

Punishing Iran's Triggermen in Iraq: Opening Moves in a Long Campaign

by [Michael Knights \(/experts/michael-knights\)](#)

Dec 6, 2019

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ABOUT THE AUTHORS



[Michael Knights \(/experts/michael-knights\)](#)

Michael Knights is the Jill and Jay Bernstein Fellow of The Washington Institute, specializing in the military and security affairs of Iraq, Iran, and the Persian Gulf states. He is a co-founder of the Militia Spotlight platform, which offers in-depth analysis of developments related to the Iranian-backed militias in Iraq and Syria.



Brief Analysis

Some of the worst perpetrators of the murderous crackdown against Iraqi protestors have finally been sanctioned, but follow-on actions need to be taken more quickly in coordination with Britain and other allies.

On December 6, the U.S. government [designated four Iraqis \(https://home.treasury.gov/news/press-releases/sm847\)](https://home.treasury.gov/news/press-releases/sm847) for human rights abuses and corruption under Executive Order 13818, which implemented the Global Magnitsky Human Rights Accountability Act and blocks the property of individuals involved in those violations. This is the second time in 2019 that the Magnitsky authority has been used to target Iraqi perpetrators of serious abuses, and will not be the last time. Yet it is crucial to glean lessons from each tranche of designations in order to fully exploit the leverage they grant, particularly in nudging other members of the Iraqi elite to avoid harmful actions, whether against protestors, other citizens, or national institutions.

WHAT EFFECTS WILL THESE SANCTIONS HAVE?

Magnitsky designations have the following repercussions on targeted individuals:

- **Blacklisted by banks.** When individuals are added to the list of Specially Designated Nationals (SDN) by the Treasury Department's Office of Foreign Assets Control (OFAC), their U.S. assets are blocked. Moreover, their names are added to automated screening systems used by banks in the United States and many foreign countries, making it difficult for them to open or hold accounts, transfer monies, or transact property internationally.
- **Shunned by investors.** Foreign investors often abandon sanctioned persons and their companies, resulting in the collapse of businesses. Their involvement in profitable economic ventures (e.g., licensing a new bank) is often made

impossible by designation.

- **Travel restrictions.** Magnitsky designations prevent entry to the United States, can complicate visa issuance by other countries, and may be flagged by airline screening systems.
- **Isolation from the U.S. government.** A designation often caps the political career of the target, since no U.S. person or entity—including government officials and aid agencies—will normally meet with persons on the SDN list.

In addition, no Iraqi SDN has ever been appointed as a minister or provincial governor after being designated—a notable point since it may deter violations by actors who have longer-term political ambitions.

WHO WAS TARGETED?

The December 6 designations were issued against four individuals:

- **Qais al-Khazali.** A senior Shia politician and head of the militia Asaib Ahl al-Haq, Khazali has fully supported the recent crackdown on protestors, which Iran's Islamic Revolutionary Guard Corps (IRGC) has aided. He also led the public vilification of the protests as a foreign-backed conspiracy against Iraq. A decade ago, he was in U.S. custody for his role in the murder of five U.S. soldiers.
- **Laith al-Khazali.** Brother to Qais and a key militia enforcer, he is being sanctioned for suppressing protestors and engaging in sectarian cleansing against Sunnis in Diyala province. A widely feared figure, he has taken part in operations aimed at murdering U.S. soldiers and, more recently, attacked critics of his brother, even senior religious figures appointed by Grand Ayatollah Ali al-Sistani.
- **Abu Zainab al-Lami (real name Hussein Falih al-Lami).** A member of U.S.-designated terrorist organization Kataib Hezbollah and head of the Central Security Directorate (CSD) within the Popular Mobilization Forces (PMF), Lami has coordinated sniper operations against unarmed protestors.
- **Khamis al-Khanjar.** A key Sunni member of the Bina bloc in Iraq's parliament, he has been sanctioned for bribery and corruption in support of Iran. Specifically, he was the primary mover (alongside the previously sanctioned Ahmed al-Jubouri, aka Abu Mazen) in bribing Sunni politicians to support Bina, a faction aligned with Tehran.

FOLLOW-ON SANCTIONS

Past U.S. designations of Iraqi politicians and militia leaders have sent shockwaves through the country's elite, who often shelter their corrupt income in overseas jurisdictions where it is vulnerable to sanctions. This was the case with the May 5, 2018, designation of Iraqi financier Aras Habib and his al-Bilad Islamic Bank as Specially Designated Global Terrorists (SDGTs) pursuant to Executive Order 13224, based on their role in transferring money from the IRGC-Qods Force to Lebanese Hezbollah. Shock was also the response that greeted the [first tranche of Magnitsky sanctions \(https://www.washingtoninstitute.org/policy-analysis/view/sanctions-on-iraqi-political-figures-shaping-the-impact-and-message\)](https://www.washingtoninstitute.org/policy-analysis/view/sanctions-on-iraqi-political-figures-shaping-the-impact-and-message) this July. Yet Washington was unprepared to follow up with subsequent sanctions packages, thus undermining any chance of building on the initial shock and creating overwhelming psychological pressure on other offenders.

Accordingly, U.S. officials should bolster the December 6 sanctions with a steady stream of new Magnitsky packages, possibly one every few months for the next year. Iraqi politicians and militia leaders would become keenly aware of the need to amend their behavior, even if their only goal is to slip further down the prioritized list of U.S. targets. Meanwhile, the Iraqi people would see the U.S. government acting consistently and regularly to protect their human rights and support anti-corruption efforts.

There is no shortage of deserving targets for follow-on designations and actions. Each package of sanctions should focus on one senior target and three mid- or lower-level targets, including the following:

- **High-profile politicians.** In the next sanctions package, Iraqis should rightly expect a senior politician to be designated, and the most deserving target is national security advisor and PMF chairman Faleh al-Fayyad, who has facilitated the shooting of protestors and attacks on television stations.
- **Top militia leaders who ordered protestor killings.** Another high-priority target should be Abu Turab (real name Thamir Mohammed Ismail), a long-term fighter with the Iran-aligned Badr faction and current head of the Interior Ministry's Rapid Response Division, in which capacity he ordered troops to shoot protestors. Also worth targeting is Abu Muntadher al-Husseini, the advisor for PMF affairs in the prime minister's office, due to his involvement in the crisis cell that ordered killings and attacks on television stations.
- **Working-level Iran-backed murderers and torturers.** Junior targets involved in protestor deaths include Lami's assistants, Abu Bakr (the CSD director for Rusafa, where many protest sites are located) and Haji Ghalib (CSD head of interrogations). Militia leaders worth targeting include: Hamid al-Jazayeri, commander of the Iran-backed militia Saraya Talia al-Khurasani (the PMF's 18th Brigade), who coordinated attacks on television stations; and Abu Ala al-Walai (real name Hashim Bunyan al-Siraji), commander of the Iran-backed militia Kataib Sayyid al-Shuhada (the PMF's 14th Brigade), who provided shooters for the crackdown.

To ensure that an open-ended pipeline of sanctions packages can be built, Washington needs to devote more intelligence, legal, and administrative personnel to the specific mission of sanctioning Iraqi human rights violators and corrupt officials—in other words, a permanently operating task force. The boost in intelligence capabilities could help officials spot the vulnerabilities of sanctions targets: for instance, if a senior Iraqi figure is planning to open a bank and enter the licensing process for such a lucrative enterprise, he may be very vulnerable to not only sanctions, but even strong rumors of sanctions.

The new task force should also keep an updated list of immediate family members of sanctioned individuals. On September 25, the White House proclaimed that it would use the wide authorities of the Immigration and Nationality Act to deny entry to immediate family members of senior Iranian officials. The same method could be selectively used with Iraqis, to make sure that family members are not exploiting America's hospitality and educational system at the same time that their sanctioned kin are murdering and stealing back in Iraq. Following the U.S. example, they would likely be selectively banned by other countries as well.

MAKING SANCTIONS BITE DEEPER

As part of the process of refining their tactics, U.S. officials need to coordinate more effectively with allies before each tranche of sanctions, particularly Britain. Corrupt Iraqis use the United Kingdom more than any other Western country to shelter wealth, hold property, obtain medical care, and educate their children. Yet U.S. and British actions against Iraqi violators are currently out of sync. Earlier this fall, for example, the previously mentioned Ahmed al-Jubouri is strongly believed to have visited London despite being under Magnitsky sanctions, an incident that upset officials on both sides of the pond.

The British Foreign and Commonwealth Office is keen to do more on the specific issues of Iraqi corruption and human rights abuses, and supporting London's actions on this front could further shake the morale of violators. What the British need is advance notice of sanctioned names, protected sharing of evidence, clarity on the potential reversibility of Magnitsky sanctions, and a basic explanation of how the targets are selected to feed into a broader deterrence campaign.

If brought into the effort, Britain has many tools that would terrify Iraqi offenders. For instance, on December 10, it seized 190 million pounds sterling worth of assets (including a 50-million-pound luxury mansion) from a Pakistani property tycoon who had been targeted by the National Crime Agency with an "unexplained wealth order" and subsequent "dirty money" investigation. The seized money will be returned to Pakistan. If a similar ruling were

issued against a senior offender in Iraq, the elite would be rocked to their core, and many citizens would be quite pleased to see the return of stolen money.

EXPOSING THE ROLE OF IRAN AND HEZBOLLAH

Finally, further sanctions can help the United States reveal the machinery of Iran's influence over Iraqi politics and society. Tehran's powerbrokers have moved into high gear now that Iraq is confronting the task of selecting a new prime minister to replace the resigned Adil Abdulmahdi. Two individuals on the SDN list—Qods Force commander Qasem Soleimani and Hezbollah official Abu Zainab al-Kawtharani (brother of U.S.-sanctioned businessman Adnan Hussein Kawtharani)—were key to the formation of Abdulmahdi's Iranian-aligned government, and they are back in Baghdad today to do the same thing.

Accordingly, the United States should work with Iraqi officials to expose whoever holds meetings with Soleimani and Abu Zainab al-Kawtharani. Such action could move the needle in two ways: by making Iraqis uncomfortable about openly meeting with these players, and perhaps tempting some to seek public approval by rejecting such meetings. This may in turn slowly reverse a status quo in which it has become completely normal for the IRGC and Hezbollah to midwife new governments in Baghdad. Given that Iraqi citizens have been burning down Iranian consulates and attacking billboards of Supreme Leader Ali Khamenei, the time may be right to impose a public reputational cost on any official who meets with representatives of these organizations at this sensitive time.

Michael Knights, a senior fellow with The Washington Institute, has profiled Iran-backed militias and politicians in Iraq since 2003. ❖

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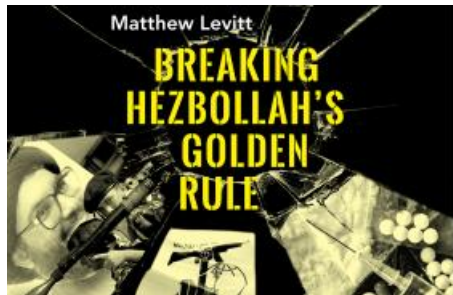
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