-badr/>)

- Ties to Iran: Badr sided with Iran against its fellow Iraqis during the Iran-Iraq War.³³ Badr, which is popularly known as “Iran’s oldest proxy in Iraq,”³⁴ has adopted Iran’s Khomeinist interpretation of Islam.³⁵
- Threat: Badr has effective control of Iraq’s interior ministry,³⁶ strong presence in many PMU units, and retention of weaponry.³⁷ Al-Amiri has reportedly threatened to topple any American-imposed government.³⁸
- Other notes:
 - Badr holds 22 seats in Iraq’s parliament as part of the Fatah coalition.³⁹
 - The militia was originally named *Faylaq al-Badr* (The Badr Corps), which was the armed wing of the Supreme Council for Islamic Revolution in Iraq (which later became the Islamic Supreme Council of Iraq).⁴⁰
 - Badr partook in the offensive to dislodge the Peshmerga from Kirkuk after the 2017 independence referendum by Iraqi Kurds.⁴¹

Kata’ib Hezbollah (KH)

- Name (English): The Hezbollah Brigades/Brigades of the Party of God
- Year founded: 2007 (with roots in 2003)⁴²

³³ “Badr Organization,” *Counter Extremism Project*, accessed September 20, 2018.

(<https://www.counterextremism.com/threat/badr-organization>)

³⁴ Babak Deghanpisheh, “Special Report: The fighters of Iraq who answer to Iran,” *Reuters*, November 12, 2014.

(<https://www.reuters.com/article/us-mideast-crisis-militias-specialreport/special-report-the-fighters-of-iraq-who-answer-to-iran-idUSKCN0IW0ZA20141112>)

³⁵ “Badr Organization,” *Counter Extremism Project*, accessed September 20, 2018.

(<https://www.counterextremism.com/threat/badr-organization>)

³⁶ Ali Alfoneh, “An Obstacle to Riyadh’s Outreach to Baghdad: Iraqi Interior Minister’s Ties with I.R.G.C.,” *Middle East Institute*, October 25, 2017. (<http://www.mei.edu/content/io/obstacle-riyadh-s-outreach-baghdad-iraqi-interior-minister-s-ties-irgc>);

Susannah George, “Former US prisoner now leading Iraq’s Interior ministry,” *Associated Press*, May 8, 2017. (<https://www.militarytimes.com/news/pentagon-congress/2017/05/09/former-us-prisoner-now-leading-iraq-s-interior-ministry/>);

Loveday Morris, “Appointment of Iraq’s new interior minister opens door to militia and Iranian influence,” *The Washington Post*, October 18, 2014.

(https://www.washingtonpost.com/world/appointment-of-iraqs-new-interior-minister-opens-door-to-militia-and-iranian-influence/2014/10/18/f6f2a347-d38c-4743-902a-254a169ca274_story.html?utm_term=.bd0275b26762)

³⁷ “Badr Organization of Reconstruction and Development,” *Stanford University*, November 13, 2016.

(<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/435?highlight=kataib+hezbollah>)

³⁸ Kowsar Nawzad, “Iran-backed milita leader: ‘I will overthrow’ any US-imposed Iraqi PM,” *Kurdistan 24* (Iraq), August 9, 2018. (<http://www.kurdistan24.net/en/news/13ab70dd-78d6-4c3f-8be6-fc009eeac98a>)

³⁹ Tamer El-Ghobashy and Mustafa Salim, “Iraqi election seen as a contest between Iran’s challenger and America’s incumbent,” *The Washington Post*, May 11, 2018. (https://www.washingtonpost.com/world/middle-east/iraqi-election-seen-as-a-contest-between-irans-challenger-and-americas-incumbent/2018/05/10/7bfc4912-538f-11e8-a6d4-ca1d035642ce_story.html?noredirect=on&utm_term=.ce71b9e20887)

⁴⁰ Philip Smyth, “Should Iraq’s ISCI Forces Really Be Considered ‘Good Militias’?” *The Washington Institute for Near East Policy*, August 17, 2016. (<https://www.washingtoninstitute.org/policy-analysis/view/should-iraqs-isciforces-really-be-considered-good-militias>)

⁴¹ Anchal Vohra, “Iraq’s Shiite Militias Are Just Getting Started,” *Foreign Policy*, October 18, 2017.

(<https://foreignpolicy.com/2017/10/18/iraqs-shiite-militias-are-just-getting-started/>)

⁴² Noted in the KH profile in: David Adesnik and Amir Toumaj, “FDD Profiles of Leading Iranian-Backed Militias,” *Foundation for Defense of Democracies*, February 28, 2018. (<http://www.defenddemocracy.org/media-hit/iranian-backed-militia-profiles/>)

- Current leader: Jamal Jaafar Ibrahim (aka Abu Mahdi al-Muhandis)⁴³
- Current sanctions: In 2009, the U.S. designated KH as a Foreign Terrorist Organization (FTO) and employed counterterrorism authorities from Executive Order (EO) 13224 as well as EO 13438, which targets those who destabilize Iraq. EO 13438 also targeted al-Muhandis.⁴⁴ Al-Muhandis is “subject to secondary sanctions,” according to the Treasury Department’s Office of Foreign Assets Control.⁴⁵
- Ties to Iran: The most recent State Department Country Reports on Terrorism notes that KH receives material support from Iran.⁴⁶ KH has also received training in Iran.⁴⁷ U.S. military officials have stated that KH takes direct “orders” from the IRGC-QF.⁴⁸ According to Stanford University’s Mapping Militant Organizations Project, KH collaborated with Asa’ib Ahl al-Haq to create Harakat Hezbollah al-Nujaba.⁴⁹ Al-Muhandis also worked for the IRGC, aiding in the bombings of the U.S. and French embassies in Kuwait City in 1983.⁵⁰
- Threat: KH leader al-Muhandis has threatened violence on multiple occasions against the U.S.,⁵¹ claiming the group anticipates targeting U.S. forces after the Islamic State campaign.⁵²
- Other notes:
 - An offshoot of KH now has one seat in the Iraqi parliament under the Fatah coalition.⁵³

⁴³ Babak Deghanpisheh, “Special Report: The fighters of Iraq who answer to Iran,” *Reuters*, November 12, 2014. (<https://www.reuters.com/article/us-mideast-crisis-militias-specialreport/special-report-the-fighters-of-iraq-who-answer-to-iran-idUSKCN0IW0ZA20141112>)

⁴⁴ U.S. Department of the Treasury, Press Release, “Treasury Designates Individual, Entity Posing Threat to Stability in Iraq,” June 2, 2009. (<https://www.treasury.gov/press-center/press-releases/Pages/tg195.aspx>)

⁴⁵ U.S. Department of the Treasury, Office of Foreign Assets Control, “Sanctions List Search,” accessed September 20, 2018. (<https://sanctionssearch.ofac.treas.gov/Details.aspx?id=2208>)

⁴⁶ U.S. Department of State, Bureau of Counterterrorism and Countering Violent Extremism, “Chapter 2: State Sponsors of Terrorism,” September 2018. (<https://www.state.gov/j/ct/rls/crt/2017/282847.htm>)

⁴⁷ Leila Fadel, “Amid threat, U.S. heightens security at its Iraq bases,” *The Washington Post*, July 13, 2010. (<http://www.washingtonpost.com/wp-dyn/content/article/2010/07/13/AR2010071301768.html>)

⁴⁸ Tim Craig and Ed O’Keefe, “U.S. military says Iran behind rising deaths,” *The Washington Post*, June 30, 2011. (https://www.washingtonpost.com/world/3-us-troops-killed-in-iraq-adding-to-deadly-month/2011/06/30/AGrDQprH_story.html?utm_term=.a1ea5c100e1d)

⁴⁹ “Asa’ib Ahl al-Haq,” *Stanford University*, March 24, 2017. (<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/143?highlight=haqqani+network>)

⁵⁰ U.S. Department of the Treasury, Press Center, “Treasury Designations Individual, Entity Posing Threat to Stability in Iraq,” July 2, 2009. (<https://www.treasury.gov/press-center/press-releases/Pages/tg195.aspx>)

⁵¹ Sangar Ali, “Iraqi Shia militia: Confrontation with US troops can happen at any moment,” *Kurdistan 24* (Iraq), February 6, 2018. (<http://www.kurdistan24.net/en/news/ee824c8e-0250-4ace-9937-097cd6820f93>); Ahmad Majidiyar, “Kata’ib Hezbollah: We’re Ready to Fight American Troops in Iraq,” *Middle East Institute*, September 15, 2017. (<http://www.mei.edu/content/io/kata-ib-hezbollah-we-re-ready-fight-american-troops-iraq>)

⁵² Rowan Scarborough, “Ruthless Iranian militia vows to turn against U.S. troops once Islamic State is defeated in Iraq,” *The Washington Times*, September 7, 2017. (<https://www.washingtontimes.com/news/2017/sep/7/iran-militia-to-attack-americans-after-isis-defeat/>)

⁵³ See case of Kata’ib Sayyid al-Shuhada in, Phillip Smyth, “Iranian Militias in Iraq’s Parliament: Political Outcomes and U.S. Response,” *The Washington Institute for Near East Policy*, June 11, 2018. (<https://www.washingtoninstitute.org/policy-analysis/view/iranian-militias-in-iraqs-parliament-political-outcomes-and-u.s.-response>)

- Iran has come to rely on KH, among several other Iraqi Shiite militias, to bolster Tehran's pro-Assad coalition in Syria.⁵⁴

Asa'ib Ahl al-Haq (AAH)

- Name (English): The League of the Righteous
- Year founded: 2006⁵⁵
- Current leader: Qais al-Khazali⁵⁶
- Current sanctions: None
- Ties to Iran: AAH is "extensively trained and funded by" Iran's IRGC.⁵⁷ According to a noted scholar, "Khazali has reportedly pledged allegiance to Iran's Supreme Leader Ali Khamenei."⁵⁸
- Threat: AAH claims to have carried out at least 6,000 attacks on American military and coalition forces from its inception in 2006 to the end of the Iraq War in 2011.⁵⁹ The group is capable of carrying out lethal ambushes, such as the one in January 2007 that killed five American service members.⁶⁰
- Other notes:
 - AAH's political wing, "al-Sadiqoun," won an estimated 13-15 seats in the recent parliamentary elections and was part of the Fatah coalition.⁶¹
 - The group is more than just a militia – AAH provides social services to Shiites in Iraq.⁶²
 - AAH has sent forces to fight in Syria to defend the Iran-aligned Assad regime.⁶³

⁵⁴ Israel Ministry of Foreign Affairs, "Iran's pivotal role in Aleppo massacres," December 29, 2016.

(<http://mfa.gov.il/MFA/ForeignPolicy/Issues/Pages/Irans-pivotal-role-in-Aleppo-massacres-December-2016.aspx>)

⁵⁵ "Asa'ib Ahl al-Haq," *Stanford University*, March 24, 2017. (<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/143?highlight=haqqani+network>)

⁵⁶ Babak Deghanpishseh, "Special Report: The fighters of Iraq who answer to Iran," *Reuters*, November 12, 2014. (<https://www.reuters.com/article/us-mideast-crisis-militias-specialreport/special-report-the-fighters-of-iraq-who-answer-to-iran-idUSKCN0IW0ZA20141112>)

⁵⁷ "Asa'ib Ahl al-Haq," *Stanford University*, March 24, 2017. (<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/143?highlight=haqqani+network>)

⁵⁸ Ahmad Majidiyar, "Iran-Backed Iraqi Militia Leader Intensifies Propaganda against U.S. and Its Allies," *Middle East Institute*, August 1, 2017. (<http://www.mei.edu/content/io/iran-backed-iraqi-militia-leader-intensifies-propaganda-against-us-and-its-allies>)

⁵⁹ "Al-Sadr fled to Iran due to assassination fears," *al-Sharq al-Awsat* (U.K.), January 26, 2011. (<https://eng-archive.aawsat.com/theaawsat/news-middle-east/al-sadr-fled-to-iran-due-to-assassination-fears>)

⁶⁰ Matthew Hilburn, "One-time US Prisoner Now Key in Battling IS," *Voice of America*, March 15, 2015.

(<https://www.voanews.com/a/qais-khazali-onetime-us-prisoner-now-key-in-battling-islamic-state/2679431.html>)

⁶¹ These sources report 13, 14, and 15 seats, respectively. Phillip Smyth, "Iranian Militias in Iraq's Parliament: Political Outcomes and U.S. Response," *The Washington Institute for Near East Policy*, June 11, 2018.

(<https://www.washingtoninstitute.org/policy-analysis/view/iranian-militias-in-iraqs-parliament-political-outcomes-and-u.s.-response>); Mamoun Alabassi, "Iraqi post-election horse-trading in full swing," *The Arab Weekly* (UK), June 3, 2018. (<https://theArabweekly.com/iraqi-post-election-horse-trading-full-swing>); Ahmad Majidiyar, "Iran-backed Iraqi group defends its history of violence, reacts to U.S. Congressional bill," *Middle East Institute*, May 29, 2018. (<http://www.mei.edu/content/io/iran-backed-iraqi-group-defends-its-history-violence-reacts-us-congressional-bill>)

⁶² Alireza Nader, "Iran's Role in Iraq: Room for U.S.-Iran Cooperation?" *Rand Corporation*, accessed September 19, 2018, page 10. (https://www.rand.org/content/dam/rand/pubs/perspectives/PE100/PE151/RAND_PE151.pdf)

⁶³ Matthew Hilburn, "One-time US Prisoner Now Key in Battling IS," *Voice of America*, March 15, 2015.

(<https://www.voanews.com/a/qais-khazali-onetime-us-prisoner-now-key-in-battling-islamic-state/2679431.html>)

Harakat Hezbollah al-Nujaba (HHN)

- Name (English): The Movement of the Noble of Hezbollah/Movement of the Noble of the Party of God
- Year founded: 2013⁶⁴
- Current leader: Sheikh Akram al-Ka'abi⁶⁵
- Current sanctions: The U.S. Treasury Department designated al-Ka'abi in 2008, prior to HHN's founding, pursuant to EO 13438 "for threatening the peace and stability of Iraq and the Government of Iraq."⁶⁶
- Ties to Iran: Al-Ka'abi is dedicated to Iran's Supreme Leader Khamenei and Iran's vision of Islamic governance. Al-Ka'abi has met with, and is widely admired by, Iran's revolutionary elite.⁶⁷ Sheikh Mokhtar, Nujaba's Syria commander, reportedly told a group of Hezbollah fighters in 2016, "We will go to defend anywhere the Islamic Republic of Iran deems necessary, because we are committed to [the] Supreme Leader."⁶⁸
- Threat: The U.S. designated Al-Ka'abi for "leading attacks against members of the Government of Iraq and Coalition Forces."⁶⁹ Al-Ka'abi said publicly he would overthrow the Iraqi central government if the Supreme Leader asked him to do so.⁷⁰
- Other notes:
 - HHN partook in the siege of Aleppo.⁷¹
 - In early 2017, Iranian outlets reported comments from an HHN spokesman claiming that the group had established a "special brigade" in Syria "ready to take actions to liberate [the] Golan."⁷²

⁶⁴ "Asa'ib Ahl al-Haq," *Stanford University*, March 24, 2017. (<http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/143?highlight=haqqani+network>)

⁶⁵ Babak Dehghanpisheh, "Special Report: The Iraqi militia helping Iran carve a road to Damascus," *Reuters*, September 22, 2017. (<https://www.reuters.com/article/us-mideast-crisis-iraq-nujaba-specialrep/special-report-the-iraqi-militia-helping-iran-carve-a-road-to-damascus-idUSKCN1BX11N>)

⁶⁶ U.S. Department of the Treasury, Press Release, "Treasury Designates Individuals and Entities Fueling Violence in Iraq," September 16, 2008. (<https://www.treasury.gov/press-center/press-releases/Pages/hp1141.aspx>)

⁶⁷ Amir Toumaj, "Iraqi militia leader receives warm reception in Tehran," *FDD's Long War Journal*, September 9, 2016. (<https://www.longwarjournal.org/archives/2016/09/iraqi-militia-leader-receives-warm-reception-in-tehran.php>)

⁶⁸ "Commander: Al-Nujaba Ready to Fight Terrorists Anywhere Ayatollah Khamenei Deems Necessary," *Fars News Agency* (Iran), July 9, 2016. (<http://en.farsnews.com/newstext.aspx?nn=13950419000826>)

⁶⁹ U.S. Department of the Treasury, Press Release, "Treasury Designates Individuals and Entities Fueling Violence in Iraq," September 16, 2008. (<https://www.treasury.gov/press-center/press-releases/Pages/hp1141.aspx>)

⁷⁰ Bill Roggio and Caleb Weiss, "Iraqi Shiite militia leader says he would overthrow government if ordered by Iran's supreme leader," *FDD's Long War Journal*, November 12, 2015. (<https://www.longwarjournal.org/archives/2015/11/us-designated-terrorist-of-iraqi-militia-reportedly-in-aleppo.php>)

⁷¹ Tamer El-Ghobashy and Maria Abi-Habib, "Iraqi Militias Complicate Aleppo Battle," *The Wall Street Journal*, October 5, 2016. (<https://www.wsj.com/articles/iraqi-militias-complicate-aleppo-battle-1475687051>)

⁷² "Iraqi Resistance Movement Establishes Brigade to Liberate Golan Heights," *Tasnim News Agency* (Iran), March 8, 2017. (<https://www.tasnimnews.com/en/news/2017/03/08/1349676/iraqi-resistance-movement-establishes-brigade-to-liberate-golan-heights>); Note: Although Nujaba does not have the military capability to liberate the Golan Heights from the Israeli Defense Forces, it speaks to the long-term intentions of the group, ideological orientation, and affinity with Iran-backed causes, as well as their provocative messaging and media strategy.

Debating a Designation for Iran's Proxies in Iraq

The ascendancy of Iran-backed militias in Iraq is a threat to U.S. interests since it further draws the country into Iran's orbit and has the potential to erode U.S. influence and room for maneuver. This was recently demonstrated when militias attacked U.S. diplomatic facilities in two Iraqi cities.⁷³ Iran-backed Shiite militias spent nearly a decade targeting U.S. service members during the Iraq War,⁷⁴ cutting their teeth on the issue of resistance against America. Now, despite some setbacks,⁷⁵ these groups are seeking to translate their military success⁷⁶ into greater political power⁷⁷ in Baghdad.

Three U.S. Presidents – George W. Bush, Barack Obama, and now Donald Trump – have relied on designations to push back on the expansive influence of Iran's IRGC by disrupting its financial support networks, exposing its agents and affiliates, and publically stigmatizing them. It is now time to apply that approach in Iraq. It is my recommendation that the U.S. move to designate select Iranian proxies in Iraq that retain close ties to Iran and the IRGC. The legal authorities for such a move already exist, as does the evidence required for designations. This makes the main issue one of political will.

As a cautionary note, my recommendation of a terrorism designation for such entities should not preclude future U.S. actions against Iran in Iraq and in defense of Iraqi sovereignty. Designations will not do away with the Iranian proxy threat in Iraq. But they can help the U.S. approach the problem of Iranian expansionism and subversion more directly and by using all elements of national power.

Below is a brief overview of the legal authorities available to U.S. policymakers to designate elements of Iran's proxy network in Iraq. I then summarize arguments in favor of designations, followed by an attempt to engage with and refute counterarguments to such a move.

⁷³ Krishnadev Calamur, "Trump's Latest Warning to Iran Didn't Come Out of Nowhere," *The Atlantic*, September 12, 2018. (<https://www.theatlantic.com/international/archive/2018/09/trump-warns-iran-shia-militia-iraq/569989/>)

⁷⁴ As described in: Michael R. Gordon and Bernard E. Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, from George W. Bush to Barack Obama* (New York: Pantheon Books, 2012).

⁷⁵ "Iraq Shi'ite Paramilitary Leader Al-Amiri Withdraws Candidacy for PM," *Reuters*, September 18, 2018. (<https://www.usnews.com/news/world/articles/2018-09-18/iraqi-shiite-paramilitary-leader-hadi-al-amiri-withdraws-candidacy-for-pm>)

⁷⁶ Liz Sly, "Pro-Iran militias' success in Iraq could undermine U.S.," *The Washington Post*, February 15, 2015. (https://www.washingtonpost.com/world/middle_east/iraqs-pro-iranian-shiite-militias-lead-the-war-against-the-islamic-state/2015/02/15/5bbb1cf0-ac94-11e4-8876-460b1144cbc1_story.html?utm_term=.5b0bcdd744f8)

⁷⁷ Amir Toumaj and Romany Shaker, "Iranian-backed Iraqi militias form coalition ahead of parliamentary elections," *FDD's Long War Journal*, January 25, 2018. (<https://www.longwarjournal.org/archives/2018/01/iranian-backed-iraqi-militias-form-coalition-ahead-of-parliamentary-elections.php>); Isabel Coles and Ali Nabhan, "Iran-Backed Militias Seek Political Sway in Iraq," *The Wall Street Journal*, May 10, 2018. (<https://www.wsj.com/articles/iran-backed-militias-seek-political-sway-in-iraq-1525944600>)

Survey of Legal Authorities Already in Place

- **Designation Pursuant to EO 13224**⁷⁸
 - Name: Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism⁷⁹
 - Date signed: September 23, 2001
 - Summary of punishments: Enables the U.S. to block the assets of foreign individuals and entities related to the subject matter of the order, as well as their agents, affiliates, and associates.
 - Recommendation: To target select Iran-backed militias in Iraq with this order, since they are agents of Iran's IRGC and are overseen by Iran's IRGC-QF. This EO was used to designate both the IRGC and IRGC-QF.⁸⁰

- **Designation Pursuant to EO 13438**⁸¹
 - Name: Blocking Property of Certain Persons Who Threaten Stabilization Efforts in Iraq
 - Date signed: July 17, 2007
 - Summary of punishments: "prohibit[s] all transactions between the designees and any U.S. person and freeze[s] any assets the designees may have under U.S. jurisdiction."⁸²
 - Recommendation: This EO can be used against militia networks in Iraq. In fact, it has already been used against the leaders of select militias, but the stigma surrounding a terrorism designation is greater.

- **Addition to FTO List**
 - Maintained by the U.S. Department of State since 1997, the Foreign Terrorist Organization (FTO) list is public, thereby naming and shaming foreign militant groups that partake in terrorism or "retain the capability and intent to engage in terrorist activity or terrorism."⁸³ Listing an entity makes its members subject to a U.S. visa/travel ban, prohibits U.S. persons from supporting the listed entity, and requires U.S. financial institutions to take control of any funds in accounts linked to an FTO or its affiliates.

⁷⁸ U.S. Department of State, Bureau of Counterterrorism and Countering Violent Extremism, "Executive Order 13224," September 23, 2001. (<https://www.state.gov/j/ct/rls/other/des/122570.htm>)

⁷⁹ Executive Order 13224, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism," September 25, 2001. (<https://www.treasury.gov/resource-center/sanctions/Documents/13224.pdf>)

⁸⁰ U.S. Department of the Treasury, Press Release, "Fact Sheet: Designation of Iranian Entities and Individuals for Proliferation Activities and Support for Terrorism," October 25, 2007. (<https://www.treasury.gov/press-center/pressreleases/Pages/hp644.aspx>); U.S. Department of the Treasury, Press Release, "Treasury Designates the IRGC under Terrorism Authority and Targets IRGC and Military Supporters under Counter-Proliferation Authority," October 13, 2017. (<https://www.treasury.gov/press-center/press-releases/Pages/sm0177.aspx>)

⁸¹ Executive Order 13438, "Blocking Property of Certain Persons Who Threaten Stabilization Efforts in Iraq," July 19, 2007. (<https://www.treasury.gov/resource-center/sanctions/Documents/13438.pdf>)

⁸² U.S. Department of the Treasury, Press Release, "Treasury Designates Individuals and Entities Fueling Violence in Iraq," September 16, 2008. (<https://www.treasury.gov/press-center/press-releases/Pages/hp1141.aspx>)

⁸³ U.S. Department of State, Bureau of Counterterrorism and Countering Violent Extremism, "Foreign Terrorist Organizations," accessed September 19, 2018. (<https://www.state.gov/j/ct/rls/other/des/123085.htm>)

Arguments in Favor of Designating Iran's Proxy Network in Iraq

- **A step towards a coherent Iraq policy**
 - *Righting wrongs:* For several years, Washington has not had a clear Iraq policy other than its support for the anti-Islamic State mission. When it comes to the fate of Iraq, operating without a clearly articulated and operationalized vision can lead to regional perceptions of American aloofness at best and disinterest at worst. American passivity was most evident when it came to confronting issues like sectarian slaughter committed by Shiite militias,⁸⁴ the response from Shiite militias to the Kurdish independence referendum in 2017,⁸⁵ as well as the 2018 parliamentary election and the political crisis that has ensued. A designation against groups that have American blood on their hands in Iraq or report directly to Iran in attempts to frustrate American foreign policy in Iraq would begin to change that.
 - *Signaling capabilities and newfound resolve:* Designating groups like AAH and HHN signals that the U.S. does care about a wide array of issues ranging from government formation to Iraqi sovereignty, the fate of the PMU, as well as checking Iranian influence in Iraq. It also indicates that the U.S. can and will use all avenues available to produce favorable outcomes, even if it means openly angering the Iranians in Iraq.
 - *Sending a deterrent message:* Designating AAH and HHN sends a message to Iran's current (and potential) partners in Iraq. There is a plethora of Iran-linked actors in the PMU⁸⁶ as well as individuals seeking positions within the Iraqi government that want to subordinate Iraq's national politics to Iranian interests. By issuing designations, the U.S. can incentivize groups to move away from Iran and lay the predicate for targeting others.
 - Given Badr's already entrenched political and military influence, a U.S. designation may not influence its behavior. But stigmatizing AAH, which just gained a substantial bloc of seats in the Iraqi parliament, may be

⁸⁴ See: Vivian Salama, "Iran-Backed Shia Militias Are Reportedly Slaughtering Sunnis In Iraq While Fighting ISIS," *Associated Press*, October 14, 2014. (<https://www.businessinsider.com/iran-backed-shia-militias-are-reportedly-slaughtering-sunnis-in-iraq-while-fighting-isis-2014-10>); Jeff Stein, "Ramadi's Dirty Little Secret In The War Against ISIS," *Newsweek*, December 19, 2015. (<https://www.newsweek.com/ramadi-mosul-iraq-isis-shia-militias-sunni-baghdad-iran-iraqi-security-forces-407085>); Zach Beauchamp, "The US uses Iraq's Shia militias to fight ISIS. They just got accused of ethnic cleansing.," *Vox*, February 5, 2016. (<https://www.vox.com/2016/2/5/10918780/shia-militias-diyala-cleansing>); Ned Parker and Jonathan Landy, "Special Report: Massacre reports show U.S. inability to curb Iraq militias," *Reuters*, August 16, 2016. (<https://www.reuters.com/article/us-iraq-massacres-falluja-special-report-idUSKCN10Y1VD>); Hisham Arafat, "Iraqis fleeing to Syria's Rojava recount Shia militias' atrocities," *Kurdistan 24* (Iraq), November 12, 2017. (<http://www.kurdistan24.net/en/video/373f521d-0140-47c0-9316-a54f9bd1718e>)

⁸⁵ Richard Spencer, "Shia militias vow to fight new Kurdish state in Iraq," *The Times* (UK), June 21, 2017. (<https://www.thetimes.co.uk/article/shia-militias-vow-to-fight-new-kurdish-state-in-iraq-jvw09smth>); Ranj Alaadin, "If Trump wants to confront Iran, he should start in Kirkuk," *Foreign Policy*, October 16, 2017. (<http://foreignpolicy.com/2017/10/16/if-trump-wants-to-confront-iran-he-should-start-in-kirkuk/>)

⁸⁶ Nicholas A. Heras, "Iraq's Fifth Column: Iran's Proxy Network," *Middle East Institute*, 2017. (https://www.mei.edu/sites/default/files/publications/PP2_Heras_IraqCT_0.pdf)

possible and could reinforce the message that America stands with those who work in Iraq's national interest.

- **Operationalizing the call to push back on Iran in the region**

- *Building on words:* In his October 2017 address on the Iran deal, President Trump promised that he would engage with “allies to counter the regime’s destabilizing activity and support for terrorist proxies in the region.”⁸⁷ In an address this month, Special Representative for Iran Brian Hook said, “We don’t make a distinction between the Iranian government and these Iranian Shiite militias that are around the Middle East.”⁸⁸ These are both powerful statements, but must be followed up with concrete action. Iran is still able to support its militias in Iraq and carry out its proxy strategy, which is designed to eject America from Iraq and permanently keep Baghdad weak.
- *Holding groups accountable:* Stigmatizing and impeding the financing of groups that have blood on their hands and meet the criteria of being an agent or affiliate of the IRGC and/or the IRGC-QF is consistent with long-standing bipartisan efforts to pressure Iran. It also represents a serious effort to prevent Iran from solidifying its hold on Iraq.
- *Recognizing the regional challenge:* If Iran’s modus operandi in the region is to use proxies, terror groups, and militias to disguise its hand, then U.S. policy must expose Iran and its activities at every turn. By using a variety of legal and economic means to name and shame AAH and HHN, the U.S. would contest an important component of Iran’s Iraq policy.
- *Thinking beyond Iraq:* Given that many of Iran’s Iraqi proxies are also active in Syria, designating them could have second or third order effects on a different battlefield. As Iran’s militias work to bolster the Assad regime, a designation can stigmatize those actors before they become feature into any political settlement or become legitimized.

Countering the Counterarguments to Designating Iran’s Proxy Network in Iraq

Below, I present four likely counterarguments to designating elements of Iran’s proxy network as well as my attempt to refute each counterargument. Whichever argument ultimately prevails, prudence and a nuanced understanding of Iran’s security strategy and Iraqi internal politics will remain essential. To be clear, there are risks to designating AAH and HHN. But if the U.S. does nothing, Iran’s subversion of the political process and security forces in Iraq will be guaranteed.

⁸⁷ The White House, “Remarks by President Trump on Iran Strategy,” October 13, 2017.

(<https://www.whitehouse.gov/briefings-statements/remarks-president-trump-iran-strategy/>)

⁸⁸ See comments by Brian Hook in video: “Iran’s Missile Proliferation: A Conversation with Special Envoy Brian Hook September 19 Event,” *The Hudson Institute*, September 19, 2018. (<https://www.hudson.org/events/1603-iran-s-missile-proliferation-a-conversation-with-special-envoy-brian-hook92018>)

- **Efficacy:** *Designations are not effective and are at best symbolic. They will only bolster those in Iraq who peddle anti-Americanism.*
 - The idea that designations will instantaneously dry-up funding to a terror group is a misunderstanding of the applicability of this policy tool. Designations against Iranian proxies are only a component of a U.S. strategy against Iran in Iraq.
 - While there are limited financial restrictions and penalties that come with a designation, these designations send an important message. This symbolism can be most effective in Iraq, with the goal to show militias – by virtue of their patronage – as agents of Iran at a time when Iraqi Shiites are grieving and have stormed an Iranian consulate.
- **Stratification:** *A graduated approach to sanctions, initially focused just on militia leaders, is preferable to a blanket designation of elements of Iran’s proxy network.⁸⁹*
 - The logic behind graduated escalation – whether bombing⁹⁰ or sanctions – is to incrementally increase costs to an adversary to incentivize a change in behavior. But parceling out and delaying designations at such a low level would more likely signal timidity.
 - The growing influence of Iran’s Shiite militias in Iraq – as well as the regime’s willingness to resort to overt punishment against targets in Iraq⁹¹ – means that it is too late to stratify and sub-divide designations. Those who sought graduated measures should have made their case years earlier, as the militia threat was forming.
 - I do not oppose the principle of graduated pressure, but designations against an Iranian proxy should form the baseline for that pressure strategy, not its upper limit.
- **Timing:** *Given the ongoing talks over government formation in Iraq, now is not a good time for sanctions.*
 - U.S. attempts to stigmatize IRGC-linked actors while a government is forming in Baghdad could actually have a positive effect. Such a move signals U.S. resolve to push back against Iran in the region and provides backing to local actors looking to marginalize those who subvert Iraqi policy for Iran’s benefit. It will also become increasingly clear who in the Iraqi government is willing to work with a proxy of Iran instead of the U.S. That in turn, could facilitate the introduction of harsher political and economic measures.

⁸⁹ “Michael Knights, Barbara A. Leaf, Matthew Levitt, and Phillip Smyth, “The Smart Way to Sanction Iranian-Backed Militias in Iraq,” *The Washington Institute for Near East Policy*, September 17, 2018. (<https://www.washingtoninstitute.org/policy-analysis/view/the-smart-way-to-sanction-iranian-backed-militias-in-iraq>)

⁹⁰ For example, see: A.L. George, “Some Thoughts on Graduated Escalation,” *Rand Corporation*, December 1965, pages 3-4. (https://www.rand.org/content/dam/rand/pubs/research_memoranda/2006/RM4844.pdf)

⁹¹ See: Behnam Ben Taleblu, “Analysis: Iranian Missile Strikes Against Kurdish Dissidents in Iraq,” *FDD’s Long War Journal*, September 14, 2016. (<https://www.longwarjournal.org/archives/2018/09/analysis-iranian-missile-strikes-against-kurdish-dissidents-in-iraq.php>)

- The desired designation – by virtue of congressional mandate – is likely to take time to be implemented. Take for example the *Countering America’s Adversaries Through Sanctions Act* (CAATSA) of 2017. The bill offered a 90-day window for the president to designate the IRGC as a terrorist organization pursuant to EO 13224.⁹² It is likely that any new attempt by Congress to direct the actions of the executive branch’s hand will feature a similar countdown.
- **Harm:** *Sanctioning proxies would anger Iran, which in turn could cause serious harm to U.S. personnel in Iraq*
 - This is the most serious counterargument because Iran and its proxies retain the capability to retaliate against the U.S. in Iraq. However, to believe that Iran and its proxies have been entirely peaceful until now ignores hostilities such as the recent attacks in Baghdad and Basra against American diplomatic properties. U.S. designations of Iranian proxies is not the driver of violence in Iraq.
 - Contingency planning and force protection must be critical elements of U.S. policy in Iraq. However, like designations, they cannot be the only elements of that policy.
 - Despite the risk of retaliation, there is also reason for very cautious optimism. Iran has threatened massive retaliation before, but it has also backed down when faced with a firm threat of reprisal.⁹³
 - In October 2017, Washington ended the debate over the question of “is the IRGC a terrorist group”⁹⁴ by designating it under EO 13224. Since then, the IRGC has not wrought havoc in Iraq because of that label due to its own concerns about escalation as well as responding to a non-violent move with overt violence. Moreover, the designation has helped stigmatize the IRGC and its affiliates while increasing the pressure on Iran. It is also the predicate by which the U.S. is able to designate HHN and AAH – for having ties to the IRGC and IRGC-QF.

⁹² Countering America’s Adversaries Through Sanctions Act, Pub. L. 115-44, 131 Stat. 886, codified as amended at 115 U.S.C. (<https://www.congress.gov/bill/115th-congress/house-bill/3364/text>)

⁹³ See the case of the Strait of Hormuz in 2012: David Ignatius, “Getting Iran to back down,” *The Washington Post*, February 22, 2012. (https://www.washingtonpost.com/opinions/getting-iran-to-back-down/2012/02/21/gIQAMhf8TR_story.html?utm_term=.7be60295b53f); Elisabeth Bumiller, Eric Schmitt and Thom Shanker, “U.S. Sends Top Iranian Leader a Warning on Strait Threat,” *The New York Times*, January 12, 2012. (<https://www.nytimes.com/2012/01/13/world/middleeast/us-warns-top-iran-leader-not-to-shut-strait-of-hormuz.html>); Joby Warrick and Steven Mufson, “Iran threatens U.S. ships, alarms oil markets,” *The Washington Post*, January 3, 2012. (https://www.washingtonpost.com/world/national-security/iran-in-new-provocation-threatens-us-ships/2012/01/03/gIQAZeiGZP_story.html?utm_term=.a46c08e914aa)

⁹⁴ The debate surrounding the designation of the IRGC-QF in 2007 centered on fears of Iranian retaliation in Iraq. According to David Crist, the Bush administration wanted to target the entire IRGC, but settled on the Quds Force instead. For more on this, see: David Crist, *The Twilight War: The Secret History of America’s Thirty-Year Conflict with Iran* (New York: The Penguin Press: 2012).

- Lastly, should any Iranian militia respond to a terrorism designation – a label which at least one group, AAH, openly applauds⁹⁵ – with an act of terrorism, then that militia has only proven that it rightfully deserves the terrorist label and should be aggressively countered.

General Recommendations for U.S. Policy toward Iraq

While targeting AAH and HHN in Iran’s proxy network in Iraq is important, designations alone do not constitute a successful policy. Congress should reinvigorate its oversight role to make sure there is bipartisan synergy on U.S.-Iran policy and on regional U.S. interests like the stability of Iraq. Helping lay the groundwork for what a successful Iraq policy post-Islamic State looks like can go a long way. Below is a list of recommendations for the U.S. Congress on this matter:

- **Task and Target:** Congress should ask the intelligence community about sources of revenue of key Iran-backed Shiite militias in Iraq. This will aid in target selection if it can be assessed that harsher coercive economic tools will impede Iran’s financing of Iraqi Shiite militias. Simultaneously, Congress should require a report from the administration about sectors of the Iraqi economy (if any) that IRGC-owned or -controlled entities have penetrated.
- **Name and Shame:** The U.S. government must escalate its campaign to stigmatize Iran’s Shiite militias to keep the spotlight on Iraqi groups like AAH, HHN, and KH.
- **Inquire:** Congress should meet with members of the executive branch to determine what, if any, information operations are underway against Iran-backed Shiite militias in Iraq.
- **Upgrade:** Congress should urge U.S. government-funded Arabic language programming to better cover local events in Iraq and the rise of Iraqi nationalism, particularly in the wake of anti-Iran protests in Basra.⁹⁶
- **Deliver:** Congress and the administration should consider a robust non-military aid package to Iraq that can be centered on improving the lives of ordinary Iraqis.
- **Review and Reassess:** When the new Iraqi government is formed, revisit the Strategic Framework Agreement (SFA)⁹⁷ between the U.S. and Iraq and look for areas to improve.

⁹⁵ «عصائب اهل الحق» عراق: افتخار می‌کنیم که در فهرست تروریسم آمریکا قرار داریم، “That We Are On The Terrorism List of America,” *Fars News Agency* (Iran) May 29, 2018.

(<https://www.farsnews.com/news/13970308000282/> افتخار می‌کنیم که در فهرست تروریسم آمریکا قرار

⁹⁶ Tamer El-Ghobashy and Mustafa Salim, “Chanting ‘Iran, out!’ Iraqi protesters torch Iranian Consulate in Basra,” *The Washington Post*, September 7, 2018. (https://www.washingtonpost.com/world/chanting-iran-out-iraqi-protesters-torch-iranian-consulate-in-basra/2018/09/07/2caa89b8-b2bd-11e8-8b53-50116768e499_story.html?utm_term=.dca90c5535e9); “Protesters storm Iranian consulate in Iraq’s Basra,” *Reuters*, September 7, 2018. (<https://www.reuters.com/article/us-iraq-protests-iran/protesters-storm-iranian-consulate-in-iraqs-basra-idUSKCN1LN20R>)

⁹⁷ U.S. Department of State, “Strategic Framework Agreement for a Relationship of Friendship and Cooperation between the United States of America and the Republic of Iraq,” November 17, 2008. (<https://www.state.gov/documents/organization/122076.pdf>)

There is a need now more than ever to make sure both countries interpret the document the same way. The U.S. must clarify to the Iraqi government that integrating designated entities into the government can entail risks to the U.S.'s ability to carry out the political and economic sections of the SFA in its entirety.

- **Meet and Plan:** Continue to meet with members of the executive branch – especially the Defense Department – to red team contingency plans that include scenarios about Iraq's political future and the integration of Iran-backed militias into the Iraqi state. The goals should be how best to secure U.S. interests should America face low-probability but high-impact scenarios.
- **Communicate:** Members of the U.S. government (and especially members of Congress) must clearly communicate that stabilizing Iraq is a national security priority. As a major oil exporting state, especially one that has seen ample American blood and finances invested in its defense and stabilization, Iraq cannot fall prey to Iran's regional machinations. This message must be conveyed to both domestic and foreign audiences who are cognizant of the paradox of an administration that wants to be less involved in the Middle East but simultaneously more active in contesting and confronting Iran.
- **Build and Expand:** Some Gulf states are increasingly the targets of Iran's ire and have sought ways to counter and deter Iranian aggression, both at the local and international levels. Congress and the administration should focus get these states to support a strong, stable, and sovereign Iraq to check Iran in the region and impede its use of proxies.
- **Reach out and Connect:** Congress should commence a high-level dialogue with the new Iraqi government on Iran deal-related sanctions. With the heaviest U.S. sanctions on Iran returning in early November, Iran will be looking for ways to bust sanctions using its militia and proxy networks, as well as pressuring Iraq (among other jurisdictions of weak central authority) to not enforce U.S. sanctions.⁹⁸ The U.S. must educate Iraqi lawmakers, politicians, as well as banks and businesses about the risks of financial dealings with Iran after November 4. It should also make clear that despite the re-imposition of sanctions waived by the nuclear deal, America still wants its international partners to respect UN restrictions and travel bans from that deal, which Iraq has not been enforcing.⁹⁹

There is an impression right now that America can do, "perhaps not much,"¹⁰⁰ in Iraq. But targeting Iran's network in Iraq is one way to change that. America cannot afford to cede Iraq, with its human capital, natural resources, and legacy of more than a decade of American investment in

⁹⁸ Behnam Ben Taleblu and Romany Shaker, "Iran's Allies in Iraq Vow to Help Tehran Skirt U.S. Sanctions," *Foundation for Defense of Democracies*, August 16, 2018. (<http://www.defenddemocracy.org/media-hit/behnam-ben-taleblu-irans-allies-in-iraq-vow-to-help-tehran-skirt-us-sanctions/>)

⁹⁹ See the case of Qassem Soleimani and Iran's Defense Industries Organization in: Valerie Lincy and Behnam Ben Taleblu, "Iran's Compliance with UNSCR 2231: Alleged Violations Must Be Addressed," *Foundation for Defense of Democracies*, August 2017, pages 5-6. (http://www.defenddemocracy.org/content/uploads/documents/MEMO_WPONAC.pdf)

¹⁰⁰ Josh Rogin, "Iraqi terrorist turned politician told U.S. interrogators he worked with Iran to kill Americans," *The Washington Post*, August 30, 2018. (https://www.washingtonpost.com/news/josh-rogin/wp/2018/08/30/iraqi-terrorist-turned-politician-told-u-s-interrogators-he-worked-with-iran-to-kill-americans/?utm_term=.8a91402c051e)

terms of blood and treasure, to Iran. Thank you very much for your time and attention, and I look forward to your questions.