
FRIENDS OF ISRAEL INITIATIVE

A False Distinction: The Division of Hezbollah into Political and Military Wings

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The Case for a Full Ban of Hezbollah

On July 22, the European Union made a counter-terrorism decision of great importance. After dithering for more than three decades, Europe placed Hezbollah's military wing on its terror list. The EU has struggled to articulate its position as the situation became increasingly dire after Hezbollah's military intervention in Syria to aid President Bashar Assad's regime in its efforts to wipe out insurgents and reformist groups.

The initial review of Hezbollah's status began in July 2012. Israel and the United States accused the Lebanese Shi'ite organization of blowing up a bus that month full of Israel tourists at the Black Sea resort of Burgas in Bulgaria. The bombing killed five Israelis and their Bulgarian bus driver; 32 Israelis suffered severe injuries.

The myth of a non-monolithic Hezbollah apparatus was reinforced at a meeting late that month between Erato Kozakou-Marcoullis, then the foreign minister of Cyprus, which held the EU's rotating presidency, and then-Israeli foreign minister Avigdor Lieberman.

Kozakou-Marcoullis said: "The Lebanese Hezbollah is an organization that comprises a political party [and a] social services network." She qualified her remarks, however, adding, "Should there be tangible evidence of Hezbollah engaging in acts of terrorism, the EU would consider listing the organization."¹

Concrete evidence emerged in—ironically—Kozakou-Marcoullis' country with the conviction of Hezbollah member Hossam Taleb Yaacoub. A Cypriot court sentenced Yaacoub to four years in prison for planning a terror attack against Israeli tourists on behalf of Hezbollah. The dual Swedish-Lebanese citizen admitted, nine months after the Burgas attack, to both being a member of Hezbollah and to "collecting information about the Jews. This is what my organization is doing, everywhere in the world."²

The confluence of three events helped crystallize the EU's decision to blacklist Hezbollah's military wing: The Burgas bus bombing, the planned terrorism in Cyprus and Hezbollah's military intervention in Syria.

This policy paper will examine Europe's posture toward Hezbollah; the debate over the proscription of Hezbollah's military as a terrorist organization; the enforcement mechanisms available to the EU to impede and shut down Hezbollah's military activity; and, lastly, the pressing need to sanction Hezbollah's entire organization.

Prior EU Sanctions and Penalties against Hezbollah

The European Union's parliament went further in 2005 than the current EU half-measure in labeling Hezbollah's bombing attack in February of that year on Rafic Hariri, the former Prime Minister of Lebanon, who was killed along with 21 other people near the St. George Hotel in Beirut.

The EU's legislative body issued a non-binding resolution at the time, stating it "considers that clear evidence exists of terrorist activities on the part of Hezbollah and that the [European] Council should take all necessary steps to curtail them."

The only country within the EU to have outlawed Hezbollah in its entirety was the Netherlands in 2004. The country's General Intelligence and Security Service report that year stated, "Investigations have shown that Hezbollah's terrorist wing, the Hezbollah External Security Organisation, has been directly and indirectly involved in terrorist acts. It can also be concluded that Hezbollah's political and terrorist wings are controlled by one co-ordinating council. This means that there is indeed a link between these parts of the organisation. The Netherlands has changed its policy and no longer makes a distinction between the political and terrorist Hezbollah branches. The Netherlands informed the relevant EU bodies of its findings."³

The Netherlands has gone to great efforts to persuade EU countries to reject the wings' distinction and ban Hezbollah as a whole. After Bulgaria's interior minister, Tsvetan Tsvetanov, announced this past February that two of the people behind the Burgas bombing are members of Hezbollah's military wing, the Dutch Embassy in Israel issued a statement: "The Netherlands has been calling for Hezbollah to be included on the EU list of terrorist

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organizations since 2004, and has consistently urged its EU partners to support such a move.”

The current foreign minister, Frans Timmermans, and his predecessor have repeatedly stressed in public forums and in the media that Europe should place Hezbollah’s entire organization on the EU-terror list.

Despite the Netherlands’ ban of Hezbollah, relations between major European political institutions and Hezbollah intensified. In a 2007 Wall Street Journal opinion article by Mark Dubowitz and Alexander Ritzmann, the two experts in the field of Iran-Hezbollah terrorism wrote⁴, “Berlin is also aware that representatives of Hezbollah’s ‘foreign affairs office’ in Lebanon regularly travel to Germany to give orders to their followers.”⁵

Germany’s Friedrich Ebert Stiftung (FES), the primary think tank of Germany’s governing political party at the time, the Social Democrats, organized a joint conference with Hezbollah in Beirut. The event was called the “Beirut International Conference on the Islamic World and Europe: From Dialogue Towards Understanding.”

The Jerusalem-based watchdog NGO Monitor wrote in a report at the time: “The conference featured speakers from Hezbollah and Hamas, and the agenda included an item on ‘occupation and resistance.’”⁶

Hezbollah’s so-called *raison d’être*, “resistance” against Israel, is decoration for its terrorism against the Jewish state. One can now convincingly argue that “resistance” is merely a euphemism for Hezbollah’s war against Syrian insurgents and reformists.

While Continental Europe—with the exception of the Netherlands—continued to recognize Hezbollah as a full-blown legitimate political actor in Lebanon, the United Kingdom cracked down on Hezbollah in 2008.

Triggering the changes in UK policy were Hezbollah’s terroristic activities in Iraq. According to the Explanatory Memorandum to the Order to sanction Hezbollah, submitted to parliament, the British government wrote, “Hezbollah is actively involved in terrorist related activities. These activities include, but are not limited to, the provision of training and logistical and financial support to terrorist groups in Iraq and Palestine. The military wing of Hezbollah is involved in supporting Shia insurgent groups in Iraq to carry out attacks, including against Coalition forces. The military wing of Hezbollah

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has also provided support for Palestinian terrorist organisations such as the Hamas Izz al-Din al-Qassem Brigades and Palestinian Islamic Jihad.”⁷

Although the UK cited Hezbollah’s support of Hamas, which has been fully listed as a terrorist entity on the EU list since 2003, the chief aim of the British proscription was to stop Hezbollah’s targeted killings of UK soldiers in Iraq and to jolt the organization into functioning as a non-militia political group.

It is worth recalling that former Prime Minister Gordon Brown told members of parliament that “Proscription will not affect Hezbollah’s legitimate political and social wings, but we continue to call on Hezbollah to end its status as an armed group, to participate in the Lebanese democratic process, and to do so on the same terms as other political parties.”

Britain was the first EU member to formalize the cookie-cutter approach to Hezbollah’s various “wings.”

Non-EU countries have placed a mixed bag of punitive measures on Hezbollah. The Australian government banned its military wing in 2003. Canada, the United States, Israel and Bahrain reject the separation of Hezbollah into parts and have imposed a full ban on Hezbollah within their territories. The Gulf Cooperation Council (GCC) – comprising six Arab countries – is slated to impose robust sanctions against Hezbollah that will surpass the EU measure. The Saudi paper Al-Watan reported the GCC’s plan to penalize Hezbollah will be “more comprehensive than the EU’s decision.”⁸

EU Debate over Hezbollah Blacklisting

The consensus-driven nature of the EU decision-making process does not lend itself to swift action. The requirement that all 28 members of the EU reach agreement on a terror listing posed many challenges for the competing foreign policy interests of member states.

The first major push to blacklist Hezbollah took place in September 2012, at a meeting of EU foreign ministers in Cyprus. The United Kingdom and the Netherlands both urged their counterparts to sanction Hezbollah. British Foreign Secretary William Hague introduced the first appeal for a ban of Hezbollah’s armed wing. He said the United Kingdom recommends that the EU “designate and sanction the military wing of Hezbollah.”

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The government of France showed no appetite at the time for a ban, insisting that any such measure meet a legal threshold within the EU to allow for a terror listing. “Until now the Europeans have said that to designate a group as a terrorist organization you have to have a judicial process under way against this organization, which is not the case at the present time,” said French Foreign Minister Laurent Fabius at the Cyprus meeting.⁹

The Jerusalem Post’s diplomatic correspondent Herb Keinon reported about France’s opposition to Hezbollah’s inclusion on the EU-terror list shortly after the Burgas attack: “According to one official, the main country blocking these efforts is France, which has historic ties with Lebanon and feels its influence there would be diminished by such a move.”

France’s Ambassador to Israel Christophe Bigot outlined in November the worries about destabilizing Lebanon’s fragile political coalition by sanctioning Hezbollah, which plays a key role in the Lebanese government. Bigot said, “Hezbollah has a lot of activities” and is “part of Lebanon’s government.” In addition, he observed that France has a long-standing military presence in South Lebanon as part of the UNIFIL operation to monitor the Israel-Lebanese border.¹⁰

The other major European power, the Federal Republic of Germany, remained uninterested in penalizing Hezbollah. In a rare exception among the country’s foreign policy and defense establishments, Philipp Missfelder, the Bundestag foreign policy spokesman and MP for Chancellor Angela Merkel’s Christian Democratic Union party, said in August 2012 that “it is long overdue to place Hezbollah on the EU’s list of terror organizations.”¹¹

Missfelder would later urge a unilateral terror designation of Hezbollah, following the lead of the Netherlands, to outlaw Hezbollah’s entire apparatus. His call for a national designation of Hezbollah was issued after Bulgaria attributed the Burgas attack to the Lebanese Shi’ite organization’s military arm.¹² Germany is an interesting case, largely because of the considerable number of Hezbollah members and the organization’s fundraising operations in the Federal Republic. The reluctance to designate Hezbollah was chalked up to concern about Hezbollah retaliatory action against Germany. “There’s the overall fear if we’re too noisy about this, Hezbollah might strike again. And it might not be Israeli tourists this time,” said Sylke Tempel, the editor-in-chief of the German foreign affairs magazine *Internationale Politik*.¹³

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According to a survey of Germany's 2012 regional and intelligence reports, Hezbollah has maintained a stable presence in the Federal Republic. There are currently 950 members in the country, the same number as in 2011. The intelligence agency's 2010 report showed the number of Hezbollah members to be 900. Germany's capital city Berlin has 250 active Hezbollah members. The 381-page 2012 intelligence report lists the Hezbollah attack on Israeli tourists in Burgas, Bulgaria, under the rubric of Islamic terrorism.

Spain's government stressed in November that a consensus decision among the EU's members is critical, as is the results of the Burgas inquiry. Deputy Foreign Minister Gonzalo de Benito said the conclusions about Burgas "will be essential" for the EU process to list the Lebanese organization as a terrorist entity.

Belgium considered during the formative stages of the EU process a limited ban of Hezbollah. Michel Malherbe, a spokesman for the Belgium Foreign Ministry, said, "We believe that it could make sense, instead of qualifying Hezbollah as a whole, to isolate armed subgroups, or individuals. This method has proven its merits, and deserves a try."¹⁴

It is worth recalling that the late Imad Mughniyeh, who was known as the head of Hezbollah's security force, was placed on the EU's list of wanted terrorism suspects in 2001. The inclusion of Mughniyeh on the list failed to deter Hezbollah's terror attacks on European soil.¹⁵

Some of the other notable countries that voiced objections to banning Hezbollah were Ireland, Austria and the Czech Republic. Ireland and Austria have troops serving as part of the UNIFIL mission. Austria decided to withdraw its troops from the Golan Heights in June. The Austrians served as part of the United Nations Disengagement Observer Force to monitor the Syrian-Israel border.

The Czech Republic articulated concerns about a military designation prohibiting communication with Hezbollah politicians in Beirut. On a side note, the two Hezbollah operatives suspected of executing the Burgas attack are Meliad Farah (a.k.a. Hussein Hussein), a dual Lebanese-Australian national, and Hassan El Hajj Hassan, a dual Canadian-Lebanese national. Both men used Poland, the Czech Republic and Romania as entry and exit points for their Hezbollah activities.

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Principal Objections to Hezbollah Proscription and Counter-Arguments

France and Germany insisted that placement of Hezbollah on the EU terror list would need to meet legal criteria to block a reversal by EU courts. In sharp contrast, counter-terrorism experts argued that the EU threshold for a terrorism designation was much lower. Dr. Guido Steinberg, one of Germany's leading students of counter-terrorism, told the daily *Die Welt*, days before the results of the Burgas investigation, that based on the conditions of the EU-terror list, "Hezbollah qualified itself."¹⁶

The EU defines terrorist acts as "intentional acts which, given their nature or context, may seriously damage a country or international organization and which are defined as an offence under national law."

According to the aforesaid EU standard, there was no shortage of proof to demonstrate Hezbollah terrorism within the territory of Europe prior the Burgas attack.

As Dr. Matthew Levitt, a senior fellow and director of the Stein Program on Counterterrorism and Intelligence at the Washington Institute for Near East Policy, wrote, the Burgas case sparked a fresh debate within the EU over a Hezbollah designation. The investigatory results of the Bulgarian interior minister laid the foundation for the cumbersome EU-decision making process to unfold.

Levitt further wrote that the findings of the Bulgarian interior minister met the requirements of the EU statute: "A competent authority is a judicial authority or, where judicial authorities have no competence in the area, an equivalent competent authority."

The March court ruling in Cyprus added a second layer of "competent authority" evidence for the advocates seeking an EU terror designation of Hezbollah. A three-judge panel convicted Hossam Taleb Yaacoub, a dual Swedish-Lebanese citizen and confessed member of Hezbollah, for his participation in planned attacks against Israelis. Tasia Psara-Miltiadou, the senior judge on the panel, said, "There is no doubt that this group has multiple members and proceeds with various activities, including military training of its members. Therefore, the court rules that Hezbollah acts as a criminal organization."

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Yaacoub's Hezbollah activities covered at least three EU countries. In addition to his observation and organizational mission in Cyprus, he met his handlers in Lyon, France, and in Amsterdam.

The combined Hezbollah activities focused on attacks within the EU, specifically the Burgas and Cyprus cases, encompass seven EU member states. In short, Hezbollah's terrorism operations over the last few years spanned Romania, the Czech Republic, Poland, Bulgaria, France, the Netherlands and Cyprus.

In a case largely ignored by European media, in early April, a criminal court in Haifa sentenced an Israeli Arab to seven years in prison for espionage activities on behalf of Hezbollah. He met with his handlers in Denmark. Notable critics argued that the EU's passivity and inertia about tackling its Hezbollah problem was grounded in political inaction. Claude Moniquet, a former agent with France's foreign intelligence agency and the founder of the European Strategic Intelligence and Security Center, said, "The EU's problem with Hezbollah was never lacking intelligence. It's lacking determination."¹⁷

The growing evidence of Hezbollah's terrorism on European soil did not influence a change in the behavior of France. The game-changing event for Paris was Hezbollah's infusion of troops into Syria to rescue Assad's regime. Hezbollah leader Hassan Nasrallah's declaration of war on Syrian insurgents in late May simply made it impossible to ignore what had been an open secret since 2011.

Foreign Minister Fabius announced in late May: "Given the decisions that Hezbollah has taken and the fact that it has fought extremely hard against the Syrian population, I confirm that France will propose to place Hezbollah's military wing on the list of terrorist organizations."

Stability for Lebanon in particular and for the greater Middle East in general had been the departure point for France and a number of other EU member states in vehemently opposing a blacklisting of Hezbollah.

The crucial role of Hezbollah in bolstering the blood-soaked rule of Assad—and the retaliatory rocket attacks and current round of bombings within Lebanon—has debunked the stability argument raised by France, Germany, Austrian and a number of other EU member states.

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Comments by Gilles de Kerchove, the EU's counter-terrorism director, in January mirrored the thinking at the time of many EU foreign ministries. "For Hezbollah, you might ask, given the situation in Lebanon, which is a highly fragile, highly fragmented country, is listing it going to help you achieve what you want? ... There is no automatic listing just because you have been behind a terrorist attack. It's not only the legal requirement that you have to take into consideration, it's also a political assessment of the context and the timing," said de Kerchove.¹⁸

Responding to de Kerchove's warning about fragmenting Lebanon's political situation, Tony Badran, an expert on the Levant, analyzed Hezbollah's role in sharply exacerbating the volatile nature of Lebanese society.

He wrote, "Hezbollah has thoroughly subverted the country and its citizens in virtually every aspect. Left unmolested, Hezbollah not only undermines Lebanon's security, institutions, and political system, but is also on track to compromise its foreign relations, ruin its financial system, and destroy whatever remains of its social cohesion. The most obvious threat has been and continues to be Hezbollah's illegal arsenal."¹⁹

Europe, with its massive counter-terrorism blind spot, following the logic of Badran, fails to understand the mushrooming, destabilizing role of Hezbollah within Lebanese society prior to its invasion of Syria.

The False Dichotomy of Hezbollah's Entity into Military and Political Wings

Europe's decision to impose a cookie-cutter approach on Hezbollah's organization, separating it into a non-violent political/social wing, on the one hand, and an armed militia, on the other hand, sparked criticism from many quarters.

By way of background, with the exception of the Netherlands and pockets of politicians in the United Kingdom, Ireland and Germany, there is scarce official recognition within the EU that Hezbollah is a monolithic organization.

Alan Shatter, Ireland's minister for defense, stated during his March visit to Beirut, "I don't believe that distinction is a valid distinction. I think Hezbollah is a single organization. It doesn't reflect ... the structure of the IRA

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[Irish Republican Army] where the IRA, or Provisional IRA, was a military wing and Sinn Fein was a political wing.”²⁰

Dublin, which held the EU’s rotating presidency during the debate over proscribing Hezbollah, resisted the major European powers until the 11th hour. Ireland’s ostensible concern was the security of its troops based in South Lebanon as part of the UNIFIL mission. Critics saw a streak of anti-Israel behavior in Irish foreign policy because the country has over the years taken a hard line toward the Jewish state.

It is worth recalling that the current CIA, director John Brennan, who formerly served President Barack Obama as his senior advisor for counter-terrorism policy, chastised Europe, in strong terms, at a meeting last October in Dublin: “Failure to designate Hezbollah as a terrorist organization makes it harder to defend our countries and protect our citizens.”

Brennan added, “We call upon our European allies and partners—including the EU—to join us, not only in recognizing Hezbollah’s terrorist and criminal activities, but in condemning and disrupting those activities.”

He also made an important contribution to spotlighting the relations among the troika of Hezbollah, Iran and Syria. Brennan said US and European countries must hold the Islamic Republic of Iran and Syria’s regime responsible for their sponsorship of Hezbollah.

The editorial and opinion pages of major US and British news organizations published a stream of articles urging the EU to ban Hezbollah’s entire apparatus and not fall into the trap of splitting the entity into parts.

The opening salvo in the European press debate was The Times January opinion article titled “Don’t mince words. Hezbollah are terrorists,” by former Spanish Prime Minister José María Aznar and David Trimble, the former first minister of Northern Ireland and recipient of the Noble Peace Prize.²²

Bloomberg asked in its editorial headline: “Why Does Europe Think Hezbollah Is Only Partly Terrorist?” The editors answered their question with a stern recommendation: “Europe should end the charade, list the entire group as the terrorist organization that it is, and shut down Hezbollah’s funding and recruiting operations in Europe.”²³

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President Obama’s former national security advisor Thomas E. Donilon penned a February New York Times article urging European to “disrupt its [Hezbollah’s] operational networks, stop flows of financial assistance to the group, crack down on Hezbollah-linked criminal enterprises and condemn the organization’s leaders for their continued pursuit of terrorism.” He said “Europe must now act collectively and respond resolutely to this attack within its borders by adding Hezbollah to the European Union’s terrorist list.”²⁴

A report by the United States Congressional Research Service concluded that “Hezbollah has a unified leadership structure that oversees the organization’s complementary, partially compartmentalized elements.”

Groups of Democratic and Republican US senators and congressional representatives have urged, in a series of letters and in the press since the Burgas bombing, that the EU designate Hezbollah’s entire organization as a terrorist entity. After the EU blacklisted Hezbollah’s military wing, 47 members of Congress sent a letter to the EU’s chief diplomat, Catherine Ashton, requesting that the EU move to a full-blown designation.

According to the letter, “This designation is a significant step in preventing terrorism and loss of life. However, we maintain that there is no difference between Hezbollah’s political and military wings.... The same leadership oversees the political, social, criminal and terrorist operations.... We hope that the EU will consider designating the whole of Hezbollah as a terrorist organization.”²⁵

In what was interpreted as a clear reference to the EU debate about whether to outlaw Hezbollah, President Obama said in Jerusalem during his May visit that “Every country that values justice should call Hezbollah what it truly is—a terrorist organization.”

Hezbollah’s Top Leadership Defines its Organization as a Monolithic Entity

It is a telling sign that Hezbollah’s senior leaders, including Nasrallah, flatly reject the EU’s classification of its organization into military and political wings. Over ten years ago, Mohammed Fannish, a member of the so-called “political bureau” of Hezbollah and former Lebanese energy minister,

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declared in 2002, “I can state that there is no separating between Hezbollah’s military and political arms.”

A mere seven years later, following the UK’s decision to demarcate Hezbollah into military and political wings in 2008, Hezbollah deputy leader Naim Qassem told the Los Angeles Times in 2009 that the “same leadership that directs the parliamentary and government work also leads jihad actions in the struggle against Israel.”²⁶ And in October, 2012, Hezbollah’s Qassem reiterated his organization’s view of its inner workings: “We don’t have a military wing and a political one; we don’t have Hezbollah on one hand and the resistance party on the other.... Every element of Hezbollah, from commanders to members as well as our various capabilities, are in the service of the resistance, and we have nothing but the resistance as a priority.”

A few days after the EU sanctioned Hezbollah’s military wing, Nasrallah lampooned and mocked the separation of his organization into distinct parts. “A government without Hezbollah will never be formed,” he declared. “Just as a joke I propose that our ministers in the next government be from the military wing of Hezbollah.”

There are dozens of pronouncements from Hezbollah politicians and officials dating back to the 1990s, in which the Hezbollah representatives stressed the unified nature of their organization.

All of this helps to explain why many leading counter-terrorism experts on both sides of the Atlantic view the EU’s decision to ban Hezbollah’s military wing as drawing an artificial distinction.

Hezbollah’s Networks and Operatives in Europe

Hezbollah’s entanglement in Syria coupled with its growing isolation within the Sunni Arab world has left it more vulnerable than at any time in its history. Bilal Y. Saab, the executive director and head of research of the Institute for Near East and Gulf Military Analysis North America, addressed the possible demise of Hezbollah in an August Foreign Affairs article titled “Hezbollah Under Fire: Could the Bombing in Beirut Spell the End of the Shia Group?”²⁷

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While Hezbollah experts do not envision Nasrallah withdrawing his military personnel from Syria (or ending Hezbollah's global terrorism) because of EU sanctions, the Lebanese Shi'ite organization has experienced an erosion of its legitimacy and may experience heavy financial hits in the near future. It is worth recalling that Nasrallah told Arab media in 2005 that a European terror designation would "destroy Hezbollah. The sources of our funding will dry up and the sources of moral, political and material support will be destroyed."

The EU's targeted sanction, it can be argued, is cutting into Hezbollah's moral and political backing. The partial terror designation has contributed to pushing Hezbollah into the international pariah camp.

There remains a question mark over whether the EU can impair and disrupt Hezbollah's fundraising and weapons and technology procurement activities in Europe.

The scope of the organization's network was outlined in a map on the website of the Lebanese news outlet NOW. The diagram, which was published in July, shows Hezbollah hubs in Madrid, Brussels, Stockholm, Berlin, Copenhagen, Warsaw, Sofia, Bratislava, and Nicosia.

In addition to the NOW map, there have been documented Hezbollah meetings and activities in, for example, Hamburg, Frankfurt, Lyon, London, Amsterdam, and other cities across Germany.

German intelligence data from 2012 revealed that young German Hezbollah members are strongly connected and active on the Internet, including in social media and diverse web forums. Large street demonstrations involving Hezbollah supporters and members were documented, including an event attended by 1,100 supporters last year at the Al-Quds Day march in Berlin. At 600, the number of young members in Germany in 2012 almost doubled from 2011.

The 2013 Al-Quds Day march in Berlin, which called for the destruction of Israel and stoked anti-Western hostility, produced roughly 900 Hezbollah, Syrian and Iranian regimes supporters.

Some 3,000 Hezbollah supporters participated in the Iranian-sponsored Al-Quds Day march in the 1990s.

The Jerusalem Post reported in 2012 that the Imam Ali Mosque in Hamburg, widely considered by experts in Germany and abroad to be part of the long arm of Iran's regime in the Federal Republic, chartered buses and sent Hezbollah supporters to an anti-Israel and anti-Western demonstration.²⁸

Hamburg's local intelligence agency stated that "two buses with roughly 90 people traveled to Berlin this year. The costs for the travel were paid for by the IZH," an organization that operates the Shi'ite mosque.

Berlin has 250 active Hezbollah members. The local Berlin intelligence agency documented in its report that there is an annual "victory celebration of the liberation" in Berlin celebrating the IDF withdrawal from South Lebanon in May 2000. On May 26, 2012, roughly 700 Hezbollah participants took part in the event.

The report noted that in September 2012, Hezbollah members in many German cities protested against the anti-Islam film "Innocence of Muslims." Hezbollah leader Hassan Nasrallah called for worldwide demonstrations against the film.

German intelligence reports over the years cited the Hezbollah-controlled Orphans Project Lebanon in Germany as a way for Islamists to send money to Lebanon. The Orphans Project Lebanon e.V. (Waisenkinderprojekt e.V.) finances the families of Hezbollah members who commit suicide bombings against Israelis, and supports the Lebanese Shi'ite group's assassins and operatives.

The Orphans Project is located in the city of Göttingen, in the state of Lower Saxony. The state's intelligence agency told The Jerusalem Post that there were 130 active Hezbollah members in the state.

After the publication of a report by the European Foundation for Democracy (EFD) covering the Orphans Project in 2009, the Lower Saxony state government eliminated the tax subsidy for the so-called Hezbollah "charity" in 2010. However, successive conservative and social democratic governments in Lower Saxony refused to pull the plug on the Orphans Project operation. The EFD report showed that the Orphans Project Lebanon funnels donations to the Al Shahid Association in Lebanon. Alexander Ritzmann, the report's author, said at the time that Al Shahid was "disguised as a humanitarian organization" and "promotes violence and terrorism in the Middle East using donations collected in Germany and elsewhere."²⁹

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According to the EFD study, Al Shahid provided financial support to “martyr families in Lebanon, for the purpose of relieving militiamen and assassins of the responsibility to provide for their families’ future. In this way, the ‘Orphans Project Lebanon e.V’ encourages engagement in military and terrorist activities.”

Enforcement Mechanisms Available to the EU to Disrupt Hezbollah’s Operations

The aforementioned Hezbollah fundraising operations in Germany are subject to review and possible closure. The EU’s terror listing permits the authorities to freeze assets of the designated entity. However, there are serious challenges for EU regulators and counter-terrorism officials. To track Hezbollah-solicited funds in Europe, which are funneled to its military activities outside the EU, the EU will have to replicate sophisticated methods used by the US Treasury Department’s anti-terrorism office. The same challenge exists for Hezbollah’s fundraising for illicit militia-based work within the territory of the EU.

Given Hezbollah’s ability to hide its funds behind the façade of its so-called social service and political activities, EU authorities will need to aggressively pursue the complex set of funding streams and financial disguises used by Hezbollah.

Dr. Matt Levitt argues that the EU ban includes significant levers of pressure that can be used to affect Hezbollah’s operations in Europe.

The blacklisting “will enable EU governments to initiate preemptive intelligence investigations into activities that can be tied in any way to Hezbollah’s military wing, thus acting as a strong deterrent,” he wrote. “Germany and a handful of other European countries have already conducted such investigations, but the designation will spur many others to do so. This alone is a tremendous change that should make Europe a far less attractive place for Hezbollah operatives.”³⁰

Levitt stressed the “ban is a strong means of communicating to Hezbollah that its current activities are beyond the pale, and that continuing to engage in acts of violence will exact a high cost. Previously, the group had been permitted to mix its political and social welfare activities with its terrorist

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and criminal activities, giving it an effective way to raise and launder money along with a measure of immunity for its militant activities.”

Lastly, Levitt believes the “ban will probably still curtail Hezbollah fundraising. Some of the group’s members may be barred from traveling to Europe as member states become bolder in opening new investigations and consider issuing visa restrictions under their national authorities as a result. And Hezbollah leaders may unilaterally curtail certain activities on the continent as they assess the ban’s full impact and try to cut their losses at a time when the group is under severe international and domestic pressure.”

Just a few days after the EU outlawed Hezbollah, The Jerusalem Post reported that Israeli officials are working on forwarding material to European authorities on Hezbollah’s operations. “There is no need to have this type of engagement with the British, who were pushing this matter and are well aware of the intelligence. But with countries like Germany, France and Spain, who are new at this, all types of information will have to be shared,” said Israeli officials.

Full Ban of Hezbollah and Unilateral National Bans

It is conceivable that the EU will move from its partial ban of Hezbollah to a full designation. There is an interesting precedent. In 2003, the EU eliminated its distinction between Hamas’s political and military work. The EU had previously banned Hamas’s military wing—known as the Izzedin al-Qassam Brigades. Hamas fundraising in Europe to advance its suicide bombing campaign against Israelis and its goal to destroy the Palestinian-Israeli peace process were the key reasons for the EU ban of Hamas’s political wing.³²

The conflict in Syria could very well be the key factor in the EU calculus to fully outlaw Hezbollah. Nasrallah’s highly jingoistic rhetoric in August, including declaring his willingness to personally fight in Syria, suggests that the EU’s policy designed to influence a change in Hezbollah’s political leadership is falling far short of its goal. In brief, the EU’s aim to spare the political leadership appears to be a fool’s errand.

On a side note, France remains wedded to retaining leverage in Syria and regaining its diplomatic presence. The long-term French-Syrian relationship carries great weight for France’s foreign policy. Compounding Hezbollah’s

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destruction of Syrian society is the effect on Lebanon. Sunni rebels and radical jihadists are waging an existential war against Hezbollah throughout Syria. Hezbollah's invasion of Syria has brought the conflict – including car bombings and rocket attacks – back home to Lebanese villages and south Beirut.

If Hezbollah continues to destabilize Lebanon, where France has a diplomatic stake, the French government may ratchet up the pressure within the EU.

In the absence of a total ban of Hezbollah, individual EU member states can unilaterally outlaw Hezbollah. The Netherlands provides the most striking example of a national ban independent of the EU consensus process. While member states, as a rule of thumb, do not want to break with the EU consensus, there have been notable instance in the area of counterterrorism.

Take the example of Hezbollah's Al-Manar television station. Within Europe Al-Manar broadcasts have been banned, in different forms, by France, Germany, Spain and the Netherlands. In 2004, France's then-Prime Minister Jean-Pierre Raffarin justified the decision in stark terms:

“Al-Manar's programs are incompatible with our values. It is clear that these programmes will lead to the rescinding of the agreement signed between the CSA and al-Manar,” Mr. Raffarin said.³³ For the former Prime Minister, Al-Manar's “anti-Semitism” violated French values.

Conclusion: The potential for full ban is a real possibility

The EU decision to place Hezbollah's military wing on its terror list is a significant move, largely because it deals a powerful symbolic blow of delegitimization to Hezbollah and triggers processes that could disrupt and impair Hezbollah's European fundraising and movement.

However, European leaders are still permitted under the terror designation to meet and negotiate with Hezbollah politicians.

There are countervailing forces at work that could influence a change in the behavior of the EU. A broad range of politicians in the US, Canada, Israel, Bahrain—and the countries of the Gulf Cooperation Council—sharply

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disagree with the partial designation. In addition to growing Arab and Western pressure to fully ostracize Hezbollah, the Lebanese Shi'ite entity, with its jingoism in Syria and Lebanon, may turn out to be digging its own grave.

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