

Adding Hizballah to the European Union's Terrorist List

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Brief Analysis

On June 20, 2007, Michael Jacobson, a senior fellow at The Washington Institute and former senior advisor at the Treasury Department, testified before the House Foreign Affairs Subcommittee on Europe during a hearing titled "Adding Hezbollah to the EU Terrorist List." Matthew Levitt, director of the Institute's Stein Program on Terrorism, Intelligence, and Policy, provided written testimony to the committee. The following is a summary of their remarks.

[Download the full text of Mr. Jacobson's prepared remarks \(http://www.washingtoninstitute.org/templateC14.php?CID=351\).](http://www.washingtoninstitute.org/templateC14.php?CID=351)

[Download the full text of Dr. Levitt's prepared remarks \(http://www.washingtoninstitute.org/templateC14.php?CID=352\).](http://www.washingtoninstitute.org/templateC14.php?CID=352)

Michael Jacobson

The primary obstacle to placing Hizballah on the European Union's list of designated terrorists -- first adopted in December 2001 in the wake of the September 11 attacks -- is that consensus among all twenty-seven EU member states is required to add a name not already on the initial list of al-Qaeda and Taliban affiliates. Achieving consensus is, not surprisingly, an increasingly difficult endeavor as the EU continues to expand.

France has publicly led the charge against a Hizballah designation. Given its historical role in and ongoing ties to Lebanon, France is highly sensitive to the political situation there and is reluctant to take any action that it believes could upset the tenuous domestic political balance. Also likely fueling European opposition is the presence of European military forces in the UN Interim Force in Lebanon (UNIFIL) stationed in Shiite-dominated southern Lebanon.

Despite these factors, a number of European countries favor designating Hizballah, including the Netherlands, Britain, and Germany. Unfortunately, it is difficult to assess exactly where each European member state stands on the issue. The process of adding and removing names from the terrorist list is done in secret by a committee that

generally meets twice a year, with no public record of its proceedings. Given this lack of transparency, it is unclear what it will take for the Europeans to achieve consensus on the Hizballah issue. For example, are countries such as Spain and Belgium merely following France's lead in opposing a ban, or do they strongly hold this position of their own accord? If France were to shift its longstanding opposition, would these countries continue defending their current stance?

In any case, a European ban would have both a symbolic and practical impact on Hizballah. EU member states wield far greater capabilities against terrorism financing than they did prior to the September 11 attacks. In addition to establishing the EU-wide terrorist lists, European countries have also criminalized terrorism financing, developed systems to freeze assets, and created or designated specific government agencies to lead the effort against such financing. Of course, for a ban to have maximal impact, EU member states would also have to step up relevant law enforcement and intelligence efforts to get a better handle on Hizballah's European activities. If the group were officially recognized as a terrorist entity, member states might be more likely to increase the resources and attention they devote to investigating it.

The Europeans are unlikely to move in that direction, however, unless they regard Hizballah as a direct threat. Accordingly, the EU must come to recognize that although Hizballah has not carried out attacks in Europe for a number of years, this could change rapidly. Hizballah's infrastructure in Europe and ties to Iran give it the ability to mount an attack quickly should the perceived need arise.

As Europeans have learned firsthand, accommodation is rarely an effective strategy with terrorist organizations. France, Britain, and Germany are notable examples of countries that have learned from their mistakes in this regard. Important distinctions between Hizballah and al-Qaeda-style jihadists notwithstanding, EU members should at least consider their prior experiences in deciding whether to blacklist Hizballah. When one weighs the likely benefits of designation against the potential dangers of inaction, it should be clear that banning Hizballah is a necessary and productive step forward.

Matthew Levitt

Pressing our European allies to add Hizballah to the EU terrorist list is more important today than ever before. Nearly a year after it dragged both Lebanon and Israel into a devastating war, Hizballah has reportedly restocked its weapons caches and missile arsenals, rebuilt much of its destroyed infrastructure, and capitalized on its ability to hold the Israel Defense Forces at bay in order to position itself as a face of "resistance" and pride in the Arab and Muslim worlds. Hizballah's proactive and unabated support for radical Palestinian factions engaged in acts of terrorism and political violence is central to these groups' success. Renewed rocket attacks into northern Israel this week and the recent Hamas coup in Gaza (which tactically replicated Hizballah actions in southern Lebanon) are just the most recent signs of how successful this strategy has become.

In addition, Hizballah is Syria's primary proxy in Lebanon since the withdrawal of Syrian troops in April 2005. As such, it is playing a particularly disruptive role in opposing the international tribunal tasked with investigating the assassination of former prime minister Rafiq Hariri, as well as the various attacks on other political and intellectual leaders of the anti-Syrian coalition. Hizballah operatives are further suspected of training Iraqi insurgents and sending their own combatants into Iraq.

Hizballah is particularly active in Europe, where it is engaged in financial and logistical support operations as well as political activities meant to legitimize itself in the eyes of the West. Although the organization has not conducted terrorist attacks in Europe for many years, it is still active in the region, primarily using Europe as a fundraising and recruiting ground. A recently released German intelligence assessment estimated that 900 Lebanese Hizballah members (an increase of 100 from previous reports) live in Germany alone. Hizballah has also used Europe as a

launching pad for sending operatives into Israel to conduct surveillance and attacks.

An EU designation of Hizballah would facilitate law enforcement and judicial cooperation against the group's criminal activities in Europe. The EU instructs its member states to "fully exploit the powers conferred on them by acts of the European Union" when they are investigating or prosecuting entities on the terrorist list. Although engaging in criminal activity normally increases terrorists' vulnerability by exposing them to the scrutiny of law enforcement authorities, Hizballah's reliance on sympathizers and members of local expatriate communities minimizes that potential exposure. For example, German investigations have revealed that Lebanese expatriates who support Hizballah often provide funding to the group via profits from quasi-legitimate businesses such as used car dealerships. An EU ban on Hizballah would criminalize such funding, allowing law enforcement to fully investigate such ostensibly legal support networks.

Targeting Hizballah could also help further international efforts against Iran. As the director of U.S. national intelligence recently testified before Congress, Iran views its terrorist capabilities as a "key element of its national strategy." Hizballah receives funding, equipment, and training from Iran and is at the center of this strategy. Some of its funding has been transferred through Europe. For example, since 2001, Iran's Bank Saderat has transferred \$50 million in government funds directly to a Hizballah-controlled entity via the bank's London branch.

Perhaps the most compelling reason of all to designate Hizballah is that the organization itself fears a European ban. According to Hizballah secretary-general Hassan Nasrallah, such an action would "destroy" the group: as he put it, "The sources of our funding would dry up, and the sources of moral, political, and material support would be destroyed." Hizballah is eager to be seen as a legitimate political party. It seeks international recognition and fears political isolation and designation as an illicit actor. The EU should do what it can to confirm those fears.

This rapporteur's summary was prepared by Jake Lipton. ❖

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